



**ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 2011 ASSEMBLY BILL 40**

1     **AN ACT relating to:** state finances and appropriations, constituting the  
2             executive budget act of the 2011 legislature.

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

3             **SECTION 1d.** 5.02 (18) of the statutes is amended to read:

4             5.02 **(18)** "September primary" means the primary held the 2nd Tuesday in  
5     September to nominate candidates to be voted for at the general election, ~~and to~~  
6     ~~determine which candidates for state offices other than district attorney may~~  
7     ~~participate in the Wisconsin election campaign fund.~~

8             **SECTION 2d.** 5.35 (6) (b) of the statutes is amended to read:

9             5.35 **(6)** (b) At each polling place in the state where a consolidated ballot under  
10     s. 5.655 is used or an electronic voting system is utilized at a partisan primary  
11     election incorporating a ballot upon which electors may mark votes for candidates

1 of more than one recognized political party ~~or for candidates of a recognized political~~  
2 ~~party and independent candidates~~, the municipal clerk or board of election  
3 commissioners shall prominently post a sign in the form prescribed by the board  
4 warning electors in substance that on any ballot with votes cast for candidates of  
5 more than one recognized political party ~~or any ballot with votes cast for candidates~~  
6 ~~of a recognized political party and independent candidates~~, no votes cast for any  
7 candidates for partisan office will be counted unless a preference for a party ~~or for~~  
8 ~~the independent candidates~~ is made. If the elector designates a preference, only  
9 votes cast for candidates of that preference will be counted.

10 **SECTION 2f.** 5.37 (4) of the statutes is amended to read:

11 5.37 (4) Voting machines may be used at primary elections when they comply  
12 with subs. (1) and (2) and the following provisions: All candidates' names entitled to  
13 appear on the ballots at the primary shall appear on the machine; the elector cannot  
14 vote for candidates of more than one party, whenever the restriction applies, ~~and an~~  
15 ~~elector who votes for candidates of any party may not vote for independent~~  
16 ~~candidates at the September primary~~; the elector may secretly select the party for  
17 which he or she wishes to vote, ~~or the independent candidates in the case of the~~  
18 ~~September primary~~; the elector may vote for as many candidates for each office as  
19 he or she is lawfully entitled to vote for, but no more.

20 **SECTION 3e.** 5.62 (1) (a) of the statutes is amended to read:

21 5.62 (1) (a) At September primaries, the following ballot shall be provided for  
22 the nomination of candidates of recognized political parties for national, state and  
23 county offices and independent candidates for state office in each ward, in the same  
24 form as prescribed by the board under s. 7.08 (1) (a), except as authorized in s. 5.655.  
25 The ballots shall be made up of the several party tickets with each party entitled to

1 participate in the primary under par. (b) or sub. (2) having its own ballot, except as  
2 authorized in s. 5.655. ~~The independent candidates for state office other than district~~  
3 ~~attorney shall have a separate ballot for all such candidates as under s. 5.64 (1) (e),~~  
4 ~~except as authorized in s. 5.655.~~ The ballots shall be secured together at the bottom.  
5 The party ballot of the party receiving the most votes for president or governor at the  
6 last general election shall be on top with the other parties arranged in descending  
7 order based on their vote for president or governor at the last general election. The  
8 ballots of parties qualifying under sub. (2) shall be placed after the parties qualifying  
9 under par. (b), in the same order in which the parties filed petitions with the board.  
10 Any ballot required under par. (b) 2. shall be placed next in order. ~~The ballot listing~~  
11 ~~the independent candidates shall be placed at the bottom.~~ At polling places where  
12 voting machines are used, each party ~~and the independent candidates~~ shall be  
13 represented in one or more separate columns or rows on the ballot. At polling places  
14 where an electronic voting system is used other than an electronic voting machine,  
15 each party ~~and the independent candidates~~ may be represented in separate columns  
16 or rows on the ballot.

17 **SECTION 3m.** 5.62 (3) of the statutes is amended to read:

18 5.62 (3) The board shall designate the official primary ballot arrangement for  
19 statewide offices and district attorney within each prosecutorial district by using the  
20 same procedure as provided in s. 5.60 (1) (b). On each ballot and on each separate  
21 column or row on the ballot, the candidates for office shall be listed together with the  
22 offices which they seek in the following order whenever these offices appear on the  
23 September primary ballot: governor, lieutenant governor, attorney general,  
24 secretary of state, state treasurer, U.S. senator, U.S. representative in congress,  
25 state senator, representative to the assembly, district attorney and the county offices.

1 ~~Below the names of the independent candidates shall appear the party or principle~~  
2 ~~of the candidates, if any, in 5 words or less, as shown on their nomination papers.~~

3 **SECTION 3s.** 5.62 (5) of the statutes is repealed.

4 **SECTION 3t.** 5.68 (4) of the statutes is amended to read:

5 5.68 (4) ~~Except as provided under sub. (7), the~~ The cost of compensation of  
6 election officials and trainees shall be borne in the manner provided in s. 7.03.

7 **SECTION 3u.** 5.68 (7) of the statutes is repealed.

8 **SECTION 3v.** 5.81 (4) of the statutes is amended to read:

9 5.81 (4) In partisan primary elections, if a ballot contains the names of  
10 candidates of more than one party ~~or the names of party candidates and independent~~  
11 ~~candidates~~, it shall provide a space for electors to designate a party preference ~~or a~~  
12 ~~preference for the independent candidates~~. Failure to designate a preference does  
13 not invalidate any votes cast by an elector, except as provided in s. 7.50 (1) (d).

14 **SECTION 4g.** 5.91 (1) of the statutes is amended to read:

15 5.91 (1) It enables an elector to vote in secrecy and to select the party ~~or the~~  
16 ~~independent candidates for whom~~ for which an elector will vote in secrecy at a  
17 partisan primary election.

18 **SECTION 4r.** 5.91 (6) of the statutes is amended to read:

19 5.91 (6) The voting device or machine permits an elector in a primary election  
20 to vote for the candidates of the recognized political party ~~or the independent~~  
21 ~~candidates~~ of his or her choice, and the automatic tabulating equipment or machine  
22 rejects any ballot on which votes are cast in the primary of more than one recognized  
23 political party, except where a party ~~or independent candidate~~ designation is made  
24 or where an elector casts write-in votes for candidates of more than one party on a  
25 ballot that is distributed to the elector.

1           **SECTION 5g.** 7.08 (2) (c) of the statutes is repealed.

2           **SECTION 5r.** 7.08 (2) (cm) of the statutes is repealed.

3           **SECTION 6c.** 7.70 (3) (e) (intro.) and 2. of the statutes are consolidated,  
4           renumbered 7.70 (3) (e) and amended to read:

5           7.70 (3) (e) The chairperson of the board or the chairperson's designee shall  
6           make a special statement to the board as soon as possible after the canvass of the  
7           general election certifying: ~~2. After the general election,~~ the name of each political  
8           party which receives at least one percent of the vote cast in such election for any  
9           statewide office.

10          **SECTION 6d.** 7.70 (3) (e) 1. of the statutes is repealed.

11          **SECTION 7c.** 8.15 (7) of the statutes is amended to read:

12          8.15 (7) A candidate may not run in more than one party primary at the same  
13          time. No filing official may accept nomination papers for the same person in the same  
14          election for more than one party. ~~An independent candidate at a partisan primary~~  
15          ~~or other election may not file nomination papers as the candidate of a recognized~~  
16          ~~political party for the same office at the same election.~~ A person who files nomination  
17          papers as the candidate of a recognized political party may not file nomination  
18          papers as an independent candidate for the same office at the same election.

19          **SECTION 7d.** 8.16 (1) of the statutes is amended to read:

20          8.16 (1) Except as provided in sub. (2), the person who receives the greatest  
21          number of votes for an office on a party ballot at any partisan primary, regardless of  
22          whether the person's name appears on the ballot, shall be the party's candidate for  
23          the office, and the person's name shall so appear on the official ballot at the next  
24          election. ~~All independent candidates shall appear on the general election ballot~~

1 ~~regardless of the number of votes received by such candidates at the September~~  
2 ~~primary.~~

3 **SECTION 7e.** 8.16 (5) of the statutes is repealed.

4 **SECTION 7f.** 8.20 (8) (a) of the statutes is amended to read:

5 8.20 **(8)** (a) Nomination papers for independent candidates for any office to be  
6 voted upon at a general election ~~or September primary and general election~~, except  
7 president, vice president and presidential elector, may be circulated no sooner than  
8 June 1 preceding the election and may be filed no later than 5 p.m. on the 2nd  
9 Tuesday of July preceding the September primary, except as authorized in this  
10 paragraph. If an incumbent fails to file nomination papers and a declaration of  
11 candidacy by 5 p.m. on the 2nd Tuesday of July preceding the September primary,  
12 all candidates for the office held by the incumbent, other than the incumbent, may  
13 file nomination papers no later than 72 hours after the latest time prescribed in this  
14 paragraph. No extension of the time for filing nomination papers applies if the  
15 incumbent files written notification with the filing officer or agency with whom  
16 nomination papers are filed for the office which the incumbent holds, no later than  
17 5 p.m. on the 2nd Friday preceding the latest time prescribed in this paragraph for  
18 filing nomination papers, that the incumbent is not a candidate for reelection to his  
19 or her office, and the incumbent does not file nomination papers for that office within  
20 the time prescribed in this paragraph.

21 **SECTION 7g.** 8.20 (9) of the statutes is amended to read:

22 8.20 **(9)** Persons nominated by nomination papers without a recognized  
23 political party designation shall be placed on the official ballot at the general election  
24 and at any partisan election to the right or below the recognized political party  
25 candidates in their own column or row designated “Independent”. ~~At the September~~

1 ~~primary, persons nominated for state office by nomination papers without a~~  
2 ~~recognized political party designation shall be placed on a separate ballot or, if a~~  
3 ~~consolidated paper ballot under s. 5.655 (2), an electronic voting system or voting~~  
4 ~~machines are used, in a column or row designated “Independent”.~~ If the candidate’s  
5 name already appears under a recognized political party it may not be listed on the  
6 independent ballot, column or row.

7 **SECTION 7n.** 8.35 (4) (b) of the statutes is repealed.

8 **SECTION 7r.** 8.35 (4) (c) of the statutes is amended to read:

9 **8.35 (4) (c)** The transfer shall be reported to the appropriate filing officer in a  
10 special report submitted by the former candidate’s campaign treasurer. If the former  
11 candidate is deceased and was serving as his or her own campaign treasurer, the  
12 former candidate’s petitioner or personal representative shall file the report and  
13 ~~make the transfer required by par. (b), if any.~~ The report shall include a complete  
14 statement of all contributions, disbursements and incurred obligations pursuant to  
15 s. 11.06 (1) covering the period from the day after the last date covered on the former  
16 candidate’s most recent report to the date of disposition.

17 **SECTION 7w.** 8.50 (3) (b) of the statutes is amended to read:

18 **8.50 (3) (b)** Except as otherwise provided in this section, the provisions for  
19 September primaries under s. 8.15 are applicable to all partisan primaries held  
20 under this section, and the provisions for spring primaries under s. 8.10 are  
21 applicable to all nonpartisan primaries held under this section. In a special partisan  
22 primary or election, the order of the parties on the ballot shall be the same as  
23 provided under s. 5.62 (1) or 5.64 (1) (b). ~~Independent candidates for state office at~~  
24 ~~a special partisan election shall not appear on the primary ballot.~~ No primary is  
25 required for a nonpartisan election in which not more than 2 candidates for an office

1 appear on the ballot or for a partisan election in which not more than one candidate  
2 for an office appears on the ballot of each recognized political party. In every special  
3 election except a special election for nonpartisan state office where no candidate is  
4 certified to appear on the ballot, a space for write-in votes shall be provided on the  
5 ballot, regardless of whether a special primary is held.

6 **SECTION 8d.** 10.02 (3) (b) 2. of the statutes is amended to read:

7 10.02 (3) (b) 2. At a ~~special~~ partisan primary, the elector shall select the party  
8 ballot of his or her choice and shall make a cross (X ) next to or depress the lever or  
9 button next to the candidate's name for each office for whom the elector intends to  
10 vote, or shall insert or write in the name of the elector's choice for a candidate.

11 **SECTION 8h.** 10.02 (3) (b) 2m. of the statutes is repealed.

12 **SECTION 8p.** 10.06 (1) (e) of the statutes is amended to read:

13 10.06 (1) (e) As soon as possible following the state canvass of the spring  
14 primary vote, but no later than the first Tuesday in March, the board shall send a  
15 type B notice certifying to each county clerk the list of candidates for the spring  
16 election. When no state spring primary is held or when the only primary held is the  
17 presidential preference primary, this notice shall be sent under par. (c). ~~The board~~  
18 ~~shall also in any case send a certified list of candidates under s. 11.50 to the state~~  
19 ~~treasurer pursuant to s. 7.08 (2) (c).~~ When there is a referendum, the board shall send  
20 type A and C notices certifying each question to the county clerks as soon as possible,  
21 but no later than the first Tuesday in March.

22 **SECTION 8t.** 10.06 (1) (i) of the statutes is amended to read:

23 10.06 (1) (i) As soon as possible after the state canvass, but no later than the  
24 4th Tuesday in September, the board shall send a type B notice certifying the list of  
25 candidates and type A and C notices certifying each question for any referendum to



1 each county clerk for the general election ~~and a certified list of candidates under s.~~  
2 ~~11.50 to the state treasurer pursuant to s. 7.08 (2) (c).~~

3 **SECTION 11c.** 11.06 (1) (jm) of the statutes is amended to read:

4 11.06 (1) (jm) A copy of any separate schedule prepared or received pursuant  
5 to an escrow agreement under s. 11.16 (5). A candidate or personal campaign  
6 committee receiving contributions under such an agreement and attaching a  
7 separate schedule under this paragraph may indicate the percentage of the total  
8 contributions received, disbursements made ~~and exclusions claimed under s. 11.31~~  
9 ~~(6)~~ without itemization, except that amounts received from any contributor pursuant  
10 to the agreement who makes any separate contribution to the candidate or personal  
11 campaign committee during the calendar year of receipt as indicated in the schedule  
12 shall be aggregated and itemized if required under par. (a) or (b).

13 **SECTION 11g.** 11.12 (2) of the statutes is amended to read:

14 11.12 (2) ~~No registrant, other than a candidate who receives a public financing~~  
15 ~~benefit from the democracy trust fund, may accept an Any anonymous contribution~~  
16 ~~exceeding \$10. No candidate who receives a public financing benefit from the~~  
17 ~~democracy trust fund may accept an anonymous contribution exceeding \$5. Any~~  
18 ~~anonymous contribution that may not be accepted under this subsection received by~~  
19 ~~a campaign or committee treasurer or by an individual under s. 11.06 (7) may not be~~  
20 ~~used or expended. The contribution shall be donated to the common school fund or~~  
21 ~~to a any charitable organization at the option of the registrant's treasurer.~~

22 **SECTION 11n.** 11.16 (2) of the statutes is amended to read:

23 11.16 (2) LIMITATION ON CASH CONTRIBUTIONS. ~~Except as provided in s. 11.506 (6),~~  
24 every Every contribution of money exceeding \$50 shall be made by negotiable  
25 instrument or evidenced by an itemized credit card receipt bearing on the face the

1 name of the remitter. No treasurer may accept a contribution made in violation of  
2 this subsection. The treasurer shall promptly return the contribution, or donate it  
3 to the common school fund or to a charitable organization in the event that the donor  
4 cannot be identified.

5 **SECTION 11r.** 11.16 (3) of the statutes is amended to read:

6 11.16 (3) FORM OF DISBURSEMENTS. ~~Except as authorized under s. 11.511 (1),~~  
7 every Every disbursement which is made by a registered individual or treasurer from  
8 the campaign depository account shall be made by negotiable instrument. Such  
9 instrument shall bear on the face the full name of the candidate, committee,  
10 individual or group as it appears on the registration statement filed under s. 11.05  
11 and where necessary, such additional words as are sufficient to clearly indicate the  
12 political nature of the registrant or account of the registrant. The name of a political  
13 party shall include the word “party”. The instrument of each committee registered  
14 with the board and designated under s. 11.05 (3) (c) as a special interest committee  
15 shall bear the identification number assigned under s. 11.21 (12) on the face of the  
16 instrument.

17 **SECTION 11w.** 11.16 (5) of the statutes is amended to read:

18 11.16 (5) ESCROW AGREEMENTS. Any personal campaign committee, political  
19 party committee or legislative campaign committee may, pursuant to a written  
20 escrow agreement with more than one candidate, solicit contributions for and  
21 conduct a joint fund raising effort or program on behalf of more than one named  
22 candidate. The agreement shall specify the percentage of the proceeds to be  
23 distributed to each candidate by the committee conducting the effort or program.  
24 The committee shall include this information in all solicitations for the effort or  
25 program. All contributions received and disbursements made by the committee in

1 connection with the effort or program shall be received and disbursed through a  
2 separate depository account under s. 11.14 (1) that is identified in the agreement.  
3 For purposes of s. 11.06 (1), the committee conducting the effort or program shall  
4 prepare a schedule in the form prescribed by the board supplying all required  
5 information under s. 11.06 (1) ~~and items qualifying for exclusion under s. 11.31 (6)~~  
6 for the effort or program, and shall transmit a copy of the schedule to each candidate  
7 who receives any of the proceeds within the period prescribed in s. 11.06 (4) (c).

8 **SECTION 12b.** 11.21 (15) of the statutes is repealed.

9 **SECTION 12d.** 11.26 (1) (a) of the statutes is amended to read:

10 11.26 (1) (a) Candidates for governor, lieutenant governor, secretary of state,  
11 state treasurer, attorney general, ~~or~~ state superintendent, or justice, \$10,000.

12 **SECTION 12e.** 11.26 (1) (am) of the statutes is repealed.

13 **SECTION 12g.** 11.26 (2) (a) of the statutes is amended to read:

14 11.26 (2) (a) Candidates for governor, lieutenant governor, secretary of state,  
15 state treasurer, attorney general, ~~or~~ state superintendent, or justice, 4 percent of the  
16 value of the disbursement level specified in the schedule under s. 11.31 (1).

17 **SECTION 12h.** 11.26 (2) (an) of the statutes is repealed.

18 **SECTION 12j.** 11.26 (9) (a) of the statutes is amended to read:

19 11.26 (9) (a) ~~Except as provided in par. (ba), no~~ No individual who is a candidate  
20 for state or local office may receive and accept more than 65 percent of the value of  
21 the total disbursement level determined under s. 11.31 ~~or 11.511 (7) (a)~~ for the office  
22 for which he or she is a candidate during any primary and election campaign  
23 combined from all committees subject to a filing requirement, including political  
24 party and legislative campaign committees.

25 **SECTION 12k.** 11.26 (9) (b) of the statutes is amended to read:

1           11.26 (9) (b) ~~Except as provided in par. (ba), no~~ No individual who is a candidate  
2 for state or local office may receive and accept more than 45 percent of the value of  
3 the total disbursement level determined under s. 11.31 ~~or 11.511 (7) (a)~~ for the office  
4 for which he or she is a candidate during any primary and election campaign  
5 combined from all committees other than political party and legislative campaign  
6 committees subject to a filing requirement.

7           **SECTION 12L.** 11.26 (9) (ba) of the statutes is repealed.

8           **SECTION 12m.** 11.26 (9) (c) of the statutes is repealed.

9           **SECTION 12n.** 11.26 (10) of the statutes is repealed.

10          **SECTION 12p.** 11.26 (13) of the statutes is repealed.

11          **SECTION 12s.** 11.26 (17) (a) of the statutes is amended to read:

12           11.26 (17) (a) For purposes of application of the limitations imposed in subs.  
13 (1), (2), and (9) ~~and (10)~~, the “campaign” of a candidate begins and ends at the times  
14 specified in this subsection.

15          **SECTION 13b.** 11.31 (title) of the statutes is amended to read:

16           **11.31 (title) Disbursement levels and limitations; calculation.**

17          **SECTION 13d.** 11.31 (1) (intro.) of the statutes is amended to read:

18           11.31 (1) SCHEDULE. (intro.) The following levels of disbursements are  
19 established with reference to the candidates listed below. ~~Except as provided in sub.~~  
20 ~~(2), such~~ The levels do not operate to restrict the total amount of disbursements  
21 which are made or authorized to be made by any candidate in any primary or other  
22 election.

23          **SECTION 13g.** 11.31 (1) (d) of the statutes is amended to read:

24           11.31 (1) (d) Candidates for secretary of state, state treasurer, ~~or~~ state  
25 superintendent, or justice, \$215,625.

1           **SECTION 13h.** 11.31 (2) of the statutes is repealed.

2           **SECTION 13i.** 11.31 (2m) of the statutes is repealed.

3           **SECTION 13j.** 11.31 (3) of the statutes is repealed.

4           **SECTION 13k.** 11.31 (3m) of the statutes is repealed.

5           **SECTION 13km.** 11.31 (4) of the statutes is repealed.

6           **SECTION 13p.** 11.31 (6) of the statutes is repealed.

7           **SECTION 13s.** 11.31 (7) (b) to (d) of the statutes are amended to read:

8           11.31 (7) (b) Disbursements which are made before a campaign period for goods  
9           to be delivered or services to be rendered in connection with the campaign are  
10          ~~charged against~~ allocated to the disbursement limitation level for that campaign.

11          (c) Disbursements which are made after a campaign to retire a debt incurred  
12          in relation to a campaign are ~~charged against~~ allocated to the disbursement  
13          limitation level for that campaign.

14          (d) Disbursements which are made outside a campaign period and to which par.  
15          (b) or (c) does not apply are not subject to any disbursement limitation level. Such  
16          disbursements are subject to s. 11.25 (2).

17          **SECTION 13t.** 11.31 (8) of the statutes is amended to read:

18          11.31 (8) CERTAIN CONTRIBUTIONS EXCLUDED. ~~The limitations imposed under~~  
19          levels specified in this section do not apply to a gift of anything of value constituting  
20          a contribution made directly to a registrant by another, but the ~~limitations shall~~  
21          levels do apply to such a gift when it is received and accepted by the recipient or if  
22          received in the form of money, when disbursed.

23          **SECTION 13v.** 11.31 (10) of the statutes is repealed.

24          **SECTION 13vb.** 11.50 of the statutes is repealed.

25          **SECTION 13wb.** 11.501 of the statutes is repealed.

1           **SECTION 13wc.** 11.502 of the statutes is repealed.

2           **SECTION 13wd.** 11.503 of the statutes is repealed.

3           **SECTION 13we.** 11.505 of the statutes is repealed.

4           **SECTION 13wf.** 11.506 of the statutes is repealed.

5           **SECTION 13wg.** 11.507 of the statutes is repealed.

6           **SECTION 13wh.** 11.508 of the statutes is repealed.

7           **SECTION 13wi.** 11.509 of the statutes is repealed.

8           **SECTION 13wj.** 11.51 of the statutes is repealed.

9           **SECTION 13wk.** 11.511 of the statutes is repealed.

10          **SECTION 14.** 11.512 of the statutes is repealed.

11          **SECTION 15.** 11.513 of the statutes is repealed.

12          **SECTION 16a.** 11.515 of the statutes is repealed.

13          **SECTION 16b.** 11.516 of the statutes is repealed.

14          **SECTION 16c.** 11.517 of the statutes is repealed.

15          **SECTION 16d.** 11.518 of the statutes is repealed.

16          **SECTION 16e.** 11.522 of the statutes is repealed.

17          **SECTION 16f.** 11.60 (4) of the statutes is amended to read:

18           11.60 (4) Except as otherwise provided in ss. 5.05 (2m) (c) 15. and 16. and (h),  
19           5.08, and 5.081, actions under this section ~~or s. 11.517~~ may be brought by the board  
20           or by the district attorney for the county where the defendant resides or, if the  
21           defendant is a nonresident, by the district attorney for the county where the violation  
22           is alleged to have occurred. For purposes of this subsection, a person other than a  
23           natural person resides within a county if the person's principal place of operation is  
24           located within that county.

25          **SECTION 17c.** 11.61 (2) of the statutes is amended to read:

1           11.61 **(2)** Except as otherwise provided in ss. 5.05 (2m) (c) 15. and 16. and (i),  
2           5.08, and 5.081, all prosecutions under this section ~~or s. 11.518~~ shall be conducted  
3           by the district attorney for the county where the defendant resides or, if the  
4           defendant is a nonresident, by the district attorney for the county where the violation  
5           is alleged to have occurred. For purposes of this subsection, a person other than a  
6           natural person resides within a county if the person’s principal place of operation is  
7           located within that county.

8           **SECTION 19m.** 13.099 (1) (a) of the statutes is amended to read:

9           13.099 **(1)** (a) “Department” means the department of ~~commerce~~  
10          administration.

11          **SECTION 20.** 13.099 (1) (b) of the statutes is amended to read:

12          13.099 **(1)** (b) “State housing strategy plan” means the plan developed under  
13          s. ~~560.9802~~ 16.302.

14          **SECTION 21.** 13.099 (2) (a) of the statutes is amended to read:

15          13.099 **(2)** (a) If any bill that is introduced in either house of the legislature  
16          directly or substantially affects the development, construction, cost, or availability  
17          of housing in this state, the department shall prepare a report on the bill within 30  
18          days after it is introduced. The department may request any information from other  
19          state agencies, local governments or individuals, or organizations that is reasonably  
20          necessary for the department to prepare the report.

21          **SECTION 25.** 13.099 (3) (a) 5. of the statutes is amended to read:

22          13.099 **(3)** (a) 5. Housing costs, as defined in s. ~~560.9801~~ 16.301 (3) (a) and (b).

23          **SECTION 33.** 13.40 of the statutes is repealed.

24          **SECTION 35.** 13.48 (2) (b) 1m. of the statutes is amended to read:

1           13.48 (2) (b) 1m. The University of Wisconsin System may not accept any gift,  
2 grant or bequest of real property with a value in excess of \$30,000 \$150,000 or any  
3 gift, grant or bequest of a building or structure that is constructed for the benefit of  
4 the system or any institution thereof without the approval of the building  
5 commission.

6           **SECTION 39.** 13.48 (2) (b) 4. of the statutes is repealed.

7           **SECTION 41.** 13.48 (2) (d) of the statutes is amended to read:

8           13.48 (2) (d) The building commission, for the purpose of carrying out s. 36.33  
9 relating to the sale and purchase of agricultural lands of the University of Wisconsin,  
10 may authorize the advance of sums from the state building trust fund for the  
11 purchase price, including option payments, of agricultural lands to be acquired by  
12 the University of Wisconsin and for expenses incurred in selling agricultural lands  
13 presently owned by the University of Wisconsin, including, without limitation  
14 because of enumeration, expenses of surveying, platting, constructing and  
15 improving streets and utilities and drainage in such a way as to realize the greatest  
16 return to the state in the sale of such lands, and other selling expenses. All such sums  
17 advanced shall be repaid to the state building trust fund from the appropriation  
18 made by s. 20.285 (1) (ka) (gb).

19           **SECTION 43.** 13.48 (2) (j) of the statutes is repealed.

20           **SECTION 44p.** 13.48 (3) of the statutes is amended to read:

21           13.48 (3) STATE BUILDING TRUST FUND. In the interest of the continuity of the  
22 program, the moneys appropriated to the state building trust fund under s. 20.867  
23 (2) (f) shall be retained as a nonlapsing building depreciation reserve. Such moneys  
24 shall be deposited into the state building trust fund. At such times as the building  
25 commission directs, or in emergency situations under s. 16.855 (16) (b), the governor



1 shall authorize releases from this fund to become available for projects and shall  
2 direct the department of administration to allocate from this fund such amounts as  
3 are approved for these projects. In issuing such directions, the building commission  
4 shall consider the cash balance in the state building trust fund, the necessity and  
5 urgency of the proposed improvement, employment conditions and availability of  
6 materials in the locality in which the improvement is to be made. The building  
7 commission may authorize any project costing ~~\$500,000~~ \$760,000 or less in  
8 accordance with priorities to be established by the building commission and may  
9 adjust the priorities by deleting, substituting or adding new projects as needed to  
10 reflect changing program needs and unforeseen circumstances. The building  
11 commission may enter into contracts for the construction of buildings for any state  
12 agency, except a project authorized under sub. (10) (c), and shall be responsible for  
13 accounting for all funds released to projects. The building commission may designate  
14 the department of administration or the agency for which the project is constructed  
15 to act as its representative in such accounting.

16 **SECTION 45.** 13.48 (4) of the statutes is amended to read:

17 13.48 (4) STATE AGENCIES TO REPORT PROPOSED PROJECTS. ~~Each~~ Whenever any  
18 state agency ~~contemplating~~ contemplates a project under this the state building  
19 program it shall report ~~its proposed projects~~ the project to the building commission.  
20 The report shall be made on such date and in such manner as the building  
21 commission prescribes. This subsection does not apply to projects identified in sub.  
22 (10) (c).

23 **SECTION 47.** 13.48 (10) (a) of the statutes is amended to read:

24 13.48 (10) (a) ~~No~~ Except as provided in par. (c), no state board, agency, officer,  
25 department, commission, or body corporate may enter into a contract for the

1 construction, reconstruction, remodeling of, or addition to any building, structure,  
2 or facility, in connection with any building project which involves a cost in excess of  
3 \$150,000 \$185,000 without completion of final plans and arrangement for  
4 supervision of construction and prior approval by the building commission. The  
5 building commission may not approve a contract for the construction, reconstruction,  
6 renovation or remodeling of or an addition to a state building as defined in s. 44.51  
7 ~~(2) unless it determines that s. 44.57 has been complied with or does not apply.~~ This  
8 section applies to the department of transportation only in respect to buildings,  
9 structures, and facilities to be used for administrative or operating functions,  
10 including buildings, land, and equipment to be used for the motor vehicle emission  
11 inspection and maintenance program under s. 110.20.

12 **SECTION 49.** 13.48 (10) (c) of the statutes is created to read:

13 13.48 (10) (c) Paragraph (a) does not apply to any contract for a building project  
14 involving a cost of less than \$500,000 to be constructed for the University of  
15 Wisconsin System that is funded entirely from the proceeds of gifts and grants made  
16 to the system.

17 **SECTION 50g.** 13.48 (14) (a) of the statutes is amended to read:

18 13.48 (14) (a) In this subsection, “agency” has the meaning given for “state  
19 agency” in s. 20.001 (1), except that ~~during the period beginning on October 27, 2007,~~  
20 ~~and ending on June 30, 2009, and the period beginning on July 1, 2009,~~ the term does  
21 not include the Board of Regents of the University of Wisconsin System.

22 **SECTION 50h.** 13.48 (14) (am) of the statutes is amended to read:

23 13.48 (14) (am) ~~Subject~~ Except as provided in this paragraph and subject to par.  
24 (d), the building commission shall have the authority to sell or lease all or any part  
25 of a state-owned building or structure or state-owned land, including farmland,

1 where such authority is not otherwise provided to an agency by law, and may transfer  
2 land under its jurisdiction among agencies. The building commission does not have  
3 the authority to sell or lease any state-owned property under this paragraph after  
4 the department of administration notifies the commission in writing that an offer of  
5 sale or sale with respect to a property is pending under s. 16.848 (1). If the sale is  
6 not completed and no further action is pending with respect to the property, the  
7 authority of the building commission under this paragraph is restored.

8 **SECTION 52.** 13.48 (29) of the statutes is amended to read:

9 13.48 **(29)** SMALL PROJECTS. Except as otherwise required under s. 16.855  
10 (10m), the building commission may prescribe simplified policies and procedures to  
11 be used in lieu of the procedures provided in s. 16.855 for any project that does not  
12 require prior approval of the building commission under sub. (10) (a), except projects  
13 specified in sub. (10) (c).

14 **SECTION 56g.** 13.48 (32) (b) (intro.) of the statutes is amended to read:

15 13.48 **(32)** (b) (intro.) The building commission may authorize up to  
16 ~~\$15,000,000~~ \$23,000,000 of general fund supported borrowing to aid in the  
17 construction of a dental clinic and education facility at Marquette University. The  
18 state funding commitment for the construction of the facility shall be in the form of  
19 a construction grant to Marquette University. Before approving any state funding  
20 commitment for such a facility and before awarding the construction grant to  
21 Marquette University, the building commission shall determine that all of the  
22 following conditions have been met:

23 **SECTION 56h.** 13.48 (32) (b) 1. of the statutes is amended to read:

24 13.48 **(32)** (b) 1. Marquette University has secured additional funding  
25 commitments of at least ~~\$15,000,000~~ \$23,000,000 from nonstate revenue sources,

1 the nonstate revenue sources are reasonable and available and the total funding  
2 commitments of the state and the nonstate sources will permit Marquette University  
3 to enter into contracts for the construction of the dental clinic and education facility.

4 **SECTION 56p.** 13.48 (40m) of the statutes is created to read:

5 **13.48 (40m) LAC DU FLAMBEAU INDIAN TRIBAL CULTURAL CENTER.** (a) The  
6 legislature finds and determines that the Lac du Flambeau Band of Lake Superior  
7 Chippewa has played a vital part in the course of Wisconsin history and has  
8 contributed in countless and significant ways to the cultural richness and diversity  
9 of this state. Moreover, the legislature finds and determines that Wisconsin citizens,  
10 including students, can benefit from learning more about the history and the culture  
11 of the Lac du Flambeau Band of Lake Superior Chippewa. It is therefore in the public  
12 interest, and it is the public policy of this state, to assist the Lac du Flambeau Band  
13 of Lake Superior Chippewa in the construction of a tribal cultural center.

14 (b) The building commission may authorize up to \$250,000 in general fund  
15 supported borrowing to aid in the construction of a tribal cultural center for the Lac  
16 du Flambeau Band of Lake Superior Chippewa. The state funding commitment shall  
17 be in the form of a grant to the Lac du Flambeau Band of Lake Superior Chippewa.  
18 Before approving any state funding commitment under this paragraph, the building  
19 commission shall determine that the Lac du Flambeau Band of Lake Superior  
20 Chippewa has secured at least \$1,373,000 in additional funding from nonstate  
21 donations for the project.

22 (c) If the building commission authorizes a grant to the Lac du Flambeau Band  
23 of Lake Superior Chippewa under par. (b) and if, for any reason, the facility that is  
24 constructed with funds from the grant is not used as a tribal cultural center, the state

1 shall retain an ownership interest in the facility equal to the amount of the state's  
2 grant.

3 **SECTION 59.** 13.489 (1m) (f) of the statutes is created to read:

4 13.489 **(1m)** (f) This subsection does not apply to major highway projects  
5 described in s. 84.013 (1) (a) 2m.

6 **SECTION 60.** 13.489 (4) (d) of the statutes is created to read:

7 13.489 **(4)** (d) This subsection does not apply to major highway projects  
8 described in s. 84.013 (1) (a) 2m.

9 **SECTION 61.** 13.489 (4m) of the statutes is created to read:

10 13.489 **(4m)** REVIEW OF HIGH-COST MAJOR HIGHWAY PROJECTS. (a)  
11 Notwithstanding sub. (4), for any major highway project described in s. 84.013 (1) (a)  
12 2m., the department of transportation shall submit a report to the commission, prior  
13 to construction of the project, which report may request the commission's approval  
14 to proceed with the project. The department may submit this request at any time  
15 following completion by the department of a draft environmental impact statement  
16 or environmental assessment for the project.

17 (b) After receiving a request under par. (a) for approval to proceed with a major  
18 highway project described in s. 84.013, the commission shall meet to approve,  
19 approve with modifications, or disapprove the request. The department may  
20 implement the request only as approved by the commission, including approval after  
21 modification by the commission.

22 (c) The department of transportation may not proceed with construction of a  
23 major highway project described in s. 84.013 (1) (a) 2m. unless the project is approved  
24 by the commission as provided in par. (b).

1 (d) The procedures specified in this subsection shall apply to all major highway  
2 projects described in s. 84.013 (1) (a) 2m. in lieu of the procedures described in sub.  
3 (4).

4 **SECTION 63.** 13.625 (9) of the statutes is amended to read:

5 13.625 (9) This section does not apply to the solicitation, acceptance, or  
6 furnishing of anything of pecuniary value by the ~~department of commerce~~ Wisconsin  
7 Economic Development Corporation, or to a principal furnishing anything of  
8 pecuniary value to the ~~department of commerce~~ Wisconsin Economic Development  
9 Corporation, under s. 19.56 (3) (e) or (f) for the activities specified in s. 19.56 (3) (e).

10 **SECTION 65.** 13.94 (1) (dp) of the statutes is created to read:

11 13.94 (1) (dp) In addition to any other audit to be performed under this section  
12 relating to veterans homes, perform one or more financial audits of the operation of  
13 the Wisconsin Veterans Home at Chippewa Falls by any private entity with which  
14 the department of veterans affairs enters into an agreement under s. 45.50 (2m) (c).  
15 The audit shall be performed at such time as the governor or legislature directs.

16 **SECTION 66.** 13.94 (1) (mm) of the statutes, as affected by 2011 Wisconsin Act  
17 7, is amended to read:

18 13.94 (1) (mm) No later than July 1, 2012, prepare a financial and performance  
19 evaluation audit of the economic development programs administered by ~~the~~  
20 ~~department of commerce~~, the University of Wisconsin System, the department of  
21 agriculture, trade and consumer protection, the department of natural resources, the  
22 Wisconsin Housing and Economic Development Authority, the Wisconsin Economic  
23 Development Corporation, the department of tourism, the technical college system,  
24 and the department of transportation. In this paragraph, economic development  
25 program has the meaning given in s. ~~560.001(1m)~~ 23.167 (1). The legislative audit

1 bureau shall file a copy of the report of the audit under this paragraph with the  
2 distributees specified in par. (b).

3 **SECTION 67.** 13.94 (1) (ms) of the statutes is amended to read:

4 13.94 (1) (ms) No later than July 1, 2014, prepare a financial and performance  
5 evaluation audit of the economic development tax benefit program under ss. ~~560.701~~  
6 ~~to 560.706~~ 238.301 to 238.306. The legislative audit bureau shall file a copy of the  
7 report of the audit under this paragraph with the distributees specified in par. (b).

8 **SECTION 68.** 13.94 (1) (n) of the statutes is amended to read:

9 13.94 (1) (n) Provide periodic performance audits of any division of the  
10 department of ~~commerce~~ safety and professional services that is responsible for  
11 inspections of multifamily housing under s. 101.973 (11).

12 **SECTION 73.** 14.165 (2) of the statutes is amended to read:

13 14.165 (2) RECOMMENDATIONS. The department of administration, department  
14 of ~~commerce~~ safety and professional services, and public service commission shall  
15 make recommendations to the governor for awards under sub. (1).

16 **SECTION 74.** 14.57 of the statutes is renumbered 15.105 (25m), and 15.105  
17 (25m) (intro.) and (a), as renumbered, are amended to read:

18 15.105 (25m) ~~SAME; ATTACHED BOARDS~~ COLLEGE SAVINGS PROGRAM BOARD. (intro.)  
19 There is created a college savings program board that is attached to the ~~office of the~~  
20 ~~state treasurer~~ department of administration under s. 15.03 and that consists of all  
21 of the following members:

22 (a) The ~~state treasurer~~ secretary of administration or his or her designee.

23 **SECTION 74m.** 14.58 (20) of the statutes is repealed.

24 **SECTION 75.** 14.63 of the statutes is renumbered 16.64, and 16.64 (2) (intro.)  
25 and (b), (3) (a), (c) and (d), (4), (5) (b) (intro.), (6) (a) 5. and (b), (7) (a) (intro.), 4. and

1 5. and (b), (7m) (a) (intro.), (b) and (c), (9), (10) (a) and (b), (12) (title), (a) (intro.) and  
2 (b) (intro.) and (13), as renumbered, are amended to read:

3 16.64 **(2)** WEIGHTED AVERAGE TUITION; TUITION UNIT COST. (intro.) Annually, the  
4 ~~state treasurer~~ department and the board jointly shall determine all of the following:

5 (b) The price of a tuition unit, which shall be valid for a period determined  
6 jointly by the ~~state treasurer~~ department and the board. The price shall be sufficient  
7 to ensure the ability of the ~~state treasurer~~ department to meet his or her its  
8 obligations under this section. To the extent possible, the price shall be set so that  
9 the value of the tuition unit in the anticipated academic year of its use will be equal  
10 to 1% of the weighted average tuition for that academic year plus the costs of  
11 administering the program under this section attributable to the unit.

12 **(3)** (a) An individual, trust, legal guardian, or entity described under 26 USC  
13 529 (e) (1) (C) may enter into a contract with the ~~state treasurer~~ department for the  
14 sale of tuition units on behalf of a beneficiary.

15 (c) The ~~state treasurer~~ department may charge a purchaser an enrollment fee.

16 (d) The ~~state treasurer~~ department shall promulgate rules authorizing a  
17 person who has entered into a contract under this subsection to change the  
18 beneficiary named in the contract.

19 **(4)** NUMBER OF TUITION UNITS PURCHASED. A person who enters into a contract  
20 under sub. (3) may purchase tuition units at any time and in any number, or may  
21 authorize a parent, grandparent, great-grandparent, aunt, or uncle of the  
22 beneficiary to purchase tuition units, except that the total number of tuition units  
23 purchased on behalf of a single beneficiary may not exceed the number necessary to  
24 cover tuition, fees and the costs of room and board, books, supplies and equipment



1 required for enrollment or attendance of the beneficiary at an institution of higher  
2 education.

3 (5) (b) (intro.) Upon request by the beneficiary, the ~~state treasurer~~ department  
4 shall pay to the institution or beneficiary, whichever is appropriate, in each semester  
5 of attendance the lesser of the following:

6 (6) (a) 5. Other circumstances determined by the ~~state treasurer~~ department  
7 to be grounds for termination.

8 (b) The ~~state treasurer~~ department may terminate a contract under sub. (3) if  
9 any of the tuition units purchased under the contract remain unused 10 years after  
10 the anticipated academic year of the beneficiary's initial enrollment in an institution  
11 of higher education, as specified in the contract.

12 (7) (a) (intro.) Except as provided in sub. (7m), the ~~state treasurer~~ department  
13 shall do all of the following:

14 4. If a contract is terminated under sub. (6) (a) 5., refund to the person who  
15 entered into the contract the amount under subd. 2. or under subd. 3., as determined  
16 by the ~~state treasurer~~ department.

17 5. If the beneficiary is awarded a scholarship, tuition waiver or similar subsidy  
18 that cannot be converted into cash by the beneficiary, refund to the person who  
19 entered into the contract, upon the person's request, an amount equal to the value  
20 of the tuition units that are not needed because of the scholarship, waiver or similar  
21 subsidy and that would otherwise have been paid by the ~~state treasurer~~ department  
22 on behalf of the beneficiary during the semester in which the beneficiary is enrolled.

23 (b) The ~~state treasurer~~ department shall determine the method and schedule  
24 for the payment of refunds under this subsection.

1           **(7m)** (a) (intro.) The ~~state treasurer~~ department may adjust the value of a  
2 tuition unit based on the actual earnings attributable to the tuition unit less the costs  
3 of administering the program under this section that are attributable to the tuition  
4 unit if any of the following applies:

5           (b) The ~~state treasurer~~ department may not increase the value of a tuition unit  
6 under par. (a) to an amount that exceeds the value of a tuition unit that was  
7 purchased at a similar time, held for a similar period and used or refunded in the  
8 anticipated academic year of the beneficiary's attendance, as specified in the  
9 contract.

10          (c) The ~~state treasurer~~ department may promulgate rules imposing or  
11 increasing penalties for refunds under sub. (7) (a) if the ~~state treasurer~~ department  
12 determines that such rules are necessary to maintain the status of the program  
13 under this section as a qualified state tuition program under section 529 of the  
14 Internal Revenue Code, as defined in s. 71.01 (6).

15          **(9)** CONTRACT WITH ACTUARY. The ~~state treasurer~~ department shall contract  
16 with an actuary or actuarial firm to evaluate annually whether the assets in the  
17 tuition trust fund are sufficient to meet the obligations of the ~~state treasurer~~  
18 department under this section and to advise the ~~state treasurer~~ department on  
19 setting the price of a tuition unit under sub. (2) (b).

20          **(10)** (a) Annually, the ~~state treasurer~~ department shall submit a report to the  
21 governor, and to the appropriate standing committees of the legislature under s.  
22 13.172 (3), on the program under this section. The report shall include any  
23 recommendations for changes to the program that the ~~state treasurer~~ department  
24 determines are necessary to ensure the sufficiency of the tuition trust fund to meet  
25 the ~~state treasurer's~~ department's obligations under this section.

1 (b) The ~~state treasurer~~ department shall submit a quarterly report to the state  
2 investment board projecting the future cash flow needs of the tuition trust fund. The  
3 state investment board shall invest moneys held in the tuition trust fund in  
4 investments with maturities and liquidity that are appropriate for the needs of the  
5 fund as reported by the ~~state treasurer~~ department in ~~his or her~~ its quarterly reports.  
6 All income derived from such investments shall be credited to the fund.

7 **(12)** (title) ~~ADDITIONAL DUTIES AND POWERS OF THE STATE TREASURER.~~ (a) (intro.)  
8 The ~~state treasurer~~ department shall do all of the following:

9 (b) (intro.) The ~~state treasurer~~ department may do any of the following:

10 **(13)** PROGRAM TERMINATION. If the ~~state treasurer~~ department determines that  
11 the program under this section is financially infeasible, the ~~state treasurer~~  
12 department shall discontinue entering into contracts under sub. (3) and discontinue  
13 selling tuition units under sub. (4).

14 **SECTION 76.** 14.64 of the statutes is renumbered 16.641, and 16.641 (2) (g) and  
15 (3) (a) 1., as renumbered, are amended to read:

16 16.641 **(2)** (g) Ensure that if the department ~~of administration~~ changes  
17 vendors, the balances of college savings accounts are promptly transferred into  
18 investment instruments as similar to the original investment instruments as  
19 possible.

20 **(3)** (a) 1. Contribute to a college savings account or authorize a parent,  
21 grandparent, great-grandparent, aunt, or uncle of the beneficiary to contribute to  
22 the account.

23 **SECTION 77.** 14.65 of the statutes is renumbered 16.642 and amended to read:

24 **16.642 Repayment to the general fund.** **(1)** The secretary ~~of~~  
25 ~~administration~~ shall transfer from the tuition trust fund, the college savings

1 program trust fund, the college savings program bank deposit trust fund, or the  
2 college savings program credit union deposit trust fund to the general fund an  
3 amount equal to the amount expended from the appropriations under s. 20.505 (9)  
4 (a), 1995 stats., s. 20.585 (2) (a), 2001 stats., and s. 20.585 (2) (am), 2001 stats., when  
5 the secretary of ~~administration~~ determines that funds in those trust funds are  
6 sufficient to make the transfer. The secretary of ~~administration~~ may make the  
7 transfer in installments.

8 (2) Annually, by June 1, the ~~state treasurer~~ secretary shall submit a report to  
9 ~~the secretary of administration and~~ the joint committee on finance on the amount  
10 available for repayment under sub. (1), the amount repaid under sub. (1), and the  
11 outstanding balance under sub. (1).

12 **SECTION 79.** 14.85 (2) of the statutes is amended to read:

13 14.85 (2) The ~~secretary of commerce, the~~ secretary of tourism, the secretary of  
14 natural resources, the secretary of transportation, and the director of the historical  
15 society, or their designees, shall serve as nonvoting members of the commission.

16 **SECTION 80.** 14.85 (8) (d) of the statutes is amended to read:

17 14.85 (8) (d) ~~If permitted by law, any state agency or local public body, board,~~  
18 ~~commission or agency may allocate funds under its control to fund programs~~  
19 ~~recommended by the commission. If the department of commerce determines that~~  
20 ~~a program recommended by the commission to undertake activities relating to the~~  
21 ~~promotion of economic development is consistent with the department's statewide~~  
22 ~~economic development plans, priorities and resources, the department shall have~~  
23 ~~primary responsibility to support the activities of the program. If the department~~  
24 ~~of tourism determines that a program recommended by the commission to undertake~~  
25 ~~activities relating to the promotion of tourism is consistent with the department's~~

1 statewide tourism marketing plans, priorities, and resources, the department shall  
2 have primary responsibility to support the activities of the program.

3 **SECTION 81.** 14.85 (9) of the statutes is amended to read:

4 14.85 (9) The commission may establish a technical committee to advise the  
5 commission. The members of the committee shall include at least one employee each  
6 from the department of transportation, and the department of tourism ~~and the~~  
7 ~~department of commerce.~~ The commission shall request the department of  
8 transportation, and the department of tourism ~~and the department of commerce~~ to  
9 designate employees to serve on the committee and may request any other state  
10 agency to designate an employee to serve on the committee.

11 **SECTION 83.** 15.01 (6) of the statutes is amended to read:

12 15.01 (6) “Division,” “bureau,” “section” and “unit” means the subunits of a  
13 department or an independent agency, whether specifically created by law or created  
14 by the head of the department or the independent agency for the more economic and  
15 efficient administration and operation of the programs assigned to the department  
16 or independent agency. The office of justice assistance in the department of  
17 administration, ~~the office of energy independence in the department of~~  
18 ~~administration, the office of the Wisconsin Covenant Scholars Program in the~~  
19 ~~department of administration,~~ and the office of credit unions in the department of  
20 financial institutions have the meaning of “division” under this subsection. The  
21 office of the long-term care ombudsman under the board on aging and long-term  
22 care and the office of educational accountability in the department of public  
23 instruction have the meaning of “bureau” under this subsection.

24 **SECTION 84.** 15.02 (3) (c) 1. of the statutes is amended to read:

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

10           **SECTION 86.** 15.07 (1) (b) 8. of the statutes is repealed.

11           **SECTION 87.** 15.07 (1) (cm) of the statutes is amended to read:

12           15.07 **(1)** (cm) The term of one member of the government accountability board  
13 shall expire on each May 1. ~~The terms of 3 members of the economic policy board~~  
14 ~~appointed under s. 15.155 (2) (a) 4. shall expire on May 1 of every even-numbered~~  
15 ~~year and the terms of the other 3 members appointed under s. 15.155 (2) (a) 4. shall~~  
16 ~~expire on May 1 of every odd-numbered year.~~ The terms of the 3 members of the land  
17 and water conservation board appointed under s. 15.135 (4) (b) 2. shall expire on  
18 January 1. The term of the member of the land and water conservation board  
19 appointed under s. 15.135 (4) (b) 2m. shall expire on May 1 of an even-numbered  
20 year. ~~The terms of members of the real estate board shall expire on July 1.~~ The terms  
21 of the appraiser members of the real estate appraisers board and the terms of the  
22 auctioneer and auction company representative members of the auctioneer board  
23 shall expire on May 1 in an even-numbered year. The terms of the members of the  
24 cemetery board shall expire on July 1 in an even-numbered year. The term of the

1 student member of the Board of Regents of the University of Wisconsin System who  
2 is at least 24 years old shall expire on May 1 of every even-numbered year.

3 **SECTION 88.** 15.07 (1) (cs) of the statutes is amended to read:

4 15.07 (1) (cs) No member of the auctioneer board, cemetery board, or real estate  
5 appraisers board, ~~or real estate board~~ may be an officer, director, or employee of a  
6 private organization that promotes or furthers any profession or occupation  
7 regulated by that board.

8 **SECTION 89.** 15.07 (3) (b) of the statutes is amended to read:

9 15.07 (3) (b) Except as provided in par. (bm), each board not covered under par.  
10 (a) shall meet annually, and may meet at other times on the call of the chairperson  
11 or a majority of its members. The auctioneer board, the cemetery board, ~~the real~~  
12 ~~estate board,~~ and the real estate appraisers board shall also meet on the call of the  
13 secretary of ~~regulation and licensing~~ safety and professional services or his or her  
14 designee within the department.

15 **SECTION 90.** 15.07 (5) (r) of the statutes is repealed.

16 **SECTION 91.** 15.08 (1m) (c) of the statutes is amended to read:

17 15.08 (1m) (c) The membership of each examining board and examining  
18 council created in the department of ~~regulation and licensing~~ safety and professional  
19 services after June 1, 1975, shall be increased by one member who shall be a public  
20 member appointed to serve for the same term served by the other members of such  
21 examining board or examining council, unless the act relating to the creation of such  
22 examining board or examining council provides that 2 or more public members shall  
23 be appointed to such examining board or examining council.

24 **SECTION 91m.** 15.103 (5) of the statutes is created to read:

1           15.103 **(5)** DIVISION OF ENTERPRISE TECHNOLOGY. There is created in the  
2 department of administration a division of enterprise technology.

3           **SECTION 92.** 15.105 (12) (a) 1. of the statutes is amended to read:

4           15.105 **(12)** (a) 1. The secretary of transportation, the secretary of agriculture,  
5 trade and consumer protection and the secretary of ~~commerce~~ safety and  
6 professional services or their formally appointed designees.

7           **SECTION 94.** 15.105 (30) of the statutes is repealed.

8           **SECTION 95.** 15.105 (31) of the statutes is repealed.

9           **SECTION 96.** 15.105 (32) of the statutes is created to read:

10          15.105 **(32)** OFFICE OF BUSINESS DEVELOPMENT. There is created an office of  
11 business development which is attached to the department of administration under  
12 s. 15.03. The office shall be under the direction and supervision of a director who  
13 shall be appointed by the governor to serve at his or her pleasure.

14          **SECTION 97.** 15.107 (2) of the statutes is amended to read:

15          15.107 **(2)** COUNCIL ON SMALL BUSINESS, VETERAN-OWNED BUSINESS AND MINORITY  
16 BUSINESS OPPORTUNITIES. There is created in the department of administration a  
17 council on small business, veteran-owned business and minority business  
18 opportunities consisting of 13 members, appointed by the secretary of  
19 administration for 3-year terms, with representation as follows: at least 2 shall be  
20 owners or employees of small businesses at least 51% owned by one or more members  
21 of a racial minority group; at least one shall be an owner or employee of a small  
22 business at least 51% owned by one or more handicapped persons; at least one shall  
23 be an owner or employee of a small business operated on a nonprofit basis for the  
24 rehabilitation of disabled persons; at least 2 shall be owners or employees of  
25 veteran-owned businesses, as defined in s. 16.75 (4) (d); at least one shall be a



1 representative of the department of ~~commerce~~ safety and professional services; and  
2 at least one shall be a consumer member. No member may serve for more than 2  
3 consecutive full terms. The secretary of administration, or a department employee  
4 who is the secretary's designee, shall serve as the council's nonvoting secretary.

5 **SECTION 98.** 15.107 (16) (b) 3. of the statutes is amended to read:

6 15.107 **(16)** (b) 3. The secretary of ~~commerce~~ safety and professional services.

7 **SECTION 99.** 15.137 (2) (a) 3m. of the statutes is amended to read:

8 15.137 **(2)** (a) 3m. The ~~secretary of commerce~~ chief executive officer of the  
9 Wisconsin Economic Development Corporation or his or her designee.

10 **SECTION 101.** 15.145 (5) (intro.) of the statutes is amended to read:

11 15.145 **(5)** COUNCIL ON OFFENDER REENTRY. (intro.) There is created a council  
12 on offender reentry which is attached to the department of corrections under s. 15.03,  
13 which shall have the duties, responsibilities, and powers set forth under s. 301.095.  
14 The council shall consist of 22 members, and the appointed members shall serve for  
15 2-year terms and may be appointed for a maximum of 2 consecutive terms. The  
16 chairperson of the council shall be the secretary of corrections or the reentry director,  
17 as decided by the secretary of corrections. The chairperson may appoint  
18 subcommittees and the council shall meet no less frequently than 4 times per year  
19 at a date and location to be determined by the chairperson. Members of the council  
20 shall include the secretary of corrections, or his or her designee; the secretary of  
21 workforce development, or his or her designee; the secretary of health services, or his  
22 or her designee; the secretary of children and families, or his or her designee; ~~the~~  
23 ~~secretary of commerce, or his or her designee;~~ the secretary of transportation, or his  
24 or her designee; the attorney general, or his or her designee; the chairperson of the  
25 parole commission, or his or her designee; the state superintendent of public

1 instruction; the reentry director as appointed by the secretary of corrections; a  
2 current or former judge, as appointed by the director of state courts; an individual  
3 who has been previously convicted of, and incarcerated for, a crime in Wisconsin, as  
4 appointed by the secretary of corrections; and the following persons, as appointed by  
5 the governor:

6 **SECTION 102.** 15.15 of the statutes is repealed.

7 **SECTION 103.** 15.153 (title) of the statutes is repealed.

8 **SECTION 104.** 15.153 (3) of the statutes is repealed.

9 **SECTION 105.** 15.153 (4) of the statutes is repealed.

10 **SECTION 106.** 15.155 (title) of the statutes is repealed.

11 **SECTION 107.** 15.155 (2) of the statutes is repealed.

12 **SECTION 108.** 15.155 (4) of the statutes is repealed.

13 **SECTION 109.** 15.155 (5) of the statutes is renumbered 15.105 (33) and amended  
14 to read:

15 **15.105 (33) SMALL BUSINESS REGULATORY REVIEW BOARD.** There is created a small  
16 business regulatory review board, attached to the department of ~~commerce~~  
17 administration under s. 15.03. The board shall consist of a representative of the  
18 department of administration; a representative of the department of agriculture,  
19 trade and consumer protection; a representative of the department of children and  
20 families; ~~a representative of the department of commerce~~; a representative of the  
21 department of health services; a representative of the department of natural  
22 resources; a representative of the department of ~~regulation and licensing~~ safety and  
23 professional services; a representative of the department of revenue; a  
24 representative of the department of workforce development; 6 representatives of  
25 small businesses, as defined in s. 227.114 (1), who shall be appointed for 3-year

1 terms; and the chairpersons of one senate and one assembly committee concerned  
2 with small businesses, appointed as are members of standing committees. The  
3 representatives of the departments shall be selected by the secretary of that  
4 department.

5 **SECTION 110.** 15.155 (6) of the statutes is renumbered 15.405 (1m), and 15.405  
6 (1m) (a) (intro.), 3. and 5., as renumbered, are amended to read:

7 15.405 **(1m)** (a) (intro.) There is created a building inspector review board  
8 which is attached to the department of ~~commerce~~ safety and professional services  
9 under s. 15.03 that consists of the following members:

10 3. The secretary of ~~commerce~~ safety and professional services or his or her  
11 designee.

12 5. A building inspector certified by the department of ~~commerce~~ safety and  
13 professional services, to inspect public buildings, places of employment, or  
14 one-family and two-family dwellings.

15 **SECTION 111.** 15.157 (title) of the statutes is repealed.

16 **SECTION 112.** 15.157 (3) of the statutes is renumbered 15.407 (10) and amended  
17 to read:

18 15.407 **(10)** DWELLING CODE COUNCIL. There is created in the department of  
19 ~~commerce~~ safety and professional services, a dwelling code council, consisting of 18  
20 members appointed for staggered 3-year terms. Four members shall be  
21 representatives of building trade labor organizations; 4 members shall be certified  
22 building inspectors employed by local units of government; 2 members shall be  
23 representatives of building contractors actively engaged in on-site construction of  
24 one- and 2-family housing; 2 members shall be representatives of manufacturers or  
25 installers of manufactured one- and 2-family housing; one member shall be an

1 architect, engineer or designer actively engaged in the design or evaluation of one–  
2 and 2–family housing; 2 members shall represent the construction material supply  
3 industry; one member shall represent remodeling contractors actively engaged in  
4 the remodeling of one–family and 2–family housing; and 2 members shall represent  
5 the public, one of whom shall represent persons with disabilities, as defined in s.  
6 106.50 (1m) (g). An employee of the department designated by the secretary of  
7 ~~commerce~~ safety and professional services shall serve as nonvoting secretary of the  
8 council. The council shall meet at least twice a year. Eleven members of the council  
9 shall constitute a quorum. For the purpose of conducting business a majority vote  
10 of the council is required.

11 **SECTION 113.** 15.157 (5) of the statutes is renumbered 15.407 (11) and amended  
12 to read:

13 15.407 **(11)** CONTRACTOR CERTIFICATION COUNCIL. There is created in the  
14 department of ~~commerce~~ safety and professional services a contractor certification  
15 council consisting of 3 members who are building contractors holding certificates of  
16 financial responsibility under s. 101.654 and who are involved in, or who have  
17 demonstrated an interest in, continuing education for building contractors. The  
18 members shall be appointed by the secretary of ~~commerce~~ safety and professional  
19 services for 3–year terms.

20 **SECTION 114.** 15.157 (6) of the statutes is renumbered 15.407 (16) and amended  
21 to read:

22 15.407 **(16)** PLUMBERS COUNCIL. There is created in the department of ~~commerce~~  
23 safety and professional services a plumbers council consisting of 3 members. One  
24 member shall be an employee of the department of ~~commerce~~ safety and professional  
25 services, selected by the secretary of ~~commerce~~ safety and professional services, to

1 serve as the secretary of the council. Two members, one a master plumber and one  
2 a journeyman plumber, shall be appointed by the secretary of ~~commerce~~ safety and  
3 professional services for 2–year terms.

4 **SECTION 115.** 15.157 (7) of the statutes is repealed.

5 **SECTION 116.** 15.157 (9) of the statutes is renumbered 15.407 (17) and amended  
6 to read:

7 15.407 (17) AUTOMATIC FIRE SPRINKLER SYSTEM CONTRACTORS AND JOURNEYMEN  
8 COUNCIL. There is created in the department of ~~commerce~~ safety and professional  
9 services an automatic fire sprinkler system contractors and journeymen council  
10 consisting of 5 members. One member shall be an employee of the department of  
11 ~~commerce~~ safety and professional services, selected by the secretary of ~~commerce~~  
12 safety and professional services, to serve as secretary of the council. Two members  
13 shall be licensed journeymen automatic fire sprinkler fitters and 2 members shall be  
14 persons representing licensed automatic fire sprinkler contractors, all appointed by  
15 the secretary of ~~commerce~~ safety and professional services for staggered 4–year  
16 terms.

17 **SECTION 117b.** 15.157 (10) (intro.) and (a) to (f) of the statutes are renumbered  
18 15.347 (8) (intro.) and (a) to (f), and 15.347 (8) (intro.), as renumbered, is amended  
19 to read:

20 15.347 (8) SMALL BUSINESS ENVIRONMENTAL COUNCIL. (intro.) There is created  
21 in the department of ~~commerce~~ natural resources a small business environmental  
22 council consisting of the following members appointed for 3–year terms:

23 **SECTION 117d.** 15.157 (10) (g) of the statutes is repealed.

24 **SECTION 118.** 15.157 (12) of the statutes is renumbered 15.407 (12), and 15.407  
25 (12) (a) (intro.), as renumbered, is amended to read:

1           15.407 **(12)** (a) (intro.) There is created in the department of ~~commerce~~ safety  
2 and professional services a multifamily dwelling code council consisting of the  
3 following members appointed for 3–year terms:

4           **SECTION 119.** 15.157 (13) of the statutes is renumbered 15.407 (13), and 15.407  
5 (13) (a) (intro.), as renumbered, is amended to read:

6           15.407 **(13)** (a) (intro.) There is created in the department of ~~commerce~~ safety  
7 and professional services a manufactured housing code council consisting of the  
8 following members appointed by the secretary of ~~commerce~~ safety and professional  
9 services for 3–year terms:

10           **SECTION 120.** 15.157 (14) of the statutes is renumbered 15.407 (14), and 15.407  
11 (14) (a) (intro.), 9. and 10. and (b), as renumbered, are amended to read:

12           15.407 **(14)** (a) (intro.) There is created in the department of ~~commerce~~ safety  
13 and professional services a conveyance safety code council consisting of the following  
14 members appointed for 3–year terms:

15           9. The secretary of ~~commerce~~ safety and professional services, or his or her  
16 designee.

17           10. An employee of the department of ~~commerce~~ safety and professional  
18 services, designated by the secretary of ~~commerce~~ safety and professional services,  
19 who is familiar with commercial building inspections.

20           (b) The council shall meet at least twice a year. The employee of the department  
21 of ~~commerce~~ safety and professional services designated by the secretary of  
22 ~~commerce~~ safety and professional services under par. (a) 10. shall serve as nonvoting  
23 secretary of the council.

24           **SECTION 121c.** 15.157 (15) of the statutes is repealed.

25           **SECTION 125.** 15.347 (13) (b) 2. of the statutes is amended to read:

1           15.347 **(13)** (b) 2. The secretary of ~~commerce~~ safety and professional services.

2           **SECTION 126.** 15.347 (18) (b) 4. of the statutes is repealed.

3           **SECTION 129.** 15.40 of the statutes is amended to read:

4           **15.40 Department of regulation and licensing safety and professional**  
5 **services; creation.** There is created a department of ~~regulation and licensing~~  
6 ~~safety and professional services~~ under the direction and supervision of the secretary  
7 of ~~regulation and licensing~~ safety and professional services.

8           **SECTION 130.** 15.405 (1) of the statutes is amended to read:

9           15.405 **(1)** ACCOUNTING EXAMINING BOARD. There is created an accounting  
10 examining board in the department of ~~regulation and licensing~~ safety and  
11 professional services. The examining board shall consist of 7 members, appointed  
12 for staggered 4–year terms. Five members shall hold certificates as certified public  
13 accountants and be eligible for licensure to practice in this state. Two members shall  
14 be public members.

15           **SECTION 131.** 15.405 (2) of the statutes is amended to read:

16           15.405 **(2)** EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,  
17 PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS. There is created an  
18 examining board of architects, landscape architects, professional engineers,  
19 designers and land surveyors in the department of ~~regulation and licensing~~ safety  
20 and professional services. Any professional member appointed to the examining  
21 board shall be registered to practice architecture, landscape architecture,  
22 professional engineering, the design of engineering systems or land surveying under  
23 ch. 443. The examining board shall consist of the following members appointed for  
24 4–year terms: 3 architects, 3 landscape architects, 3 professional engineers, 3  
25 designers, 3 land surveyors and 10 public members.

1           **SECTION 132.** 15.405 (2m) (a) (intro.) of the statutes is amended to read:

2           15.405 **(2m)** (a) (intro.) There is created in the department of ~~regulation and~~  
3 ~~licensing~~ safety and professional services an examining board of professional  
4 geologists, hydrologists and soil scientists consisting of the following members  
5 appointed for 4–year terms:

6           **SECTION 133.** 15.405 (3) (a) (intro.) of the statutes is amended to read:

7           15.405 **(3)** (a) (intro.) There is created in the department of ~~regulation and~~  
8 ~~licensing~~ safety and professional services an auctioneer board consisting of the  
9 following members appointed for 4–year terms:

10          **SECTION 134.** 15.405 (3m) (b) (intro.) of the statutes is amended to read:

11          15.405 **(3m)** (b) (intro.) There is created in the department of ~~regulation and~~  
12 ~~licensing~~ safety and professional services a cemetery board consisting of the  
13 following members, who shall serve 4–year terms:

14          **SECTION 135.** 15.405 (5) of the statutes is amended to read:

15          15.405 **(5)** CHIROPRACTIC EXAMINING BOARD. There is created a chiropractic  
16 examining board in the department of ~~regulation and licensing~~ safety and  
17 professional services. The chiropractic examining board shall consist of 6 members,  
18 appointed for staggered 4–year terms. Four members shall be graduates from a  
19 school of chiropractic and licensed to practice chiropractic in this state. Two  
20 members shall be public members. No person may be appointed to the examining  
21 board who is in any way connected with or has a financial interest in any chiropractic  
22 school.

23          **SECTION 136.** 15.405 (5g) of the statutes is amended to read:

24          15.405 **(5g)** CONTROLLED SUBSTANCES BOARD. There is created in the department  
25 of ~~regulation and licensing~~ safety and professional services a controlled substances



1 board consisting of the attorney general, the secretary of health services and the  
2 secretary of agriculture, trade and consumer protection, or their designees; the  
3 chairperson of the pharmacy examining board or a designee; and one psychiatrist  
4 and one pharmacologist appointed for 3–year terms.

5 **SECTION 137.** 15.405 (6) (intro.) of the statutes is amended to read:

6 15.405 **(6)** DENTISTRY EXAMINING BOARD. (intro.) There is created a dentistry  
7 examining board in the department of ~~regulation and licensing~~ safety and  
8 professional services consisting of the following members appointed for 4–year  
9 terms:

10 **SECTION 138.** 15.405 (6m) (intro.) of the statutes is amended to read:

11 15.405 **(6m)** HEARING AND SPEECH EXAMINING BOARD. (intro.) There is created  
12 a hearing and speech examining board in the department of ~~regulation and licensing~~  
13 safety and professional services consisting of the following members appointed for  
14 4–year terms:

15 **SECTION 139.** 15.405 (7) (a) of the statutes is amended to read:

16 15.405 **(7)** (a) There is created a medical examining board in the department  
17 of ~~regulation and licensing~~ safety and professional services.

18 **SECTION 140.** 15.405 (7c) (a) (intro.) of the statutes is amended to read:

19 15.405 **(7c)** (a) (intro.) There is created a marriage and family therapy,  
20 professional counseling, and social work examining board in the department of  
21 ~~regulation and licensing~~ safety and professional services consisting of the following  
22 members appointed for 4–year terms:

23 **SECTION 141.** 15.405 (7e) (intro.) of the statutes is amended to read:

24 15.405 **(7e)** RADIOGRAPHY EXAMINING BOARD. (intro.) There is created in the  
25 department of ~~regulation and licensing~~ safety and professional services a

1 radiography examining board consisting of the following 7 members appointed for  
2 4–year terms:

3 **SECTION 142.** 15.405 (7g) of the statutes is amended to read:

4 15.405 (7g) BOARD OF NURSING. There is created a board of nursing in the  
5 department of ~~regulation and licensing~~ safety and professional services. The board  
6 of nursing shall consist of the following members appointed for staggered 4–year  
7 terms: 5 currently licensed registered nurses under ch. 441; 2 currently licensed  
8 practical nurses under ch. 441; and 2 public members. Each registered nurse  
9 member shall have graduated from a program in professional nursing and each  
10 practical nurse member shall have graduated from a program in practical nursing  
11 accredited by the state in which the program was conducted.

12 **SECTION 143.** 15.405 (7m) of the statutes is amended to read:

13 15.405 (7m) NURSING HOME ADMINISTRATOR EXAMINING BOARD. There is created  
14 a nursing home administrator examining board in the department of ~~regulation and~~  
15 ~~licensing~~ safety and professional services consisting of 9 members appointed for  
16 staggered 4–year terms and the secretary of health services or a designee, who shall  
17 serve as a nonvoting member. Five members shall be nursing home administrators  
18 licensed in this state. One member shall be a physician. One member shall be a  
19 nurse licensed under ch. 441. Two members shall be public members. No more than  
20 2 members may be officials or full–time employees of this state.

21 **SECTION 144.** 15.405 (7r) (intro.) of the statutes is amended to read:

22 15.405 (7r) PHYSICAL THERAPY EXAMINING BOARD. (intro.) There is created in the  
23 department of ~~regulation and licensing~~ safety and professional services a physical  
24 therapy examining board consisting of the following members appointed for  
25 staggered 4–year terms:

1           **SECTION 145.** 15.405 (8) of the statutes is amended to read:

2           15.405 **(8)** OPTOMETRY EXAMINING BOARD. There is created an optometry  
3           examining board in the department of ~~regulation and licensing~~ safety and  
4           professional services. The optometry examining board shall consist of 7 members  
5           appointed for staggered 4–year terms. Five of the members shall be licensed  
6           optometrists in this state. Two members shall be public members.

7           **SECTION 146.** 15.405 (9) of the statutes is amended to read:

8           15.405 **(9)** PHARMACY EXAMINING BOARD. There is created a pharmacy examining  
9           board in the department of ~~regulation and licensing~~ safety and professional services.  
10          The pharmacy examining board shall consist of 7 members appointed for staggered  
11          4–year terms. Five of the members shall be licensed to practice pharmacy in this  
12          state. Two members shall be public members.

13          **SECTION 147.** 15.405 (10m) of the statutes is amended to read:

14          15.405 **(10m)** PSYCHOLOGY EXAMINING BOARD. There is created in the  
15          department of ~~regulation and licensing~~ safety and professional services a psychology  
16          examining board consisting of 6 members appointed for staggered 4–year terms.  
17          Four of the members shall be psychologists licensed in this state. Each of the  
18          psychologist members shall represent a different specialty area within the field of  
19          psychology. Two members shall be public members.

20          **SECTION 148.** 15.405 (10r) (a) (intro.) of the statutes is amended to read:

21          15.405 **(10r)** (a) (intro.) There is created a real estate appraisers board in the  
22          department of ~~regulation and licensing~~ safety and professional services consisting  
23          of the following members appointed for 4–year terms:

24          **SECTION 149.** 15.405 (11) of the statutes is repealed.

25          **SECTION 150.** 15.405 (11m) of the statutes is created to read:

1           **15.405 (11m)** REAL ESTATE EXAMINING BOARD. There is created a real estate  
2 examining board in the department of safety and professional services. The real  
3 estate examining board shall consist of 7 members appointed to staggered 4–year  
4 terms. Five of the members shall be real estate brokers or salespersons licensed in  
5 this state. Two members shall be public members. No member may serve more than  
6 2 terms.

7           **SECTION 151.** 15.405 (12) of the statutes is amended to read:

8           **15.405 (12)** VETERINARY EXAMINING BOARD. There is created a veterinary  
9 examining board in the department of ~~regulation and licensing~~ safety and  
10 professional services. The veterinary examining board shall consist of 8 members  
11 appointed for staggered 4–year terms. Five of the members shall be licensed  
12 veterinarians in this state. One member shall be a veterinary technician certified  
13 in this state. Two members shall be public members. No member of the examining  
14 board may in any way be financially interested in any school having a veterinary  
15 department or a course of study in veterinary or animal technology.

16           **SECTION 152.** 15.405 (16) of the statutes is amended to read:

17           **15.405 (16)** FUNERAL DIRECTORS EXAMINING BOARD. There is created a funeral  
18 directors examining board in the department of ~~regulation and licensing~~ safety and  
19 professional services. The funeral directors examining board shall consist of 6  
20 members appointed for staggered 4–year terms. Four members shall be licensed  
21 funeral directors under ch. 445 in this state. Two members shall be public members.

22           **SECTION 153.** 15.405 (17) of the statutes is amended to read:

23           **15.405 (17)** BARBERING AND COSMETOLOGY EXAMINING BOARD. There is created a  
24 barbering and cosmetology examining board in the department of ~~regulation and~~  
25 ~~licensing~~ safety and professional services. The barbering and cosmetology

1 examining board shall consist of 9 members appointed for 4–year terms. Four  
2 members shall be licensed barbers, aestheticians, or cosmetologists, 2 members shall  
3 be public members, one member shall be a representative of a private school of  
4 barbering or cosmetology, one member shall be a representative of a public school of  
5 barbering or cosmetology and one member shall be a licensed electrologist. Except  
6 for the 2 members representing schools, no member may be connected with or have  
7 any financial interest in a barbering or cosmetology school.

8 **SECTION 154.** 15.406 (2) (intro.) of the statutes is amended to read:

9 15.406 (2) DIETITIANS AFFILIATED CREDENTIALING BOARD. (intro.) There is created  
10 in the department of ~~regulation and licensing~~ safety and professional services,  
11 attached to the medical examining board, a dietitians affiliated credentialing board  
12 consisting of the following members appointed for 4–year terms:

13 **SECTION 155.** 15.406 (3) (intro.) of the statutes is amended to read:

14 15.406 (3) PODIATRY AFFILIATED CREDENTIALING BOARD. (intro.) There is created  
15 in the department of ~~regulation and licensing~~ safety and professional services,  
16 attached to the medical examining board, a podiatry affiliated credentialing board  
17 consisting of the following members appointed for 4–year terms:

18 **SECTION 156.** 15.406 (4) (intro.) of the statutes is amended to read:

19 15.406 (4) ATHLETIC TRAINERS AFFILIATED CREDENTIALING BOARD. (intro.) There  
20 is created in the department of ~~regulation and licensing~~ safety and professional  
21 services, attached to the medical examining board, an athletic trainers affiliated  
22 credentialing board consisting of the following members appointed for 4–year terms:

23 **SECTION 157.** 15.406 (5) (intro.) of the statutes is amended to read:

24 15.406 (5) OCCUPATIONAL THERAPISTS AFFILIATED CREDENTIALING BOARD. (intro.)  
25 There is created in the department of ~~regulation and licensing~~ safety and

1 professional services, attached to the medical examining board, an occupational  
2 therapists affiliated credentialing board consisting of the following members  
3 appointed for 4–year terms:

4 **SECTION 158.** 15.406 (6) (a) (intro.) of the statutes is amended to read:

5 15.406 **(6)** (a) (intro.) There is created in the department of ~~regulation and~~  
6 licensing safety and professional services, attached to the medical examining board,  
7 a massage therapy and bodywork therapy affiliated credentialing board. The  
8 affiliated credentialing board shall consist of the following 7 members appointed for  
9 4–year terms:

10 **SECTION 159.** 15.407 (1m) of the statutes is amended to read:

11 15.407 **(1m)** RESPIRATORY CARE PRACTITIONERS EXAMINING COUNCIL. There is  
12 created a respiratory care practitioners examining council in the department of  
13 ~~regulation and licensing~~ safety and professional services and serving the medical  
14 examining board in an advisory capacity in the formulating of rules to be  
15 promulgated by the medical examining board for the regulation of respiratory care  
16 practitioners. The respiratory care practitioners examining council shall consist of  
17 3 certified respiratory care practitioners, each of whom shall have engaged in the  
18 practice of respiratory care for at least 3 years preceding appointment, one physician  
19 and one public member. The respiratory care practitioner and physician members  
20 shall be appointed by the medical examining board. The members of the examining  
21 council shall serve 3–year terms. Section 15.08 (1) to (4) (a) and (6) to (10) shall apply  
22 to the respiratory care practitioners examining council.

23 **SECTION 160.** 15.407 (2) (intro.) of the statutes is amended to read:

24 15.407 **(2)** COUNCIL ON PHYSICIAN ASSISTANTS. (intro.) There is created a council  
25 on physician assistants in the department of ~~regulation and licensing~~ safety and

1 professional services and serving the medical examining board in an advisory  
2 capacity. The council's membership shall consist of:

3 **SECTION 161.** 15.407 (2m) (intro.) of the statutes is amended to read:

4 15.407 **(2m)** (intro.) There is created a perfusionists examining council in the  
5 department of ~~regulation and licensing~~ safety and professional services and serving  
6 the medical examining board in an advisory capacity. The council shall consist of the  
7 following members appointed for 3-year terms:

8 **SECTION 162.** 15.407 (3) (intro.) of the statutes is amended to read:

9 15.407 **(3)** EXAMINING COUNCILS; BOARD OF NURSING. (intro.) The following  
10 examining councils are created in the department of ~~regulation and licensing~~ safety  
11 and professional services to serve the board of nursing in an advisory capacity.  
12 Section 15.08 (1) to (4) (a) and (6) to (10), applies to the examining councils.

13 **SECTION 163.** 15.407 (5) of the statutes is amended to read:

14 15.407 **(5)** COUNCIL ON REAL ESTATE CURRICULUM AND EXAMINATIONS. There is  
15 created in the department of ~~regulation and licensing~~ safety and professional  
16 services a council on real estate curriculum and examinations consisting of 7  
17 members appointed for 4-year terms. Five members shall be real estate brokers or  
18 salespersons licensed under ch. 452 and 2 members shall be public members. Of the  
19 real estate broker or salesperson members, one member shall be a member of the real  
20 estate examining board appointed by the real estate examining board, at least 2  
21 members shall be licensed real estate brokers with at least 5 years of experience as  
22 real estate brokers, and at least one member shall be a licensed real estate  
23 salesperson with at least 2 years of experience as a real estate salesperson. Of the  
24 2 public members, at least one member shall have at least 2 years of experience in

1 planning or presenting real estate educational programs. No member of the council  
2 may serve more than 2 consecutive terms.

3 **SECTION 164.** 15.407 (6) (intro.) of the statutes is amended to read:

4 15.407 (6) PHARMACIST ADVISORY COUNCIL. (intro.) There is created a pharmacist  
5 advisory council in the department of ~~regulation and licensing~~ safety and  
6 professional services and serving the pharmacy examining board in an advisory  
7 capacity. The council shall consist of the following members appointed for 3-year  
8 terms:

9 **SECTION 165.** 15.407 (8) (intro.) of the statutes is amended to read:

10 15.407 (8) CREMATORY AUTHORITY COUNCIL. (intro.) There is created a crematory  
11 authority council in the department of ~~regulation and licensing~~ safety and  
12 professional services consisting of the secretary of ~~regulation and licensing~~ safety  
13 and professional services or a designee of the secretary, who shall serve as a  
14 nonvoting member, and the following persons appointed for 3-year terms:

15 **SECTION 166.** 15.407 (9) (a) (intro.) of the statutes is amended to read:

16 15.407 (9) (a) (intro.) There is created a sign language interpreter council in  
17 the department of ~~regulation and licensing~~ safety and professional services  
18 consisting of the secretary of ~~regulation and licensing~~ safety and professional  
19 services or a designee of the secretary and the following 8 members nominated by the  
20 governor, and with the advice and consent of the senate appointed, for 3-year terms:

21 **SECTION 167.** 15.435 (1) (a) 1. of the statutes is amended to read:

22 15.435 (1) (a) 1. The ~~secretary of commerce~~ chief executive officer of the  
23 Wisconsin Economic Development Corporation and the secretary of revenue or their  
24 designees.

25 **SECTION 168.** 15.445 (1) of the statutes is amended to read:



1           15.445 (1) ARTS BOARD. There is created an arts board ~~which is attached to~~ in  
2           the department of tourism ~~under s. 15.03~~. The arts board shall consist of 15 members  
3           appointed for 3-year terms who are residents of this state and who are known for  
4           their concern for the arts. At least 2 members shall be from the northwest portion  
5           of this state, at least 2 members shall be from the northeast portion of this state, at  
6           least 2 members shall be from the southwest portion of this state, and at least 2  
7           members shall be from the southeast portion of this state.

8           **SECTION 169.** 15.445 (2) (e) of the statutes is amended to read:

9           15.445 (2) (e) *Liaison representatives.* The secretary of agriculture, trade and  
10          consumer protection, the secretary of natural resources, the secretary of  
11          transportation, ~~the secretary of commerce,~~ the secretary of administration, the  
12          director of the state historical society and the chancellor of the University of  
13          Wisconsin–Extension, or their designees, shall serve as liaison representatives to  
14          the board. The board may request any federally recognized American Indian tribe  
15          or band in this state, other than the Ho–Chunk Nation, that expresses an interest  
16          in the governance of the Kickapoo valley reserve to appoint a liaison representative  
17          to the board. The liaison representatives are not board members and have no voting  
18          power.

19          **SECTION 175.** 15.917 (1) (intro.) of the statutes is amended to read:

20          15.917 (1) RURAL HEALTH DEVELOPMENT COUNCIL. (intro.) There is created in the  
21          University of Wisconsin System a rural health development council consisting of 17  
22          members nominated by the governor, and with the advice and consent of the senate  
23          appointed, for 5-year terms, and the ~~secretaries~~ secretary of ~~commerce~~ and health  
24          services, or ~~their designees~~ his or her designee. The appointed members shall  
25          include all of the following:

1           **SECTION 189.** 16.009 (1) (em) 6. of the statutes is amended to read:

2           16.009 (1) (em) 6. An adult family home, as defined in s. 50.01 (1) ~~(a) or (b)~~.

3           **SECTION 191.** 16.04 (1) (a) of the statutes is amended to read:

4           16.04 (1) (a) Develop uniform state policies and guidelines for vehicle and  
5 aircraft acquisition, use, maintenance, recording of operational and other costs,  
6 performance evaluation and replacement of vehicles and aircraft. The department  
7 shall incorporate the fuel usage requirements policies under s. 16.045 (4m) in any  
8 policies or guidelines developed under this paragraph.

9           **SECTION 192.** 16.04 (1e) of the statutes is created to read:

10          16.04 (1e) Subsection (1) does not preclude the Board of Regents of the  
11 University of Wisconsin System from accepting a gift of a motor vehicle.

12          **SECTION 193.** 16.045 (1) (f) of the statutes is repealed.

13          **SECTION 194.** 16.045 (2) of the statutes is amended to read:

14          16.045 (2) The department shall, whenever feasible, require and cost-effective,  
15 encourage agencies to store no motor fuel except gasohol or alternative fuel in  
16 facilities maintained by the agencies for the storage of fuel for and the refueling of  
17 state-owned or state-leased vehicles. This subsection does not authorize  
18 construction or operation of such facilities.

19          **SECTION 195.** 16.045 (4) of the statutes is amended to read:

20          16.045 (4) The department shall require, whenever feasible and cost-effective,  
21 encourage all state employees to utilize hybrid-electric vehicles or vehicles that  
22 operate on gasohol or alternative fuel for all state-owned or state-leased motor  
23 vehicles whenever such utilization is feasible. However, the department shall not  
24 lease or purchase any hybrid-electric vehicle, or authorize the lease or purchase of

1 any hybrid–electric vehicle, unless the manufacturer certifies to the department  
2 that final assembly of the vehicle occurred in the United States.

3 **SECTION 196.** 16.045 (4m) (intro.) of the statutes is amended to read:

4 16.045 **(4m)** (intro.) The department shall require, whenever feasible and  
5 cost–effective, encourage all agencies to collectively reduce the usage of gasoline and  
6 diesel fuel in state–owned vehicles that is petroleum–based below the total amount  
7 that the agencies used in 2006 by at least the following percentages:

8 **SECTION 197.** 16.045 (4m) (a) (intro.) and 1. of the statutes are consolidated,  
9 renumbered 16.045 (4m) (a) and amended to read:

10 16.045 **(4m)** (a) For gasoline: 1. ~~Twenty, 20~~ percent by ~~2010~~ 2015.

11 **SECTION 198.** 16.045 (4m) (a) 2. of the statutes is repealed.

12 **SECTION 199.** 16.045 (4m) (b) (intro.) and 1. of the statutes are consolidated,  
13 renumbered 16.045 (4m) (b) and amended to read:

14 16.045 **(4m)** (b) For diesel fuel: 1. ~~Ten, 10~~ percent by ~~2010~~ 2015.

15 **SECTION 200.** 16.045 (4m) (b) 2. of the statutes is repealed.

16 **SECTION 201.** 16.045 (5) of the statutes is amended to read:

17 16.045 **(5)** The department shall, whenever feasible and cost–effective,  
18 encourage distribution of gasohol and alternative fuels and usage of hybrid–electric  
19 vehicles or vehicles that operate on gasohol or alternative fuels by officers and  
20 employees who use personal motor vehicles on state business and by residents of this  
21 state generally. ~~The department shall report to the appropriate standing committees~~  
22 ~~under s. 13.172 (3) concerning distribution of gasohol and alternative fuels and usage~~  
23 ~~of hybrid–electric vehicles and vehicles that operate on gasohol or alternative fuels~~  
24 ~~in this state, no later than April 30 of each year.~~

25 **SECTION 202.** 16.045 (6) of the statutes is repealed.

1           **SECTION 206.** 16.19 of the statutes is repealed.

2           **SECTION 207.** 16.255 (1) (intro.) of the statutes is amended to read:

3           16.255 (1) (intro.) The department shall determine the factors to be considered  
4 in selecting a vendor of the program under s. ~~14.64~~ 16.641, which shall include:

5           **SECTION 208.** 16.255 (3) (d) of the statutes is amended to read:

6           16.255 (3) (d) That the vendor communicate to the beneficiary and account  
7 owner the requirements of s. ~~14.64~~ 16.641 (8).

8           **SECTION 209.** 16.257 of the statutes is repealed.

9           **SECTION 213.** 16.28 of the statutes is created to read:

10           **16.28 Office of business development.** (1) The office of business  
11 development shall provide administrative support to the small business regulatory  
12 review board and shall perform other functions determined by the secretary.

13           (2) The deputy director of the office shall be appointed by the governor to serve  
14 at his or her pleasure.

15           **SECTION 215m.** 16.413 of the statutes is created to read:

16           **16.413 Disclosure of expenditures relating to state agency operations**  
17 **and state agency contracts and grants.** (1) DEFINITIONS. In this section:

18           (a) “Financial instrument” includes any check, draft, warrant, money order,  
19 note, certificate of deposit, letter of credit, bill of exchange, credit or credit card,  
20 transaction authorization mechanism, marketable security, and any computer  
21 representation of them.

22           (b) “Grant” means a payment made to a person, other than aids to individuals  
23 and organizations and local assistance and the payment of salaries and fringe  
24 benefits for state employees.

1 (c) “Searchable Internet Web site” means a Web site that allows any person to  
2 search for both of the following:

3 1. State aggregate expenditures for state operations by state agency,  
4 expenditure category, expenditure amount, and the person to whom the expenditure  
5 is made.

6 2. Grants made by state agencies and contracts entered into by state agencies.

7 (d) “State agency” has the meaning given in s. 20.001 (1).

8 (e) “State operations” means all purposes except aids to individuals and  
9 organizations and local assistance.

10 **(2) STATE AGENCY EXPENDITURES FOR STATE OPERATIONS.** (a) Beginning on July  
11 1, 2013, the department shall ensure that all state agency expenditures for state  
12 operations exceeding \$100, including salaries and fringe benefits paid to state  
13 agency employees, are available for inspection on a searchable Internet Web site  
14 maintained by the department. Copies of each financial instrument relating to these  
15 expenditures, other than payments relating to state employee salaries, shall be  
16 available for inspection on the searchable Internet Web site.

17 (b) The department shall categorize the expenditure information under par. (a)  
18 by state agency, expenditure category, expenditure amount, and the person to whom  
19 the expenditure is made. If any of the expenditure information may be found on other  
20 Web sites, the department shall ensure that the information is accessible through the  
21 searchable Internet Web site under par. (a).

22 (c) Beginning with expenditures made on July 1, 2013, state agencies shall  
23 provide the department with all expenditure information required under par. (a) no  
24 later than 60 days after the expenditure is made. The department may specify the  
25 format in which state agencies provide the expenditure information.

1           **(3) STATE AGENCY CONTRACTS AND GRANTS.** (a) Beginning on July 1, 2013, the  
2 department shall ensure that all of the following information relating to each grant  
3 made by a state agency or contract entered into by a state agency is available for  
4 inspection on a searchable Internet Web site maintained by the department:

5           1. A copy of the contract and grant award.

6           2. The state agency making the grant or entering into the contract.

7           3. The name and address of the person receiving the grant or entering into the  
8 contract.

9           4. The purpose of the grant or contract.

10          5. The amount of the grant or the amount the state agency must expend under  
11 the contract and the name of the state fund from which the grant is paid or moneys  
12 are expended under the contract.

13          (b) Beginning with grants made and contracts entered into by state agencies  
14 on July 1, 2013, state agencies shall provide the department with all of the  
15 information required under par. (a) no later than 10 days after the state agency  
16 makes a grant or enters into a contract. The department may specify the format in  
17 which state agencies provide the information. The department shall make the  
18 information available on the searchable Internet Web site no later than 30 days after  
19 the state agency makes a grant or enters into a contract.

20          **(4)** If a state agency is undergoing an upgrade of its computer operations, the  
21 state agency may request an exemption from subs. (2) and (3) during the period  
22 before the completion of the upgrade by submitting a written request to the joint  
23 committee on finance. If the cochairpersons of the committee do not notify the state  
24 agency within 14 working days after the date of the agency's submittal that the  
25 committee intends to schedule a meeting to review the request, approval of the

1 request is granted. If, within 14 working days after the date of the state agency's  
2 request submittal, the cochairpersons of the committee notify the agency that the  
3 committee intends to schedule a meeting to review the request, the request may be  
4 granted only as approved by the committee.

5 **SECTION 217.** 16.417 (1) (a) of the statutes, as affected by 2011 Wisconsin Act  
6 7, section 20, is repealed and recreated to read:

7 16.417 (1) (a) "Agency" means an office, department, independent agency,  
8 institution of higher education, association, society, or other body in state  
9 government created or authorized to be created by the constitution or any law, that  
10 is entitled to expend moneys appropriated by law, including the legislature and the  
11 courts, but not including an authority or the body created under subch. III of ch. 149.

12 **SECTION 217g.** 16.417 (2) (f) of the statutes is renumbered 16.417 (2) (f) (intro.)  
13 and amended to read:

14 16.417 (2) (f) (intro.) This subsection does not apply to ~~an~~ any of the following:

15 1. An individual other than an elective state official who has a full-time  
16 appointment for less than 12 months, during any period of time that is not included  
17 in the appointment.

18 **SECTION 217r.** 16.417 (2) (f) 2. of the statutes is created to read:

19 16.417 (2) (f) 2. An individual who is employed by the Board of Regents of the  
20 University of Wisconsin System, but only with respect to compensation received  
21 within the system.

22 **SECTION 218d.** 16.42 (1) (f) of the statutes is created to read:

23 16.42 (1) (f) The information required under s. 16.423.

24 **SECTION 218e.** 16.423 of the statutes is created to read:

1           **16.423 Base budget review reports. (1)** In this section, “state agency” has  
2 the meaning given in s. 20.001 (1).

3           **(2)** (a) During the 2011–13 fiscal biennium, the secretary shall require that  
4 one–third of all state agencies submit a report no later than September 15, 2012, and  
5 every 3rd fiscal biennium thereafter, that contains the information specified in sub.  
6 (3).

7           (b) During the 2013–15 fiscal biennium, the secretary shall require that 50  
8 percent of the state agencies that did not submit a report under par. (a) submit a  
9 report no later than September 15, 2014, and every 3rd fiscal biennium thereafter,  
10 that contains the information specified in sub. (3).

11           (c) During the 2015–17 fiscal biennium, the secretary shall require that all  
12 state agencies created on or before September 15, 2016, that did not submit a report  
13 under par. (a) or (b) submit a report no later than September 15, 2016, and every 3rd  
14 fiscal biennium thereafter, that contains the information specified in sub. (3).

15           (d) Beginning in the 2015–17 fiscal biennium, the secretary shall require that  
16 any state agency created after September 15, 2016, submit a report no later than the  
17 September 15 in the even–numbered year that first occurs after the state agency is  
18 created, and every 3rd fiscal biennium thereafter, that contains the information  
19 specified in sub. (3).

20           **(3)** A report submitted under this section shall contain at least all of the  
21 following:

22           (a) A description of each programmatic activity of the state agency.

23           (b) For each programmatic activity of the state agency, an accounting of all  
24 expenditures, arranged by revenue source and the categories specified in sub. (4), in  
25 each of the prior 3 fiscal years.



1 (c) For each programmatic activity of the state agency, an accounting of all  
2 expenditures, arranged by revenue source and the categories specified in sub. (4), in  
3 the last 2 quarters in each of the prior 3 fiscal years.

4 (4) The secretary shall develop categories for state agencies to use for the  
5 purpose of organizing the expenditure information that is required under sub. (3) (b)  
6 and (c).

7 (5) Notwithstanding sub. (4), once a state agency has used a certain format for  
8 its report, the state agency shall use that format for all future reports submitted  
9 under this section.

10 **SECTION 218f.** 16.50 (1) (a) of the statutes is amended to read:

11 16.50 (1) (a) Each department except the legislature and the courts shall  
12 prepare and submit to the secretary an estimate of the amount of money which it  
13 proposes to expend, encumber or distribute under any appropriation in ch. 20. The  
14 department of administration shall prepare and submit estimates for expenditures  
15 from appropriations under ss. 20.855, 20.865, 20.866 and 20.867. The secretary may  
16 waive the submission of estimates of other than administrative expenditures from  
17 such funds as he or she determines, but the secretary shall not waive submission of  
18 estimates for the appropriations under s. 20.285 (1) (im) and (n) nor for expenditure  
19 of any amount designated as a refund of an expenditure under s. 20.001 (5).  
20 Estimates shall be prepared in such form, at such times and for such time periods  
21 as the secretary requires. Revised and supplemental estimates may be presented at  
22 any time under rules promulgated by the secretary.

23 **SECTION 218g.** 16.50 (3) (b) of the statutes is amended to read:

24 16.50 (3) (b) No change in the number of full-time equivalent positions  
25 authorized through the biennial budget process or other legislative act may be made

1 without the approval of the joint committee on finance, except for position changes  
2 made by the governor under s. 16.505 (1) (c) or (2), or (2j) by the investment board  
3 under s. 16.505 (2g), by the University of Wisconsin Hospitals and Clinics Board  
4 under s. 16.505 (2n), or by the board of regents of the University of Wisconsin System  
5 under s. 16.505 (2m) or (2p).

6 **SECTION 218h.** 16.50 (3) (f) of the statutes is amended to read:

7 16.50 (3) (f) At the request of the director of the office of state employment  
8 relations, the secretary of administration may authorize the temporary creation of  
9 pool or surplus positions under any source of funds if the director determines that  
10 temporary positions are necessary to maintain adequate staffing levels for high  
11 turnover classifications, in anticipation of attrition, to fill positions for which  
12 recruitment is difficult. ~~Surplus or pool positions authorized by the secretary shall~~  
13 ~~be reported~~ The secretary of administration shall report quarterly to the joint  
14 committee on finance, in conjunction with the report required under s. 16.54 (8), the  
15 base number of existing surplus positions in each agency, the number of surplus  
16 positions each agency has created, and the amounts spent on surplus positions.

17 **SECTION 218hm.** 16.50 (5m) of the statutes is repealed.

18 **SECTION 218i.** 16.505 (1) (intro.) of the statutes is amended to read:

19 16.505 (1) (intro.) Except as provided in subs. (2), (2g), (2j), (2m), (2n), and (2p),  
20 no position, as defined in s. 230.03 (11), regardless of funding source or type, may be  
21 created or abolished unless authorized by one of the following:

22 **SECTION 218k.** 16.505 (2g) of the statutes is created to read:

23 16.505 (2g) The investment board may create or abolish a full-time equivalent  
24 position or portion thereof funded from revenues appropriated under s. 20.536 (1) (k).

25 **SECTION 218p.** 16.505 (2j) of the statutes is created to read:

1           16.505 **(2j)** (a) In this subsection, “executive branch agency” has the meaning  
2 given in s. 16.70 (4).

3           (b) The governor may abolish any vacant full-time equivalent position at any  
4 executive branch agency by notifying the joint committee on finance in writing of his  
5 or her proposed action. If, within 14 working days after the date of the governor’s  
6 notification, the cochairpersons of the committee do not notify the governor that the  
7 committee has scheduled a meeting for the purpose of reviewing the proposed action,  
8 the position changes may be made as proposed by the governor. If, within 14 working  
9 days after the date of the governor’s notification, the cochairpersons notify the  
10 governor that the committee has scheduled a meeting for the purpose of reviewing  
11 the proposed action, the position changes may be made only upon approval of the  
12 committee.

13           **SECTION 219.** 16.505 (2m) of the statutes is amended to read:

14           16.505 **(2m)** The board of regents of the University of Wisconsin System or the  
15 chancellor of the University of Wisconsin–Madison may create or abolish a full-time  
16 equivalent position or portion thereof ~~from revenues appropriated under s. 20.285~~  
17 ~~(1) (gs), (h), (ip), (iz), (j), (kc), (m), (n), or (q) to (w) or (3) (iz) or (n) and may create or~~  
18 ~~abolish a full-time equivalent position or portion thereof from revenues~~  
19 ~~appropriated under s. 20.285 (1) (im) that are generated from increased enrollment~~  
20 ~~and from courses for which the academic fees or tuition charged equals the full cost~~  
21 ~~of offering the courses, other than positions funded from the appropriation under s.~~  
22 20.285 (1) (a). Beginning on July 1, 2013, all positions authorized for the University  
23 of Wisconsin shall not be included in any state position report. No later than the last  
24 day of the month following completion of each calendar quarter, the board of regents  
25 shall report to the department and the cochairpersons of the joint committee on

1 finance concerning the number of full-time equivalent positions created or abolished  
2 by the board under this subsection during the preceding calendar quarter and the  
3 source of funding for each such position.

4 **SECTION 220.** 16.505 (2p) of the statutes is amended to read:

5 16.505 (2p) (a) Subject to par. (b), the board of regents of the University of  
6 Wisconsin System or the chancellor of the University of Wisconsin–Madison may  
7 create or abolish a full-time equivalent academic staff or faculty position or portion  
8 thereof from revenues appropriated under s. 20.285 (1) (a). Annually, no later than  
9 the September 30 following completion of the fiscal year, the board of regents or  
10 chancellor shall report to the department and the cochairpersons of the joint  
11 committee on finance concerning the number of full-time equivalent positions  
12 created or abolished by the board or chancellor under this subsection during the  
13 preceding fiscal year.

14 (b) The board of regents or chancellor may not create or abolish any position  
15 under par. (a) until the board or chancellor and the department have entered into a  
16 memorandum of understanding that establishes a methodology for identifying and  
17 accounting for the cost of funding any positions that are created, including any  
18 amounts that the board or chancellor may include in a certification to the department  
19 under s. 20.928 (1). The board or chancellor and the department shall enter into the  
20 memorandum of understanding no later than September 1, 2002.

21 (c) Notwithstanding s. 20.928 (1), in certifying the sum of moneys needed to pay  
22 any costs associated with a position that is created under par. (a), the board of regents  
23 or chancellor may only certify the sum that is permitted under the memorandum of  
24 understanding entered into under par. (b).

1 (d) Notwithstanding s. 16.42 (1), in submitting information under s. 16.42 for  
2 the biennial budget bill or bills, the board of regents or chancellor may only include  
3 that portion of the cost of funding the positions created under par. (a) that is  
4 permitted under the memorandum of understanding entered into under par. (b).

5 **SECTION 221e.** 16.513 (3) (bn) of the statutes is created to read:

6 16.513 (3) (bn) Notwithstanding par. (b), for the 2011–13 fiscal biennium, the  
7 department is not required to approve a plan regarding a deficit in the penalty  
8 surcharge fund.

9 **SECTION 221r.** 16.513 (3) (bn) of the statutes, as created by 2011 Wisconsin Act  
10 .... (this act), is repealed.

11 **SECTION 221s.** 16.5185 of the statutes is created to read:

12 **16.5185 Transfers to the transportation fund.** Beginning on June 30,  
13 2013, in each fiscal year, the secretary shall transfer from the general fund to the  
14 transportation fund the greater of the following:

15 (1) An amount equal to 0.25 percent of the moneys projected to be deposited  
16 in the general fund during the fiscal year that are designated as “Taxes” in the  
17 summary in s. 20.005 (1), as published in the biennial budget act for that fiscal year.

18 (2) An amount equal to \$35,127,000.

19 **SECTION 228.** 16.54 (14) of the statutes is repealed.

20 **SECTION 234.** 16.705 (1p) of the statutes is created to read:

21 16.705 (1p) Subsection (1) does not apply to an agreement entered into by the  
22 department of veterans affairs under s. 45.50 (2m) (c).

23 **SECTION 235m.** 16.705 (1r) (d) of the statutes is amended to read:

1           16.705 **(1r)** (d) Contractual services purchased by the Board of Regents of the  
2 University of Wisconsin System with moneys appropriated under s. 20.285 (1) (j),  
3 ~~(ja), (jm), (ge),~~ (u), or (w) ~~or (5) (j)~~.

4           **SECTION 236.** 16.705 (1r) (e) of the statutes is created to read:

5           16.705 **(1r)** (e) Contractual services purchased by the University of  
6 Wisconsin–Madison with moneys appropriated under s. 20.285 (1) (ge), (u), or (w).

7           **SECTION 237g.** 16.705 (2) of the statutes is amended to read:

8           16.705 **(2)** The department shall promulgate rules for the procurement of  
9 contractual services by the department and its designated agents, including but not  
10 limited to rules prescribing approval and monitoring processes for contractual  
11 service contracts, a requirement for agencies, except for the University of Wisconsin  
12 System, to conduct a uniform cost–benefit analysis of each proposed contractual  
13 service procurement involving an estimated expenditure of more than \$25,000 in  
14 accordance with standards prescribed in the rules, and a requirement for agencies  
15 to review periodically, and before any renewal, the continued appropriateness of  
16 contracting under each contractual services agreement involving an estimated  
17 expenditure of more than \$25,000. Each officer requesting approval to engage any  
18 person to perform contractual services shall submit to the department written  
19 justification for such contracting which shall include a description of the contractual  
20 services to be procured, justification of need, justification for not contracting with  
21 other agencies, a specific description of the scope of contractual services to be  
22 performed, and justification for the procurement process if a process other than  
23 competitive bidding is to be used. The department may not approve any contract for  
24 contractual services unless it is satisfied that the justification for contracting  
25 conforms to the requirements of this section and ss. 16.71 to 16.77.

1           **SECTION 238g.** 16.705 (3) (intro.) of the statutes is amended to read:

2           16.705 **(3)** (intro.) The director of the office of state employment relations, prior  
3 to award, under conditions established by rule of the department, shall review  
4 contracts for contractual services in order to ensure that all agencies except for the  
5 University of Wisconsin System:

6           **SECTION 239g.** 16.705 (8) (intro.) of the statutes is amended to read:

7           16.705 **(8)** (intro.) The department shall, annually on or before October 15,  
8 submit to the governor, the joint committee on finance, the joint legislative audit  
9 committee and the chief clerk of each house of the legislature for distribution to the  
10 appropriate standing committees under s. 13.172 (3), a report concerning the  
11 number, value and nature of contractual service procurements authorized for each  
12 agency, except the University of Wisconsin System, during the preceding fiscal year.  
13 The report shall also include, with respect to contractual service procurements by  
14 agencies, except the University of Wisconsin System, for the preceding fiscal year:

15           **SECTION 240.** 16.705 (9) of the statutes is created to read:

16           16.705 **(9)** The department shall maintain a list of persons that are or have  
17 been a party to a contract with the state under this subchapter who have violated a  
18 provision of this subchapter or a contract under this subchapter. The parties on the  
19 list are ineligible for state contracts and no state contract may be awarded to a party  
20 on the ineligible list. The department may remove any party from the ineligible list  
21 if the department determines that the party's practices comply with this subchapter  
22 and provide adequate safeguards against future violations of this subchapter or  
23 contracts under this subchapter.

24           **SECTION 241c.** 16.71 (1m) of the statutes is amended to read:

1           16.71 (1m) The department shall not delegate to any executive branch agency,  
2 other than the board of regents of the University of Wisconsin System, the authority  
3 to enter into any contract for materials, supplies, equipment, or contractual services  
4 relating to information technology or telecommunications prior to review and  
5 approval of the contract by the department. No executive branch agency, other than  
6 the board of regents of the University of Wisconsin System, may enter into any such  
7 contract without review and approval of the contract by the department. Any  
8 executive branch agency that enters into a contract relating to information  
9 technology under this section shall comply with the requirements of s. 16.973 (13).  
10 Any delegation to the board of regents of the University of Wisconsin System is  
11 subject to the limitations prescribed in s. ~~36.11 (49)~~ 36.585.

12           **SECTION 241f.** 16.71 (1m) of the statutes, as affected by 2011 Wisconsin Act ...  
13 (this act), is amended to read:

14           16.71 (1m) The department shall not delegate to any executive branch agency,  
15 other than the board of regents of the University of Wisconsin System, the authority  
16 to enter into any contract for materials, supplies, equipment, or contractual services  
17 relating to information technology or telecommunications prior to review and  
18 approval of the contract by the department. The department may delegate this  
19 authority to the University of Wisconsin–Madison. No executive branch agency,  
20 other than the board of regents of the University of Wisconsin System, may enter into  
21 any such contract without review and approval of the contract by the department.  
22 The University of Wisconsin–Madison may enter into any such contract without  
23 review and approval by the department. Any executive branch agency that enters  
24 into a contract relating to information technology under this section shall comply  
25 with the requirements of s. 16.973 (13). Any delegation to the board of regents of the



1 University of Wisconsin System or to the University of Wisconsin–Madison is subject  
2 to the limitations prescribed in s. 36.585.

3 **SECTION 241h.** 16.71 (4) of the statutes is created to read:

4 16.71 (4) The department shall delegate to the Board of Regents of the  
5 University of Wisconsin System and to the University of Wisconsin–Madison the  
6 authority to enter into contracts for materials, supplies, equipment, or services that  
7 relate to higher education and that agencies other than the University of  
8 Wisconsin–System do not commonly purchase.

9 **SECTION 242.** 16.72 (2) (d) of the statutes is repealed.

10 **SECTION 243.** 16.72 (8) of the statutes is amended to read:

11 16.72 (8) The department may purchase educational technology materials,  
12 supplies, equipment, or contractual services from orders placed with the department  
13 by school districts, cooperative educational service agencies, technical college  
14 districts, ~~and~~ the board of regents of the University of Wisconsin System, and the  
15 University of Wisconsin–Madison.

16 **SECTION 244.** 16.73 (5) of the statutes is amended to read:

17 16.73 (5) If After the department designates the board of regents of the  
18 University of Wisconsin System or designates the University of Wisconsin–Madison  
19 as its purchasing agent for any purpose under s. 16.71 (1), the board or the University  
20 of Wisconsin–Madison may enter into a contract to sell any materials, supplies,  
21 equipment or contractual services purchased by the board or the University of  
22 Wisconsin–Madison to the University of Wisconsin Hospitals and Clinics Authority,  
23 and may contract with the University of Wisconsin Hospitals and Clinics Authority  
24 for the joint purchase of any materials, supplies, equipment or contractual services

1 if the sale or purchase is made consistently with that delegation and with this  
2 subchapter.

3 **SECTION 245g.** 16.75 (1) (b) of the statutes is renumbered 16.75 (1) (b) 1. and  
4 amended to read:

5 16.75 (1) (b) 1. ~~When~~ Except as provided in subd. 2., when the estimated cost  
6 exceeds \$25,000, the department shall invite bids to be submitted. The

7 3. If subd. 1. or 2. requires bids to be solicited, the department shall either shall  
8 solicit sealed bids to be opened publicly at a specified date and time, or shall solicit  
9 bidding by auction to be conducted electronically at a specified date and time.  
10 Whenever bids are invited, due notice inviting bids shall be published as a class 2  
11 notice, under ch. 985 or posted on the Internet at a site determined or approved by  
12 the department. The bid opening or auction shall occur at least 7 days after the date  
13 of the last insertion of the notice or at least 7 days after the date of posting on the  
14 Internet. The notice shall specify whether sealed bids are invited or bids will be  
15 accepted by auction, and shall give a clear description of the materials, supplies,  
16 equipment, or contractual services to be purchased, the amount of any bond, share  
17 draft, check, or other draft to be submitted as surety with the bid or prior to the  
18 auction, and the date and time that the public opening or the auction will be held.

19 **SECTION 246g.** 16.75 (1) (b) 2. of the statutes is created to read:

20 16.75 (1) (b) 2. If the Board of Regents of the University of Wisconsin System  
21 or the University of Wisconsin–Madison is making the purchase, bids are not  
22 required if the estimated cost does not exceed \$50,000.

23 **SECTION 247g.** 16.75 (2m) (b) of the statutes is renumbered 16.75 (2m) (b) 1.  
24 and amended to read:

1           16.75 (2m) (b) 1. ~~When~~ Except as provided in subd. 2., when the estimated cost  
2 exceeds \$25,000, the department may invite competitive sealed proposals by  
3 publishing.

4           3. If competitive sealed proposals are invited, the department shall publish a  
5 class 2 notice under ch. 985 or ~~by posting post~~ notice on the Internet at a site  
6 determined or approved by the department. The notice shall describe the materials,  
7 supplies, equipment, or contractual services to be purchased, the intent to make the  
8 procurement by solicitation of proposals rather than by solicitation of bids, any  
9 requirement for surety and the date the proposals will be opened, which shall be at  
10 least 7 days after the date of the last insertion of the notice or at least 7 days after  
11 the date of posting on the Internet.

12           **SECTION 248g.** 16.75 (2m) (b) 2. of the statutes is created to read:

13           16.75 (2m) (b) 2. If the Board of Regents of the University of Wisconsin System  
14 or the University of Wisconsin–Madison is making the purchase, competitive sealed  
15 proposals are not required if the estimated cost does not exceed \$50,000.

16           **SECTION 250.** 16.75 (3m) (a) 1. of the statutes is amended to read:

17           16.75 (3m) (a) 1. “Disabled veteran–owned business” means a business  
18 certified by the department of ~~commerce~~ administration under s. 560.0335 16.283  
19 (3).

20           **SECTION 251.** 16.75 (3m) (a) 2. of the statutes is amended to read:

21           16.75 (3m) (a) 2. “Disabled veteran–owned financial adviser” means a financial  
22 adviser certified by the department of ~~commerce~~ administration under s. 560.0335  
23 16.283 (3).

24           **SECTION 252.** 16.75 (3m) (a) 3. of the statutes is amended to read:

1           16.75 **(3m)** (a) 3. “Disabled veteran–owned investment firm” means an  
2 investment firm certified by the department of commerce administration under s.  
3 ~~560.0335~~ 16.283 (3).

4           **SECTION 253.** 16.75 (3m) (a) 4. of the statutes is amended to read:

5           16.75 **(3m)** (a) 4. “Minority business” means a business certified by the  
6 department of commerce administration under s. ~~560.036~~ 16.287 (2).

7           **SECTION 254.** 16.75 (3m) (c) 5. a. of the statutes is amended to read:

8           16.75 **(3m)** (c) 5. a. In determining whether a purchase, contract or subcontract  
9 complies with the goal established under par. (b) 1. or s. 16.855 (10m) (am) 1., 16.87  
10 (2) (b), or 25.185 (2), the department shall include only amounts paid to minority  
11 businesses, minority financial advisers and minority investment firms certified by  
12 the department of commerce administration under s. ~~560.036~~ 16.287 (2).

13           **SECTION 255.** 16.75 (3m) (c) 5. b. of the statutes is amended to read:

14           16.75 **(3m)** (c) 5. b. In determining whether a purchase, contract, or subcontract  
15 is made with a disabled veteran–owned business, the department shall include only  
16 amounts paid to disabled veteran–owned businesses certified by the department of  
17 commerce administration under s. ~~560.0335~~ 16.283 (3).

18           **SECTION 256.** 16.75 (3t) (c) (intro.) of the statutes is amended to read:

19           16.75 **(3t)** (c) (intro.) The department of corrections shall periodically provide  
20 to the department of administration a current list of all materials, supplies,  
21 equipment or contractual services, excluding commodities, that are supplied by  
22 prison industries, as created under s. 303.01. The department of administration  
23 shall distribute the list to all designated purchasing agents under s. 16.71 (1). Except  
24 as otherwise provided in sub. (6) (am), prior to seeking bids or competitive sealed  
25 proposals with respect to the purchase of any materials, supplies, equipment or

1 contractual services enumerated in the list, the department of administration or any  
2 other designated purchasing agent under s. 16.71 (1) shall offer prison industries the  
3 opportunity to supply the materials, supplies, equipment or contractual services if  
4 the department of corrections is able to provide them at a price ~~comparable to that~~  
5 is equal to or lower than one which may be obtained through competitive bidding or  
6 competitive sealed proposals and is able to conform to the specifications, ~~provided the~~  
7 ~~specifications are written in accordance with s. 16.72 (2) (d).~~ If the department of  
8 administration or other purchasing agent is unable to determine whether the price  
9 of prison industries is ~~comparable~~ equal to or lower than one obtained through  
10 competitive bidding or competitive sealed proposals, it may solicit bids or  
11 competitive proposals before awarding the order or contract. This paragraph does  
12 not apply to the printing of the following forms:

13 **SECTION 257.** 16.75 (4) (b) of the statutes is amended to read:

14 16.75 (4) (b) The department shall seek the cooperation and assistance of the  
15 department of ~~commerce~~ safety and professional services in the performance of its  
16 duties under par. (a).

17 **SECTION 260.** 16.75 (10e) (b) of the statutes is amended to read:

18 16.75 (10e) (b) ~~The~~ If s. 16.855 (10s) (a) provides an applicable standard for the  
19 type of agency consuming equipment being purchased and the purchase will cost  
20 more than \$5,000 per unit the department, any other designated purchasing agent  
21 under s. 16.71 (1), any agency making purchases under s. 16.74, and any authority  
22 may not purchase that type of energy consuming equipment unless the specifications  
23 for the equipment meet the applicable standards ~~for the equipment established~~  
24 ~~under s. 16.855 (10s) (a).~~ If there is no standard under s. 16.855 (10s) (a) applicable  
25 ~~to the type of energy consuming equipment being purchased, or if,~~ If there is an

1 applicable standard under s. 16.855 (10s) (a), but the energy consuming equipment  
2 meeting that standard is not reasonably available, the department, purchasing  
3 agent, agency, or authority shall ensure, for purchases over \$5,000 per unit, that the  
4 energy consuming equipment that is purchased maximizes energy efficiency to the  
5 extent technically and economically feasible. The department, purchasing agent,  
6 agency, or authority shall not determine that energy consuming equipment that  
7 meets the applicable standard under s. 16.855 (10s) (a) either is not reasonably  
8 available on the basis of cost alone or is not cost-effective unless the difference in the  
9 cost of the purchase and installation of the equipment that meets the standard and  
10 the equipment that would otherwise be installed is greater than the difference in the  
11 cost of operating the equipment that meets the standard and the equipment that  
12 would otherwise be installed over the anticipated life of the equipment.

13 **SECTION 261.** 16.751 of the statutes is amended to read:

14 **16.751 Information technology purchases by investment board.** The  
15 requirements of ss. 16.72 (2) (b) and (d) and 16.75 (1) (a) 1. and (2m) (g) do not apply  
16 to procurements authorized to be made by the investment board under s. 16.78 (1)  
17 for information technology purposes.

18 **SECTION 262.** 16.752 (8) (e) of the statutes is amended to read:

19 16.752 (8) (e) Comply with applicable occupational health and safety standards  
20 prescribed by the U.S. secretary of labor, the federal occupational health and safety  
21 administration or the department of commerce safety and professional services.

22 **SECTION 263.** 16.78 (1) of the statutes is amended to read:

23 16.78 (1) Every agency other than the board of regents of the University of  
24 Wisconsin System, the University of Wisconsin-Madison, or an agency making  
25 purchases under s. 16.74 shall make all purchases of materials, supplies, equipment,

1 and contractual services relating to information technology or telecommunications  
2 from the department, unless the department requires the agency to purchase the  
3 materials, supplies, equipment, or contractual services pursuant to a master  
4 contract established under s. 16.972 (2) (h), or grants written authorization to the  
5 agency to procure the materials, supplies, equipment, or contractual services under  
6 s. 16.75 (1) or (2m), to purchase the materials, supplies, equipment, or contractual  
7 services from another agency or to provide the materials, supplies, equipment, or  
8 contractual services to itself. The board of regents of the University of Wisconsin  
9 System and the University of Wisconsin–Madison may make purchases of materials,  
10 supplies, equipment, and contractual services relating to information technology or  
11 telecommunications from the department.

12 **SECTION 264.** 16.841 of the statutes is repealed.

13 **SECTION 265g.** 16.848 (1) of the statutes is amended to read:

14 16.848 (1) Except as provided in sub. (2) ~~and subject to sub. (3)~~, the department  
15 may sell offer for sale any state–owned real property, if the department determines  
16 that the sale is in the best interest of the state. ~~The~~ Any sale may be either on the  
17 basis of public bids, with the department reserving the right to reject any bid in the  
18 interest of the state, or negotiated prices. If the department receives an offer to  
19 purchase property offered under this subsection, the department may submit a  
20 report to the building commission recommending acceptance of the offer. The report  
21 shall contain a description of the property and the reasons for the recommendation.  
22 The department may recommend the sale of a parcel of property with or without the  
23 approval of the agency, as defined in s. 16.52 (7), having jurisdiction of the property.  
24 If the building commission approves the proposed sale, the department may sell the  
25 property.

1           **SECTION 265h.** 16.848 (3) of the statutes is repealed.

2           **SECTION 265i.** 16.848 (4) of the statutes is renumbered 16.848 (4) (a) and  
3 amended to read:

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

21           **SECTION 265j.** 16.848 (4) (b) of the statutes is created to read:

22           16.848 (4) (b) For the purpose of paying principal and interest costs on other  
23 outstanding public debt under par. (a), the secretary may cause outstanding bonds  
24 to be called for redemption on or following their optional redemption date, establish  
25 one or more escrow accounts to redeem bonds at their optional redemption date, or



1 purchase bonds in the open market. To the extent practical, the secretary shall  
2 consider all of the following in determining which public debt to redeem:

3 1. According preference to the redemption of general obligation debt within the  
4 same statutory bond purpose that was used to acquire, build, or improve the property  
5 being sold.

6 2. Maintaining compliance with federal tax law applicable to the general  
7 obligation debt that was issued to acquire, build, or improve the property being sold.

8 3. The extent to which general obligation debt that was issued to acquire, build,  
9 or improve the property being sold is subject to current optional redemption, would  
10 require establishment of an escrow, or could be assigned for accounting purposes to  
11 another statutory bond purpose.

12 4. The fiscal benefit of redeeming outstanding debt with higher interest costs.

13 5. The costs of federal tax law compliance in the selection of general obligation  
14 debt to be redeemed.

15 **SECTION 266.** 16.85 (1) of the statutes is amended to read:

16 16.85 (1) To take charge of and supervise all engineering or architectural  
17 services or construction work, as defined in s. 16.87, performed by, or for, the state,  
18 or any department, board, institution, commission, or officer of the state, including  
19 nonprofit-sharing corporations organized for the purpose of assisting the state in the  
20 construction and acquisition of new buildings or improvements and additions to  
21 existing buildings as contemplated under ss. 13.488, 36.09, and 36.11, except work  
22 to be performed for the University of Wisconsin System with respect to a building,  
23 structure, or facility involving a cost of less than \$500,000 that is funded entirely  
24 with the proceeds of gifts or grants made to the system, and except the engineering,  
25 architectural, and construction work of the department of transportation; and the

1 engineering service performed by the department of ~~commerce~~ safety and  
2 professional services, department of revenue, public service commission,  
3 department of health services, and other departments, boards, and commissions  
4 when the service is not related to the maintenance, and construction and planning,  
5 of the physical properties of the state. The department may not authorize  
6 construction work for any state office facility in the city of Madison after May 11,  
7 1990, unless the department first provides suitable space for a child care center  
8 primarily for use by children of state employees.

9 **SECTION 267.** 16.85 (1) of the statutes, as affected by 2011 Wisconsin Act ....  
10 (this act), is amended to read:

11 16.85 (1) To take charge of and supervise all engineering or architectural  
12 services or construction work, as defined in s. 16.87, performed by, or for, the state,  
13 or any department, board, institution, commission, or officer of the state, including  
14 nonprofit-sharing corporations organized for the purpose of assisting the state in the  
15 construction and acquisition of new buildings or improvements and additions to  
16 existing buildings as contemplated under ss. 13.488, 36.09, and 36.11, except the  
17 engineering, architectural, and construction work of the department of  
18 transportation; and the engineering service performed by the department of safety  
19 and professional services, department of revenue, public service commission,  
20 department of health services, and other departments, boards, and commissions  
21 when the service is not related to the maintenance, and construction and planning,  
22 of the physical properties of the state. ~~The department may not authorize~~  
23 ~~construction work for any state office facility in the city of Madison after May 11,~~  
24 ~~1990, unless the department first provides suitable space for a child care center~~  
25 ~~primarily for use by children of state employees.~~

1           **SECTION 268.** 16.85 (12) of the statutes is amended to read:

2           16.85 (12) To review and approve plans and specifications for any building or  
3 structure that is constructed for the benefit of the University of Wisconsin System  
4 or any institution thereof, and to periodically review the progress of any such  
5 building or structure during construction to assure compliance with the approved  
6 plans and specifications. This subsection does not apply to any building, structure,  
7 or facility that is constructed, remodeled, repaired, renewed, or expanded for the  
8 University of Wisconsin System involving a cost of less than \$500,000 if the project  
9 is funded entirely from the proceeds of gifts or grants made to the system.

10           **SECTION 275.** 16.854 (1) (a) of the statutes is amended to read:

11           16.854 (1) (a) “Minority business” has the meaning given in s. 560.036 16.287  
12 (1) (e).

13           **SECTION 276.** 16.854 (1) (b) of the statutes is amended to read:

14           16.854 (1) (b) “Minority group member” has the meaning given in s. 560.036  
15 16.287 (1) (f).

16           **SECTION 276m.** 16.855 (1) of the statutes is amended to read:

17           16.855 (1) The department shall let by contract to the lowest qualified  
18 responsible bidder all construction work when the estimated construction cost of the  
19 project exceeds \$40,000 \$50,000, except for construction work authorized under s.  
20 16.858 and except as provided in sub. (10m) or s. 13.48 (19). If a bidder is not a  
21 Wisconsin firm and the department determines that the state, foreign nation or  
22 subdivision thereof in which the bidder is domiciled grants a preference to bidders  
23 domiciled in that state, nation or subdivision in making governmental purchases,  
24 the department shall give a preference over that bidder to Wisconsin firms, if any,  
25 when awarding the contract, in the absence of compelling reasons to the contrary.

1 The department may enter into agreements with states, foreign nations and  
2 subdivisions thereof for the purpose of implementing this subsection.

3 **SECTION 277.** 16.855 (2) (intro.) of the statutes is amended to read:

4 16.855 (2) (intro.) Except for projects authorized under s. 16.858, whenever the  
5 estimated construction cost of a project exceeds \$40,000 \$50,000, or if less and in the  
6 best interest of the state, the department shall:

7 **SECTION 282.** 16.855 (10m) (ac) of the statutes is amended to read:

8 16.855 (10m) (ac) In this subsection, “disabled veteran–owned business”  
9 means a business certified by the department of ~~commerce~~ administration under s.  
10 ~~560.0335~~ 16.283 (3).

11 **SECTION 283.** 16.855 (10n) (a) of the statutes is amended to read:

12 16.855 (10n) (a) In this subsection, “minority group member” has the meaning  
13 given in s. ~~560.036~~ 16.287 (1) (f).

14 **SECTION 284.** 16.855 (20) of the statutes is amended to read:

15 16.855 (20) This section does not apply to construction work performed by  
16 University of Wisconsin System students when the construction work performed is  
17 a part of a curriculum and where the work is course–related for the student involved.  
18 Prior approval of the building commission must be obtained for all construction  
19 projects to be performed by University of Wisconsin System students, except projects  
20 specified in s. 13.48 (10) (c).

21 **SECTION 289b.** 16.855 (22) of the statutes is amended to read:

22 16.855 (22) The provisions of this section, except sub. (10m), do not apply to  
23 construction work for any project that does not require the prior approval of the  
24 building commission under s. 13.48 (10) (a) if the project is constructed in accordance  
25 with policies and procedures prescribed by the building commission under s. 13.48

1 (29). If the estimated construction cost of any project, other than a project  
2 constructed by or for the University of Wisconsin System that is exempted under sub.  
3 (23), is at least \$40,000 \$50,000, and the building commission elects to utilize the  
4 procedures prescribed under s. 13.48 (29) to construct the project, the department  
5 shall provide adequate public notice of the project and the procedures to be utilized  
6 to construct the project on a publicly accessible computer site.

7 **SECTION 290.** 16.855 (23) of the statutes is created to read:

8 16.855 (23) This section does not apply to construction work for any project  
9 constructed by or for the University of Wisconsin System involving a cost of less than  
10 \$500,000 that is funded entirely with the proceeds of gifts and grants made to the  
11 system.

12 **SECTION 297.** 16.87 (1) (am) of the statutes is amended to read:

13 16.87 (1) (am) “Disabled veteran–owned business” means a business certified  
14 by the department of ~~commerce~~ administration under s. 560.0335 16.283 (3).

15 **SECTION 300.** 16.87 (5) of the statutes is created to read:

16 16.87 (5) This section does not apply to any project for the University of  
17 Wisconsin System involving a cost of less than \$500,000 that is funded entirely from  
18 the proceeds of gifts or grants made to the system.

19 **SECTION 305.** 16.89 of the statutes is amended to read:

20 **16.89 Construction and services controlled by this chapter.** No  
21 department, independent agency, constitutional office or agent of the state shall  
22 employ engineering, architectural or allied services or expend money for  
23 construction purposes on behalf of the state, except as provided in this chapter and  
24 except that the Board of Regents of the University of Wisconsin System may engage

1 such services for any project involving a cost of less than \$500,000 that is funded  
2 entirely from the proceeds of gifts or grants made to the system.

3 **SECTION 323.** 16.95 (intro.) of the statutes is amended to read:

4 **16.95 Powers and duties.** (intro.) The department shall, through a system  
5 of comprehensive long-range planning, promote the development and the maximum  
6 wise use of the energy, natural, and human resources of the state. It **and develop and**  
7 implement a cost-effective, balanced, reliable, and environmentally responsible  
8 energy strategy to promote economic growth. The department shall **do all of the**  
9 following:

10 **SECTION 324.** 16.954 of the statutes is repealed.

11 **SECTION 325.** 16.956 of the statutes is repealed.

12 **SECTION 325d.** 16.957 (1) (gg) of the statutes is created to read:

13 16.957 (1) (gg) “Excess federal amount” means, for a fiscal year, the amount by  
14 which the federal assistance for the fiscal year exceeds the federal assistance for  
15 fiscal year 2007–08.

16 **SECTION 325h.** 16.957 (1) (gr) of the statutes is created to read:

17 16.957 (1) (gr) “Federal assistance” means, for a fiscal year, all moneys received  
18 from the federal government under 42 USC 6861 to 6873 and 42 USC 8621 to 8629  
19 in the fiscal year.

20 **SECTION 325p.** 16.957 (1) (o) 1. of the statutes is amended to read:

21 16.957 (1) (o) 1. ~~The total amount received by the department for low-income~~  
22 ~~funding under 42 USC 6861 to 6873 and 42 USC 8621 to 8629~~ federal assistance in  
23 fiscal year 1997–98.

24 **SECTION 325t.** 16.957 (2) (a) 1. of the statutes is amended to read:

1           16.957 **(2)** (a) 1. ~~All moneys received from the federal government under 42~~  
2           ~~USC 6861 to 6873 and 42 USC 8621 to 8629~~ The federal assistance in a fiscal year.

3           **SECTION 326.** 16.957 (2) (d) 2m. of the statutes is created to read:

4           16.957 **(2)** (d) 2m. In fiscal years 2011–12 and 2012–13, at the department’s  
5           discretion, subtract from the amount required to be spent on weatherization and  
6           other energy conservation services under par. (a) an amount that is no more than the  
7           sum of \$10,000,000 and the excess federal amount for the fiscal year.

8           **SECTION 326m.** 16.957 (4) (c) 1. b. of the statutes is amended to read:

9           16.957 **(4)** (c) 1. b. ~~All moneys received under 42 USC 6861 to 6873 and 42 USC~~  
10          ~~8621 to 8629~~ The federal assistance for that fiscal year.

11          **SECTION 327.** 16.964 (1m) (k) of the statutes is repealed.

12          **SECTION 328.** 16.964 (5) (a) of the statutes is amended to read:

13          16.964 **(5)** (a) The office shall provide grants from the appropriation under s.  
14          20.505 (6) (e) (kb) to cities to employ additional uniformed law enforcement officers  
15          whose primary duty is beat patrolling. A city is eligible for a grant under this  
16          subsection in fiscal year 1994–95 if the city has a population of 25,000 or more. A city  
17          may receive a grant for a calendar year if the city applies for a grant before September  
18          1 of the preceding calendar year. Grants shall be awarded to the 10 eligible cities  
19          submitting an application for a grant that have the highest rates of violent crime  
20          index offenses in the most recent full calendar year for which data is available under  
21          the uniform crime reporting system of the federal bureau of investigation.

22          **SECTION 329.** 16.964 (12) (b) of the statutes is amended to read:

23          16.964 **(12)** (b) The office shall make grants to counties to enable them to  
24          establish and operate programs, including suspended and deferred prosecution  
25          programs and programs based on principles of restorative justice, that provide

1 alternatives to prosecution and incarceration for criminal offenders who abuse  
2 alcohol or other drugs. The office shall make the grants from the appropriations  
3 under s. 20.505 (6) (b), (j) ~~(kn)~~, and (ku). The office shall collaborate with the  
4 departments of corrections and health services in establishing this grant program.

5 **SECTION 330.** 16.964 (12) (br) of the statutes is created to read:

6 16.964 (12) (br) Any county that receives a grant under this subsection on or  
7 after January 1, 2012, shall provide matching funds that are equal to 25 percent of  
8 the amount of the grant.

9 **SECTION 330e.** 16.964 (12) (bt) of the statutes is created to read:

10 16.964 (12) (bt) The office shall make a grant under par. (b) in fiscal year  
11 2011–12 to Milwaukee County in the amount of \$333,900, if Milwaukee County  
12 provides matching funds equal to 25 percent of the amount of the grant.

13 **SECTION 330m.** 16.964 (12) (bt) of the statutes, as created by 2011 Wisconsin  
14 Act .... (this act), is repealed.

15 **SECTION 330s.** 16.964 (12) (gm) of the statutes is created to read:

16 16.964 (12) (gm) Beginning in fiscal year 2012–13, the office shall, every 5  
17 years, make grants under this subsection available to any county on a competitive  
18 basis. A county may apply for a grant under this paragraph regardless of whether  
19 the county has received a grant previously under this subsection.

20 **SECTION 331.** 16.964 (14) (intro.) of the statutes is amended to read:

21 16.964 (14) (intro.) Beginning in fiscal year ~~2008–09~~ 2011–2012, from the  
22 appropriation under s. 20.505 (6) (f) ~~(ke)~~, the office shall in each fiscal year provide  
23 ~~\$20,000~~ \$17,000 to each of the following child advocacy centers for education,  
24 training, medical advice, and quality assurance activities:

25 **SECTION 332.** 16.964 (15) (b) of the statutes is renumbered 16.964 (15) (b) 1.



1           **SECTION 333.** 16.964 (15) (b) 2. of the statutes is created to read:

2           16.964 **(15)** (b) 2. The office may charge a person that is not a state agency a  
3 fee for use of the statewide public safety interoperable communication system under  
4 par. (a).

5           **SECTION 334.** 16.967 (6) of the statutes is amended to read:

6           16.967 **(6)** REPORTS. By March 31 of each year, the department of  
7 administration, the department of agriculture, trade and consumer protection, the  
8 department of ~~commerce~~ safety and professional services, the department of health  
9 services, the department of natural resources, the department of tourism, the  
10 department of revenue, the department of transportation, the board of regents of the  
11 University of Wisconsin System, the public service commission, and the board of  
12 curators of the historical society shall each submit to the department a plan to  
13 integrate land information to enable such information to be readily translatable,  
14 retrievable, and geographically referenced for use by any state, local governmental  
15 unit, or public utility. Upon receipt of this information, the department shall  
16 integrate the information to enable the information to be used to meet land  
17 information data needs. The integrated information shall be readily translatable,  
18 retrievable, and geographically referenced to enable members of the public to use the  
19 information.

20           **SECTION 335.** 16.971 (9) of the statutes is amended to read:

21           16.971 **(9)** In conjunction with the public defender board, the director of state  
22 courts, the departments of corrections and justice and district attorneys, the  
23 department may maintain, promote and coordinate automated justice information  
24 systems that are compatible among counties and the officers and agencies specified  
25 in this subsection, using the moneys appropriated under s. 20.505 (1) ~~(ja)~~ (kh), (kp).

1 and (kq). The department shall annually report to the legislature under s. 13.172  
2 (2) concerning the department's efforts to improve and increase the efficiency of  
3 integration of justice information systems.

4 **SECTION 335m.** 16.974 (4) of the statutes is created to read:

5 16.974 (4) Provide services authorized under sub. (3) to hospitals, as defined  
6 in s. 50.33 (2). Subsection (1) applies to the services provided under this subsection.

7 **SECTION 336.** 16.98 (4) of the statutes is amended to read:

8 16.98 (4) From the ~~appropriation~~ appropriations under s. 20.505 (1) (fo) and  
9 (kg), the department may provide grants to any organization with which the  
10 department contracts to operate the program under sub. (1).

11 **SECTION 337.** 16.99 (3b) of the statutes is amended to read:

12 16.99 (3b) "Juvenile correctional facility" means ~~the Southern Oaks Girls~~  
13 ~~School, the Ethan Allen School, the Copper Lake School~~ and the Lincoln Hills School.

14 **SECTION 339.** 16.993 (7) of the statutes is amended to read:

15 16.993 (7) Purchase educational technology materials, supplies, equipment,  
16 and contractual services for school districts, cooperative educational service  
17 agencies, technical college districts, ~~and~~ the board of regents of the University of  
18 Wisconsin System, and the University of Wisconsin–Madison under s. 16.72 (8), and  
19 establish standards and specifications for purchases of educational technology  
20 hardware and software by school districts, cooperative educational service agencies,  
21 technical college districts, and the board of regents of the University of Wisconsin  
22 System.

23 **SECTION 342.** 18.16 (1) (a) of the statutes is amended to read:

1           18.16 (1) (a) “Disabled veteran–owned financial adviser” means a financial  
2 adviser certified by the department of ~~commerce~~ administration under s. 560.0335  
3 16.283 (3).

4           **SECTION 343.** 18.16 (1) (b) of the statutes is amended to read:

5           18.16 (1) (b) “Disabled veteran–owned investment firm” means an investment  
6 firm certified by the department of ~~commerce~~ administration under s. 560.0335  
7 16.283 (3).

8           **SECTION 344.** 18.16 (1) (c) of the statutes is amended to read:

9           18.16 (1) (c) “Minority financial adviser” means a financial adviser certified by  
10 the department of ~~commerce~~ administration under s. 560.036 16.287 (2).

11           **SECTION 345.** 18.16 (1) (d) of the statutes is amended to read:

12           18.16 (1) (d) “Minority investment firm” means an investment firm certified by  
13 the department of ~~commerce~~ administration under s. 560.036 16.287 (2).

14           **SECTION 346.** 18.64 (1) (a) of the statutes is amended to read:

15           18.64 (1) (a) “Disabled veteran–owned financial adviser” means a financial  
16 adviser certified by the department of ~~commerce~~ administration under s. 560.0335  
17 16.283 (3).

18           **SECTION 347.** 18.64 (1) (b) of the statutes is amended to read:

19           18.64 (1) (b) “Disabled veteran–owned investment firm” means an investment  
20 firm certified by the department of ~~commerce~~ administration under s. 560.0335  
21 16.283 (3).

22           **SECTION 348.** 18.64 (1) (c) of the statutes is amended to read:

23           18.64 (1) (c) “Minority financial adviser” means a financial adviser certified by  
24 the department of ~~commerce~~ administration under s. 560.036 16.287 (2).

25           **SECTION 349.** 18.64 (1) (d) of the statutes is amended to read:

1           18.64 (1) (d) “Minority investment firm” means an investment firm certified by  
2 the department of commerce administration under s. 560.036 16.287 (2).

3           **SECTION 350.** 18.77 (1) (a) of the statutes is amended to read:

4           18.77 (1) (a) “Disabled veteran–owned financial adviser” means a financial  
5 adviser certified by the department of commerce administration under s. 560.0335  
6 16.283 (3).

7           **SECTION 351.** 18.77 (1) (b) of the statutes is amended to read:

8           18.77 (1) (b) “Disabled veteran–owned investment firm” means an investment  
9 firm certified by the department of commerce administration under s. 560.0335  
10 16.283 (3).

11           **SECTION 352.** 18.77 (1) (c) of the statutes is amended to read:

12           18.77 (1) (c) “Minority financial adviser” means a financial adviser certified by  
13 the department of commerce administration under s. 560.036 16.287 (2).

14           **SECTION 353.** 18.77 (1) (d) of the statutes is amended to read:

15           18.77 (1) (d) “Minority investment firm” means an investment firm certified by  
16 the department of commerce administration under s. 560.036 16.287 (2).

17           **SECTION 354y.** 19.36 (12) of the statutes is amended to read:

18           19.36 (12) INFORMATION RELATING TO CERTAIN EMPLOYEES. Unless access is  
19 specifically authorized or required by statute, an authority shall not provide access  
20 to a record prepared or provided by an employer performing work on a project to  
21 which s. 66.0903, ~~66.0904~~, 103.49, or 103.50 applies, or on which the employer is  
22 otherwise required to pay prevailing wages, if that record contains the name or other  
23 personally identifiable information relating to an employee of that employer, unless  
24 the employee authorizes the authority to provide access to that information. In this  
25 subsection, “personally identifiable information” does not include an employee’s

1 work classification, hours of work, or wage or benefit payments received for work on  
2 such a project.

3 **SECTION 355b.** 19.42 (13) (b) of the statutes is amended to read:

4 19.42 (13) (b) The positions of associate and assistant vice presidents of the  
5 University of Wisconsin System and vice chancellors identified in s. 20.923 (5).

6 **SECTION 355g.** 19.42 (13) (c) of the statutes is amended to read:

7 19.42 (13) (c) All positions identified under s. 20.923 (2), (4), ~~(4g)~~, (6) (f) to (h),  
8 (7), and (8) to (10), except clerical positions.

9 **SECTION 356c.** 19.42 (13) (cm) of the statutes is created to read:

10 19.42 (13) (cm) The president and vice presidents of the University of  
11 Wisconsin System and the chancellors and vice chancellors of all University of  
12 Wisconsin institutions, the University of Wisconsin Colleges, and the University of  
13 Wisconsin–Extension.

14 **SECTION 356g.** 19.44 (1) (f) of the statutes is amended to read:

15 19.44 (1) (f) If the individual who is required to file or a member of his or her  
16 immediate family received ~~\$1,000~~ \$10,000 or more of his or her income for the  
17 preceding taxable year from a partnership, limited liability company, corporation  
18 electing to be taxed as a partnership under subchapter S of the internal revenue code  
19 or service corporation under ss. 180.1901 to 180.1921 in which the individual or a  
20 member of his or her immediate family, severally or in the aggregate, has a 10% or  
21 greater interest, the identity of each payer from which the organization received  
22 ~~\$1,000~~ \$10,000 or more of its income for its preceding taxable year, except that if the  
23 individual who is required to file identifies the general nature of the business in  
24 which he or she or his or her immediate family is engaged then no identification need  
25 be made of a decedent's estate or an individual, not acting as a representative of an

1 organization, unless the individual is a lobbyist as defined in s. 13.62. In addition,  
2 no identification need be made of payers from which dividends or interest are  
3 received.

4 **SECTION 356q.** 19.45 (11) (a) of the statutes is amended to read:

5 19.45 (11) (a) The administrator of the division of merit recruitment and  
6 selection in the office of state employment relations shall, with the board's advice,  
7 promulgate rules to implement a code of ethics for classified and unclassified state  
8 employees except state public officials subject to this subchapter, ~~unclassified~~  
9 personnel in the University of Wisconsin System, and officers and employees of the  
10 judicial branch.

11 **SECTION 357b.** 19.45 (11) (b) of the statutes is amended to read:

12 19.45 (11) (b) The board of regents of the University of Wisconsin System shall  
13 establish a code of ethics for ~~unclassified~~ personnel in that system who are not  
14 subject to this subchapter.

15 **SECTION 357m.** 19.55 (1) of the statutes is amended to read:

16 19.55 (1) Except as provided in sub. (2) and s. 5.05 (5s), all records under this  
17 subchapter or subch. III of ch. 13 in the possession of the board are open to public  
18 inspection at all reasonable times. The board shall require each person wishing to  
19 examine or copy a statement of economic interests and any information contained  
20 therein to do so only at the office of the board, and shall require an individual wishing  
21 to examine or copy a statement of economic interests or the list of persons who inspect  
22 any statements which are in the board's possession to provide his or her full name  
23 and address, and if the individual is representing another person, the full name and  
24 address of the person which he or she represents. Such identification ~~may~~ shall be  
25 provided ~~in writing or~~ in person. The board shall record and retain for at least 3 years

1 information obtained by it pursuant to this subsection. No individual may use a  
2 fictitious name or address or fail to identify a principal in making any request for  
3 inspection.

4 **SECTION 358.** 19.56 (2) (b) 6. of the statutes is amended to read:

5 19.56 (2) (b) 6. Is made available to the official by the ~~department of commerce~~  
6 Wisconsin Economic Development Corporation or the department of tourism in  
7 accordance with sub. (3) (e), (em) or (f).

8 **SECTION 359.** 19.56 (3) (e) (intro.) of the statutes is amended to read:

9 19.56 (3) (e) (intro.) A state public official who is an officer or employee of the  
10 ~~department of commerce~~ Wisconsin Economic Development Corporation may solicit,  
11 receive and retain on behalf of the state anything of value for the purpose of any of  
12 the following:

13 **SECTION 360.** 19.56 (3) (e) 1. of the statutes is amended to read:

14 19.56 (3) (e) 1. The sponsorship by the ~~department of commerce~~ Wisconsin  
15 Economic Development Corporation of a trip to a foreign country primarily to  
16 promote trade between that country and this state that the ~~department of commerce~~  
17 Wisconsin Economic Development Corporation can demonstrate through clear and  
18 convincing evidence is primarily for the benefit of this state.

19 **SECTION 361.** 19.56 (3) (f) of the statutes is amended to read:

20 19.56 (3) (f) A state public official may receive and retain from the ~~department~~  
21 ~~of commerce~~ Wisconsin Economic Development Corporation anything of value which  
22 the ~~department of commerce~~ Wisconsin Economic Development Corporation is  
23 authorized to provide under par. (e) and may receive and retain from the department  
24 of tourism anything of value which the department of tourism is authorized to  
25 provide under par. (em).

1           **SECTION 362.** 19.57 of the statutes is amended to read:

2           **19.57 Conferences, visits and economic development activities.** The  
3 ~~department of commerce~~ Wisconsin Economic Development Corporation shall file a  
4 report with the board no later than April 30 annually, specifying the source and  
5 amount of anything of value received by the ~~department of commerce~~ Wisconsin  
6 Economic Development Corporation during the preceding calendar year for a  
7 purpose specified in s. 19.56 (3) (e), and the program or activity in connection with  
8 which the thing is received, together with the location and date of that program or  
9 activity.

10           **SECTION 364.** 19.85 (1) (i) of the statutes is repealed.

11           **SECTION 366.** 20.001 (5) of the statutes is amended to read:

12           **20.001 (5) REFUNDS OF EXPENDITURES.** Any amount not otherwise appropriated  
13 under this chapter that is received by a state agency as a result of an adjustment  
14 made to a previously recorded expenditure from a sum certain appropriation to that  
15 agency due to activities that are of a temporary nature or activities that could not be  
16 anticipated during budget development and which serves to reduce or eliminate the  
17 previously recorded expenditure in the same fiscal year in which the previously  
18 recorded expenditure was made, except as provided in s. ss. 20.435 (4) (gm) and  
19 20.437 (2) (md), may, upon request of the agency, be designated by the secretary of  
20 administration as a refund of an expenditure. Except as otherwise provided in this  
21 subsection, the secretary of administration may designate an amount received by a  
22 state agency as a refund of an expenditure only if the agency submits to the secretary  
23 a written explanation of the circumstances under which the amount was received  
24 that includes a specific reference in a statutory or nonstatutory law to a function of  
25 the agency under which the amount was received and the appropriation from which



1 the previously recorded expenditure was made. A refund of an expenditure shall be  
2 deposited by the receiving state agency in the appropriation account from which the  
3 previously recorded expenditure was made. Except as otherwise provided in this  
4 subsection, a state agency which proposes to make an expenditure from moneys  
5 designated as a refund of an expenditure shall submit to the secretary of  
6 administration a written explanation of the purpose of the expenditure, including a  
7 specific reference in a statutory or nonstatutory law to a function of the agency under  
8 which the expenditure is to be made and the appropriation from which the  
9 expenditure is to be made. After submission and approval of an estimate of the  
10 amount proposed to be expended under s. 16.50 (2), a state agency may expend the  
11 moneys received from the refund of the expenditure. The secretary of administration  
12 may waive submission of any explanation required by this subsection for categories  
13 of refunds of expenditures or proposed refunds of expenditures.

14 **SECTION 367m.** 20.002 (11) (b) 2. of the statutes is amended to read:

15 20.002 (11) (b) 2. Except as provided in subd. 3, the secretary of administration  
16 shall limit the total amount of any temporary reallocations to the general fund at any  
17 one time during a fiscal year to an amount equal to 5% of the total amounts shown  
18 in the schedule under s. 20.005 (3) of appropriations of general purpose revenues,  
19 calculated by the secretary as of that time and for that fiscal year. During the  
20 ~~2009–11~~ 2011–13 fiscal biennium, the amount that may be reallocated under this  
21 subdivision during a fiscal year may not exceed ~~7~~ 9 percent of such revenues.

22 **SECTION 368.** 20.003 (4) (gk) of the statutes is created to read:

23 20.003 (4) (gk) For fiscal year 2013–14, \$65,000,000.

24 **SECTION 369.** 20.003 (4) (gL) of the statutes is created to read:

25 20.003 (4) (gL) For fiscal year 2014–15, \$65,000,000.

1           **SECTION 370.** 20.003 (4) (L) of the statutes is amended to read:

2           20.003 **(4)** (L) For fiscal year ~~2013–14~~ 2015–16 and each fiscal year thereafter,  
3           2 percent.

4           **SECTION 370m.** 20.003 (4m) of the statutes is amended to read:

5           20.003 **(4m)** REQUIRED GENERAL FUND STRUCTURAL BALANCE. No bill may be  
6           adopted by the legislature if the bill would cause in ~~any fiscal year~~ the 2nd year of  
7           any fiscal biennium the amount of moneys designated as “Total Expenditures” in the  
8           summary under s. 20.005 (1) for that fiscal year, less any amounts transferred to the  
9           budget stabilization fund in that fiscal year, to exceed the sum of the amount of  
10          moneys designated as “Taxes” and “Departmental Revenues” in the summary under  
11          s. 20.005 (1) for that fiscal year.

12          **SECTION 371.** 20.005 (1) of the statutes is repealed and recreated to read:

13          20.005 **(1)** SUMMARY OF ALL FUNDS. The budget governing fiscal operations for  
14          the state of Wisconsin for all funds beginning on July 1, 2011, and ending on June  
15          30, 2013, is summarized as follows: [See Figure 20.005 (1) following]

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16          **Figure: 20.005 (1)**

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**GENERAL FUND SUMMARY**

	<b>2011–12</b>	<b>2012–13</b>
<b>Opening Balance, July 1</b>	\$ 86,246,400	\$ 73,444,000
<b>Revenues</b>		
Taxes		
Enrolled 2011 AB 40	\$ 13,329,335,000	\$ 13,814,193,000
2011 Act 10	–32,100,000	–35,000,000
Departmental Revenues		
Tribal Gaming	26,537,600	28,073,800

	<b>2011–12</b>	<b>2012–13</b>
Other	<u>647,882,500</u>	<u>584,602,100</u>
<b>Total Available</b>	<b>\$ 14,057,901,500</b>	<b>\$ 14,465,312,900</b>
 <b>Appropriations, Transfers, and Reserves</b>		
Gross Appropriations		
Enrolled 2011 AB 40	\$ 14,166,186,500	\$ 14,751,044,300
2011 Act 26	–0–	14,500,000
2011 Act 27	–170,000,000	–0–
Transfers to		
Transportation Fund	22,500,000	137,627,000
Injured Patients and Families		
Compensation Fund (2011 Act 27)	235,000,000	–0–
Veterans Trust Fund	5,000,000	–0–
Compensation Reserves	28,790,000	81,910,000
Less Lapses	<u>–303,019,000</u>	<u>–594,184,100</u>
<b>Total Expenditures</b>	<b>\$ 13,984,457,500</b>	<b>\$ 14,390,897,200</b>
 <b>Balances</b>		
Gross Balance	\$ 73,444,000	\$ 74,415,700
Less Required Statutory Balance	<u>–65,000,000</u>	<u>–65,000,000</u>
 <b>Net Balance, June 30</b>	 <b>\$8,444,000</b>	 <b>\$ 9,415,700</b>

**SUMMARY OF APPROPRIATIONS — ALL FUNDS**

	<b>2011–12</b>	<b>2012–13</b>
General Purpose Revenue	\$ 14,166,186,500	\$ 14,751,044,300
Federal Revenue	\$ 9,535,162,700	\$ 9,481,020,900
Program	8,635,594,800	8,575,578,600
Segregated	899,567,900	905,442,300
Program Revenue	\$ 4,331,016,600	\$ 4,371,491,400

	<b>2011–12</b>	<b>2012–13</b>
Nonservice	3,542,860,200	3,591,977,600
Service	788,156,400	779,513,800
Segregated Revenue	\$ 3,673,268,100	\$ 3,792,477,400
State nonservice	3,371,810,600	3,486,019,900
Local	108,559,400	108,559,400
Service	192,898,100	197,898,100
<b>GRAND TOTAL</b>	<b>\$ 31,705,633,900</b>	<b>\$ 32,396,034,000</b>

**SUMMARY OF COMPENSATION RESERVES — ALL FUNDS**

General Purpose Revenue	\$ 28,790,000	\$ 81,910,000
Federal Revenue	16,662,700	45,710,000
Program Revenue	5,932,000	16,643,600
Segregated Revenue	<u>7,003,400</u>	<u>19,617,400</u>
<b>TOTAL</b>	<b>\$ 58,388,100</b>	<b>\$ 163,881,000</b>

**LOTTERY FUND SUMMARY**

	<b>2011–12</b>	<b>2012–13</b>
<b>Gross Revenue</b>		
Ticket Sales	\$ 480,385,700	\$ 480,056,700
Miscellaneous Revenue	<u>198,500</u>	<u>239,600</u>
	\$ 480,584,200	\$ 480,296,300
<b>Expenses</b>		
Prizes	\$ 281,799,100	\$ 281,633,300
Administrative Expenses	<u>66,998,500</u>	<u>67,124,800</u>
	\$ 348,797,600	\$ 348,758,100
<b>Net Proceeds</b>	\$ 131,786,600	\$ 131,538,200
	<b>2011–12</b>	<b>2012–13</b>
<b>Total Available for Property Tax Relief</b>		
Opening Balance	\$ 13,518,500	\$ 9,611,700
Net Proceeds	131,786,600	131,538,200
Interest Earnings	502,300	2,130,700
Gaming–related Revenue	<u>192,900</u>	<u>192,900</u>
	\$ 146,000,300	\$ 143,473,500
<b>Property Tax Relief</b>	\$ 136,388,600	\$ 133,867,400
<b>Gross Closing Balance</b>	\$ 9,611,700	\$ 9,605,900
<b>Reserve</b>	\$ 9,611,700	\$ 9,605,900
<b>Net Closing Balance</b>	\$ –0–	\$ –0–

1           **SECTION 372.** 20.005 (2) of the statutes is repealed and recreated to read:  
2           20.005 (2) STATE BORROWING PROGRAM SUMMARY. The following schedule sets  
3 forth the state borrowing program summary: [See Figures 20.005 (2) (a) and (b)  
4 following]

5 \_\_\_\_\_  
6 **Figure: 20.005 (2) (a)**  
7 \_\_\_\_\_

**SUMMARY OF BONDING AUTHORITY MODIFICATIONS  
2011–13 FISCAL BIENNIUM**

<b>Source and Purpose</b>	<b>Amount</b>
<b>GENERAL OBLIGATIONS</b>	
Administration	
Energy conservation	\$ 100,000,000
Agriculture, Trade and Consumer Protection	
Soil and water	7,000,000
Agricultural conservation easements	–12,000,000
Building Commission	
Refunding tax–supported and self–amortizing general obligation debt before July 1, 2013	264,200,000
Other public purposes	193,420,700
Housing state departments	18,711,300
Lac du Flambeau Indian tribal cultural center	250,000
Corrections	
Correctional facilities	20,801,800
Self–amortizing facilities	–5,442,900
Educational Communications Board	

<b>Source and Purpose</b>	<b>Amount</b>
Communications facilities	521,700
<b>Environmental Improvement Fund</b>	
Safe drinking water loan program	9,400,000
Clean water fund	6,700,000
<b>Health Services</b>	
Mental health facilities	3,445,700
<b>Historical Society</b>	
History center	–10,000,000
Museum facility	10,000,000
<b>Marquette University</b>	
Dental clinic and education facilities	8,000,000
<b>Military Affairs</b>	
Armory facilities	–8,747,400
<b>Natural Resources</b>	
Stewardship 2000	–234,000,000
Nonpoint source	7,000,000
Environmental repair	3,000,000
Urban nonpoint source cost–sharing	6,000,000
Contaminated sediment removal	5,000,000
Dam safety projects	4,000,000
Environmental SEG administrative facilities	692,700
SEG supported facilities	9,346,500
<b>Public Instruction</b>	
Residential schools	4,982,900
<b>State Fair Park</b>	

<b>Source and Purpose</b>	<b>Amount</b>
Self-amortizing facilities	450,000
<b>Transportation</b>	
Southeast Wisconsin transit improvements	–100,000,000
Marquette interchange, Zoo Interchange, I 94 north-south corridor	151,200,000
Harbor improvements	10,700,000
Rail acquisitions and improvements	30,000,000
State highway rehabilitation projects	115,351,500
State highway rehabilitation certain projects	81,000,000
Major highway projects	50,000,000
<b>University of Wisconsin</b>	
Academic facilities	122,904,500
Self-amortizing facilities	157,578,100
<b>Veterans Affairs</b>	
Self-amortizing housing	<u>5,470,700</u>
<b>TOTAL General Obligation Bonds</b>	<b>\$ 1,036,937,800</b>
<b>REVENUE OBLIGATIONS</b>	
<b>Environmental Improvement Fund</b>	
Clean water fund program	\$ 353,000,000
<b>Transportation</b>	
Major highway projects, transportation facilities	<u>341,763,100</u>
<b>TOTAL Revenue Obligation Bonds</b>	<b>\$ 694,763,100</b>
<b>GRAND TOTAL General and Revenue Obligation Bonding Authority Modifications</b>	<b>\$ 1,731,700,900</b>



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3**Figure: 20.005 (2) (b)****GENERAL OBLIGATION DEBT SERVICE  
FISCAL YEARS 2011–12 AND 2012–13**

<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>2011–12</b>	<b>2012–13</b>
<b><i>20.115 Agriculture, trade and consumer protection, department of</i></b>			
(2) (d) Principal repayment and interest	GPR	\$ 4,600	\$ 12,900
(7) (b) Principal repayment and interest, conservation reserve enhancement	GPR	412,100	1,908,800
(7) (br) Principal repayment and interest; agricultural conservation easements	GPR	–0–	–0–
<b><i>20.190 State fair park board</i></b>			
(1) (c) Housing facilities principal repayment, interest and rebates	GPR	862,100	1,085,700
(1) (d) Principal repayment and interest	GPR	1,009,800	2,251,800
<b><i>20.225 Educational communications board</i></b>			
(1) (c) Principal repayment and interest	GPR	1,209,300	3,218,800
<b><i>20.245 Historical society</i></b>			
(1) (e) Principal repayment, interest, and rebates	GPR	1,119,500	2,447,500
<b><i>20.250 Medical College of Wisconsin</i></b>			
(1) (c) Principal repayment, interest, and rebates; biomedical research and technology incubator	GPR	1,286,000	2,912,600
(1) (e) Principal repayment and interest	GPR	–0–	–0–
<b><i>20.255 Public instruction, department of</i></b>			
(1) (d) Principal repayment and interest	GPR	455,800	944,700

<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>2011–12</b>	<b>2012–13</b>
<b><i>20.285 University of Wisconsin System</i></b>			
(1) (d) Principal repayment and interest	GPR	98,365,300	204,717,500
<b><i>20.320 Environmental improvement program</i></b>			
(1) (c) Principal repayment and interest – clean water fund program	GPR	25,535,300	34,403,500
(2) (c) Principal repayment and interest – safe drinking water loan program	GPR	2,583,500	4,441,100
<b><i>20.370 Natural resources, department of</i></b>			
(7) (aa) Resource acquisition and development – principal repayment and interest	GPR	33,650,800	67,013,000
(7) (ac) Principal repayment and interest – recreational boating bonds	GPR	–0–	–0–
(7) (cb) Principal repayment and interest – pollution abatement bonds	GPR	9,324,700	9,311,900
(7) (cc) Principal repayment and interest – combined sewer overflow; pollution abatement bonds	GPR	3,879,000	4,970,200
(7) (cd) Principal repayment and interest – municipal clean drinking water grants	GPR	975,400	270,500
(7) (ea) Administrative facilities – principal repayment and interest	GPR	427,800	888,800
<b><i>20.395 Transportation, department of</i></b>			
(6) (af) Principal repayment and interest, local roads for job preservation program and major highway and rehabilitation projects, state funds	GPR	43,066,300	162,296,000

<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>2011–12</b>	<b>2012–13</b>
<b><i>20.410 Corrections, department of</i></b>			
(1) (e) Principal repayment and interest	GPR	46,889,500	87,579,700
(1) (ec) Prison industries principal, interest and rebates	GPR	–0–	–0–
(3) (e) Principal repayment and interest	GPR	3,111,100	6,147,700
<b><i>20.435 Health services, department of</i></b>			
(2) (ee) Principal repayment and interest	GPR	10,658,500	21,301,200
<b><i>20.465 Military affairs, department of</i></b>			
(1) (d) Principal repayment and interest	GPR	3,441,300	6,089,300
<b><i>20.485 Veterans affairs, department of</i></b>			
(1) (f) Principal repayment and interest	GPR	1,147,400	1,814,200
<b><i>20.505 Administration, department of</i></b>			
(4) (es) Principal, interest, and rebates; general purpose revenue – schools	GPR	1,353,100	2,252,200
(4) (et) Principal, interest, and rebates; general purpose revenue – public library boards	GPR	8,400	15,200
(5) (c) Principal repayment and interest; Black Point Estate	GPR	81,100	170,200
<b><i>20.855 Miscellaneous appropriations</i></b>			
(8) (a) Dental clinic and education facility; principal repayment, interest and rebates	GPR	940,000	1,789,900
<b><i>20.867 Building commission</i></b>			
(1) (a) Principal repayment and interest; housing of state agencies	GPR	–0–	–0–
(1) (b) Principal repayment and interest; capitol and executive residence	GPR	6,896,600	13,367,700

<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>2011–12</b>	<b>2012–13</b>
(3) (a) Principal repayment and interest	GPR	6,816,100	28,051,100
(3) (b) Principal repayment, interest, and rebates	GPR	1,112,600	2,373,000
(3) (bb) Principal repayment, interest, and rebates; AIDS Network, Inc.	GPR	13,900	23,400
(3) (bc) Principal repayment, interest, and rebates; Grand Opera House in Oshkosh	GPR	12,500	40,200
(3) (bd) Principal repayment, interest, and rebates; Aldo Leopold climate change classroom and interactive laboratory	GPR	12,500	40,200
(3) (be) Principal repayment, interest, and rebates; Bradley Center Sports and Entertainment Corporation	GPR	176,400	390,600
(3) (bf) Principal repayment, interest, and rebates; AIDS Resource Center of Wisconsin, Inc.	GPR	36,900	62,200
(3) (bg) Principal repayment, interest, and rebates; Madison Children’s Museum	GPR	11,600	19,500
(3) (bh) Principal repayment, interest, and rebates; Myrick Hixon EcoPark, Inc.	GPR	31,000	41,100
(3) (bi) Principal repayment, interest, and rebates; Marshfield Clinic	GPR	125,000	526,300
(3) (bj) Principal repayment, interest, and rebates; Lac du Flambeau Indian Tribal Cultural Center	GPR	–0–	–0–

<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>2011–12</b>	<b>2012–13</b>
(3) (bk) Principal repayment, interest, and rebates; National Soldiers Home Historic District	GPR	–0–	–0–
(3) (bm) Principal repayment, interest, and rebates; HR Academy, Inc.	GPR	59,900	134,400
(3) (bn) Principal repayment, interest and rebates; Hmong cultural centers	GPR	12,300	22,000
(3) (bp) Principal repayment, interest and rebates	GPR	–0–	–0–
(3) (bq) Principal repayment, interest and rebates; children’s research institute	GPR	501,300	1,037,500
(3) (br) Principal repayment, interest and rebates	GPR	61,200	99,100
(3) (bu) Principal repayment, interest and rebates; Civil War exhibit at the Kenosha Public Museums	GPR	26,900	43,800
(3) (bv) Principal repayment, interest, and rebates; Bond Health Center	GPR	–0–	40,200
(3) (e) Principal repayment, interest and rebates; parking ramp	GPR	–0–	–0–
<b>TOTAL General Purpose Revenue Debt Service</b>		<b>\$ 307,764,200</b>	<b>\$ 676,758,700</b>

***20.190 State Fair Park Board***

(1) (j) State fair principal repayment, interest and rebates	PR	\$ 4,826,900	\$ 4,841,100
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***20.225 Educational communications board***

(1) (i) Program revenue facilities; principal repayment, interest, and rebates	PR	14,100	13,800
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<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>2011–12</b>	<b>2012–13</b>
<b><i>20.245 Historical society</i></b>			
(1) (j) Self-amortizing facilities; principal repayment, interest, and rebates	PR	8,400	6,900
<b><i>20.285 University of Wisconsin System</i></b>			
(1) (gj) Self-amortizing facilities principal and interest	PR	78,808,800	90,260,500
<b><i>20.370 Natural resources, department of</i></b>			
(7) (ag) Land acquisition – principal repayment and interest	PR	–0–	–0–
(7) (cg) Principal repayment and interest – nonpoint repayments	PR	–0–	–0–
<b><i>20.410 Corrections, department of</i></b>			
(1) (ko) Prison industries principal repayment, interest and rebates	PR	91,300	96,100
<b><i>20.485 Veterans affairs, department of</i></b>			
(1) (go) Self-amortizing facilities; principal repayment and interest	PR	1,230,700	1,309,400
<b><i>20.505 Administration, department of</i></b>			
(4) (ha) Principal, interest, and rebates; program revenue – schools	PR	724,700	332,100
(4) (hb) Principal, interest, and rebates; program revenue – public library boards	PR	5,200	–0–
(5) (g) Principal repayment, interest and rebates; parking	PR	1,778,000	2,260,300
(5) (kc) Principal repayment, interest and rebates	PR	19,320,200	16,986,900
<b><i>20.867 Building commission</i></b>			
(3) (g) Principal repayment, interest and rebates; program revenues	PR	–0–	–0–

<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>2011-12</b>	<b>2012-13</b>
(3) (h) Principal repayment, interest, and rebates	PR	-0-	-0-
(3) (i) Principal repayment, interest and rebates; capital equipment	PR	-0-	-0-
(3) (kd) Energy conservation construction projects; principal repayment, interest and rebates	PR	2,183,000	3,013,300
(3) (km) Aquaculture demonstration facility; principal repayment and interest	PR	<u>263,400</u>	<u>264,700</u>
<b>TOTAL Program Revenue Debt Service</b>		<b>\$ 109,254,700</b>	<b>\$ 119,385,100</b>

***20.115 Agriculture, trade and consumer protection, department of***

(7) (s) Principal repayment and interest; soil and water, environmental fund	SEG	\$ 3,061,800	\$ 3,384,300
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***20.320 Environmental improvement program***

(1) (t) Principal repayment and interest – clean water fund program bonds	SEG	8,000,000	8,000,000
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***20.370 Natural resources, department of***

(7) (aq) Resource acquisition and development – principal repayment and interest	SEG	16,600	16,600
(7) (ar) Dam repair and removal – principal repayment and interest	SEG	481,200	515,600
(7) (at) Recreation development – principal repayment and interest	SEG	-0-	-0-
(7) (au) State forest acquisition and development – principal repayment and interest	SEG	13,500,000	13,500,000
(7) (bq) Principal repayment and interest – remedial action	SEG	3,865,600	4,062,600

<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>2011–12</b>	<b>2012–13</b>
(7) (br) Principal repayment and interest – contaminated sediment	SEG	696,100	1,045,600
(7) (cq) Principal repayment and interest – nonpoint source grants	SEG	8,437,600	8,508,000
(7) (cr) Principal repayment and interest – nonpoint source	SEG	832,000	1,036,200
(7) (cs) Principal repayment and interest – urban nonpoint source cost-sharing	SEG	2,403,000	2,537,400
(7) (ct) Principal repayment and interest – pollution abatement, environmental fund	SEG	8,000,000	8,000,000
(7) (eq) Administrative facilities – principal repayment and interest	SEG	4,713,200	5,148,300
(7) (er) Administrative facilities – principal repayment and interest; environmental fund	SEG	635,700	659,300
<b><i>20.395 Transportation, department of</i></b>			
(6) (aq) Principal repayment and interest, transportation facilities, state highway rehabilitation, major highway projects, state funds	SEG	21,705,300	27,783,900
(6) (ar) Principal repayment and interest, buildings, state funds	SEG	14,600	14,900
(6) (au) Principal repayment and interest, Marquette interchange, zoo interchange, southeast megaprojects, and I 94 north–south corridor reconstruction projects, state funds	SEG	41,826,400	49,284,700
<b><i>20.485 Veterans affairs, department of</i></b>			
(3) (t) Debt service	SEG	19,033,300	19,020,700



STATUTE, AGENCY AND PURPOSE	SOURCE	2011-12	2012-13
(4) (qm) Repayment of principal and interest	SEG	86,100	85,500
<b>20.866 Public debt</b>			
(1) (u) Principal repayment and interest	SEG	-0-	-0-
<b>20.867 Building commission</b>			
(3) (q) Principal repayment and interest; segregated revenues	SEG	-0-	-0-
<b>TOTAL Segregated Revenue Debt Service</b>		\$ 137,308,500	\$ 152,603,600
<b>GRAND TOTAL All Debt Service</b>		\$ 554,327,400	\$ 948,747,400

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**SECTION 373.** 20.005 (3) of the statutes 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]

**Figure: 20.005 (3)**

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
<b>Commerce</b>				
<b>20.115 Department of Agriculture, Trade and Consumer Protection</b>				
(1) FOOD SAFETY AND CONSUMER PROTECTION				
(a) General program operations	GPR	A	-0-	-0-
Food inspection	GPR	A	3,398,800	3,398,800
Meat and poultry inspection	GPR	A	3,789,600	4,048,200
Trade and consumer protection	GPR	A	1,742,400	1,742,400
NET APPROPRIATION			8,930,800	9,189,400
(g) Related services	PR	A	42,700	42,700
(gb) Food regulation	PR	A	5,603,300	5,644,900
(gf) Fruit and vegetable inspection	PR	C	988,200	988,200
(gh) Public warehouse regulation	PR	A	124,800	124,800

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011–12	2012–13
1	(gm) Dairy trade regulation	PR	A	156,300	156,300
2	(h) Grain inspection and certification	PR	C	1,400,800	1,400,800
3	(hm) Ozone–depleting refrigerants and products regulation	PR	A	463,200	466,500
4	(i) Sale of supplies	PR	A	25,400	25,400
6	(im) Consumer protection; telephone solicitor fees	PR	A	263,400	273,600
8	(ip) Bisphenol A enforcement	PR	C	–0–	–0–
9	(j) Weights and measures inspection	PR	A	1,342,400	1,343,600
10	(jb) Consumer protection, information, and education	PR	A	147,800	147,800
12	(jm) Telecommunications utility trade practices	PR	A	394,900	401,400
14	(m) Federal funds	PR–F	C	5,329,300	5,579,200
15	(q) Dairy, grain, and vegetable security	SEG	A	1,142,600	1,145,500
16	(r) Unfair sales act enforcement	SEG	A	213,600	213,600
17	(s) Weights and measures; petroleum inspection fund	SEG	A	771,400	771,400
18	(u) Recyclable and nonrecyclable products regulation	SEG	A	–0–	–0–
20	(v) Agricultural producer security; contingent financial backing	SEG	S	–0–	–0–
22	(w) Agricultural producer security; payments	SEG	S	200,000	200,000
24	(wb) Agricultural producer security; proceeds of contingent financial backing	SEG	C	–0–	–0–
26	(wc) Agricultural producer security; repayment of contingent financial backing	SEG	S	–0–	–0–
27					
29					
			(1) PROGRAM TOTALS		
30	GENERAL PURPOSE REVENUE			8,930,800	9,189,400
	PROGRAM REVENUE			16,282,500	16,595,200
	FEDERAL			(5,329,300)	(5,579,200)
	OTHER			(10,953,200)	(11,016,000)
	SEGREGATED REVENUE			2,327,600	2,330,500
	OTHER			(2,327,600)	(2,330,500)
	TOTAL–ALL SOURCES			27,540,900	28,115,100
31	(2) ANIMAL HEALTH SERVICES				
32	(a) General program operations	GPR	A	2,691,000	2,691,000
33	(b) Animal disease indemnities	GPR	S	108,600	108,600
34	(c) Financial assistance for paratuberculosis testing	GPR	A	211,200	211,200
36	(d) Principal repayment and interest	GPR	S	4,600	12,900
37	(g) Related services	PR	C	–0–	–0–
38	(h) Sale of supplies	PR	A	28,400	28,400
39	(ha) Inspection, testing and enforcement	PR	C	566,300	566,300
40	(j) Dog licenses, rabies control, and related services	PR	C	506,700	516,800
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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(m) Federal funds	PR-F	C	2,721,400	2,588,800
2	(q) Animal health inspection, testing and enforcement	SEG	A	351,700	351,700
3	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			3,015,400	3,023,700
	PROGRAM REVENUE			3,822,800	3,700,300
	FEDERAL			(2,721,400)	(2,588,800)
	OTHER			(1,101,400)	(1,111,500)
	SEGREGATED REVENUE			351,700	351,700
	OTHER			(351,700)	(351,700)
	TOTAL-ALL SOURCES			7,189,900	7,075,700
4	(3) AGRICULTURAL DEVELOPMENT SERVICES				
5	(a) General program operations	GPR	A	2,205,000	2,205,000
6	(at) Farm to school program administration	GPR	A	64,900	64,900
8	(g) Related services	PR	A	-0-	-0-
9	(h) Loans for rural development	PR	C	58,700	58,700
10	(i) Marketing orders and agreements	PR	C	95,200	95,200
11	(j) Stray voltage program	PR	A	534,400	534,400
12	(ja) Agricultural development services and materials	PR	C	147,300	147,300
13	(jm) Stray voltage program; rural electric cooperatives	PR	A	22,300	22,300
16	(L) Something special from Wisconsin promotion	PR	A	49,200	58,000
18	(m) Federal funds	PR-F	C	4,980,500	4,980,500
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			2,269,900	2,269,900
	PROGRAM REVENUE			5,887,600	5,896,400
	FEDERAL			(4,980,500)	(4,980,500)
	OTHER			(907,100)	(915,900)
	TOTAL-ALL SOURCES			8,157,500	8,166,300
19	(4) AGRICULTURAL ASSISTANCE				
20	(a) Aid to Wisconsin livestock breeders association	GPR	A	-0-	-0-
21	(am) Buy local grants	GPR	B	200,000	200,000
23	(as) Farm to school grants	GPR	A	-0-	-0-
24	(b) Aids to county and district fairs	GPR	A	356,400	356,400
25	(c) Agricultural investment aids	GPR	B	321,000	321,000
26	(d) Dairy industry promotion	GPR	A	200,000	200,000
27	(e) Aids to World Dairy Expo, Inc.	GPR	A	20,100	20,100
28	(f) Exposition center grants	GPR	A	182,700	182,700
29	(q) Grants for agriculture in the classroom program	SEG	A	93,900	93,900
30	(qm) Grants for agricultural facilities	SEG	B	-0-	-0-
32	(r) Agricultural investment aids, agrichemical management fund	SEG	B	-0-	-0-
33	(s) Grazing lands conservation	SEG	A	375,500	375,500

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13	
(4) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUE		1,280,200	1,280,200	
	SEGREGATED REVENUE		469,400	469,400	
	OTHER		(469,400)	(469,400)	
	TOTAL-ALL SOURCES		1,749,600	1,749,600	
1	(7) AGRICULTURAL RESOURCE MANAGEMENT				
2	(a) General program operations	GPR	A	768,200	768,200
3	(b) Principal repayment and interest, conservation reserve enhancement	GPR	S	412,100	1,908,800
4	(c) Soil and water resource management program	GPR	C	3,843,100	3,843,100
6	(dm) Farmland preservation planning grants	GPR	A	374,200	374,200
8	(g) Agricultural impact statements	PR	C	295,200	295,200
10	(ga) Related services	PR	C	344,400	346,700
11	(gm) Seed testing and labeling	PR	C	87,800	87,800
12	(h) Fertilizer research assessments	PR	C	135,600	233,600
13	(ha) Liming material research funds	PR	C	21,100	21,100
14	(i) Agricultural conservation easements; gifts and grants	PR	C	-0-	-0-
16	(ja) Plant protection	PR	C	324,800	324,800
17	(k) Agricultural resource management services	PR-S	C	666,000	666,000
19	(m) Federal funds	PR-F	C	4,066,100	4,075,000
20	(qc) Plant protection; conservation fund	SEG	A	1,570,600	1,570,600
21	(qd) Soil and water administration; environmental fund	SEG	A	2,189,500	2,189,500
22	(qe) Soil and water management; local assistance	SEG	A	5,036,900	5,036,900
24	(qf) Soil and water management; aids	SEG	A	5,356,700	5,356,700
26	(r) General program operations; agrichemical management	SEG	A	6,607,800	6,713,100
28	(s) Principal repayment and interest; soil and water, environmental fund	SEG	S	3,061,800	3,384,300
30	(tg) Agricultural conservation easements	SEG	A	-0-	-0-
32	(tm) Farmland preservation planning grants, working lands fund	SEG	A	-0-	-0-
34	(ts) Working lands programs	SEG	A	-0-	-0-
35	(va) Clean sweep grants	SEG	A	750,000	750,000
36	(wm) Agricultural chemical cleanup reimbursement	SEG	C	2,200,000	2,200,000
37	(7) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE		5,397,600	6,894,300	
	PROGRAM REVENUE		5,941,000	6,050,200	
	FEDERAL		(4,066,100)	(4,075,000)	
	OTHER		(1,208,900)	(1,309,200)	
	SERVICE		(666,000)	(666,000)	
	SEGREGATED REVENUE		26,773,300	27,201,100	

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	OTHER			(26,773,300)	(27,201,100)
	TOTAL-ALL SOURCES			38,111,900	40,145,600
1	(8) CENTRAL ADMINISTRATIVE SERVICES				
2	(a) General program operations	GPR	A	5,718,400	5,718,400
3	(g) Gifts and grants	PR	C	1,273,300	1,178,000
4	(ge) Agricultural education and workforce development council, gifts and grants	PR	C	19,300	19,300
5					
7	(gm) Enforcement cost recovery	PR	A	4,600	4,600
8	(h) Sale of material and supplies	PR	C	9,600	9,600
9	(ha) General laboratory related services	PR	C	74,100	74,100
10	(hm) Restitution	PR	C	-0-	-0-
11	(i) Related services	PR	A	85,600	85,600
12	(j) Electronic processing	PR	C	-0-	-0-
13	(jm) Telephone solicitation regulation	PR	C	764,600	767,600
14	(k) Computer system equipment, staff and services	PR-S	A	1,944,900	1,945,600
16	(kL) Central services	PR-S	C	927,500	927,500
17	(km) General laboratory services	PR-S	B	2,956,500	2,982,000
18	(ks) State services	PR-S	C	187,900	187,900
19	(m) Federal funds	PR-F	C	1,899,900	1,899,900
20	(pz) Indirect cost reimbursements	PR-F	C	2,132,100	2,065,400
	(8) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			5,718,400	5,718,400
	PROGRAM REVENUE			12,279,900	12,147,100
	FEDERAL			(4,032,000)	(3,965,300)
	OTHER			(2,231,100)	(2,138,800)
	SERVICE			(6,016,800)	(6,043,000)
	TOTAL-ALL SOURCES			17,998,300	17,865,500
	20.115 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			26,612,300	28,375,900
	PROGRAM REVENUE			44,213,800	44,389,200
	FEDERAL			(21,129,300)	(21,188,800)
	OTHER			(16,401,700)	(16,491,400)
	SERVICE			(6,682,800)	(6,709,000)
	SEGREGATED REVENUE			29,922,000	30,352,700
	OTHER			(29,922,000)	(30,352,700)
	TOTAL-ALL SOURCES			100,748,100	103,117,800
21	<b>20.144 Department of Financial Institutions</b>				
22	(1) SUPERVISION OF FINANCIAL INSTITUTIONS, SECURITIES REGULATION AND OTHER FUNCTIONS				
23	(a) Losses on public deposits	GPR	S	-0-	-0-
24	(g) General program operations	PR	A	16,563,900	16,606,600
25	(h) Gifts, grants, settlements and publications	PR	C	58,500	58,500
26	(i) Investor education and training fund	PR	A	84,500	84,500
28	(j) Payday loan database and financial literacy	PR	C	900,000	900,000
30					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(m) Credit union examinations, federal funds	PR-F	C	-0-	-0-
2	(u) State deposit fund	SEG	S	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	PROGRAM REVENUE			17,606,900	17,649,600
	FEDERAL			(-0-)	(-0-)
	OTHER			(17,606,900)	(17,649,600)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			17,606,900	17,649,600
	20.144 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	PROGRAM REVENUE			17,606,900	17,649,600
	FEDERAL			(-0-)	(-0-)
	OTHER			(17,606,900)	(17,649,600)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			17,606,900	17,649,600
4	<b>20.145 Office of the Commissioner of Insurance</b>				
5	(1) SUPERVISION OF THE INSURANCE INDUSTRY				
6	(g) General program operations	PR	A	16,823,200	16,823,200
7	(gm) Gifts and grants	PR	C	-0-	-0-
8	(h) Holding company restructuring expenses	PR	C	-0-	-0-
10	(m) Federal funds	PR-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	PROGRAM REVENUE			16,823,200	16,823,200
	FEDERAL			(-0-)	(-0-)
	OTHER			(16,823,200)	(16,823,200)
	TOTAL-ALL SOURCES			16,823,200	16,823,200
11	(2) INJURED PATIENTS AND FAMILIES COMPENSATION FUND				
12	(a) Supplement for claims payable	GPR	S	-0-	-0-
13	(q) Interest earned on future medical expenses	SEG	S	-0-	-0-
14	(u) Administration	SEG	A	1,216,400	1,216,400
16	(um) Peer review council	SEG	A	153,500	153,500
17	(v) Specified responsibilities, investment board payments, and future medical expenses	SEG	C	54,150,400	54,150,400
	(2) PROGRAM TOTALS				
19	GENERAL PURPOSE REVENUE			-0-	-0-
	SEGREGATED REVENUE			55,520,300	55,520,300
	OTHER			(55,520,300)	(55,520,300)
	TOTAL-ALL SOURCES			55,520,300	55,520,300
20	(3) LOCAL GOVERNMENT PROPERTY INSURANCE FUND				
21	(u) Administration	SEG	A	1,352,800	1,389,100
22	(v) Specified payments, fire dues and reinsurance	SEG	C	26,195,700	26,159,400
23					

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
(3) PROGRAM TOTALS				
	SEGREGATED REVENUE		27,548,500	27,548,500
	OTHER		(27,548,500)	(27,548,500)
	TOTAL-ALL SOURCES		27,548,500	27,548,500
1	(4) STATE LIFE INSURANCE FUND			
2	(u) Administration	SEG      A	664,300	664,300
3	(v) Specified payments and losses	SEG      C	3,528,400	3,528,400
(4) PROGRAM TOTALS				
	SEGREGATED REVENUE		4,192,700	4,192,700
	OTHER		(4,192,700)	(4,192,700)
	TOTAL-ALL SOURCES		4,192,700	4,192,700
20.145 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE		-0-	-0-
	PROGRAM REVENUE		16,823,200	16,823,200
	FEDERAL		(-0-)	(-0-)
	OTHER		(16,823,200)	(16,823,200)
	SEGREGATED REVENUE		87,261,500	87,261,500
	OTHER		(87,261,500)	(87,261,500)
	TOTAL-ALL SOURCES		104,084,700	104,084,700
4	<b>20.155 Public Service Commission</b>			
5	(1) REGULATION OF PUBLIC UTILITIES			
6	(g) Utility regulation	PR      A	14,421,300	14,421,300
7	(h) Holding company and nonutility affiliate regulation	PR      C	679,200	679,200
8	(j) Intervenor financing and grants	PR      B	1,042,500	1,042,500
10	(L) Stray voltage program	PR      A	200,000	200,000
11	(Lb) Gifts for stray voltage program	PR      C	-0-	-0-
12	(Lm) Consumer education and awareness	PR      C	-0-	-0-
13	(m) Federal funds	PR-F    C	538,000	538,000
14	(n) Indirect costs reimbursement	PR-F    C	50,000	50,000
15	(q) Universal telecommunications service	SEG      A	5,940,000	5,940,000
16	(r) Nuclear waste escrow fund	SEG      S	-0-	-0-
(1) PROGRAM TOTALS				
	PROGRAM REVENUE		16,931,000	16,931,000
	FEDERAL		(588,000)	(588,000)
	OTHER		(16,343,000)	(16,343,000)
	SEGREGATED REVENUE		5,940,000	5,940,000
	OTHER		(5,940,000)	(5,940,000)
	TOTAL-ALL SOURCES		22,871,000	22,871,000
18	(2) OFFICE OF THE COMMISSIONER OF RAILROADS			
19	(g) Railroad and water carrier regulation and general program operations	PR      A	583,000	583,000
20	(m) Railroad and water carrier regulation; federal funds	PR-F    C	-0-	-0-
21	(2) PROGRAM TOTALS			
22	PROGRAM REVENUE		583,000	583,000
23	FEDERAL		(-0-)	(-0-)

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	OTHER			(583,000)	(583,000)
	TOTAL-ALL SOURCES			583,000	583,000
1	(3) OTHER PROGRAMS				
2	(q) General program operations and grants	SEG	C	-0-	-0-
3	(s) Energy efficiency and renewable resource programs	SEG	A	452,500	452,500
6	(t) Police and fire protection fee administration	SEG	A	166,600	166,600
7	(3) PROGRAM TOTALS				
	SEGREGATED REVENUE			619,100	619,100
	OTHER			(619,100)	(619,100)
	TOTAL-ALL SOURCES			619,100	619,100
	20.155 DEPARTMENT TOTALS				
	PROGRAM REVENUE			17,514,000	17,514,000
	FEDERAL			(588,000)	(588,000)
	OTHER			(16,926,000)	(16,926,000)
	SEGREGATED REVENUE			6,559,100	6,559,100
	OTHER			(6,559,100)	(6,559,100)
	TOTAL-ALL SOURCES			24,073,100	24,073,100
8	<b>20.165 Department of Safety and Professional Services</b>				
9	(1) PROFESSIONAL REGULATION AND ADMINISTRATIVE SERVICES				
10	(a) General program operations – executive and administrative services	GPR	A	-0-	-0-
11	(g) General program operations	PR	A	10,171,100	10,171,100
13	(gc) Chiropractic examination	PR	C	-0-	-0-
14	(gk) Bail bond surities and agents	PR	A	-0-	-0-
15	(gm) Applicant investigation reimbursement	PR	C	113,000	113,000
16	(h) Technical assistance; nonstate agencies and organizations	PR	C	-0-	-0-
18	(hg) General program operations; medical examining board	PR	B	1,864,900	1,864,900
20	(i) Examinations; general program operations	PR	C	1,271,300	1,271,300
22	(im) Boxing and mixed martial arts fighting; enforcement	PR	C	-0-	-0-
23	(jm) Nursing workforce survey administration	PR	B	9,000	9,000
26	(k) Technical assistance; state agencies	PR-S	C	-0-	-0-
28	(ka) Sale of materials and services – local assistance	PR-S	C	-0-	-0-
29	(kb) Sale of materials and services – individuals and organizations	PR-S	C	-0-	-0-
30	(kc) Sale of materials and services	PR-S	C	35,600	35,600
32	(kd) Administrative services	PR-S	A	3,196,400	3,196,400
34	(ke) Transfer of unappropriated balances	PR-S	C	-0-	-0-
35					
36					



	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(m) Federal funds	PR-F	C	-0-	-0-
2	(n) Federal aid, local assistance	PR-F	C	-0-	-0-
3	(o) Federal aid, individuals and organizations	PR-F	C	-0-	-0-
4	(pz) Indirect cost reimbursement	PR-F	C	242,300	242,300
6	(s) Wholesale drug distributor bonding	SEG	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	PROGRAM REVENUE			16,903,600	16,903,600
	FEDERAL			(242,300)	(242,300)
	OTHER			(13,429,300)	(13,429,300)
	SERVICE			(3,232,000)	(3,232,000)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			16,903,600	16,903,600
7	(2) REGULATION OF INDUSTRY, SAFETY AND BUILDINGS				
8	(a) General program operations	GPR	A	74,600	74,600
9	(de) Private sewage system replacement and rehabilitation	GPR	C	2,338,600	2,338,600
10	(dm) Storage tank inventory	GPR	A	-0-	-0-
12	(g) Gifts and grants	PR	C	18,000	18,000
13	(ga) Auxiliary services	PR	C	21,000	21,000
14	(gb) Local agreements	PR	C	-0-	-0-
15	(h) Local energy resource system fees	PR	A	-0-	-0-
16	(j) Safety and building operations	PR	A	15,620,600	15,620,600
17	(ka) Interagency agreements	PR-S	C	113,500	113,500
18	(kg) Construction career academy grant	PR	B	-0-	-0-
19	(km) Crex Meadows Youth Conservation Camp grant	PR	B	-0-	-0-
20	(ks) Data processing	PR-S	C	-0-	-0-
22	(L) Fire dues distribution	PR	C	15,150,000	15,400,000
23	(La) Fire prevention and fire dues administration	PR	A	608,900	608,900
24	(Lm) Petroleum storage remedial action fees	PR	A	-0-	-0-
26	(m) Federal funds	PR-F	C	1,687,700	1,687,700
28	(ma) Federal aid – program administration	PR-F	C	-0-	-0-
30	(pz) Indirect cost reimbursements	PR-F	C	-0-	-0-
31	(q) Groundwater – standards; implementation	SEG	A	-0-	-0-
33	(r) Safety and building operations; petroleum inspection fund	SEG	A	5,192,300	5,192,300
34	(sm) Diesel truck idling reduction grants	SEG	A	1,000,000	1,000,000
36	(sn) Diesel truck idling reduction grant administration	SEG	A	76,000	76,000
38	(t) Petroleum inspection fund – revenue obligation repayment	SEG	S	-0-	-0-
39					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(v) Petroleum storage environmental remedial action; awards	SEG	B	4,550,000	4,550,000
2	(vm) Removal of underground petroleum storage tanks	SEG	A	100,000	100,000
4	(w) Petroleum storage environmental remedial action; administration	SEG	A	2,549,600	2,549,600
6		(2) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			2,413,200	2,413,200
	PROGRAM REVENUE			33,219,700	33,469,700
	FEDERAL			(1,687,700)	(1,687,700)
	OTHER			(31,418,500)	(31,668,500)
	SERVICE			(113,500)	(113,500)
	SEGREGATED REVENUE			13,467,900	13,467,900
	OTHER			(13,467,900)	(13,467,900)
	TOTAL-ALL SOURCES			49,100,800	49,350,800
	20.165 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			2,413,200	2,413,200
	PROGRAM REVENUE			50,123,300	50,373,300
	FEDERAL			(1,930,000)	(1,930,000)
	OTHER			(44,847,800)	(45,097,800)
	SERVICE			(3,345,500)	(3,345,500)
	SEGREGATED REVENUE			13,467,900	13,467,900
	OTHER			(13,467,900)	(13,467,900)
	TOTAL-ALL SOURCES			66,004,400	66,254,400
7	<b>20.190 State Fair Park Board</b>				
8	(1) STATE FAIR PARK				
9	(c) Housing facilities principal repayment, interest and rebates	GPR	S	862,100	1,085,700
10	(d) Principal repayment and interest	GPR	S	1,009,800	2,251,800
12	(h) State fair operations	PR	C	13,585,300	13,825,400
13	(i) State fair capital expenses	PR	C	180,000	180,000
14	(j) State fair principal repayment, interest and rebates	PR	S	4,826,900	4,841,100
16	(jm) Gifts and grants	PR	C	–0–	–0–
17	(m) Federal funds	PR-F	C	–0–	–0–
		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			1,871,900	3,337,500
	PROGRAM REVENUE			18,592,200	18,846,500
	FEDERAL			(–0–)	(–0–)
	OTHER			(18,592,200)	(18,846,500)
	TOTAL-ALL SOURCES			20,464,100	22,184,000
	20.190 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			1,871,900	3,337,500
	PROGRAM REVENUE			18,592,200	18,846,500
	FEDERAL			(–0–)	(–0–)
	OTHER			(18,592,200)	(18,846,500)
	TOTAL-ALL SOURCES			20,464,100	22,184,000
18	<b>20.192 Wisconsin Economic Development Corporation</b>				
19	(1) PROMOTION OF ECONOMIC DEVELOPMENT				

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(a) Operations and programs	GPR	C	34,134,700	32,790,600
2	(k) Transferred general fund moneys from department of commerce	PR-S	C	6,500,000	-0-
3	(m) Federal aids; programs	PR-F	C	20,000,000	20,000,000
5	(r) Economic development fund; programs	SEG	C	23,189,200	23,189,200
6	(s) Brownfield site assessment grants	SEG	B	1,000,000	1,000,000
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			34,134,700	32,790,600
	PROGRAM REVENUE			26,500,000	20,000,000
	FEDERAL			(20,000,000)	(20,000,000)
	SERVICE			(6,500,000)	(-0-)
	SEGREGATED REVENUE			24,189,200	24,189,200
	OTHER			(24,189,200)	(24,189,200)
	TOTAL-ALL SOURCES			84,823,900	76,979,800
	20.192 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			34,134,700	32,790,600
	PROGRAM REVENUE			26,500,000	20,000,000
	FEDERAL			(20,000,000)	(20,000,000)
	SERVICE			(6,500,000)	(-0-)
	SEGREGATED REVENUE			24,189,200	24,189,200
	OTHER			(24,189,200)	(24,189,200)
	TOTAL-ALL SOURCES			84,823,900	76,979,800
	Commerce				
	FUNCTIONAL AREA TOTALS				
	GENERAL PURPOSE REVENUE			65,032,100	66,917,200
	PROGRAM REVENUE			191,373,400	185,595,800
	FEDERAL			(43,647,300)	(43,706,800)
	OTHER			(131,197,800)	(131,834,500)
	SERVICE			(16,528,300)	(10,054,500)
	SEGREGATED REVENUE			161,399,700	161,830,400
	FEDERAL			(-0-)	(-0-)
	OTHER			(161,399,700)	(161,830,400)
	SERVICE			(-0-)	(-0-)
	LOCAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			417,805,200	414,343,400
8	<b>20.220 Wisconsin Artistic Endowment Foundation</b>				
9	(1) SUPPORT OF THE ARTS				
10	(a) Education and marketing	GPR	C	-0-	-0-
11	(q) General program operations	SEG	A	-0-	-0-
12	(r) Support of the arts	SEG	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
	20.220 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
1	<b>20.225 Educational Communications Board</b>				
2	(1) INSTRUCTIONAL TECHNOLOGY				
3	(a) General program operations	GPR	A	2,775,100	2,775,100
4	(b) Energy costs; energy-related assessments	GPR	A	725,100	755,800
6	(c) Principal repayment and interest	GPR	S	1,209,300	3,218,800
7	(d) Milwaukee area technical college	GPR	A	211,900	211,900
8	(er) Transmitter operation	GPR	A	16,000	16,000
9	(f) Programming	GPR	A	1,026,700	1,026,700
10	(g) Gifts, grants, contracts, leases, instructional material, and copyrights	PR	C	9,831,000	9,831,000
11	(i) Program revenue facilities; principal repayment, interest, and rebates	PR	S	14,100	13,800
13	(k) Funds received from other state agencies	PR-S	C	-0-	-0-
12	(kb) Emergency weather warning system operation	PR-S	A	134,300	134,300
14	(m) Federal grants	PR-F	C	1,171,800	1,171,800
16	(1) PROGRAM TOTALS				
15	GENERAL PURPOSE REVENUE			5,964,100	8,004,300
18	PROGRAM REVENUE			11,151,200	11,150,900
	FEDERAL			(1,171,800)	(1,171,800)
	OTHER			(9,845,100)	(9,844,800)
	SERVICE			(134,300)	(134,300)
20	TOTAL-ALL SOURCES			17,115,300	19,155,200
	20.225 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			5,964,100	8,004,300
	PROGRAM REVENUE			11,151,200	11,150,900
	FEDERAL			(1,171,800)	(1,171,800)
	OTHER			(9,845,100)	(9,844,800)
	SERVICE			(134,300)	(134,300)
	TOTAL-ALL SOURCES			17,115,300	19,155,200
21	<b>20.235 Higher Educational Aids Board</b>				
22	(1) STUDENT SUPPORT ACTIVITIES				
23	(b) Tuition grants	GPR	B	26,870,300	26,870,300
24	(cg) Nursing student loans	GPR	A	-0-	-0-
25	(cm) Nursing student loan program	GPR	A	445,500	445,500
26	(cr) Minority teacher loans	GPR	A	259,500	259,500
27	(cu) Teacher education loan program	GPR	A	272,200	272,200
28	(cx) Loan program for teachers and orientation and mobility instructors of visually impaired pupils	GPR	A	99,000	99,000
29	(d) Dental education contract	GPR	A	1,386,400	1,386,400
31					
30					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(e) Minnesota-Wisconsin student reciprocity agreement	GPR	S	10,800,000	8,600,000
<del>2</del>	(fc) Independent student grants program	GPR	B	-0-	-0-
<del>4</del>	(fd) Talent incentive grants	GPR	B	4,458,800	4,458,800
6	(fe) Wisconsin higher education grants; University of Wisconsin System students	GPR	S	58,345,400	58,345,400
7	(ff) Wisconsin higher education grants; technical college students	GPR	B	18,797,900	18,797,900
8	(fg) Minority undergraduate retention grants program	GPR	B	819,000	819,000
<del>10</del>	(fj) Handicapped student grants	GPR	B	122,600	122,600
12	(fm) Wisconsin covenant scholars grants	GPR	A	3,930,000	7,990,000
14	(fy) Academic excellence higher education scholarship program	GPR	S	3,309,300	3,309,300
15	(fz) Remission of fees and reimbursement for veterans and dependents	GPR	B	6,496,700	6,496,700
<del>17</del>	(g) Student loans	PR	A	-0-	-0-
18	(gg) Nursing student loan repayments	PR	C	-0-	-0-
20	(gm) Indian student assistance; contributions	PR	C	-0-	-0-
<del>21</del>	(i) Gifts and grants	PR	C	-0-	-0-
22	(k) Indian student assistance	PR-S	B	779,700	779,700
<del>23</del>	(km) Wisconsin higher education grants; tribal college students	PR-S	B	454,200	454,200
24	(no) Federal aid; aids to individuals and organizations	PR-F	C	1,567,700	1,567,700
25	(1) PROGRAM TOTALS				
26	GENERAL PURPOSE REVENUE			136,412,600	138,272,600
27	PROGRAM REVENUE			2,801,600	2,801,600
28	FEDERAL			(1,567,700)	(1,567,700)
29	OTHER			(-0-)	(-0-)
30	SERVICE			(1,233,900)	(1,233,900)
31	TOTAL-ALL SOURCES			139,214,200	141,074,200
32	(2) ADMINISTRATION				
33	(aa) General program operations	GPR	A	980,000	981,500
34	(bb) Student loan interest, loans sold or conveyed	GPR	S	-0-	-0-
35	(bc) Write-off of uncollectible student loans	GPR	A	-0-	-0-
36	(bd) Purchase of defective student loans	GPR	S	-0-	-0-
37	(ga) Student interest payments	PR	C	900	900
38	(gb) Student interest payments, loans sold or conveyed	PR	C	-0-	-0-
39	(ia) Student loans; collection and administration	PR	C	-0-	-0-
40	(ja) Write-off of defaulted student loans	PR	A	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(n) Federal aid; state operations	PR-F	C	-0-	-0-
2	(qa) Student loan revenue obligation repayment	SEG	C	-0-	-0-
3		(2) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			980,000	981,500
	PROGRAM REVENUE			900	900
	FEDERAL			(-0-)	(-0-)
	OTHER			(900)	(900)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			980,900	982,400
	20.235 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			137,392,600	139,254,100
	PROGRAM REVENUE			2,802,500	2,802,500
	FEDERAL			(1,567,700)	(1,567,700)
	OTHER			(900)	(900)
	SERVICE			(1,233,900)	(1,233,900)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			140,195,100	142,056,600
4	<b>20.245 Historical Society</b>				
5	(1) HISTORY SERVICES				
6	(a) General program operations	GPR	A	10,318,300	10,320,700
7	(b) Wisconsin black historical society and museum	GPR	A	84,500	84,500
8	(c) Energy costs; energy-related assessments	GPR	A	1,036,000	1,075,700
10	(e) Principal repayment, interest, and rebates	GPR	S	1,119,500	2,447,500
13	(h) Gifts, grants, and membership sales	PR	C	452,700	448,300
14	(j) Self-amortizing facilities; principal repayment, interest and rebates	PR	S	8,400	6,900
16	(k) Storage facility	PR-S	B	199,100	199,100
18	(km) Northern great lakes center	PR-S	A	239,700	239,700
19	(ks) General program operations – service funds	PR-S	C	1,541,200	1,541,200
20	(kw) Records management — service funds	PR-S	C	227,500	227,500
23	(m) General program operations; federal funds	PR-F	C	1,098,700	1,098,700
24	(n) Federal aids	PR-F	C	-0-	-0-
26	(pz) Indirect cost reimbursements	PR-F	C	98,200	98,200
27	(q) Endowment	SEG	C	588,000	588,000
28	(r) History preservation partnership trust fund	SEG	C	3,200,300	3,200,300
30	(y) Northern great lakes center; interpretive programming	SEG	A	47,200	47,200
31					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			12,558,300	13,928,400
	PROGRAM REVENUE			3,865,500	3,859,600
	FEDERAL			(1,196,900)	(1,196,900)
	OTHER			(461,100)	(455,200)
	SERVICE			(2,207,500)	(2,207,500)
	SEGREGATED REVENUE			3,835,500	3,835,500
	OTHER			(3,835,500)	(3,835,500)
	TOTAL-ALL SOURCES			20,259,300	21,623,500
	20.245 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			12,558,300	13,928,400
	PROGRAM REVENUE			3,865,500	3,859,600
	FEDERAL			(1,196,900)	(1,196,900)
	OTHER			(461,100)	(455,200)
	SERVICE			(2,207,500)	(2,207,500)
	SEGREGATED REVENUE			3,835,500	3,835,500
	OTHER			(3,835,500)	(3,835,500)
	TOTAL-ALL SOURCES			20,259,300	21,623,500
1	<b>20.250 Medical College of Wisconsin</b>				
2	(1) TRAINING OF HEALTH PERSONNEL				
3	(a) General program operations	GPR	A	1,926,600	1,926,600
4	(b) Family medicine education	GPR	A	2,848,500	2,848,500
5	(c) Principal repayment, interest, and rebates; biomedical research and technology incubator	GPR	S	1,181,300	2,917,400
6					
8	(e) Principal repayment and interest	GPR	S	164,500	186,800
9	(k) Tobacco-related illnesses	PR-S	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			6,120,900	7,879,300
	PROGRAM REVENUE			-0-	-0-
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			6,120,900	7,879,300
10	(2) RESEARCH				
11	(g) Breast cancer research	PR	C	247,500	247,500
12	(h) Prostate cancer research	PR	C	-0-	-0-
	(2) PROGRAM TOTALS				
	PROGRAM REVENUE			247,500	247,500
	OTHER			(247,500)	(247,500)
	TOTAL-ALL SOURCES			247,500	247,500
	20.250 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			6,120,900	7,879,300
	PROGRAM REVENUE			247,500	247,500
	OTHER			(247,500)	(247,500)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			6,368,400	8,126,800
13	<b>20.255 Department of Public Instruction</b>				
14	(1) EDUCATIONAL LEADERSHIP				
15	(a) General program operations	GPR	A	10,868,100	10,868,100

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(b) General program operations; Wisconsin Educational Services				
2	Program for the Deaf and Hard of				
3	Hearing and Wisconsin Center for				
6	the Blind and Visually Impaired	GPR	A	11,210,300	11,210,300
4	(c) Energy costs; Wisconsin				
7	Educational Services Program for				
8	the Deaf and Hard of Hearing and				
8	Wisconsin Center for the Blind and				
8	Visually Impaired; energy-related				
8	assessments	GPR	A	577,000	622,100
12	(d) Principal repayment and interest	GPR	S	455,800	944,700
13	(dw) Pupil assessment	GPR	A	2,795,800	4,578,300
14	(e) Student information system	GPR	B	–0–	–0–
15	(g) Student activity therapy	PR	A	800	800
16	(gb) Wisconsin Educational Services				
17	Program for the Deaf and Hard of				
18	Hearing and Wisconsin Center for				
21	the Blind and Visually Impaired;				
21	nonresident fees	PR	C	49,500	49,500
19	(gL) Wisconsin Educational Services				
22	Program for the Deaf and Hard of				
23	Hearing and Wisconsin Center for				
20	the Blind and Visually Impaired;				
26	leasing of space	PR	C	8,100	8,100
24	(gs) Wisconsin Educational Services				
27	Program for the Deaf and Hard of				
25	Hearing and Wisconsin Center for				
31	the Blind and Visually Impaired;				
31	services	PR	C	32,400	32,400
29	(gt) Wisconsin Educational Services				
32	Program for the Deaf and Hard of				
30	Hearing and Wisconsin Center for				
36	the Blind and Visually Impaired;				
36	pupil transportation	PR	A	1,140,300	1,140,300
34	(hg) Personnel licensure, teacher supply,				
37	information and analysis and				
39	teacher improvement	PR	A	3,132,500	3,132,500
38	(hj) General educational development				
40	and high school graduation				
42	equivalency	PR	A	121,100	120,700
44	(hm) Services for drivers	PR-S	A	253,600	253,600
44	(i) Publications	PR	A	171,900	171,900
45	(im) Library products and services	PR	C	141,100	141,100
46	(j) Milwaukee parental choice program				
49	and choice programs in other				
50	eligible school districts; financial				
48	audits	PR	C	129,900	132,000
49	(jg) School lunch handling charges	PR	A	13,386,200	13,386,200
50	(jm) Professional services center charges	PR	A	147,800	147,800



	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(jr) Gifts, grants and trust funds	PR	C	2,050,000	2,050,000
2	(jz) School district boundary appeal proceedings	PR	C	10,000	10,000
4	(kd) Alcohol and other drug abuse program	PR-S	A	599,800	599,800
6	(ke) Funds transferred from other state agencies; program operations	PR-S	C	2,768,700	2,768,700
8	(km) State agency library processing center	PR-S	A	29,500	29,500
10	(ks) Data processing	PR-S	C	4,493,500	4,693,500
11	(me) Federal aids; program operations	PR-F	C	43,224,300	43,733,100
12	(pz) Indirect cost reimbursements	PR-F	C	3,472,500	3,527,600
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			25,907,000	28,223,500
	PROGRAM REVENUE			75,363,500	76,129,100
	FEDERAL			(46,696,800)	(47,260,700)
	OTHER			(20,521,600)	(20,523,300)
	SERVICE			(8,145,100)	(8,345,100)
	TOTAL-ALL SOURCES			101,270,500	104,352,600
13	(2) AIDS FOR LOCAL EDUCATIONAL PROGRAMMING				
14	(ac) General equalization aids	GPR	A	4,261,954,000	4,293,658,000
15	(ad) Supplemental aid	GPR	A	100,000	100,000
16	(ae) Sparsity aid	GPR	A	13,453,300	13,453,300
17	(ap) Per pupil adjustment aid	GPR	A	-0-	42,500,000
18	(ar) Low revenue adjustment aid	GPR	A	6,200,000	-0-
19	(b) Aids for special education and school age parents programs	GPR	A	368,939,100	368,939,100
20	(bb) Aid for high poverty school districts	GPR	A	16,830,000	16,830,000
22	(bc) Aid for children-at-risk programs	GPR	A	-0-	-0-
23	(bd) Additional special education aid	GPR	A	3,500,000	3,500,000
24	(be) Supplemental special education aid	GPR	A	1,750,000	1,750,000
25	(bh) Aid to county children with disabilities education boards	GPR	A	4,067,300	4,067,300
26	(cc) Bilingual-bicultural education aids	GPR	A	8,589,800	8,589,800
28	(cf) Alternative education grants	GPR	A	-0-	-0-
29	(cg) Tuition payments; full-time open enrollment transfer payments	GPR	A	8,242,900	8,242,900
30	(cm) Reimbursement for school breakfast programs	GPR	C	2,510,500	2,510,500
32	(cn) Aids for school lunches and nutritional improvement	GPR	A	4,218,100	4,218,100
34	(cp) Wisconsin school day milk program	GPR	A	617,100	617,100
36	(cr) Aid for pupil transportation	GPR	A	23,703,600	23,703,600
37	(cs) Aid for debt service	GPR	A	133,700	133,700
38	(cu) Achievement guarantee contracts	GPR	A	109,184,500	109,184,500
39	(cw) Aid for transportation; youth options program	GPR	A	17,400	17,400
40	(cy) Aid for transportation; open enrollment	GPR	A	434,200	434,200
42					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(dp) Four-year-old kindergarten grants	GPR	A	1,350,000	1,350,000
2	(eh) Head start supplement	GPR	A	6,264,100	6,264,100
3	(ep) Second chance partnership	GPR	S	132,800	132,800
4	(fg) Aid for cooperative educational service agencies	GPR	A	260,600	260,600
6	(fk) Grant program for peer review and mentoring	GPR	A	434,300	1,606,700
8	(fm) Charter schools	GPR	S	61,645,000	66,060,000
9	(fr) Parental choice program for eligible school districts	GPR	S	1,610,500	3,221,000
10	(fu) Milwaukee parental choice program	GPR	S	139,147,200	147,521,800
12	(fv) Milwaukee parental choice program and choice programs in other eligible school districts; transfer pupils	GPR	S	-0-	-0-
14	(fy) Grants to support gifted and talented pupils	GPR	A	237,200	237,200
15	(k) Funds transferred from other state agencies; local aids	PR-S	C	9,490,500	9,490,500
20	(kd) Aid for alcohol and other drug abuse programs	PR-S	A	1,284,700	1,284,700
22	(kg) Mentoring grants for initial educators	GPR	A	1,172,400	-0-
24	(km) Tribal language revitalization grants	PR-S	A	222,800	222,800
26	(m) Federal aids; local aid	PR-F	C	664,923,500	664,923,500
27	(n) Federal aid; economic stimulus funds	PR-F	C	20,100,000	-0-
28	(p) Federal aids; state allocations	PR-F	C	-0-	-0-
30	(s) School library aids	SEG	C	35,000,000	37,000,000
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			5,046,699,600	5,129,103,700
	PROGRAM REVENUE			696,021,500	675,921,500
	FEDERAL SERVICE			(685,023,500)	(664,923,500)
	SEGREGATED REVENUE			(10,998,000)	(10,998,000)
	OTHER			35,000,000	37,000,000
	TOTAL-ALL SOURCES			(35,000,000)	(37,000,000)
				5,777,721,100	5,842,025,200
31	(3) AIDS TO LIBRARIES, INDIVIDUALS AND ORGANIZATIONS				
32	(b) Adult literacy grants	GPR	A	62,400	62,400
33	(c) Grants for national teacher certification or master educator licensure	GPR	S	1,963,800	2,224,900
34	(d) Elks and Easter Seals Center for Respite and Recreation	GPR	A	73,900	73,900
35	(dn) Project Lead the Way Grants	GPR	A	-0-	-0-
38	(eg) Milwaukee Public Museum	GPR	A	42,200	42,200
39	(f) Interstate compact on educational opportunity for military children	GPR	S	900	900
40					
41					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(fa) Very special arts	GPR	A	63,300	63,300
2	(fg) Special Olympics	GPR	A	67,500	67,500
3	(fz) Precollege scholarships	GPR	A	1,931,500	1,931,500
4	(mm) Federal funds; local assistance	PR-F	C	1,199,300	1,199,300
5	(ms) Federal funds; individuals and organizations	PR-F	C	56,644,900	56,644,900
6	(q) Periodical and reference information databases; newslines for the blind	SEG	A	2,560,000	2,560,000
8	(qm) Aid to public library systems	SEG	A	15,013,100	15,013,100
10	(r) Library service contracts	SEG	A	1,144,500	1,144,500
11					
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			4,205,500	4,466,600
	PROGRAM REVENUE			57,844,200	57,844,200
	FEDERAL			(57,844,200)	(57,844,200)
	SEGREGATED REVENUE			18,717,600	18,717,600
	OTHER			(18,717,600)	(18,717,600)
	TOTAL-ALL SOURCES			80,767,300	81,028,400
	20.255 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			5,076,812,100	5,161,793,800
	PROGRAM REVENUE			829,229,200	809,894,800
	FEDERAL			(789,564,500)	(770,028,400)
	OTHER			(20,521,600)	(20,523,300)
	SERVICE			(19,143,100)	(19,343,100)
	SEGREGATED REVENUE			53,717,600	55,717,600
	OTHER			(53,717,600)	(55,717,600)
	TOTAL-ALL SOURCES			5,959,758,900	6,027,406,200
12	<b>20.285 University of Wisconsin System</b>				
13	(1) UNIVERSITY EDUCATION, RESEARCH AND PUBLIC SERVICE				
14	(a) General program operations	GPR	A	865,602,900	883,602,900
15	(d) Principal repayment and interest	GPR	S	98,365,300	204,717,500
16	(fd) State laboratory of hygiene; general program operations	GPR	A	9,374,300	9,374,300
18	(fj) Veterinary diagnostic laboratory	GPR	A	5,018,200	5,018,200
19	(gb) General program operations	PR	C	1,971,592,400	2,008,572,300
20	(ge) Gifts and non-federal grants and contracts	PR	C	539,817,600	539,817,600
22	(gj) Self-amortizing facilities principal and interest	PR	S	78,808,800	90,260,500
24	(i) State laboratory of hygiene	PR	C	21,871,300	21,871,300
25	(ia) State laboratory of hygiene; drivers	PR-S	C	1,619,200	1,619,200
26	(je) Veterinary diagnostic laboratory, fees	PR	C	3,948,900	3,948,900
28	(k) Funds transferred from other state agencies	PR-S	C	37,820,700	37,820,700
29	(kg) Veterinary diagnostic laboratory, state agencies	PR-S	C	831,100	831,100
32	(Li) General fund interest	PR	C	1,000,000	1,000,000
33	(m) Federal aid	PR-F	C	1,741,474,200	1,741,474,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(mc) Veterinary diagnostic laboratory — federal aid	PR-F	C	1,675,900	1,675,900
2	(q) Telecommunications services	SEG	A	1,054,800	1,054,800
4	(qe) Rural physician residency assistance program	SEG	B	750,000	750,000
6	(qj) Dentist and dental hygienist loan assistance programs; critical access hospital assessment fund	SEG	B	250,000	250,000
7	(qm) Grants for forestry programs	SEG	A	133,300	133,300
9	(qr) Discovery farm grants	SEG	A	248,400	248,400
10	(r) Environmental education; environmental assessments	SEG	C	130,500	130,500
11	(rc) Environmental education; forestry	SEG	A	200,000	200,000
12	(rm) Environmental scholarships	SEG	C	300,000	300,000
14	(s) Wisconsin Bioenergy Initiative	SEG	A	4,050,000	4,050,000
15	(tb) Extension recycling education	SEG	A	388,200	388,200
16	(tm) Solid waste research and experiments	SEG	A	155,400	155,400
17	(u) Trust fund income	SEG	C	26,063,200	26,063,200
18	(w) Trust fund operations	SEG	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			978,360,700	1,102,712,900
	PROGRAM REVENUE			4,400,460,100	4,448,891,700
	FEDERAL			(1,743,150,100)	(1,743,150,100)
	OTHER			(2,617,039,000)	(2,665,470,600)
	SERVICE			(40,271,000)	(40,271,000)
	SEGREGATED REVENUE			33,723,800	33,723,800
	OTHER			(33,723,800)	(33,723,800)
	TOTAL-ALL SOURCES			5,412,544,600	5,585,328,400
21	(3) UNIVERSITY SYSTEM ADMINISTRATION				
22	(a) General program operations	GPR	A	7,089,000	7,089,000
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			7,089,000	7,089,000
	TOTAL-ALL SOURCES			7,089,000	7,089,000
	20.285 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			985,449,700	1,109,801,900
	PROGRAM REVENUE			4,400,460,100	4,448,891,700
	FEDERAL			(1,743,150,100)	(1,743,150,100)
	OTHER			(2,617,039,000)	(2,665,470,600)
	SERVICE			(40,271,000)	(40,271,000)
	SEGREGATED REVENUE			33,723,800	33,723,800
	OTHER			(33,723,800)	(33,723,800)
	TOTAL-ALL SOURCES			5,419,633,600	5,592,417,400
23	<b>20.292 Wisconsin Technical College System</b>				
24	(1) TECHNICAL COLLEGE SYSTEM				
25	(a) General program operations	GPR	A	2,753,500	2,753,500
26	(am) Fee remissions	GPR	A	14,200	14,200
27	(b) Displaced homemakers' program	GPR	A	805,300	805,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(c) Minority student participation and retention grants	GPR	A	583,300	583,300
<del>3</del>	(ce) Basic skills grants	GPR	A	-0-	-0-
4	(ch) Health care education programs	GPR	A	5,395,500	5,395,500
5	(d) State aid for technical colleges; statewide guide	GPR	A	83,534,900	83,534,900
<del>6</del>	(dc) Incentive grants	GPR	C	6,418,300	6,418,300
8	(dd) Farm training program tuition grants	GPR	A	141,800	141,800
10	(de) Services for handicapped students; local assistance	GPR	A	378,200	378,200
12	(dm) Aid for special collegiate transfer programs	GPR	A	1,063,000	1,063,000
13	(e) Technical college instructor occupational competency program	GPR	A	67,400	67,400
16	(ef) School-to-work programs for children at risk	GPR	A	282,100	282,100
18	(eg) Faculty development grants	GPR	A	786,700	786,700
19	(eh) Training program grants	GPR	B	3,970,000	3,970,000
20	(em) Apprenticeship curriculum development	GPR	A	70,900	70,900
22	(fc) Driver education, local assistance	GPR	A	304,400	304,400
23	(fg) Chauffeur training grants	GPR	C	189,100	189,100
24	(fm) Supplemental aid	GPR	A	1,418,200	1,418,200
25	(fp) Emergency medical technician – basic training; state operations	GPR	A	-0-	-0-
26	(g) Text materials	PR	A	115,500	115,500
28	(ga) Auxiliary services	PR	C	15,200	15,200
29	(gm) Fire schools; state operations	PR	A	406,200	406,200
30	(gr) Fire schools; local assistance	PR	A	600,000	600,000
31	(h) Gifts and grants	PR	C	20,600	20,600
32	(hm) Truck driver training	PR-S	C	150,000	150,000
33	(i) Conferences	PR	C	72,600	72,600
34	(j) Personnel certification	PR	A	259,200	259,200
35	(k) Gifts and grants	PR	C	30,200	30,200
36	(ka) Interagency projects; local assistance	PR-S	A	2,000,000	2,000,000
38	(kb) Interagency projects; state operations	PR-S	A	238,000	238,000
39	(kd) Transfer of Indian gaming receipts; work-based learning programs	PR-S	A	594,000	594,000
42	(km) Master logger apprenticeship grants	PR-S	C	-0-	-0-
43	(kx) Interagency and intra-agency programs	PR-S	C	79,200	79,200
46	(L) Services for district boards	PR	A	45,500	45,500
47	(m) Federal aid, state operations	PR-F	C	3,421,100	3,421,100
48	(n) Federal aid, local assistance	PR-F	C	28,424,300	28,424,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(o) Federal aid, aids to individuals and organizations	PR-F	C	800,000	800,000
2	(pz) Indirect cost reimbursements	PR-F	C	196,000	196,000
4	(q) Agricultural education consultant	GPR	A	70,500	70,500
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			108,247,300	108,247,300
	PROGRAM REVENUE			37,467,600	37,467,600
	FEDERAL			(32,841,400)	(32,841,400)
	OTHER			(1,565,000)	(1,565,000)
	SERVICE			(3,061,200)	(3,061,200)
	TOTAL-ALL SOURCES			145,714,900	145,714,900
5	(2) EDUCATIONAL APPROVAL BOARD				
6	(g) Proprietary school programs	PR	A	511,700	511,700
7	(gm) Student protection	PR	C	56,600	56,600
8	(i) Closed schools; preservaton of student records	PR	C	12,100	12,100
9	(2) PROGRAM TOTALS				
	PROGRAM REVENUE			580,400	580,400
	OTHER			(580,400)	(580,400)
	TOTAL-ALL SOURCES			580,400	580,400
	20.292 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			108,247,300	108,247,300
	PROGRAM REVENUE			38,048,000	38,048,000
	FEDERAL			(32,841,400)	(32,841,400)
	OTHER			(2,145,400)	(2,145,400)
	SERVICE			(3,061,200)	(3,061,200)
	TOTAL-ALL SOURCES			146,295,300	146,295,300
	Education				
	FUNCTIONAL AREA TOTALS				
	GENERAL PURPOSE REVENUE			6,332,545,000	6,548,909,100
	PROGRAM REVENUE			5,285,804,000	5,314,895,000
	FEDERAL			(2,569,492,400)	(2,549,956,300)
	OTHER			(2,650,260,600)	(2,698,687,700)
	SERVICE			(66,051,000)	(66,251,000)
	SEGREGATED REVENUE			91,276,900	93,276,900
	FEDERAL			(-0-)	(-0-)
	OTHER			(91,276,900)	(93,276,900)
	SERVICE			(-0-)	(-0-)
	LOCAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			11,709,625,900	11,957,081,000
10	<b>20.320 Environmental Improvement Fund Program</b>				
11	(1) CLEAN WATER FUND PROGRAM OPERATIONS				
12	(a) Environmental aids — clean water fund program	GPR	A	-0-	-0-
13	(c) Principal repayment and interest — clean water fund program	GPR	S	25,535,300	34,403,500
15	(q) Clean water fund program revenue obligation funding	SEG-S	C	-0-	-0-
16					
18					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(r) Clean water fund program repayment of revenue obligations	SEG	S	-0-	-0-
2	(s) Clean water fund program financial assistance	SEG	S	-0-	-0-
4	(sm) Land recycling loan program financial assistance	SEG	S	-0-	-0-
6	(t) Principal repayment and interest — clean water fund program bonds	SEG	A	8,000,000	8,000,000
8	(u) Principal repayment and interest — clean water fund program revenue obligation repayment	SEG	C	-0-	-0-
10	(x) Clean water fund program financial assistance; federal	SEG-F	C	-0-	-0-
9	(y) Clean water fund program federal financial hardship assistance	SEG-F	C	-0-	-0-
11					
14					
12					
16					
13					
17					
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			25,535,300	34,403,500
	SEGREGATED REVENUE			8,000,000	8,000,000
	FEDERAL			(-0-)	(-0-)
	OTHER			(8,000,000)	(8,000,000)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			33,535,300	42,403,500
18	(2) SAFE DRINKING WATER LOAN PROGRAM OPERATIONS				
19	(c) Principal repayment and interest — safe drinking water loan program	GPR	S	2,583,500	4,441,100
20	(s) Safe drinking water loan programs financial assistance	SEG	S	-0-	-0-
22	(x) Safe drinking water loan programs financial assistance; federal	SEG-F	C	-0-	-0-
21					
23					
25	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			2,583,500	4,441,100
	SEGREGATED REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			2,583,500	4,441,100
26	(3) PRIVATE SEWAGE SYSTEM PROGRAM				
27	(q) Private sewage system loans	SEG	C	-0-	-0-
	(3) PROGRAM TOTALS				
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
	20.320 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			28,118,800	38,844,600
	SEGREGATED REVENUE			8,000,000	8,000,000
	FEDERAL			(-0-)	(-0-)
	OTHER			(8,000,000)	(8,000,000)

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2011-12	2012-13
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			36,118,800	46,844,600
<b>1</b>	<b>20.360 Lower Wisconsin State Riverway Board</b>				
<b>2</b>	(1) CONTROL OF LAND DEVELOPMENT AND USE IN THE LOWER WISCONSIN STATE RIVERWAY				
<b>3</b>	(g) Gifts and grants	PR	C	-0-	-0-
<b>4</b>	(q) General program operations — conservation fund	SEG	A	202,600	202,600
<b>5</b>	(1) PROGRAM TOTALS				
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SEGREGATED REVENUE			202,600	202,600
	OTHER			(202,600)	(202,600)
	TOTAL-ALL SOURCES			202,600	202,600
	20.360 DEPARTMENT TOTALS				
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SEGREGATED REVENUE			202,600	202,600
	OTHER			(202,600)	(202,600)
	TOTAL-ALL SOURCES			202,600	202,600
<b>6</b>	<b>20.370 Department of Natural Resources</b>				
<b>7</b>	(1) LAND				
<b>8</b>	(cq) Forestry — reforestation	SEG	C	100,500	100,500
<b>9</b>	(cr) Forestry — recording fees	SEG	C	89,100	89,100
<b>10</b>	(cs) Forestry — forest fire emergencies	SEG	C	-0-	-0-
<b>11</b>	(ct) Timber sales contracts – repair and reimbursement costs	SEG	C	-0-	-0-
<b>12</b>	(cu) Forestry – forestry education curriculum	SEG	A	350,000	350,000
<b>14</b>	(cx) Forestry–management plans	SEG	C	316,800	316,800
<b>16</b>	(cy) Forestry – cooperating foresters and private contractors	SEG	C	-0-	-0-
<b>18</b>	(ea) Parks — general program operations	GPR	A	2,551,600	4,911,000
<b>20</b>	(eq) Parks and forests – operation and maintenance	SEG	S	-0-	-0-
<b>22</b>	(er) Parks and forests – campground reservation fees	SEG	C	1,250,000	1,250,000
<b>23</b>	(es) Parks – interpretive programs	SEG	C	-0-	-0-
<b>25</b>	(fb) Endangered resources — general program operations	GPR	A	-0-	-0-
<b>26</b>	(fc) Endangered resources — Wisconsin stewardship program	GPR	A	-0-	-0-
<b>28</b>	(fd) Endangered resources — natural heritage inventory program	GPR	A	257,200	257,200
<b>30</b>	(fe) Endangered resources — general fund	GPR	S	500,000	500,000
<b>32</b>	(fs) Endangered resources — voluntary payments; sales, leases, and fees	SEG	C	1,463,700	1,463,700
<b>34</b>					



	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(ft) Endangered resources — application fees	SEG	C	-0-	-0-
<del>2</del>	(gr) Endangered resources program — gifts and grants; sale of state-owned lands	SEG	C	-0-	-0-
4	(gt) Habitat conservation plan fees	SEG	C	9,900	9,900
<del>5</del>	(hc) Indemnification agreements	GPR	S	-0-	-0-
8	(hk) Elk management	PR-S	A	92,100	92,100
9	(hq) Elk hunting fees	SEG	C	-0-	-0-
10	(hr) Pheasant restoration	SEG	C	239,200	239,200
11	(hs) Chronic wasting disease management	SEG	A	-0-	-0-
<del>12</del>	(ht) Wild turkey restoration	SEG	C	784,000	784,000
14	(hu) Wetlands habitat improvement	SEG	C	362,100	362,100
15	(hv) Aquatic and terrestrial resources inventory	SEG	A	121,600	121,600
<del>16</del>	(hw) Pheasant stocking and propagation	SEG	C	345,600	345,600
18	(iu) Gravel pit reclamation	SEG	C	-0-	-0-
19	(iv) Utility terrain vehicle fees	SEG	C	20,000	-0-
20	(jr) Rental property and equipment — maintenance and replacement	SEG	C	519,400	519,400
<del>21</del>	(kq) Taxes and assessments; conservation fund	SEG	A	297,000	297,000
<del>23</del>	(Lk) Reintroduction of whooping cranes	PR-S	A	62,300	62,300
25	(Lq) Trapper education program	SEG	C	49,700	49,700
26	(Lr) Beaver control; fish and wildlife account	SEG	C	36,200	36,200
<del>28</del>	(Ls) Control of wild animals	SEG	C	283,600	283,600
29	(Lt) Wildlife management	SEG	A	-0-	-0-
30	(Lu) Fish and wildlife habitat	SEG	S	-0-	-0-
31	(ma) General program operations — state funds	GPR	A	5,200	5,200
<del>32</del>	(mi) General program operations — private and public sources	PR	C	727,600	745,400
<del>34</del>	(mk) General program operations — service funds	PR-S	C	774,800	774,800
<del>36</del>	(mq) General program operations — state snowmobile trails and areas	SEG	A	209,700	209,700
<del>38</del>	(ms) General program operations — state all-terrain vehicle projects	SEG	A	310,500	310,500
40	(mt) Land preservation and management – endowment fund	SEG	S	-0-	-0-
<del>42</del>	(mu) General program operations — state funds	SEG	A	-0-	-0-
44	Land program management	SEG	A	1,063,300	1,063,300
46	Wildlife management	SEG	A	12,653,100	12,653,100
47	Southern forests	SEG	A	5,322,900	5,322,900
48	Parks and recreation	SEG	A	14,286,700	11,824,000
49	Endangered resources	SEG	A	768,800	768,800

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	Facilities and lands	SEG	A	7,413,500	7,413,500
	NET APPROPRIATION			41,508,300	39,045,600
2	(mv) General program operations – state funds; forestry	SEG	A	51,242,200	51,242,200
3	(my) General program operations — federal funds	SEG-F	C	-0-	-0-
6	Wildlife management	SEG-F	C	5,499,000	5,499,000
7	Forestry	SEG-F	C	1,461,000	1,461,000
8	Southern forests	SEG-F	C	127,500	127,500
9	Parks and recreation	SEG-F	C	808,700	808,700
10	Endangered resources	SEG-F	C	2,122,500	2,068,400
11	Facilities and lands	SEG-F	C	2,244,700	2,244,700
	NET APPROPRIATION			12,263,400	12,209,300
12	(mz) Forest fire emergencies — federal funds	SEG-F	C	-0-	-0-
13	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			3,314,000	5,673,400
	PROGRAM REVENUE			1,656,800	1,674,600
	OTHER			(727,600)	(745,400)
	SERVICE			(929,200)	(929,200)
	SEGREGATED REVENUE			112,172,500	109,635,700
	FEDERAL			(12,263,400)	(12,209,300)
	OTHER			(99,909,100)	(97,426,400)
	TOTAL-ALL SOURCES			117,143,300	116,983,700
14	(2) AIR AND WASTE				
15	(bg) Air management — stationary sources	PR	A	6,932,900	6,932,900
16	(bh) Air management — state permit sources	PR	A	2,386,300	2,386,300
18	(bi) Air management — asbestos management	PR	C	563,800	563,800
20	(bq) Air management — vapor recovery administration	SEG	A	95,400	95,400
23	(br) Air management — mobile sources	SEG	A	1,393,800	1,393,800
24	(cf) Air management — motor vehicle emission inspection and maintenance program, state funds	GPR	A	67,700	67,700
25	(cg) Air management — recovery of ozone-depleting refrigerants	PR	A	158,000	158,000
26	(ch) Air management — emission analysis	PR	C	-0-	-0-
28	(ci) Air management — permit review and enforcement	PR	A	2,243,600	2,243,600
30	(cL) Air waste management — incinerator operator certification	PR	C	-0-	-0-
33	(dg) Solid waste management — solid and hazardous waste disposal administration	PR	C	2,579,900	2,579,900

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(dh) Solid waste management–remediated property	PR	C	872,200	872,200
3	(dq) Solid waste management — waste management fund	SEG	C	–0–	–0–
4	(dt) Solid waste management — closure and long–term care	SEG	C	–0–	–0–
6	(du) Solid waste management – site–specific remediation	SEG	C	–0–	–0–
8	(dv) Solid waste management — environmental repair; spills; abandoned containers	SEG	C	2,292,700	2,292,700
10	(dw) Solid waste management — environmental repair; petroleum spills; administration	SEG	A	1,674,500	1,674,500
12	(dy) Solid waste management — corrective action; proofs of financial responsibility	SEG	C	–0–	–0–
11					
13					
15	(dz) Solid waste management – assessments and legal action	SEG	C	–0–	–0–
14					
16					
18	(eg) Solid waste facility siting board fee	PR	C	–0–	–0–
17					
20	(eh) Solid waste management — source reduction review	PR	C	–0–	–0–
21					
23	(eq) Solid waste management – dry cleaner environmental response	SEG	A	177,700	177,700
24	(fq) Indemnification agreements	SEG	S	–0–	–0–
26	(gh) Mining — mining regulation and administration	PR	A	76,300	76,300
28	(gr) Solid waste management — mining programs	SEG	C	–0–	–0–
30	(hq) Recycling; administration	SEG	A	1,606,300	1,582,600
31	(hr) Electronic waste recycling	SEG	C	152,300	128,600
32	(ma) General program operations — state funds	GPR	A	1,782,300	1,782,300
34	(mi) General program operations — private and public sources	PR	C	–0–	–0–
36	(mk) General program operations — service funds	PR–S	C	84,500	84,500
38	(mm) General program operations — federal funds	PR–F	C	8,494,700	8,468,400
40	(mq) General program operations – environmental fund	SEG	A	3,406,700	3,406,700
42	(mr) General program operations – brownfields	SEG	A	304,500	304,500
44	(mu) Petroleum inspection fund supplement to environmental fund; environmental repair and well compensation	SEG	A	985,000	985,000
45					
48	(my) General program operations — environmental fund; federal funds	SEG–F	C	606,300	606,300
49					

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2011-12	2012-13
(2) PROGRAM TOTALS					
GENERAL PURPOSE REVENUE				1,850,000	1,850,000
PROGRAM REVENUE				24,392,200	24,365,900
FEDERAL				(8,494,700)	(8,468,400)
OTHER				(15,813,000)	(15,813,000)
SERVICE				(84,500)	(84,500)
SEGREGATED REVENUE				12,695,200	12,647,800
FEDERAL				(606,300)	(606,300)
OTHER				(12,088,900)	(12,041,500)
TOTAL-ALL SOURCES				38,937,400	38,863,700
1	(3) ENFORCEMENT AND SCIENCE				
2	(ad) Law enforcement – car killed deer; general fund	GPR	A	400,000	400,000
4	(ak) Law enforcement – snowmobile enforcement and safety training; service funds	PR-S	A	1,197,900	1,197,900
5	(aq) Law enforcement — snowmobile enforcement and safety training	SEG	A	122,000	122,000
6	(ar) Law enforcement — boat enforcement and safety training	SEG	A	2,984,700	2,951,100
8	(as) Law enforcement — all-terrain vehicle enforcement	SEG	A	1,293,200	1,278,800
10	(at) Education and safety programs	SEG	C	337,600	337,600
12	(aw) Law enforcement — car kill deer	SEG	A	400,000	400,000
14	(ax) Law enforcement – water resources enforcement	SEG	A	192,600	189,100
15	(bg) Enforcement — stationary sources	PR	A	106,900	106,900
17	(bL) Operator certification — fees	PR	A	89,800	89,800
18	(dg) Environmental impact — consultant services; printing and postage costs	PR	C	–0–	–0–
20	(dh) Environmental impact — power projects	PR	C	26,900	26,900
22	(di) Environmental consulting costs — federal power projects	PR	A	–0–	–0–
24	(fj) Environmental quality – laboratory certification	PR	A	754,100	754,100
26	(is) Aquatic invasive species control; voluntary contributions	SEG	C	69,300	69,300
28	(ma) General program operations — state funds	GPR	A	3,329,000	3,329,000
30	(mi) General program operations — private and public sources	PR	C	350,300	350,300
32	(mk) General program operations — service funds	PR-S	C	1,582,100	1,514,100
34	(mm) General program operations — federal funds	PR-F	C	554,000	554,000
36	(mq) General program operations — environmental fund	SEG	A	1,194,000	1,181,100
38					
39					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(mr) Recycling; enforcement and research	SEG	A	298,600	294,800
<del>2</del>	(ms) General program operations – pollution prevention	SEG	A	84,900	84,900
<del>4</del>	(mt) General program operations, nonpoint source — environmental fund	SEG	A	424,500	424,500
6	(mu) General program operations — state funds	SEG	A	20,302,100	20,082,300
7	(mw) Water resources – public health	SEG	A	24,700	24,700
10	(my) General program operations — federal funds	SEG-F	C	7,089,500	7,089,500
11					
12		(3)	PROGRAM TOTALS		
	GENERAL PURPOSE REVENUE			3,729,000	3,729,000
	PROGRAM REVENUE			4,662,000	4,594,000
	FEDERAL			(554,000)	(554,000)
	OTHER			(1,328,000)	(1,328,000)
	SERVICE			(2,780,000)	(2,712,000)
	SEGREGATED REVENUE			34,817,700	34,529,700
	FEDERAL			(7,089,500)	(7,089,500)
	OTHER			(27,728,200)	(27,440,200)
	TOTAL-ALL SOURCES			43,208,700	42,852,700
13	(4) WATER				
14	(ac) Wisconsin River monitoring and study	GPR	A	150,000	150,000
<del>16</del>	(af) Water resources – remedial action	GPR	C	120,400	120,400
17	(ag) Water resources – pollution credits	PR	C	–0–	–0–
18	(ah) Water resources – Great Lakes protection fund	PR	C	214,900	214,900
<del>20</del>	(ai) Water resources — water use fees	PR	C	780,800	780,800
21	(aj) Water resources — ballast water discharge permits	PR	C	246,900	246,900
<del>22</del>	(aq) Water resources management – lake, river and invasive species management	SEG	A	3,079,100	3,079,100
24	(ar) Water resources – groundwater management	SEG	B	91,900	91,900
26					
<del>25</del>	(as) Water resources — trading water pollution credits	SEG	C	–0–	–0–
<del>28</del>					
29	(at) Watershed — nonpoint source contracts	SEG	B	997,600	997,600
<del>30</del>					
31	(au) Cooperative remedial action; contributions	SEG	C	–0–	–0–
<del>32</del>					
33	(av) Cooperative remedial action; interest on contributions	SEG	S	–0–	–0–
<del>34</del>					
35	(bg) Water regulation and zoning – computer access fees	PR	C	–0–	–0–
<del>36</del>					
37	(bh) Water regulation and zoning — dam inspections and safety administration; general fund	PR	A	–0–	–0–
39					
40					

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(bi) Water regulation and zoning – fees	PR	C	1,025,300	1,025,300
2	(bj) Storm water management – fees	PR	A	1,909,300	1,909,300
3	(bL) Wastewater management – fees	PR	C	133,200	133,200
4	(br) Water regulation and zoning — dam safety & wetland mapping; conservation fund	SEG	A	673,400	673,400
5					
7	(cg) Groundwater quantity administration	PR	A	505,200	505,200
6					
8	(ch) Groundwater quantity research	PR	B	84,500	84,500
10	(kk) Fishery resources for ceded territories	PR-S	A	167,600	167,600
12	(kr) Commercial fish protection and Great Lakes resource surcharges	SEG	C	25,000	25,000
13	(ku) Great Lakes trout and salmon	SEG	C	1,632,600	1,632,600
15	(kv) Trout habitat improvement	SEG	C	1,405,500	1,405,500
16	(kw) Sturgeon stock and habitat	SEG	C	199,700	199,700
17	(ky) Sturgeon stock and habitat – inland waters	SEG	C	60,000	60,000
18	(ma) General program operations – state funds	GPR	A	–0–	–0–
20	Watershed management	GPR	A	11,719,200	11,719,200
22	Fisheries management	GPR	A	126,200	126,200
23	Drinking water and groundwater	GPR	A	2,474,700	2,474,700
24	Water program management	GPR	A	1,118,200	1,118,200
	NET APPROPRIATION			15,438,300	15,438,300
25	(mi) General program operations – private and public sources	PR	C	238,800	238,800
26	(mk) General program operations — service funds	PR-S	C	516,300	516,300
28	(mm) General program operations – federal funds	PR-F	C	–0–	–0–
30	Watershed management	PR-F	C	11,275,100	11,275,100
32	Fisheries management	PR-F	C	229,300	229,300
33	Drinking water and groundwater	PR-F	C	4,997,700	4,997,700
	NET APPROPRIATION			16,502,100	16,502,100
34	(mq) General program operations – environmental fund	SEG	A	–0–	–0–
36	Watershed management	SEG	A	1,997,500	1,997,500
37	Drinking water and groundwater	SEG	A	2,289,600	2,289,600
38	Water program management	SEG	A	–0–	–0–
	NET APPROPRIATION			4,287,100	4,287,100
39	(mr) General program operations — nonpoint source	SEG	A	583,500	583,500
40	(mt) General program operations–environmental improvement programs; state funds	SEG	A	738,200	738,200
42					
44	(mu) General program operations – state funds	SEG	A	16,406,400	16,406,400
43					
45					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(mw) Petroleum inspection fund supplement to environmental fund; groundwater management	SEG	A	719,800	719,800
2 4	(mx) General program operations – clean water fund program; federal funds	SEG-F	C	802,300	802,300
3 6	(my) General program operations – environmental fund – federal funds	SEG-F	C	–0–	–0–
8	(mz) General program operations – federal funds	SEG-F	C	5,677,300	5,677,300
10	(nz) General program operations–safe drinking water loan programs; federal funds	SEG-F	C	2,026,700	2,026,700
11					
	(4) PROGRAM TOTALS				
12	GENERAL PURPOSE REVENUE			15,708,700	15,708,700
	PROGRAM REVENUE			22,324,900	22,324,900
	FEDERAL			(16,502,100)	(16,502,100)
	OTHER			(5,138,900)	(5,138,900)
	SERVICE			(683,900)	(683,900)
	SEGREGATED REVENUE			39,406,100	39,406,100
	FEDERAL			(8,506,300)	(8,506,300)
	OTHER			(30,899,800)	(30,899,800)
	TOTAL-ALL SOURCES			77,439,700	77,439,700
13	(5) CONSERVATION AIDS				
14	(ac) Resource aids – Milwaukee Public Museum	GPR	A	–0–	–0–
16	(ad) Resource aids – interpretive center	GPR	A	22,800	22,800
17	(aq) Resource aids – Canadian agencies migratory waterfowl aids	SEG	C	167,500	167,500
18	(ar) Resource aids – county conservation aids	SEG	C	148,500	148,500
20	(as) Recreation aids – fish, wildlife and forestry recreation aids	SEG	C	112,200	112,200
22	(at) Ice age trail area grants	SEG	A	74,200	74,200
24	(au) Resource aids – Ducks Unlimited, Inc., payments	SEG	C	–0–	–0–
26	(av) Resource aids – forest grants	SEG	B	1,147,900	1,147,900
27	(aw) Resource aids – nonprofit conservation organizations	SEG	C	222,400	222,400
29	(ax) Resource aids – forestry	SEG	A	148,500	148,500
30	(ay) Resource aids – urban land conservation	SEG	A	74,200	74,200
32	(az) Resource aids – urban forestry grants	SEG	B	524,600	524,600
34	(bq) Resource aids – county forest loans; severance share payments	SEG	C	100,000	100,000
36	(br) Resource aids – forest croplands and managed forest land aids	SEG	A	1,237,500	1,237,500
38	(bs) Resource aids – county forest loans	SEG	A	616,200	616,200
39	(bt) Resource aids – county forest project loans	SEG	C	396,000	396,000
40					

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011–12</b>	<b>2012–13</b>
1	(bu) Resource aids – county forest project loans; severance share payments	SEG	C	350,000	350,000
2					
4	(bv) Resource aids — county forests, forest croplands and managed forest land aids	SEG	S	1,416,400	1,416,400
3					
5					
7	(bw) Resource aids — county sustainable forestry and county forest adm. grants	SEG	B	1,576,900	1,576,900
6					
8					
10	(bx) Resource aids – national forest income aids	SEG–F	C	782,200	782,200
9					
12	(by) Resource aids — fire suppression grants	SEG	A	170,000	170,000
13	(bz) Resource aids – forestry outdoor activity grants	SEG	C	–0–	–0–
16	(cb) Recreation aids – snowmobile trail and area aids; general fund	GPR	A	–0–	–0–
18	(cq) Recreation aids – recreational boating and other projects	SEG	C	400,000	400,000
20	(cr) Recreation aids – county snowmobile trail and area aids	SEG	C	2,475,400	2,475,400
22	(cs) Recreation aids – snowmobile trail areas	SEG	C	5,078,100	5,104,700
23	(ct) Recreation aids – all-terrain vehicle project aids; gas tax payment	SEG	C	1,880,100	1,892,600
25					
27	(cu) Recreation aids — all-terrain vehicle project aids	SEG	C	1,670,000	1,670,000
26					
28	(cv) Recreation aids — all terrain vehicle landowner incentive program	SEG	B	405,900	405,900
30					
32	(cw) Recreation aids – supplemental snowmobile trail aids	SEG	C	784,000	800,000
31					
33	(cx) Recreation aids — all-terrain vehicle safety program	SEG	A	297,000	297,000
36	(cy) Recreation and resource aids, federal funds	SEG–F	C	3,162,100	3,162,100
38	(da) Aids in lieu of taxes – general fund	GPR	S	8,240,000	8,240,000
39	(dq) Aids in lieu of taxes – sum sufficient	SEG	S	780,000	780,000
40	(dr) Aids in lieu of taxes – sum certain	SEG	A	4,843,000	5,470,000
42	(dx) Resource aids — payment in lieu of taxes; federal	SEG–F	C	440,000	440,000
43	(ea) Enforcement aids — spearfishing enforcement	GPR	C	–0–	–0–
46	(eq) Enforcement aids — boating enforcement	SEG	A	1,386,000	1,386,000
48	(er) Enforcement aids — all-terrain vehicle enforcement	SEG	A	495,000	495,000
49					



	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(es) Enforcement aids — snowmobiling enforcement	SEG	A	396,000	396,000
3	(ex) Enforcement aids — federal funds	SEG-F	C	-0-	-0-
4	(fq) Wildlife damage claims and abatement	SEG	C	3,300,000	3,300,000
6	(fr) Wildlife abatement and control grants	SEG	B	24,700	24,700
8	(fs) Venison processing	SEG	B	594,000	594,000
9	(ft) Venison processing; voluntary contributions	SEG	C	14,800	14,800
10	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			8,262,800	8,262,800
	SEGREGATED REVENUE			37,691,300	38,373,400
	FEDERAL			(4,384,300)	(4,384,300)
	OTHER			(33,307,000)	(33,989,100)
	TOTAL-ALL SOURCES			45,954,100	46,636,200
11	(6) ENVIRONMENTAL AIDS				
12	(aa) Environmental aids; nonpoint source	GPR	B	709,100	709,100
14	(ac) Lake Koshkonong study	GPR	A	-0-	-0-
15	(ar) Environmental aids – lake protection	SEG	C	2,452,600	2,452,600
17	(as) Environmental aids — invasive aquatic species and lake monitoring	SEG	B	4,029,100	4,029,100
19	(au) Environmental aids — river protection; environmental fund	SEG	A	-0-	-0-
20	(av) Environmental aids – river protection; conservation fund	SEG	A	289,500	289,500
23	(aw) Environmental aids – river protection, nonprofit organization contracts	SEG	C	69,200	69,200
24	(bj) Environmental aids — waste reduction and recycling grants and gifts	PR	C	-0-	-0-
26	(bk) Environmental aids — wastewater and drinking water grant	PR-S	A	-0-	-0-
27	(bu) Financial assistance for responsible units	SEG	A	19,000,000	19,000,000
29	(bw) Recycling consolidation grants	SEG	A	1,000,000	1,000,000
28	(ca) Environmental aids – scenic urban waterways	GPR	C	-0-	-0-
30	(cm) Environmental aids – federal funds	PR-F	C	-0-	-0-
33	(cr) Environmental aids – compensation for well contamination and abandonment	SEG	C	276,000	276,000
34	(da) Environmental planning aids – local water quality planning	GPR	A	227,400	227,400
36	(dm) Environmental planning aids – federal funds	PR-F	C	150,000	150,000
37					
38					
40					
39					
42					
43					

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(dq) Environmental aids — urban nonpoint source	SEG	B	1,313,200	1,313,200
3	(ef) Brownfields revolving loan repayments	PR	C	–0–	–0–
4	(eg) Groundwater mitigation and local assistance	PR	C	432,600	432,600
6	(eh) Brownfields revolving loan funds administered for other entity	PR	C	–0–	–0–
8	(em) Federal brownfields revolving loan funds	PR-F	C	1,000,000	1,000,000
10	(eq) Environmental aids – dry cleaner environmental response	SEG	B	2,236,400	763,600
13	(ev) Reimbursement for disposal of contaminated sediment	SEG	A	–0–	–0–
14	(6) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			936,500	936,500
	PROGRAM REVENUE			1,582,600	1,582,600
	FEDERAL			(1,150,000)	(1,150,000)
	OTHER			(432,600)	(432,600)
	SERVICE			(–0–)	(–0–)
	SEGREGATED REVENUE			30,666,000	29,193,200
	OTHER			(30,666,000)	(29,193,200)
	TOTAL-ALL SOURCES			33,185,100	31,712,300
15	(7) DEBT SERVICE AND DEVELOPMENT				
16	(aa) Resource acquisition and development – principal repayment and interest	GPR	S	33,650,800	67,013,000
17					
19	(ac) Principal repayment and interest – recreational boating bonds	GPR	S	–0–	–0–
18					
20	(ag) Land acquisition – principal repayment and interest	PR	C	–0–	–0–
23	(aq) Resource acquisition and development – principal repayment and interest	SEG	S	16,600	16,600
24					
26	(ar) Dam repair and removal – principal repayment and interest	SEG	S	481,200	515,600
25					
28	(at) Recreation development – principal repayment and interest	SEG	S	–0–	–0–
30	(au) State forest acquisition and development — principal repayment and interest	SEG	A	13,500,000	13,500,000
31					
33	(bq) Principal repayment and interest – remedial action	SEG	S	3,865,600	4,062,600
32					
34	(br) Principal repayment and interest – contaminated sediment	SEG	S	696,100	1,045,600
36	(cb) Principal repayment and interest – pollution abatement bonds	GPR	S	9,324,700	9,311,900
37					
38					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(cc) Principal repayment and interest — combined sewer overflow; pollution abatement bonds	GPR	S	3,879,000	4,970,200
2					
5	(cd) Principal repayment and interest – municipal clean drinking water grants	GPR	S	975,400	270,500
6					
8	(cg) Principal repayment and interest – nonpoint repayments	PR	C	–0–	–0–
7					
10	(cq) Principal repayment and interest — nonpoint source grants	SEG	S	8,437,600	8,508,000
12	(cr) Principal repayment and interest — nonpoint source	SEG	S	832,000	1,036,200
13	(cs) Principal repayment and interest — urban nonpoint source cost-sharing	SEG	S	2,403,000	2,537,400
15					
17	(ct) Principal and interest — pollution abatement, environmental fund	SEG	A	8,000,000	8,000,000
16					
18	(ea) Administrative facilities – principal repayment and interest	GPR	S	427,800	888,800
20	(eq) Administrative facilities – principal repayment and interest	SEG	S	4,713,200	5,148,300
23	(er) Administrative facilities — principal repayment and interest; environmental fund	SEG	S	635,700	659,300
24					
26	(fa) Resource maintenance and development – state funds	GPR	C	755,600	755,600
25					
28	(fk) Resource acquisition and development – service funds; transportation moneys	PR-S	C	990,000	990,000
29					
31	(fr) Resource acquisition and development — boating access to southeastern lakes	SEG	C	92,400	92,400
30					
32					
34	(fs) Resource acquisition and development – state funds	SEG	C	889,100	889,100
33					
36	(ft) Resource acquisition and development – boating access	SEG	C	184,800	184,800
38	(fu) Resource acquisition and development — nonmotorized boating improvements	SEG	C	–0–	–0–
39					
41	(fw) Resource acquisition and development — Mississippi and St. Croix rivers management	SEG	C	57,700	57,700
40					
42					
44	(fy) Resource acquisition and development — federal funds	SEG-F	C	9,120,000	9,120,000
43					
46	(gg) Ice age trail – gifts and grants	PR	C	–0–	–0–
47	(gq) State trails – gifts and grants	SEG	C	–0–	–0–
48	(ha) Facilities acquisition, development and maintenance	GPR	C	144,400	144,400
49					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(hq) Facilities acquisition, development and maintenance — conservation fund	SEG	C	372,400	372,400
2					
4	(jr) Rental property and equipment – maintenance and replacement	SEG	C	180,000	180,000
3					
6	(mc) Resource maintenance and development – state park, forest, and riverway roads	GPR	C	2,658,100	2,658,100
7					
9	(mi) General program operations – private and public sources	PR	C	–0–	–0–
8					
10	(mk) General program operations – service funds	PR-S	C	–0–	–0–
12					
	(7) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			51,815,800	86,012,500
	PROGRAM REVENUE			990,000	990,000
	OTHER			(–0–)	(–0–)
	SERVICE			(990,000)	(990,000)
	SEGREGATED REVENUE			54,477,400	55,926,000
	FEDERAL			(9,120,000)	(9,120,000)
	OTHER			(45,357,400)	(46,806,000)
	TOTAL-ALL SOURCES			107,283,200	142,928,500
13	(8) ADMINISTRATION AND TECHNOLOGY				
14	(ir) Promotional activities and publications	SEG	C	82,200	82,200
16	(iw) Statewide recycling administration	SEG	A	407,200	407,200
17	(ma) General program operations — state funds	GPR	A	2,638,600	2,638,600
18	(mg) General program operations — stationary sources	PR	A	–0–	–0–
20	(mi) General program operations — private and public sources	PR	C	–0–	–0–
22	(mk) General program operations — service funds	PR-S	C	4,364,600	4,364,600
24	(mq) General program operations — mobile sources	SEG	A	878,100	878,100
26	(mr) General program operations – environmental improvement fund	SEG	A	343,500	343,500
28	(mt) Equipment pool operations	SEG-S	C	–0–	–0–
30	(mu) General program operations — state funds	SEG	A	15,528,400	15,528,400
32	(mv) General program operations — environmental fund	SEG	A	1,443,300	1,443,300
34	(mz) Indirect cost reimbursements	SEG-F	C	7,175,100	7,102,700
35	(ni) Geographic information systems, general program operations – other funds	PR	C	32,700	32,700
36					
38	(nk) Geographic information systems, general program operations — service funds	PR-S	C	1,464,100	1,464,100
37					
39					
41	(zq) Gifts and donations	SEG	C	–0–	–0–
40					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	(8) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			2,638,600	2,638,600
	PROGRAM REVENUE			5,861,400	5,861,400
	OTHER			(32,700)	(32,700)
	SERVICE			(5,828,700)	(5,828,700)
	SEGREGATED REVENUE			25,857,800	25,785,400
	FEDERAL			(7,175,100)	(7,102,700)
	OTHER			(18,682,700)	(18,682,700)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			34,357,800	34,285,400
1	(9) CUSTOMER ASSISTANCE AND EXTERNAL RELATIONS				
2	(eg) Gifts and grants; environmental management systems	PR	C	-0-	-0-
4	(gb) Education programs – program fees	PR	B	94,400	94,400
5	(hk) Approval fees to Lac du Flambeau band–service funds	PR-S	A	84,500	84,500
7	(hs) Approval fees from Lac du Flambeau band	SEG	C	-0-	-0-
8	(ht) Approval fees to Lac du Flambeau band	SEG	S	-0-	-0-
10	(hu) Handling and other fees	SEG	C	152,500	152,500
12	(hv) Fee amounts for statewide automated issuing system	SEG	C	2,863,100	2,863,100
14	(iq) Natural resources magazine	SEG	C	979,700	979,700
15	(is) Statewide recycling administration	SEG	A	210,500	210,500
16	(ma) General program operations – state funds	GPR	A	1,573,400	1,573,400
18	(mh) General programs operations – stationary sources	PR	A	185,300	185,300
20	(mi) General program operations – private and public sources	PR	C	79,700	79,700
22	(mk) General program operations – service funds	PR-S	C	1,500,000	1,500,000
24	(mm) General program operations – federal funds	PR-F	C	1,033,000	1,033,000
26	(mq) General program operations – mobile sources	SEG	A	30,400	30,400
28	(mt) Aids administration – environmental improvement programs; state funds	SEG	A	1,313,000	1,313,000
29	(mu) General program operations – state funds	SEG	A	9,512,400	9,512,400
30	(mv) General program operations – environmental fund	SEG	A	1,054,200	1,054,200
32	(mw) Aids administration – snowmobile recreation	SEG	A	191,500	191,500
34	(mx) Aids administration – clean water fund program; federal funds	SEG-F	C	1,196,700	1,196,700
36	(my) General program operations – federal funds	SEG-F	C	302,600	302,600
38					
40					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(mz) Indirect cost reimbursements	SEG-F	C	963,400	963,400
2	(nq) Aids administration – dry cleaner environmental response	SEG	A	83,900	83,900
3	(ny) Aids administration – safe drinking water loan programs; federal funds	SEG-F	C	166,800	166,800
5	(9) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			1,573,400	1,573,400
	PROGRAM REVENUE			2,976,900	2,976,900
	FEDERAL			(1,033,000)	(1,033,000)
	OTHER			(359,400)	(359,400)
	SERVICE			(1,584,500)	(1,584,500)
	SEGREGATED REVENUE			19,020,700	19,020,700
	FEDERAL			(2,629,500)	(2,629,500)
	OTHER			(16,391,200)	(16,391,200)
	TOTAL-ALL SOURCES			23,571,000	23,571,000
	20.370 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			89,828,800	126,384,900
	PROGRAM REVENUE			64,446,800	64,370,300
	FEDERAL			(27,733,800)	(27,707,500)
	OTHER			(23,832,200)	(23,850,000)
	SERVICE			(12,880,800)	(12,812,800)
	SEGREGATED REVENUE			366,804,700	364,518,000
	FEDERAL			(51,774,400)	(51,647,900)
	OTHER			(315,030,300)	(312,870,100)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			521,080,300	555,273,200
6	<b>20.373 Fox River Navigational System Authority</b>				
7	(1) INITIAL COSTS				
8	(g) Administration, operation, repair, and rehabilitation	PR	C	-0-	-0-
10	(r) Establishment and operation	SEG	C	125,400	125,400
	(1) PROGRAM TOTALS				
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SEGREGATED REVENUE			125,400	125,400
	OTHER			(125,400)	(125,400)
	TOTAL-ALL SOURCES			125,400	125,400
	20.373 DEPARTMENT TOTALS				
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SEGREGATED REVENUE			125,400	125,400
	OTHER			(125,400)	(125,400)
	TOTAL-ALL SOURCES			125,400	125,400
11	<b>20.375 Lower Fox River Remediation Authority</b>				
12	(1) INITIAL COSTS				
13	(a) Initial costs	GPR	B	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
	20.375 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
<b>1</b>	<b>20.380 Department of Tourism</b>				
<b>2</b>	(1) TOURISM DEVELOPMENT AND PROMOTION				
<b>3</b>	(a) General program operations	GPR	A	2,756,100	2,756,100
<b>4</b>	(b) Tourism marketing; general purpose revenue	GPR	B	1,172,000	1,172,100
<b>6</b>	(g) Gifts, grants and proceeds	PR	C	7,300	7,300
<b>7</b>	(h) Tourism promotion; sale of surplus property receipts	PR	C	-0-	-0-
<b>8</b>	(ig) Golf promotion	PR	C	-0-	-0-
<b>10</b>	(ir) Payments to the WPGA Junior Foundation	PR	C	-0-	-0-
<b>12</b>	(j) Tourism promotion – private and public sources	PR	C	99,000	99,000
<b>13</b>	(k) Sale of materials or services	PR-S	C	-0-	-0-
<b>15</b>	(ka) Sale of materials and services–local assistance	PR-S	C	-0-	-0-
<b>16</b>	(kb) Sale of materials and services–individuals and organizations	PR-S	C	-0-	-0-
<b>18</b>	(kc) Marketing clearinghouse charges	PR-S	A	-0-	-0-
<b>20</b>	(kg) Tourism marketing; gaming revenue	PR-S	B	9,397,900	9,397,900
<b>22</b>	(km) Grants for regional tourist information centers	PR-S	A	160,000	160,000
<b>24</b>	(m) Federal aid, state operations	PR-F	C	-0-	-0-
<b>26</b>	(n) Federal aid, local assistance	PR-F	C	-0-	-0-
<b>27</b>	(o) Federal aid, individuals and organizations	PR-F	C	-0-	-0-
<b>28</b>	(q) Administrative services–conservation fund	SEG	A	12,100	12,100
<b>30</b>	(w) Tourism marketing; transportation fund	SEG	B	1,595,900	1,595,900
<b>32</b>	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			3,928,100	3,928,200
	PROGRAM REVENUE			9,664,200	9,664,200
	FEDERAL			(-0-)	(-0-)
	OTHER			(106,300)	(106,300)
	SERVICE			(9,557,900)	(9,557,900)
	SEGREGATED REVENUE			1,608,000	1,608,000
	OTHER			(1,608,000)	(1,608,000)
	TOTAL-ALL SOURCES			15,200,300	15,200,400
<b>33</b>	(2) KICKAPOO VALLEY RESERVE				

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13	
1	(ip) Kickapoo reserve management board; program services	PR	C	160,500	160,500	
2	(ir) Kickapoo reserve management board; gifts and grants	PR	C	-0-	-0-	
4	(kc) Kickapoo valley reserve; law enforcement services	PR-S	A	30,100	30,100	
6	(ms) Kickapoo reserve management board; federal aid	PR-F	C	-0-	-0-	
8	(q) Kickapoo reserve management board; general program operations	SEG	A	420,300	420,300	
10	(r) Kickapoo valley reserve; aids in lieu of taxes	SEG	S	351,000	356,000	
12		(2) PROGRAM TOTALS				
	PROGRAM REVENUE			190,600	190,600	
	FEDERAL			(-0-)	(-0-)	
	OTHER			(160,500)	(160,500)	
	SERVICE			(30,100)	(30,100)	
	SEGREGATED REVENUE			771,300	776,300	
	OTHER			(771,300)	(776,300)	
	TOTAL-ALL SOURCES			961,900	966,900	
13	(3) SUPPORT OF ART PROJECTS					
14	(a) General program operations	GPR	A	270,000	270,000	
15	(b) State aid for the arts	GPR	A	359,300	359,300	
16	(c) Portraits of governors	GPR	A	-0-	-0-	
17	(d) Challenge grant program	GPR	A	-0-	-0-	
18	(e) High Point fund	GPR	A	-0-	-0-	
19	(f) Wisconsin regranting program	GPR	A	116,700	116,700	
20	(g) Gifts and grants; state operations	PR	C	20,000	20,000	
21	(h) Gifts and grants; aids to individuals and organizations	PR	C	-0-	-0-	
22	(j) Support of arts programs	PR	C	-0-	-0-	
24	(km) State aid for the arts; Indian gaming receipts	PR-S	A	24,900	24,900	
26	(m) Federal grants; state operations	PR-F	C	231,000	231,000	
27	(o) Federal grants; aids to individuals and organizations	PR-F	C	524,500	524,500	
28		(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			746,000	746,000	
	PROGRAM REVENUE			800,400	800,400	
	FEDERAL			(755,500)	(755,500)	
	OTHER			(20,000)	(20,000)	
	SERVICE			(24,900)	(24,900)	
	TOTAL-ALL SOURCES			1,546,400	1,546,400	
	20.380 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUE			4,674,100	4,674,200	
	PROGRAM REVENUE			10,655,200	10,655,200	
	FEDERAL			(755,500)	(755,500)	
	OTHER			(286,800)	(286,800)	
	SERVICE			(9,612,900)	(9,612,900)	



	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	SEGREGATED REVENUE			2,379,300	2,384,300
	OTHER			(2,379,300)	(2,384,300)
	TOTAL-ALL SOURCES			17,708,600	17,713,700
<b>1</b>	<b>20.395 Department of Transportation</b>				
<b>2</b>	(1) AIDS				
<b>3</b>	(ar) Corrections of transportation aid payments	SEG	S	-0-	-0-
<b>4</b>	(as) Transportation aids to counties, state funds	SEG	A	101,966,500	94,615,600
<b>6</b>	(at) Transportation aids to municipalities, state funds	SEG	A	318,705,800	308,904,300
<b>8</b>	(bq) Intercity bus assistance, state funds	SEG	C	-0-	-0-
<b>10</b>	(br) Milwaukee urban area rail transit system planning study; state funds	SEG	A	-0-	-0-
<b>12</b>	(bs) Transportation employment and mobility, state funds	SEG	C	332,600	332,600
<b>14</b>	(bt) Urban rail transit system grants	SEG	C	-0-	-0-
<b>16</b>	(bv) Transit and other transportation-related aids, local funds	SEG-L	C	110,000	110,000
<b>17</b>	(bx) Transit and other transportation-related aids, federal funds	SEG-F	C	38,000,000	38,000,000
<b>18</b>	(ck) Tribal elderly transportation grants	PR-S	A	247,500	247,500
<b>20</b>	(cq) Elderly and disabled capital aids, state funds	SEG	C	912,700	912,700
<b>22</b>	(cr) Elderly and disabled county aids, state funds	SEG	A	13,623,400	13,623,400
<b>23</b>	(cv) Elderly and disabled aids, local funds	SEG-L	C	605,500	605,500
<b>24</b>	(cx) Elderly and disabled aids, federal funds	SEG-F	C	1,500,000	1,500,000
<b>26</b>	(ex) Highway safety, local assistance, federal funds	SEG-F	C	1,700,000	1,700,000
<b>28</b>	(fq) Connecting highways aids, state funds	SEG	A	12,063,500	12,063,500
<b>30</b>	(fs) Flood damage aids, state funds	SEG	S	600,000	600,000
<b>32</b>	(ft) Lift bridge aids, state funds	SEG	B	2,659,200	2,659,200
<b>34</b>	(fu) County forest road aids, state funds	SEG	A	284,700	284,700
<b>36</b>	(gq) Expressway policing aids, state funds	SEG	A	1,023,900	1,023,900
<b>38</b>	(gt) Soo Locks improvements, state funds	SEG	A	-0-	-0-
<b>40</b>	(hq) Paratransit aids	SEG	A	2,500,000	2,500,000
<b>42</b>	(hr) Tier B transit operating aids, state funds	SEG	A	25,206,200	23,267,200
<b>43</b>	(hs) Tier C transit operating aids, state funds	SEG	A	5,705,900	5,267,000
<b>44</b>					
<b>46</b>					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(ht) Tier A-1 transit operating aids, state funds	SEG	A	66,868,600	61,724,900
2	(hu) Tier A-2 transit operating aids, state funds	SEG	A	17,570,800	16,219,200
4	(hw) Tier A-3 transit operating aids, state funds	SEG	A	-0-	-0-
6	(ig) Professional football stadium maintenance and operating costs, state funds	PR	C	-0-	-0-
8	(ih) Child abuse and neglect prevention, state funds	PR	C	-0-	-0-
10					
9					
11					
			(1) PROGRAM TOTALS		
	PROGRAM REVENUE			247,500	247,500
	OTHER			(-0-)	(-0-)
	SERVICE			(247,500)	(247,500)
	SEGREGATED REVENUE			611,939,300	585,913,700
	FEDERAL			(41,200,000)	(41,200,000)
	OTHER			(570,023,800)	(543,998,200)
	LOCAL			(715,500)	(715,500)
	TOTAL-ALL SOURCES			612,186,800	586,161,200
12	(2) LOCAL TRANSPORTATION ASSISTANCE				
13	(aq) Accelerated local bridge improvement assistance, state funds	SEG	C	-0-	-0-
14					
16	(av) Accelerated local bridge improvement assistance, local funds	SEG-L	C	-0-	-0-
15					
17					
19	(ax) Accelerated local bridge improvement assistance, federal funds	SEG-F	C	-0-	-0-
18					
20	(bq) Rail service assistance, state funds	SEG	C	596,200	646,200
22	(bu) Freight rail infrastructure improvements, state funds	SEG	C	-0-	-0-
23					
24	(bv) Rail service assistance, local funds	SEG-L	C	500,000	500,000
26	(bw) Freight rail assistance loan repayments, local funds	SEG-L	C	4,000,000	4,000,000
28	(bx) Rail service assistance, federal funds	SEG-F	C	50,000	50,000
30	(cq) Harbor assistance, state funds	SEG	C	571,200	571,200
31	(cr) Rail passenger service, state funds	SEG	C	4,600,000	7,198,800
32	(cs) Harbor assistance, federal funds	SEG-F	C	-0-	-0-
33	(ct) Passenger railroad station improvement and commuter rail transit system grants, state funds	SEG	B	-0-	-0-
34					
36	(cu) Passenger railroad station improvement and commuter rail transit system grants, local funds	SEG-L	C	-0-	-0-
35					
37					
39	(cv) Rail passenger service, local funds	SEG-L	C	-0-	-0-
40	(cw) Harbor assistance, local funds	SEG-L	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(cx) Rail passenger service, federal funds	SEG-F	C	4,300,000	4,488,700
3	(dq) Aeronautics assistance, state funds	SEG	C	13,145,100	13,145,100
4	(ds) Aviation career education, state funds	SEG	A	157,300	157,300
6	(dv) Aeronautics assistance, local funds	SEG-L	C	42,000,000	42,000,000
7	(dx) Aeronautics assistance, federal funds	SEG-F	C	73,939,900	73,939,900
8	(eq) Highway and local bridge improvement assistance, state funds	SEG	C	8,459,000	8,459,000
10	(ev) Local bridge improvement and traffic marking enhancement assistance, local and transferred funds	SEG-L	C	8,780,400	8,780,400
11					
13					
<del>14</del>	(ex) Local bridge improvement assistance, federal funds	SEG-F	C	24,409,600	24,409,600
<del>15</del>	(fb) Local roads for job preservation, state funds	GPR	C	-0-	-0-
20	(fr) Local roads improvement program, state funds	SEG	C	16,197,000	16,197,000
22	(ft) Local roads improvement program; discretionary grants, state funds	SEG	C	11,836,000	11,836,000
23	(fv) Local transportation facility improvement assistance, local funds	SEG-L	C	38,895,500	38,895,500
25					
27	(fx) Local transportation facility improvement assistance, federal funds	SEG-F	C	72,238,000	72,238,000
26					
28					
30	(fz) Local roads for job preservation, federal funds	SEG-F	C	-0-	-0-
29					
32	(gj) Railroad crossing protection installation and maintenance, state funds	SEG	C	-0-	-0-
33					
35	(gq) Railroad crossing improvement and protection maintenance, state funds	SEG	A	2,112,000	2,112,000
34					
<del>36</del>	(gr) Railroad crossing improvement and protection installation, state funds	SEG	C	1,595,700	1,595,700
38	(gs) Railroad crossing repair assistance, state funds	SEG	C	234,700	234,700
40	(gv) Railroad crossing improvement, local funds	SEG-L	C	-0-	-0-
43	(gx) Railroad crossing improvement, federal funds	SEG-F	C	3,291,800	3,291,800
44	(hq) Multimodal transportation studies, state funds	SEG	C	-0-	-0-
46	(hx) Multimodal transportation studies, federal funds	SEG-F	C	-0-	-0-
48					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(iq) Transportation facilities economic assistance and development, state funds	SEG	C	3,402,600	3,402,600
2					
4	(iv) Transportation facilities economic assistance and development, local funds	SEG-L	C	3,588,700	3,588,700
3					
5					
7	(iw) Transportation facility improvement loans, local funds	SEG-L	C	-0-	-0-
6					
8	(ix) Transportation facilities economic assistance and development, federal funds	SEG-F	C	-0-	-0-
10					
12	(kv) Congestion mitigation and air quality improvement, local funds	SEG-L	C	3,124,700	3,124,700
11					
13	(kx) Congestion mitigation and air quality improvement, federal funds	SEG-F	C	11,619,000	11,619,000
16	(mq) Astronautics assistance, state funds	SEG	C	10,000	-0-
17	(mv) Astronautics assistance, local funds	SEG-L	C	-0-	-0-
18	(mx) Astronautics assistance, federal funds	SEG-F	C	-0-	-0-
20	(nv) Transportation enhancement activities, local funds	SEG-L	C	1,682,600	1,682,600
22	(nx) Transportation enhancement activities, federal funds	SEG-F	C	6,251,600	6,251,600
24	(ny) Milwaukee lakeshore walkway, federal funds	SEG-F	B	-0-	-0-
26	(oq) Bicycle and pedestrian facilities, state funds	SEG	C	-0-	-0-
28	(ov) Bicycle and pedestrian facilities, local funds	SEG-L	C	680,000	680,000
30	(ox) Bicycle and pedestrian facilities, federal funds	SEG-F	C	3,720,000	3,720,000
32	(ph) Transportation infrastructure loans, gifts and grants	SEG	C	-0-	-0-
34	(pq) Transportation infrastructure loans, state funds	SEG	C	4,600	4,600
36	(pu) Transportation infrastructure loans, service funds	SEG-S	C	-0-	-0-
38	(pv) Transportation infrastructure loans, local funds	SEG-L	C	-0-	-0-
40	(px) Transportation infrastructure loans, federal funds	SEG-F	C	-0-	-0-
42	(qv) Safe routes to school, local funds	SEG-L	C	323,000	323,000
43	(qx) Safe routes to school, federal funds	SEG-F	C	3,230,100	3,230,100
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	SEGREGATED REVENUE			369,546,300	372,373,800
	FEDERAL			(203,050,000)	(203,238,700)
	OTHER			(62,921,400)	(65,560,200)
	SERVICE			(-0-)	(-0-)

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2011-12	2012-13
	LOCAL			(103,574,900)	(103,574,900)
	TOTAL-ALL SOURCES			369,546,300	372,373,800
<b>1</b>	(3) STATE HIGHWAY FACILITIES				
<b>2</b>	(aq) Southeast Wisconsin freeway megaprojects, state funds	SEG	C	32,946,900	45,747,000
<b>3</b>	(av) Southeast Wisconsin freeway megaprojects, local funds	SEG-L	C	-0-	-0-
<b>6</b>	(ax) Southeast Wisconsin freeway megaprojects, federal funds	SEG-F	C	95,053,100	95,053,100
<b>8</b>	(bq) Major highway development, state funds	SEG	C	112,039,100	110,577,700
<b>10</b>	(br) Major highway development, service funds	SEG-S	C	154,721,600	159,721,600
<b>12</b>	(bv) Major highway development, local funds	SEG-L	C	-0-	-0-
<b>13</b>	(bx) Major highway development, federal funds	SEG-F	C	78,263,500	78,263,500
<b>16</b>	(ck) West Canal Street reconstruction and extension, service funds	PR-S	C	-0-	-0-
<b>18</b>	(cq) State highway rehabilitation, state funds	SEG	C	266,150,900	373,561,500
<b>20</b>	(cr) Southeast Wisconsin freeway rehabilitation, state funds	SEG	C	-0-	-0-
<b>22</b>	(ct) Owner controlled insurance program, service funds	SEG-S	C	-0-	-0-
<b>24</b>	(cv) State highway rehabilitation, local funds	SEG-L	C	2,000,000	2,000,000
<b>26</b>	(cw) Southeast Wisconsin freeway rehabilitation, local funds	SEG-L	C	-0-	-0-
<b>28</b>	(cx) State highway rehabilitation, federal funds	SEG-F	C	395,320,800	401,232,200
<b>30</b>	(cy) Southeast Wisconsin freeway rehabilitation, federal funds	SEG-F	C	-0-	-0-
<b>32</b>	(dq) Major interstate bridge construction, state funds	SEG	C	-0-	-0-
<b>33</b>	(dr) High — cost state highway bridge projects, state funds	SEG	C	-0-	-0-
<b>36</b>	(dv) Major interstate bridge construction, local funds	SEG-L	C	-0-	-0-
<b>38</b>	(dw) High — cost state highway bridge projects, local funds	SEG-L	C	-0-	-0-
<b>39</b>	(dx) Major interstate bridge construction, federal funds	SEG-F	C	-0-	-0-
<b>42</b>	(dy) High — cost state highway bridge projects, federal funds	SEG-F	C	-0-	-0-
<b>43</b>	(eq) Highway maintenance, repair, and traffic operations, state funds	SEG	C	213,446,700	202,347,900
<b>46</b>	(er) State-owned lift bridge operations and maintenance, state funds	SEG	A	2,210,100	2,210,100
<b>47</b>					

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(ev) Highway maintenance, repair, and traffic operations, local funds	SEG-L	C	1,900,000	1,900,000
3	(ex) Highway maintenance, repair, and traffic operations, federal funds	SEG-F	C	1,102,900	1,102,900
4	(iq) Administration and planning, state funds	SEG	A	13,866,600	14,672,300
6	(ir) Disadvantaged business mobilization assistance, state funds	SEG	C	-0-	-0-
8	(iv) Administration and planning, local funds	SEG-L	C	-0-	-0-
10	(ix) Administration and planning, federal funds	SEG-F	C	3,785,400	3,785,400
13	(jh) Utility facilities within highway rights-of-way, state funds	PR	C	-0-	-0-
14	(jj) Damage claims	PR	C	2,553,400	2,553,400
16	(js) Telecommunications services, service funds	SEG-S	C	-0-	-0-
17		<b>(3) PROGRAM TOTALS</b>			
	PROGRAM REVENUE			2,553,400	2,553,400
	OTHER SERVICE			(2,553,400)	(2,553,400)
				(-0-)	(-0-)
	SEGREGATED REVENUE			1,372,807,600	1,492,175,200
	FEDERAL			(573,525,700)	(579,437,100)
	OTHER SERVICE			(640,660,300)	(749,116,500)
	LOCAL			(154,721,600)	(159,721,600)
	TOTAL-ALL SOURCES			(3,900,000)	(3,900,000)
				1,375,361,000	1,494,728,600
18	(4) GENERAL TRANSPORTATION OPERATIONS				
19	(aq) Departmental management and operations, state funds	SEG	A	58,159,200	60,564,600
20	(ar) Minor construction projects, state funds	SEG	C	-0-	-0-
23	(at) Capital building projects, service funds	SEG-S	C	5,940,000	5,940,000
24	(av) Departmental management and operations, local funds	SEG-L	C	369,000	369,000
26	(ax) Departmental management and operations, federal funds	SEG-F	C	14,198,800	14,153,700
28	(ch) Gifts and grants	SEG	C	-0-	-0-
30	(dq) Demand management	SEG	A	351,600	351,600
31	(eq) Data processing services, service funds	SEG-S	C	15,007,100	15,007,100
33	(er) Fleet operations, service funds	SEG-S	C	12,027,900	12,027,900
34	(es) Other department services, operations, service funds	SEG-S	C	5,201,500	5,201,500
36	(et) Equipment acquisition	SEG	A	-0-	-0-
37	(ew) Operating budget supplements, state funds	SEG	C	-0-	-0-
38					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	(4) PROGRAM TOTALS				
	SEGREGATED REVENUE			111,255,100	113,615,400
	FEDERAL			(14,198,800)	(14,153,700)
	OTHER			(58,510,800)	(60,916,200)
	SERVICE			(38,176,500)	(38,176,500)
	LOCAL			(369,000)	(369,000)
	TOTAL-ALL SOURCES			111,255,100	113,615,400
<b>1</b>	(5) MOTOR VEHICLE SERVICES AND ENFORCEMENT				
<b>2</b>	(cg) Convenience fees, state funds	PR	C	–0–	–0–
<b>3</b>	(ch) Repaired salvage vehicle examinations, state funds	PR	C	–0–	–0–
<b>4</b>	(ci) Breath screening instruments, state funds	PR-S	C	299,200	299,200
<b>6</b>	(cj) Vehicle registration, special group plates, state funds	PR	C	–0–	–0–
<b>8</b>	(cL) Football plate licensing fees, state funds	PR	C	–0–	–0–
<b>10</b>	(cq) Vehicle registration, inspection and maintenance, driver licensing and aircraft registration, state funds	SEG	A	73,669,200	73,343,300
<b>12</b>	(cx) Vehicle registration and driver licensing, federal funds	SEG-F	C	393,800	339,700
<b>13</b>	(dg) Escort, security and traffic enforcement services, state funds	PR	C	155,200	155,200
<b>16</b>	(dh) Traffic academy tuition payments, state funds	PR	C	474,800	474,800
<b>18</b>	(di) Chemical testing training and services, state funds	PR-S	A	1,425,000	1,425,000
<b>22</b>	(dk) Public safety radio management, service funds	PR-S	C	181,400	181,400
<b>24</b>	(dL) Public safety radio management, state funds	PR	C	22,000	22,000
<b>26</b>	(dq) Vehicle inspection, traffic enforcement and radio management, state funds	SEG	A	61,455,400	60,491,300
<b>27</b>	(dr) Transportation safety, state funds	SEG	A	1,533,000	1,533,000
<b>29</b>	(dx) Vehicle inspection and traffic enforcement, federal funds	SEG-F	C	8,667,500	8,667,500
<b>32</b>	(dy) Transportation safety, federal funds	SEG-F	C	3,845,100	3,845,100
<b>33</b>	(ef) Payments to the University of Wisconsin-Madison	PR	C	–0–	–0–
<b>34</b>	(eg) Payments to the Wisconsin Lions Foundation	PR	C	–0–	–0–
<b>36</b>	(eh) Motorcycle safety program supplement, state funds	PR	C	–0–	–0–
<b>38</b>	(ej) Baseball plate licensing fees, state funds	PR	C	–0–	–0–
<b>40</b>	(ek) Safe-ride grant program; state funds	PR-S	C	–0–	–0–
<b>42</b>					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(hq) Motor vehicle emission inspection and maintenance program; contractor costs and equipment grants; state funds	SEG	A	3,193,300	3,193,300
2					
5	(hx) Motor vehicle emission inspection and maintenance programs, federal funds	SEG-F	C	-0-	-0-
6					
8	(iv) Municipal and county registration fee, local funds	SEG-L	C	-0-	-0-
7					
10	(jr) Pretrial intoxicated driver intervention grants, state funds	SEG	A	731,600	731,600
11					
	(5) PROGRAM TOTALS				
	PROGRAM REVENUE			2,557,600	2,557,600
	OTHER			(652,000)	(652,000)
	SERVICE			(1,905,600)	(1,905,600)
	SEGREGATED REVENUE			153,488,900	152,144,800
	FEDERAL			(12,906,400)	(12,852,300)
	OTHER			(140,582,500)	(139,292,500)
	LOCAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			156,046,500	154,702,400
12	(6) DEBT SERVICES				
13	(af) Principal repayment and interest, local roads for job preservation program and major highway and rehabilitation projects, state funds	GPR	S	43,066,300	162,296,000
14					
13	(aq) Principal repayment and interest, transportation facilities, state highway rehabilitation, major highway projects, state funds	SEG	S	21,705,300	28,472,400
16					
19	(ar) Principal repayment and interest, buildings, state funds	SEG	S	14,600	14,900
20					
24	(au) Principal repayment and interest, Marquette interchange, zoo interchange, southeast megaprojects, and I 94 north-south corridor reconstruction projects, state funds	SEG	S	41,826,400	49,284,700
25					
26	(6) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			43,066,300	162,296,000
	SEGREGATED REVENUE			63,546,300	77,772,000
	OTHER			(63,546,300)	(77,772,000)
	TOTAL-ALL SOURCES			106,612,600	240,068,000
28	(9) GENERAL PROVISIONS				
29					
30	(qd) Freeway land disposal reimbursement clearing account	SEG	C	-0-	-0-
31					
32	(qh) Highways, bridges and local transportation assistance clearing account	SEG	C	-0-	-0-
33					
34					



	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(qj) Highways, bridges and local transportation assistance clearing account, federally funded positions	SEG-F	C	-0-	-0-
2					
4	(qn) Motor vehicle financial responsibility	SEG	C	-0-	-0-
3					
6	(th) Temporary funding of projects financed by revenue bonds	SEG	S	-0-	-0-
7					
	(9) PROGRAM TOTALS				
	SEGREGATED REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
	20.395 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			43,066,300	162,296,000
	PROGRAM REVENUE			5,358,500	5,358,500
	OTHER			(3,205,400)	(3,205,400)
	SERVICE			(2,153,100)	(2,153,100)
	SEGREGATED REVENUE			2,682,583,500	2,793,994,900
	FEDERAL			(844,880,900)	(850,881,800)
	OTHER			(1,536,245,100)	(1,636,655,600)
	SERVICE			(192,898,100)	(197,898,100)
	LOCAL			(108,559,400)	(108,559,400)
	TOTAL-ALL SOURCES			2,731,008,300	2,961,649,400
	Environmental Resources				
	FUNCTIONAL AREA TOTALS				
	GENERAL PURPOSE REVENUE			165,688,000	332,199,700
	PROGRAM REVENUE			80,460,500	80,384,000
	FEDERAL			(28,489,300)	(28,463,000)
	OTHER			(27,324,400)	(27,342,200)
	SERVICE			(24,646,800)	(24,578,800)
	SEGREGATED REVENUE			3,060,095,500	3,169,225,200
	FEDERAL			(896,655,300)	(902,529,700)
	OTHER			(1,861,982,700)	(1,960,238,000)
	SERVICE			(192,898,100)	(197,898,100)
	LOCAL			(108,559,400)	(108,559,400)
	TOTAL-ALL SOURCES			3,306,244,000	3,581,808,900
8	<b>20.410 Department of Corrections</b>				
9	(1) ADULT CORRECTIONAL SERVICES				
10	(a) General program operations	GPR	A	688,799,800	684,289,900
11	(aa) Institutional repair and maintenance	GPR	A	4,194,800	4,194,800
12	(ab) Corrections contracts and agreements	GPR	A	16,882,100	16,892,400
14	(b) Services for community corrections	GPR	A	145,028,500	145,227,000
16	(bd) Services for drunken driving offenders	GPR	A	8,932,100	9,162,400
18	(bm) Pharmacological treatment for certain child sex offenders	GPR	A	108,900	108,900
19					

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011–12</b>	<b>2012–13</b>
1	(bn) Reimbursing counties for probation, extended supervision and parole holds	GPR	A	4,885,700	4,885,700
2					
4	(c) Reimbursement claims of counties containing state prisons	GPR	S	70,000	70,000
3					
6	(cw) Mother–young child care program	GPR	A	198,000	198,000
7	(d) Purchased services for offenders	GPR	A	30,851,600	30,851,600
8	(ds) Becky Young community corrections; recidivism reduction community services	GPR	A	10,603,500	10,604,400
9					
11	(e) Principal repayment and interest	GPR	S	46,889,500	87,579,700
10	(ec) Prison industries principal, interest and rebates	GPR	S	–0–	–0–
14	(ed) Correctional facilities rental	GPR	A	–0–	–0–
15	(ef) Lease rental payments	GPR	S	–0–	–0–
16	(f) Energy costs; energy–related assessments	GPR	A	31,958,200	33,401,800
18	(g) Loan fund for persons on probation, extended supervision or parole	PR	A	–0–	–0–
20	(gb) Drug testing	PR	C	–0–	–0–
21	(gc) Sex offender honesty testing	PR	C	340,800	340,800
22	(gd) Sex offender management	PR	A	1,053,800	1,053,800
23	(ge) Administrative and minimum supervision	PR	A	–0–	–0–
24	(gf) Probation, parole and extended supervision	PR	A	11,757,400	11,757,400
26	(gg) Supervision of defendants and offenders	PR	A	–0–	–0–
28	(gh) Supervision of persons on lifetime supervision	PR	A	–0–	–0–
30	(gi) General operations	PR	A	3,814,600	3,814,600
32	(gj) General operations; child pornography surcharge	PR	C	5,000	5,000
34	(gk) Global positioning system tracking devices	PR	C	65,400	65,400
36	(gm) Sale of fuel and water service	PR	A	–0–	–0–
37	(gr) Home detention services	PR	A	424,300	424,700
38	(gt) Telephone company commissions	PR	A	1,105,100	1,105,100
39	(h) Administration of restitution	PR	A	701,900	702,800
40	(hm) Private business employment of inmates and residents	PR	A	–0–	–0–
42	(i) Gifts and grants	PR	C	33,400	33,400
43	(jz) Operations and maintenance	PR	C	450,000	461,300
44	(kc) Correctional institution enterprises; inmate activities and employment	PR–S	C	2,829,800	2,829,800
46	(kd) Victim notification	PR–S	A	511,900	682,300
47	(kf) Correctional farms	PR–S	A	5,793,700	5,794,300
48	(kh) Victim services and programs	PR–S	A	245,200	245,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(kk) Institutional operations and charges	PR-S	A	14,754,000	14,754,100
<del>2</del>	(km) Prison industries	PR-S	A	15,301,500	15,440,800
4	(ko) Prison industries principal repayment, interest and rebates	PR-S	S	91,300	96,100
<del>6</del>	(kp) Correctional officer training	PR-S	A	2,043,500	2,050,800
7	(kx) Interagency and intra-agency programs	PR-S	C	3,451,000	2,991,800
<del>8</del>	(ky) Interagency and intra-agency aids	PR-S	C	1,427,700	1,427,700
10	(kz) Interagency and intra-agency local assistance	PR-S	C	-0-	-0-
<del>12</del>	(m) Federal project operations	PR-F	C	2,473,600	2,473,600
13	(n) Federal program operations	PR-F	C	86,800	86,800
14	(qm) Computer recycling	SEG	A	257,500	257,500
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			989,402,700	1,027,466,600
	PROGRAM REVENUE			68,761,700	68,637,600
	FEDERAL			(2,560,400)	(2,560,400)
	OTHER			(19,751,700)	(19,764,300)
	SERVICE			(46,449,600)	(46,312,900)
	SEGREGATED REVENUE			257,500	257,500
	OTHER			(257,500)	(257,500)
	TOTAL-ALL SOURCES			1,058,421,900	1,096,361,700
15	(2) PAROLE COMMISSION				
16	(a) General program operations	GPR	A	1,096,400	1,096,400
17	(kx) Interagency and intra-agency programs	PR-S	C	-0-	-0-
18	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			1,096,400	1,096,400
	PROGRAM REVENUE			-0-	-0-
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			1,096,400	1,096,400
19	(3) JUVENILE CORRECTIONAL SERVICES				
20	(a) General program operations	GPR	A	2,825,000	2,735,200
21	(ba) Mendota juvenile treatment center	GPR	A	1,365,500	1,365,500
22	(c) Reimbursement claims of counties containing juvenile correctional facilities	GPR	A	198,000	198,000
23	(cd) Community youth and family aids	GPR	A	88,506,900	88,506,900
<del>24</del>	(cg) Serious juvenile offenders	GPR	B	15,192,200	14,284,700
27	(dm) Interstate compact for juveniles assessments	GPR	A	-0-	-0-
<del>28</del>	(e) Principal repayment and interest	GPR	S	3,111,100	6,147,700
30	(f) Community intervention program	GPR	A	3,712,500	3,712,500
31	(g) Legal service collections	PR	C	-0-	-0-
32	(gg) Collection remittances to local units of government	PR	C	-0-	-0-
<del>33</del>	(hm) Juvenile correctional services	PR	A	32,010,300	32,327,500
35	(ho) Juvenile residential aftercare	PR	A	5,449,500	5,697,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(hr) Juvenile corrective sanctions program	PR	A	4,652,200	4,670,000
2	(i) Gifts and grants	PR	C	7,700	7,700
4	(j) State-owned housing maintenance	PR	A	34,600	34,600
5	(jr) Institutional operations and charges	PR	A	215,900	215,900
6	(jv) Secure detention services	PR	C	200,000	200,000
8	(ko) Interagency programs; community youth and family aids	PR-S	C	2,449,200	2,449,200
10	(kp) Indian juvenile placements	PR-S	A	75,000	75,000
11	(kx) Interagency and intra-agency programs	PR-S	C	1,697,900	1,697,900
12	(ky) Interagency and intra-agency aids	PR-S	C	-0-	-0-
14	(kz) Interagency and intra-agency local assistance	PR-S	C	-0-	-0-
16	(m) Federal project operations	PR-F	C	55,300	-0-
17	(n) Federal program operations	PR-F	C	30,000	30,000
18	(q) Girls school benevolent trust fund	SEG	C	-0-	-0-
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			114,911,200	116,950,500
	PROGRAM REVENUE			46,877,600	47,405,200
	FEDERAL			(85,300)	(30,000)
	OTHER			(42,570,200)	(43,153,100)
	SERVICE			(4,222,100)	(4,222,100)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			161,788,800	164,355,700
	20.410 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			1,105,410,300	1,145,513,500
	PROGRAM REVENUE			115,639,300	116,042,800
	FEDERAL			(2,645,700)	(2,590,400)
	OTHER			(62,321,900)	(62,917,400)
	SERVICE			(50,671,700)	(50,535,000)
	SEGREGATED REVENUE			257,500	257,500
	OTHER			(257,500)	(257,500)
	TOTAL-ALL SOURCES			1,221,307,100	1,261,813,800
19	<b>20.425 Employment Relations Commission</b>				
20	(1) LABOR RELATIONS				
21	(a) General program operations	GPR	A	2,574,800	2,574,800
22	(i) Fees, collective bargaining training, publications, and appeals	PR	A	623,200	623,200
23	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			2,574,800	2,574,800
	PROGRAM REVENUE			623,200	623,200
	OTHER			(623,200)	(623,200)
	TOTAL-ALL SOURCES			3,198,000	3,198,000
	20.425 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			2,574,800	2,574,800
	PROGRAM REVENUE			623,200	623,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	OTHER			(623,200)	(623,200)
	TOTAL-ALL SOURCES			3,198,000	3,198,000
1	<b>20.432 Board on Aging and Long-Term Care</b>				
2	(1) IDENTIFICATION OF THE NEEDS OF THE AGED AND DISABLED				
3	(a) General program operations	GPR	A	1,077,200	1,077,200
4	(i) Gifts and grants	PR	C	-0-	-0-
5	(k) Contracts with other state agencies	PR-S	C	1,079,800	1,079,800
6	(kb) Insurance and other information, counseling and assistance	PR-S	A	473,600	473,600
8	(m) Federal aid	PR-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			1,077,200	1,077,200
	PROGRAM REVENUE			1,553,400	1,553,400
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(1,553,400)	(1,553,400)
	TOTAL-ALL SOURCES			2,630,600	2,630,600
	20.432 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			1,077,200	1,077,200
	PROGRAM REVENUE			1,553,400	1,553,400
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(1,553,400)	(1,553,400)
	TOTAL-ALL SOURCES			2,630,600	2,630,600
9	<b>20.433 Child Abuse and Neglect Prevention Board</b>				
10	(1) PREVENTION OF CHILD ABUSE AND NEGLECT				
11	(b) Grants to organizations	GPR	A	999,600	999,600
12	(g) General program operations	PR	A	395,200	395,200
13	(h) Grants to organizations	PR	C	965,200	965,200
14	(i) Gifts and grants	PR	C	-0-	-0-
15	(k) Interagency programs	PR-S	C	-0-	-0-
16	(m) Federal project operations	PR-F	C	165,100	165,100
17	(ma) Federal project aids	PR-F	C	450,000	450,000
18	(q) Children's trust fund; gifts and grants	SEG	C	23,100	23,100
19	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			999,600	999,600
	PROGRAM REVENUE			1,975,500	1,975,500
	FEDERAL			(615,100)	(615,100)
	OTHER			(1,360,400)	(1,360,400)
	SERVICE			(-0-)	(-0-)
	SEGREGATED REVENUE			23,100	23,100
	OTHER			(23,100)	(23,100)
	TOTAL-ALL SOURCES			2,998,200	2,998,200
	20.433 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			999,600	999,600
	PROGRAM REVENUE			1,975,500	1,975,500
	FEDERAL			(615,100)	(615,100)

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	OTHER			(1,360,400)	(1,360,400)
	SERVICE			(-0-)	(-0-)
	SEGREGATED REVENUE			23,100	23,100
	OTHER			(23,100)	(23,100)
	TOTAL-ALL SOURCES			2,998,200	2,998,200
<b>1</b>	<b>20.435 Department of Health Services</b>				
<b>2</b>	(1) PUBLIC HEALTH SERVICES PLANNING, REGULATION AND DELIVERY				
<b>3</b>	(a) General program operations	GPR	A	4,282,800	4,282,800
<b>4</b>	(am) Services, reimbursement, and payment related to human immunodeficiency virus	GPR	A	5,747,900	5,747,900
<b>5</b>	(b) General aids and local assistance	GPR	A	543,600	543,600
<b>7</b>	(c) Public health emergency quarantine costs	GPR	S	-0-	-0-
<b>8</b>	(cb) Well-woman program	GPR	A	2,228,200	2,228,200
<b>10</b>	(cc) Cancer control and prevention	GPR	A	333,900	333,900
<b>11</b>	(ce) Primary health for homeless individuals	GPR	C	-0-	-0-
<b>12</b>	(ch) Emergency medical services; aids	GPR	A	1,960,200	1,960,200
<b>14</b>	(cm) Immunization	GPR	S	-0-	-0-
<b>15</b>	(de) Dental services	GPR	A	2,724,300	2,724,300
<b>16</b>	(dg) Clinic aids	GPR	B	66,800	66,800
<b>17</b>	(dk) Low-income dental clinics	GPR	A	850,000	850,000
<b>18</b>	(dm) Rural health dental clinics	GPR	A	895,500	895,500
<b>19</b>	(dn) Food distribution grants	GPR	A	288,000	288,000
<b>20</b>	(ds) Statewide poison control program	GPR	A	382,500	382,500
<b>21</b>	(e) Public health dispensaries and drugs	GPR	B	661,000	661,000
<b>22</b>	(ed) Radon aids	GPR	A	26,700	26,700
<b>23</b>	(ef) Lead-poisoning or lead-exposure services	GPR	A	894,700	894,700
<b>25</b>	(eg) Pregnancy counseling	GPR	A	69,100	69,100
<b>26</b>	(em) Supplemental food program for women, infants and children benefits	GPR	C	161,400	161,400
<b>28</b>	(eu) Reducing fetal and infant mortality and morbidity	GPR	B	222,700	222,700
<b>29</b>	(ev) Pregnancy outreach and infant health	GPR	A	188,200	188,200
<b>31</b>	(f) Women's health block grant	GPR	A	1,742,000	1,742,000
<b>30</b>	(fh) Community health services	GPR	A	5,490,000	5,490,000
<b>32</b>	(fm) Tobacco use control	GPR	C	5,315,000	5,315,000
<b>34</b>	(g) Payments to Donate Life Wisconsin	PR	C	-0-	-0-
<b>36</b>	(gd) American Red Cross, Badger Chapter	PR	C	-0-	-0-
<b>37</b>	(gi) Payments to the Wisconsin Women's Health Foundation	PR	C	-0-	-0-
<b>38</b>					
<b>39</b>					
<b>40</b>					
<b>42</b>					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13	
1	(gm) Licensing, review and certifying activities; fees; supplies and services	PR	A	15,612,300	15,612,300	
2						
4	(gp) Cancer information	PR	C	18,000	18,000	
5	(gr) Supplemental food program for women, infants and children administration	PR	C	84,000	84,000	
6						
8	(hg) General program operations; health care information	PR	A	1,239,600	1,207,200	
7						
10	(hi) Compilations and special reports; health care information	PR	C	-0-	-0-	
12	(i) Gifts and grants	PR	C	14,999,700	14,999,700	
13	(ja) Congenital disorders; diagnosis, special dietary treatment and counseling	PR	A	2,872,600	2,986,300	
14						
16	(jb) Congenital disorders; operations	PR	A	78,000	78,000	
17	(jd) Fees for administrative services	PR	C	112,500	112,500	
18	(kb) Minority health	PR-S	A	133,600	133,600	
19	(ke) American Indian health projects	PR-S	A	106,900	106,900	
20	(kf) American Indian diabetes prevention and control	PR-S	A	22,500	22,500	
22	(kx) Interagency and intra-agency programs	PR-S	C	2,984,900	2,984,900	
23	(ky) Interagency and intra-agency aids	PR-S	C	914,700	914,700	
25	(kz) Interagency and intra-agency local assistance	PR-S	C	-0-	-0-	
26	(m) Federal project operations	PR-F	C	24,334,600	24,716,000	
28	(ma) Federal project aids	PR-F	C	60,381,100	60,381,100	
29	(mc) Federal block grant operations	PR-F	C	4,938,300	5,137,600	
30	(md) Federal block grant aids	PR-F	C	6,961,000	6,943,000	
31	(n) Federal program operations	PR-F	C	5,912,300	5,912,300	
32	(na) Federal program aids	PR-F	C	93,000,000	93,000,000	
33	(q) Groundwater and air quality standards	SEG	A	315,900	315,900	
34						
		(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			35,074,500	35,074,500	
	PROGRAM REVENUE			234,706,600	235,350,600	
	FEDERAL			(195,527,300)	(196,090,000)	
	OTHER			(35,016,700)	(35,098,000)	
	SERVICE			(4,162,600)	(4,162,600)	
	SEGREGATED REVENUE			315,900	315,900	
	OTHER			(315,900)	(315,900)	
	TOTAL-ALL SOURCES			270,097,000	270,741,000	
35	(2) MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES SERVICES; FACILITIES					
36	(a) General program operations	GPR	A	71,830,600	72,055,500	
37	(aa) Institutional repair and maintenance	GPR	A	715,200	715,200	
38						

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011–12	2012–13
1	(bj) Competency examinations and treatment, and conditional release, supervised release, and community supervision services	GPR	B	8,647,200	9,195,600
2					
5	(bm) Secure mental health units or facilities	GPR	A	95,635,800	96,209,700
6	(ee) Principal repayment and interest	GPR	S	10,658,500	21,301,200
8	(ef) Lease rental payments	GPR	S	–0–	–0–
9	(f) Energy costs; energy-related assessments	GPR	A	5,904,200	6,136,400
10	(g) Alternative services of institutes and centers	PR	C	11,526,300	11,529,500
12	(gk) Institutional operations and charges	PR	A	155,332,300	156,739,000
14	(gL) Extended intensive treatment surcharge	PR	C	500,000	500,000
16	(gs) Sex offender honesty testing	PR	C	–0–	–0–
18	(i) Gifts and grants	PR	C	188,600	188,600
19	(km) Indian mental health placement	PR–S	A	250,000	250,000
20	(kx) Interagency and intra-agency programs	PR–S	C	7,225,900	7,299,200
22	(ky) Interagency and intra-agency aids	PR–S	C	–0–	–0–
23	(kz) Interagency and intra-agency local assistance	PR–S	C	–0–	–0–
24	(m) Federal project operations	PR–F	C	–0–	–0–
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			193,391,500	205,613,600
	PROGRAM REVENUE			175,023,100	176,506,300
	FEDERAL			(–0–)	(–0–)
	OTHER			(167,547,200)	(168,957,100)
	SERVICE			(7,475,900)	(7,549,200)
	TOTAL–ALL SOURCES			368,414,600	382,119,900
26	(4) HEALTH CARE ACCESS AND ACCOUNTABILITY				
27	(a) General program operations	GPR	A	31,711,100	29,535,800
28	(b) Medical Assistance program benefits	GPR	B	1,988,131,800	1,958,789,500
29	(bm) Medical Assistance, food stamps, and Badger Care administration; contract costs, insurer reports, and resource centers	GPR	B	45,170,400	39,654,400
31					
34	(bn) Income maintenance	GPR	B	19,301,700	16,856,400
35	(br) Cemetery, funeral, and burial expenses program	GPR	B	8,447,200	8,594,000
33	(bt) Relief block grants to counties	GPR	A	128,000	128,000
36					
38	(bv) Prescription drug assistance for elderly; aids	GPR	B	29,231,600	30,880,200
40	(e) Disease aids	GPR	B	5,041,500	5,505,600
41	(ed) State supplement to federal supplemental security income program	GPR	S	146,314,800	149,230,800
42					
43					



	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(g) Family care benefit; cost sharing	PR	C	-0-	-0-
2	(gm) Medical assistance; provider refunds and collections	PR	C	-0-	-0-
3	(gr) Income maintenance; county payments	PR	C	-0-	-0-
6	(h) BadgerCare Plus Childless Adults Program; intergovernmental transfer	PR	C	-0-	-0-
7	(hm) BadgerCare Plus Basic Plan; benefits and administration	PR	C	11,484,200	12,844,600
8	(i) Gifts and grants; health care financing	PR	C	27,115,800	27,115,800
10	(iL) Medical assistance provider assessments	PR	C	-0-	-0-
12	(im) Medical assistance; correct payment recovery; collections; other recoveries	PR	C	23,822,600	23,822,600
14	(in) Community options program; family care; recovery of costs administration	PR	A	79,200	79,200
16	(j) Prescription drug assistance for elderly; manufacturer rebates	PR	C	55,089,700	58,077,700
18	(jb) Prescription drug assistance for elderly; enrollment fees	PR	C	2,773,000	2,825,700
17	(je) Disease aids; drug manufacturer rebates	PR	C	389,400	389,400
19	(jt) Care management organization, insolvency assistance	PR	C	-0-	-0-
21	(jw) BadgerCare Plus, hospital assessment, and pharmacy benefits purchasing pool administrative costs	PR	C	5,530,200	5,530,200
20	(jz) Medical Assistance and Badger Care cost sharing, employer penalty assessments, and pharmacy benefits purchasing pool operations	PR	C	37,513,700	37,557,000
22	(kb) Relief block grants to tribal governing bodies	PR-S	A	712,800	712,800
23	(kt) Medical assistance outreach and reimbursements for tribes	PR-S	B	961,700	961,700
24	(kv) Care management organization; oversight	PR-S	C	-0-	-0-
26	(kx) Interagency and intra-agency programs	PR-S	C	3,069,100	3,069,100
27	(ky) Interagency and intra-agency aids	PR-S	C	48,242,200	48,242,200
28	(kz) Interagency and intra-agency local assistance	PR-S	C	1,145,300	1,145,300
29	(L) Fraud and error reduction	PR	C	855,000	855,000
30	(m) Federal project operations	PR-F	C	1,254,600	1,254,600
31	(ma) Federal project aids	PR-F	C	1,000,000	1,000,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(md) Federal block grant aids	PR-F	C	-0-	-0-
2	(n) Federal program operations	PR-F	C	60,522,000	58,462,300
3	(na) Federal program aids	PR-F	C	12,485,000	12,485,000
4	(nn) Federal aid; income maintenance	PR-F	C	45,187,100	37,041,800
5	(o) Federal aid; medical assistance	PR-F	C	4,266,834,000	4,266,905,600
6	(p) Federal aid; Badger Care health care program	PR-F	C	-0-	-0-
8	(pa) Federal aid; Medical Assistance and food stamps contracts administration	PR-F	C	98,574,500	89,200,600
9	(pg) Federal aid; prescription drug assistance for elderly	PR-F	C	30,118,500	31,689,100
11	(w) Medical Assistance trust fund	SEG	B	378,028,700	393,332,000
10	(wm) Medical assistance trust fund; nursing homes	SEG	S	-0-	-0-
12	(wp) Medical Assistance trust fund; county reimbursement	SEG	S	-0-	-0-
14	(x) Badger Care health care program; Medical Assistance trust fund	SEG	C	-0-	-0-
16	(xc) Hospital assessment fund; hospital payments	SEG	A	414,507,300	414,507,300
18	(xe) Critical access hospital assessment fund; hospital payments	SEG	C	10,579,500	10,579,500
20					
21					
22					
23					
			(4) PROGRAM TOTALS		
	GENERAL PURPOSE REVENUE			2,273,478,100	2,239,174,700
	PROGRAM REVENUE			4,734,759,600	4,721,267,300
	FEDERAL			(4,515,975,700)	(4,498,039,000)
	OTHER			(164,652,800)	(169,097,200)
	SERVICE			(54,131,100)	(54,131,100)
	SEGREGATED REVENUE			803,115,500	818,418,800
	OTHER			(803,115,500)	(818,418,800)
	TOTAL-ALL SOURCES			7,811,353,200	7,778,860,800
24	(5) MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES				
25	(a) General program operations	GPR	A	1,778,100	1,778,100
26	(bc) Grants for community programs	GPR	A	5,340,100	5,340,100
27	(be) Mental health treatment services	GPR	A	9,565,200	9,565,200
28	(bf) Brighter futures initiative	GPR	A	865,000	865,000
29	(bL) Community support programs and psychosocial services	GPR	A	3,757,500	3,757,500
30	(co) Initiatives for coordinated services	GPR	A	181,800	181,800
32	(da) Reimbursements to local units of government	GPR	S	346,800	346,800
33	(gb) Alcohol and drug abuse initiatives	PR	C	656,200	656,200
35	(gg) Collection remittances to local units of government	PR	C	4,400	4,400
36	(hx) Services related to drivers, receipts	PR	A	-0-	-0-
38	(hy) Services for drivers, local assistance	PR	A	891,000	891,000
39	(i) Gifts and grants	PR	C	237,100	237,100
40	(jb) Fees for administrative services	PR	C	23,900	23,900

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(kc) Severely emotionally disturbed children	PR-S	C	724,500	724,500
2	(kg) Compulsive gambling awareness campaigns	PR-S	A	396,000	396,000
3	(kL) Indian aids	PR-S	A	242,000	242,000
6	(km) Indian drug abuse prevention and education	PR-S	A	445,500	445,500
8	(kx) Interagency and intra-agency programs	PR-S	C	2,726,000	2,735,700
10	(ky) Interagency and intra-agency aids	PR-S	C	-0-	-0-
11	(kz) Interagency and intra-agency local assistance	PR-S	C	-0-	-0-
12	(m) Federal project operations	PR-F	C	750,000	750,000
14	(ma) Federal project aids	PR-F	C	8,500,000	8,500,000
15	(mc) Federal block grant operations	PR-F	C	3,045,100	3,045,100
16	(md) Federal block grant aids	PR-F	C	9,095,700	9,095,700
17	(me) Federal block grant local assistance	PR-F	C	7,451,400	7,451,400
18	(n) Federal program operations	PR-F	C	716,100	716,100
19	(na) Federal program aids	PR-F	C	-0-	-0-
20	(nL) Federal program local assistance	PR-F	C	-0-	-0-
21	(o) Federal aid; community aids	PR-F	C	12,248,900	12,248,900
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			21,834,500	21,834,500
	PROGRAM REVENUE			48,153,800	48,163,500
	FEDERAL			(41,807,200)	(41,807,200)
	OTHER			(1,812,600)	(1,812,600)
	SERVICE			(4,534,000)	(4,543,700)
	TOTAL-ALL SOURCES			69,988,300	69,998,000
22	(6) QUALITY ASSURANCE SERVICES PLANNING, REGULATION AND DELIVERY				
23	(a) General program operations	GPR	A	5,451,000	5,451,000
24	(dm) Nursing home monitoring and receivership supplement	GPR	S	-0-	-0-
26	(g) Nursing facility resident protection	PR	C	220,300	220,300
27	(ga) Community-based residential facility monitoring and receivership operations	PR	C	-0-	-0-
28	(i) Gifts and grants	PR	C	-0-	-0-
30	(jb) Fees for administrative services	PR	C	201,500	201,500
31	(jm) Licensing and support services	PR	A	4,859,500	4,859,500
32	(k) Nursing home monitoring and receivership operations	PR	C	-0-	-0-
33	(kx) Interagency and intra-agency programs	PR-S	C	-0-	-0-
34	(ky) Interagency and intra-agency aids	PR-S	C	413,700	413,700
36	(kz) Interagency and intra-agency local assistance	PR-S	C	-0-	-0-
38	(m) Federal project operations	PR-F	C	815,800	815,800
40	(mc) Federal block grant operations	PR-F	C	11,700	11,700
41	(n) Federal program operations	PR-F	C	15,376,400	15,323,200
42					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(na) Federal program aids	PR-F	C	-0-	-0-
2	(nL) Federal program local assistance	PR-F	C	-0-	-0-
	(6) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			5,451,000	5,451,000
	PROGRAM REVENUE			21,898,900	21,845,700
	FEDERAL			(16,203,900)	(16,150,700)
	OTHER			(5,281,300)	(5,281,300)
	SERVICE			(413,700)	(413,700)
	TOTAL-ALL SOURCES			27,349,900	27,296,700
3	(7) LONG TERM CARE SERVICES ADMINISTRATION AND DELIVERY				
4	(a) General program operations	GPR	A	12,903,600	12,903,600
5	(b) Community aids and medical assistance payments	GPR	A	162,107,500	181,715,700
6	(bc) Grants for community programs	GPR	A	131,200	131,200
8	(bd) Long-term care programs	GPR	A	87,809,700	87,809,700
9	(bg) Alzheimer's disease; training and information grants	GPR	A	131,400	131,400
10	(bm) Purchased services for clients	GPR	A	93,900	93,900
12	(br) Respite care	GPR	A	225,000	225,000
13	(bt) Early intervention services for infants and toddlers with disabilities	GPR	C	5,789,000	5,789,000
14	(c) Independent living centers	GPR	A	983,500	983,500
16	(cg) Guardianship grant program	GPR	A	100,000	100,000
17	(d) Interpreter services and telecommunication aid for the hearing impaired	GPR	A	178,200	178,200
18	(da) Reimbursements to local units of government	GPR	S	53,200	53,200
19	(dh) Programs for senior citizens; elder abuse services; benefit specialist program	GPR	A	15,175,500	15,175,500
21	(g) Long-term care; county contributions	PR	C	48,732,000	41,575,400
24	(gc) Disabled children's long-term support waivers; state operations	PR	A	-0-	-0-
26	(gm) Health services regulation	PR	A	18,700	18,700
25	(h) Disabled children's long-term support waivers	PR	C	363,500	379,200
28	(hc) Administration of the birth to 3 waiver program and the disabled children's long-term support program	PR	C	10,704,400	12,165,500
30	(hs) Interpreter services for hearing impaired	PR	A	39,900	39,900
31	(i) Gifts and grants	PR	C	136,000	136,000
32	(im) Community options prog; fmly care benft; recvry of costs; brth to 3 wv admn	PR	C	371,800	371,800
34	(jb) Fees for administrative services	PR	C	30,000	30,000
37					
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39					
40					
41					
43					
42					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(kc) Independent living center grants	PR-S	A	600,000	600,000
2	(kn) Elderly nutrition; home-delivered and congregate meals	PR-S	A	445,500	445,500
4	(kx) Interagency and intra-agency programs	PR-S	C	1,504,200	1,504,200
6	(ky) Interagency and intra-agency aids	PR-S	C	-0-	-0-
7	(kz) Interagency and intra-agency local assistance	PR-S	C	1,257,800	1,257,800
8	(m) Federal project operations	PR-F	C	4,321,100	4,178,800
10	(ma) Federal project aids	PR-F	C	3,645,600	3,645,600
11	(mb) Federal project local assistance	PR-F	C	-0-	-0-
12	(mc) Federal block grant operations	PR-F	C	665,400	665,400
13	(md) Federal block grant aids	PR-F	C	881,600	881,600
14	(me) Federal block grant local assistance	PR-F	C	-0-	-0-
15	(n) Federal program operations	PR-F	C	14,580,000	14,576,200
16	(na) Federal program aids	PR-F	C	27,875,700	27,875,700
17	(nl) Federal program local assistance	PR-F	C	6,762,300	6,762,300
18	(o) Federal aid; community aids	PR-F	C	37,286,600	37,201,400
	(7) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			285,681,700	305,289,900
	PROGRAM REVENUE			160,222,100	154,311,000
	FEDERAL			(96,018,300)	(95,787,000)
	OTHER			(60,396,300)	(54,716,500)
	SERVICE			(3,807,500)	(3,807,500)
	TOTAL-ALL SOURCES			445,903,800	459,600,900
19	(8) GENERAL ADMINISTRATION				
20	(a) General program operations	GPR	A	12,345,300	12,345,300
21	(i) Gifts and grants	PR	C	10,000	10,000
22	(k) Administrative and support services	PR-S	A	27,886,600	28,103,200
24	(kx) Interagency and intra-agency programs	PR-S	C	41,800	41,800
26	(ky) Interagency and intra-agency aids	PR-S	C	2,000,000	2,000,000
27	(kz) Interagency and intra-agency local assistance	PR-S	C	-0-	-0-
28	(m) Federal project operations	PR-F	C	34,400	34,400
30	(ma) Federal project aids	PR-F	C	-0-	-0-
31	(mb) Income augmentation services receipts	PR-F	C	6,634,700	6,634,700
32	(mc) Federal block grant operations	PR-F	C	1,112,200	1,112,200
34	(mm) Reimbursements from federal government	PR-F	C	-0-	-0-
36	(n) Federal program operations	PR-F	C	2,442,900	2,563,200
37	(pz) Indirect cost reimbursements	PR-F	C	2,944,300	2,930,700
	(8) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			12,345,300	12,345,300
	PROGRAM REVENUE			43,038,100	43,361,400
	FEDERAL			(13,099,700)	(13,206,400)
	OTHER			(10,000)	(10,000)

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2011–12	2012–13
	SERVICE			(29,928,400)	(30,145,000)
	TOTAL–ALL SOURCES			55,383,400	55,706,700
20.435 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUE			2,827,256,600	2,824,783,500
	PROGRAM REVENUE			5,417,802,200	5,400,805,800
	FEDERAL			(4,878,632,100)	(4,861,080,300)
	OTHER			(434,716,900)	(434,972,700)
	SERVICE			(104,453,200)	(104,752,800)
	SEGREGATED REVENUE			803,431,400	818,734,700
	OTHER			(803,431,400)	(818,734,700)
	TOTAL–ALL SOURCES			9,048,490,200	9,044,324,000
<b>1</b>	<b>20.437 Department of Children and Families</b>				
<b>2</b>	(1) CHILDREN AND FAMILY SERVICES				
<b>3</b>	(a) General program operations	GPR	A	9,374,100	9,374,100
<b>4</b>	(ab) Child abuse and neglect prevention grants	GPR	A	985,700	985,700
<b>6</b>	(ac) Child abuse and neglect prevention technical assistance	GPR	A	–0–	–0–
<b>8</b>	(b) Children and family aids payments	GPR	A	30,403,900	30,403,900
<b>9</b>	(bc) Grants for children’s community programs	GPR	A	789,200	789,200
<b>10</b>	(cd) Domestic abuse grants	GPR	A	7,150,800	7,150,800
<b>12</b>	(cf) Foster and family–operated group home parent insurance and liability	GPR	A	59,400	59,400
<b>13</b>	(cw) Milwaukee child welfare services; general program operations	GPR	A	14,723,300	14,723,300
<b>16</b>	(cx) Milwaukee child welfare services; aids	GPR	A	57,015,700	63,329,100
<b>18</b>	(d) Interstate Compact for the Placement of Children assessments	GPR	A	–0–	–0–
<b>20</b>	(da) Child welfare program enhancement plan; aids	GPR	A	1,796,500	1,796,500
<b>22</b>	(dd) State foster care, guardianship, and adoption services	GPR	A	52,448,700	53,801,400
<b>23</b>	(dg) State adoption information exchange and state adoption center	GPR	A	169,600	169,600
<b>26</b>	(eg) Brighter futures initiative and tribal adolescent services	GPR	A	1,074,900	1,074,900
<b>28</b>	(f) Second–chance homes	GPR	A	–0–	–0–
<b>29</b>	(gg) Collection remittances to local units of government	PR	C	–0–	–0–
<b>30</b>	(gx) Milwaukee child welfare services; collections	PR	C	9,474,100	3,474,100
<b>33</b>	(hh) Domestic abuse surcharge grants	PR	C	773,200	773,200
<b>34</b>	(i) Gifts and grants	PR	C	321,200	321,200
<b>35</b>	(j) Statewide automated child welfare information system receipts	PR	C	581,300	581,300
<b>36</b>	(jb) Fees for administrative services	PR	C	78,000	78,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(jj) Searches for birth parents and adoption record information; foreign adoptions	PR	A	97,500	97,500
2					
4	(jm) Licensing activities	PR	C	91,500	91,500
5	(kb) Interagency aids; brighter futures initiative	PR-S	C	865,000	865,000
6	(km) Interagency and intra-agency aids; children and family aids; local assistance	PR-S	C	8,376,300	8,376,300
8					
10	(kw) Interagency and intra-agency aids; Milwaukee child welfare services	PR-S	A	19,881,400	19,881,400
9					
12	(kx) Interagency and intra-agency programs	PR-S	C	3,014,500	3,004,500
13	(ky) Interagency and intra-agency aids	PR-S	C	3,290,100	3,290,100
15	(kz) Interagency and intra-agency local assistance	PR-S	A	395,000	395,000
16	(m) Federal project operations	PR-F	C	955,700	909,400
18	(ma) Federal project aids	PR-F	C	3,575,300	2,994,200
19	(mb) Federal project local assistance	PR-F	C	-0-	-0-
20	(mc) Federal block grant operations	PR-F	C	-0-	-0-
21	(md) Federal block grant aids	PR-F	C	-0-	-0-
22	(me) Federal block grant local assistance	PR-F	C	-0-	-0-
23	(mw) Federal aid; Milwaukee child welfare services general program operations	PR-F	C	2,426,700	2,426,700
24					
26	(mx) Federal aid; Milwaukee child welfare services aids	PR-F	C	12,543,400	12,585,700
25					
28	(n) Federal program operations	PR-F	C	8,970,800	8,986,200
29	(na) Federal program aids	PR-F	C	3,827,900	3,827,900
30	(nL) Federal program local assistance	PR-F	C	9,843,300	9,843,300
31	(o) Federal aid; children and family aids	PR-F	C	22,983,400	21,399,600
32	(pd) Federal aid; state foster care, guardianship, and adoption services	PR-F	C	49,598,800	50,721,300
34					
36	(pm) Federal aid; adoption incentive payments	PR-F	C	276,400	276,400
35					
37					
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			175,991,800	183,657,900
	PROGRAM REVENUE			162,240,800	155,199,800
	FEDERAL			(115,001,700)	(113,970,700)
	OTHER			(11,416,800)	(5,416,800)
	SERVICE			(35,822,300)	(35,812,300)
	TOTAL-ALL SOURCES			338,232,600	338,857,700
38	(2) ECONOMIC SUPPORT				
39	(a) General program operations	GPR	A	4,999,900	4,999,900
40	(bc) Child support local assistance	GPR	C	4,250,000	4,250,000
41	(cm) Wisconsin works child care	GPR	A	28,849,400	28,849,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(dz) Temporary Assistance for Needy Families programs; maintenance of effort	GPR	A	131,077,000	131,077,000
2					
4	(e) Incentive payments for identifying children with health insurance	GPR	A	300,000	300,000
3					
6	(f) Emergency Shelter of the Fox Valley	GPR	A	50,000	50,000
8	(fr) Skills enhancement grants	GPR	A	250,000	250,000
9	(i) Gifts and grants	PR	C	2,500	2,500
10	(ja) Child support state operations – fees and reimbursements	PR	C	14,801,500	14,801,500
12	(jb) Fees for administrative services	PR	C	726,000	726,000
13	(jL) Job access loan repayments	PR	C	610,200	610,200
14	(jn) Child care licensing and certification activities	PR	C	1,537,900	1,537,900
16	(k) Child support transfers	PR-S	C	8,833,600	5,866,300
17	(kp) Delinquent support, maintenance and fee payments	PR-S	C	-0-	-0-
18	(kx) Interagency and intra-agency programs	PR-S	C	2,319,200	2,319,200
20	(L) Public assistance overpayment recovery, fraud investigation, and error reduction	PR	C	292,900	200,000
22					
24	(ma) Federal project activities and administration	PR-F	C	969,900	963,100
23					
26	(mc) Federal block grant operations	PR-F	A	29,583,300	29,757,800
27	(md) Federal block grant aids	PR-F	A	396,111,800	380,029,200
28	(me) Child care and temporary assistance overpayment recovery	PR-F	C	3,530,000	3,530,000
30	(mg) Community services block grant; federal funds	PR-F	C	8,461,200	8,461,200
32	(mm) Reimbursement from federal government	PR-F	C	-0-	-0-
34	(n) Child support state operations; federal funds	PR-F	C	13,914,900	13,914,900
36	(nL) Child support local assistance; federal funds	PR-F	C	60,231,500	60,231,500
38	(nn) Federal program operations	PR-F	C	-0-	-0-
39	(om) Refugee assistance; federal funds	PR-F	C	6,019,400	6,019,400
40	(pz) Income augmentation services receipts	PR-F	C	-0-	-0-
42	(q) Centralized support receipt and disbursement; interest	SEG	S	100,000	100,000
44	(qm) Child support state operations and reimbursement for claims and expenses; unclaimed payments	SEG	S	100,000	100,000
45					
47	(s) Economic support – public benefits	SEG	A	9,139,700	9,139,700
46					
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			169,776,300	169,776,300
	PROGRAM REVENUE			547,945,800	528,970,700



	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	FEDERAL			(518,822,000)	(502,907,100)
	OTHER			(17,971,000)	(17,878,100)
	SERVICE			(11,152,800)	(8,185,500)
	SEGREGATED REVENUE			9,339,700	9,339,700
	OTHER			(9,339,700)	(9,339,700)
	TOTAL-ALL SOURCES			727,061,800	708,086,700
1	(3) GENERAL ADMINISTRATION				
2	(a) General program operations	GPR	A	1,735,700	1,735,700
3	(i) Gifts and grants	PR	C	-0-	-0-
4	(jb) Fees for administrative services	PR	C	-0-	-0-
5	(k) Administrative and support services	PR-S	A	21,419,000	21,419,000
6	(kp) Interagency and intra-agency aids; income augmentation services receipts	PR-S	C	8,375,600	9,409,800
8	(kx) Interagency and intra-agency programs	PR-S	C	6,000,000	6,000,000
10	(ky) Interagency and intra-agency aids	PR-S	C	-0-	-0-
9	(kz) Interagency and intra-agency local assistance	PR-S	C	-0-	-0-
11	(mc) Federal block grant operations	PR-F	C	305,800	305,800
13	(md) Federal block grant aids	PR-F	C	-0-	-0-
14	(mf) Federal economic stimulus funds	PR-F	C	-0-	-0-
15	(mm) Reimbursements from federal government	PR-F	C	-0-	-0-
16	(n) Federal project activities	PR-F	C	678,200	678,200
17	(p) Indirect cost reimbursements	PR-F	C	-0-	-0-
18	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			1,735,700	1,735,700
	PROGRAM REVENUE			36,778,600	37,812,800
	FEDERAL			(984,000)	(984,000)
	OTHER			(-0-)	(-0-)
	SERVICE			(35,794,600)	(36,828,800)
	TOTAL-ALL SOURCES			38,514,300	39,548,500
	20.437 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			347,503,800	355,169,900
	PROGRAM REVENUE			746,965,200	721,983,300
	FEDERAL			(634,807,700)	(617,861,800)
	OTHER			(29,387,800)	(23,294,900)
	SERVICE			(82,769,700)	(80,826,600)
	SEGREGATED REVENUE			9,339,700	9,339,700
	OTHER			(9,339,700)	(9,339,700)
	TOTAL-ALL SOURCES			1,103,808,700	1,086,492,900
22	<b>20.438 Board for People with Developmental Disabilities</b>				
23	(1) DEVELOPMENTAL DISABILITIES				
24	(a) General program operations	GPR	A	25,900	25,900
25	(h) Program services	PR	C	-0-	-0-
26	(i) Gifts and grants	PR	C	-0-	-0-
27	(mc) Federal project operations	PR-F	C	732,200	732,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(md) Federal project aids	PR-F	C	543,600	543,600
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			25,900	25,900
	PROGRAM REVENUE			1,275,800	1,275,800
	FEDERAL			(1,275,800)	(1,275,800)
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			1,301,700	1,301,700
	20.438 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			25,900	25,900
	PROGRAM REVENUE			1,275,800	1,275,800
	FEDERAL			(1,275,800)	(1,275,800)
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			1,301,700	1,301,700
2	<b>20.440 Health and Educational Facilities Authority</b>				
3	(1) CONSTRUCTION OF HEALTH AND EDUCATIONAL FACILITIES				
4	(a) General program operations	GPR	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
5	(2) RURAL HOSPITAL LOAN GUARANTEE				
6	(a) Rural assistance loan fund	GPR	C	-0-	-0-
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
	20.440 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
7	<b>20.445 Department of Workforce Development</b>				
8	(1) WORKFORCE DEVELOPMENT				
9	(a) General program operations	GPR	A	5,718,100	5,718,100
10	(aa) Special death benefit	GPR	S	525,000	525,000
11	(cr) State supplement to employment opportunity demonstration projects	GPR	A	200,600	200,600
13	(e) Local youth apprenticeship grants	GPR	A	1,858,500	1,858,500
14	(em) Youth apprenticeship training grants	GPR	A	-0-	-0-
16	(f) Death and disability benefit payments; public insurrections	GPR	S	-0-	-0-
18	(fg) Employment transit aids, state funds	GPR	A	464,800	464,800
20	(fm) Youth summer jobs programs	GPR	A	422,400	422,400
21	(g) Gifts and grants	PR	C	-0-	-0-
22	(ga) Auxiliary services	PR	C	379,800	379,800
23	(gb) Local agreements	PR	C	1,787,900	1,787,900
24	(gc) Unemployment administration	PR	C	-0-	-0-
25	(gd) Unemployment interest and penalty payments	PR	C	1,856,300	1,856,300
26					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(gg) Unemployment information technology systems; interest and penalties	PR	C	-0-	-0-
2					
4	(gh) Unemployment information technology systems; assessments	PR	C	-0-	-0-
3					
6	(gk) Child labor permit system; fees	PR	A	423,800	423,800
7	(ka) Interagency and intra-agency agreements	PR-S	C	28,048,600	28,048,600
8	(kc) Administrative services	PR-S	A	33,695,600	33,695,600
10	(km) Nursing workforce survey and grants	PR-S	C	155,600	155,600
12	(m) Workforce investment and assistance; federal moneys	PR-F	C	82,660,900	80,416,100
13	(n) Employment assistance and unemployment insurance administration; federal moneys	PR-F	C	59,053,200	56,906,300
15					
17	(na) Employment security buildings and equipment	PR-F	C	-0-	-0-
16					
18	(nb) Unemployment administration; information technology systems	PR-F	C	-0-	-0-
20	(nd) Unemployment administration; apprenticeship and other employment services	PR-F	C	3,101,000	3,101,000
22					
24	(ne) Unemployment insurance administration and bank service costs	PR-F	C	2,600,000	2,600,000
23					
25					
27	(nf) Unemployment insurance administration	PR-F	C	-0-	-0-
26					
28	(o) Equal rights; federal moneys	PR-F	C	999,100	999,100
29					
30	(p) Worker's compensation; federal moneys	PR-F	C	-0-	-0-
32	(pz) Indirect cost reimbursements	PR-F	C	234,000	234,000
33	(ra) Worker's compensation operations fund; administration	SEG	A	12,499,400	12,499,400
34	(rb) Worker's compensation operations fund; contracts	SEG	C	93,900	93,900
36	(rp) Worker's compensation operations fund; uninsured employers program; administration	SEG	A	1,102,000	1,102,000
38					
40	(s) Self-insured employers liability fund	SEG	C	-0-	-0-
39					
42	(sm) Uninsured employers fund; payments	SEG	S	5,500,000	5,500,000
44	(t) Work injury supplemental benefit fund	SEG	C	9,054,900	9,054,900
45					
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			9,189,400	9,189,400
	PROGRAM REVENUE			214,995,800	210,604,100
	FEDERAL			(148,648,200)	(144,256,500)
	OTHER			(4,447,800)	(4,447,800)

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011–12	2012–13
	SERVICE			(61,899,800)	(61,899,800)
	SEGREGATED REVENUE			28,250,200	28,250,200
	OTHER			(28,250,200)	(28,250,200)
	TOTAL–ALL SOURCES			252,435,400	248,043,700
1	(2) REVIEW COMMISSION				
2	(a) General program operations, review commission	GPR	A	201,400	201,400
3	(ha) Worker's compensation operations	PR	A	685,500	685,500
5	(m) Federal moneys	PR–F	C	216,500	216,500
6	(n) Unemployment administration; federal moneys	PR–F	C	2,107,200	2,076,000
7	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			201,400	201,400
	PROGRAM REVENUE			3,009,200	2,978,000
	FEDERAL			(2,323,700)	(2,292,500)
	OTHER			(685,500)	(685,500)
	TOTAL–ALL SOURCES			3,210,600	3,179,400
8	(5) VOCATIONAL REHABILITATION SERVICES				
9	(a) General program operations; purchased services for clients	GPR	C	15,061,100	15,061,100
10	(gg) Contractual services	PR	C	–0–	–0–
12	(gp) Contractual aids	PR	C	–0–	–0–
13	(h) Enterprises and services for blind and visually impaired	PR	C	106,500	106,500
14	(he) Supervised business enterprise	PR	C	170,000	170,000
16	(i) Gifts and grants	PR	C	1,000	1,000
17	(kg) Vocational rehabilitation services for tribes	PR–S	A	314,900	314,900
18	(kx) Interagency and intra–agency programs	PR–S	C	–0–	–0–
20	(ky) Interagency and intra–agency aids	PR–S	C	284,100	284,100
22	(kz) Interagency and intra–agency local assistance	PR–S	C	–0–	–0–
24	(m) Federal project operations	PR–F	C	104,000	104,000
25	(ma) Federal project aids	PR–F	C	–0–	–0–
26	(n) Federal program aids and operations	PR–F	C	58,861,200	58,861,200
28	(nL) Federal program local assistance	PR–F	C	–0–	–0–
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			15,061,100	15,061,100
	PROGRAM REVENUE			59,841,700	59,841,700
	FEDERAL			(58,965,200)	(58,965,200)
	OTHER			(277,500)	(277,500)
	SERVICE			(599,000)	(599,000)
	TOTAL–ALL SOURCES			74,902,800	74,902,800
	20.445 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			24,451,900	24,451,900
	PROGRAM REVENUE			277,846,700	273,423,800
	FEDERAL			(209,937,100)	(205,514,200)

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	OTHER			(5,410,800)	(5,410,800)
	SERVICE			(62,498,800)	(62,498,800)
	SEGREGATED REVENUE			28,250,200	28,250,200
	OTHER			(28,250,200)	(28,250,200)
	TOTAL-ALL SOURCES			330,548,800	326,125,900
<b>1</b>	<b>20.455 Department of Justice</b>				
<b>2</b>	(1) LEGAL SERVICES				
<b>3</b>	(a) General program operations	GPR	A	12,749,500	12,749,500
<b>4</b>	(b) Special counsel	GPR	S	805,700	805,700
<b>5</b>	(d) Legal expenses	GPR	B	737,200	737,200
<b>6</b>	(gh) Investigation and prosecution	PR	C	-0-	-0-
<b>7</b>	(gs) Delinquent obligation collection	PR	A	-0-	-0-
<b>8</b>	(hm) Restitution	PR	C	-0-	-0-
<b>9</b>	(k) Environment litigation project	PR-S	C	581,500	581,500
<b>10</b>	(km) Interagency and intra-agency assistance	PR-S	A	1,009,400	1,009,400
<b>11</b>	(m) Federal aid	PR-F	C	1,147,700	1,124,900
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			14,292,400	14,292,400
	PROGRAM REVENUE			2,738,600	2,715,800
	FEDERAL			(1,147,700)	(1,124,900)
	OTHER			(-0-)	(-0-)
	SERVICE			(1,590,900)	(1,590,900)
	TOTAL-ALL SOURCES			17,031,000	17,008,200
<b>13</b>	(2) LAW ENFORCEMENT SERVICES				
<b>14</b>	(a) General program operations	GPR	A	18,078,400	18,107,300
<b>15</b>	(am) Officer training reimbursement	GPR	S	83,800	83,800
<b>16</b>	(b) Investigations and operations	GPR	A	-0-	-0-
<b>17</b>	(c) Crime laboratory equipment	GPR	B	-0-	-0-
<b>18</b>	(dg) Weed and seed and law enforcement technology	GPR	A	-0-	-0-
<b>19</b>	(dq) Law enforcement community policing grants	GPR	B	222,700	222,700
<b>21</b>	(g) Gaming law enforcement; racing revenues	PR	A	-0-	-0-
<b>23</b>	(gc) Gaming law enforcement; Indian gaming	PR	A	151,400	151,400
<b>25</b>	(gj) General operations; child pornography surcharge	PR	C	-0-	-0-
<b>27</b>	(gm) Criminal history searches; fingerprint identification	PR	C	4,144,300	4,149,200
<b>29</b>	(gp) Crime information alerts	PR	C	-0-	-0-
<b>31</b>	(gr) Handgun purchaser record check	PR	C	444,600	444,600
<b>32</b>	(h) Terminal charges	PR	A	2,429,300	2,429,300
<b>33</b>	(i) Penalty surcharge, receipts	PR	A	-0-	-0-
<b>34</b>	(j) Law enforcement training fund, local assistance	PR-S	A	4,364,800	4,364,800
<b>35</b>	(ja) Law enforcement training fund, state operations	PR-S	A	3,033,000	3,033,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(jb) Crime laboratory equipment and supplies	PR-S	A	308,100	308,100
2	(k) Interagency and intra-agency assistance	PR-S	C	708,900	624,500
4	(kc) Transaction information management of enforcement system	PR-S	A	726,600	726,600
6	(kd) Drug law enforcement, crime laboratories, and genetic evidence activities	PR-S	A	7,971,700	7,971,700
8	(ke) Drug enforcement intelligence operations	PR-S	A	1,548,300	1,551,100
10	(kg) Interagency and intra-agency assistance; fingerprint identification	PR-S	A	-0-	-0-
13	(km) Lottery background investigations	PR-S	A	-0-	-0-
15	(kp) Drug crimes enforcement; local grants	PR-S	A	717,900	717,900
16	(kq) County law enforcement services	PR-S	A	490,000	490,000
18	(kt) County-tribal programs, local assistance	PR-S	A	631,200	631,200
19	(ku) County-tribal programs, state operations	PR-S	A	92,600	92,600
20	(kw) Tribal law enforcement assistance	PR-S	A	695,000	695,000
22	(Lm) Crime laboratories; deoxyribonucleic acid analysis	PR	C	700,500	700,500
24	(m) Federal aid, state operations	PR-F	C	1,527,400	1,517,600
26	(n) Federal aid, local assistance	PR-F	C	-0-	-0-
27	(r) Gaming law enforcement; lottery revenues	SEG	A	373,100	373,100
28					
29					
			(2) PROGRAM TOTALS		
	GENERAL PURPOSE REVENUE			18,384,900	18,413,800
	PROGRAM REVENUE			30,685,600	30,599,100
	FEDERAL			(1,527,400)	(1,517,600)
	OTHER			(7,870,100)	(7,875,000)
	SERVICE			(21,288,100)	(21,206,500)
	SEGREGATED REVENUE			373,100	373,100
	OTHER			(373,100)	(373,100)
	TOTAL-ALL SOURCES			49,443,600	49,386,000
30	(3) ADMINISTRATIVE SERVICES				
31	(a) General program operations	GPR	A	4,936,300	4,936,300
32	(g) Gifts, grants and proceeds	PR	C	-0-	-0-
33	(k) Interagency and intra-agency assistance	PR-S	A	-0-	-0-
34	(m) Federal aid, state operations	PR-F	C	-0-	-0-
36	(pz) Indirect cost reimbursements	PR-F	C	216,800	216,800
			(3) PROGRAM TOTALS		
	GENERAL PURPOSE REVENUE			4,936,300	4,936,300
	PROGRAM REVENUE			216,800	216,800
	FEDERAL			(216,800)	(216,800)

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			5,153,100	5,153,100
1	(5) VICTIMS AND WITNESSES				
2	(a) General program operations	GPR	A	1,032,600	1,032,600
3	(b) Awards for victims of crimes	GPR	A	1,120,900	1,120,900
4	(c) Reimbursement for victim and witness services	GPR	A	1,267,200	1,267,200
6	(d) Reimbursement for forensic examinations	GPR	S	50,000	50,000
8	(g) Crime victim and witness assistance surcharge, general services	PR	A	4,074,400	4,074,400
9	(gc) Crime victim and witness surcharge, sexual assault victim services	PR	C	1,815,100	1,815,100
11	(h) Crime victim compensation services	PR	A	51,800	51,800
10	(hh) Crime victim restitution	PR	C	267,300	267,300
12	(i) Victim compensation, inmate payments	PR	C	9,700	9,700
14	(k) Interagency and intra-agency assistance; reimbursement to counties	PR-S	A	529,400	529,400
15	(kj) Victim payments, victim surcharge	PR-S	A	893,700	893,700
16	(kk) Reimbursement to counties for providing victim and witness services	PR-S	C	-0-	-0-
18	(kp) Reimbursement to counties for victim-witness services	PR-S	A	748,900	748,900
19	(m) Federal aid; victim compensation	PR-F	C	823,900	823,900
21	(ma) Federal aid, state operations relating to crime victim services	PR-F	C	103,100	103,100
23	(mh) Federal aid; victim assistance	PR-F	C	4,094,900	4,094,900
24	(5) PROGRAM TOTALS				
25	GENERAL PURPOSE REVENUE			3,470,700	3,470,700
26	PROGRAM REVENUE			13,412,200	13,412,200
27	FEDERAL			(5,021,900)	(5,021,900)
28	OTHER			(6,218,300)	(6,218,300)
29	SERVICE			(2,172,000)	(2,172,000)
30	TOTAL-ALL SOURCES			16,882,900	16,882,900
	20.455 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			41,084,300	41,113,200
	PROGRAM REVENUE			47,053,200	46,943,900
	FEDERAL			(7,913,800)	(7,881,200)
	OTHER			(14,088,400)	(14,093,300)
	SERVICE			(25,051,000)	(24,969,400)
	SEGREGATED REVENUE			373,100	373,100
	OTHER			(373,100)	(373,100)
	TOTAL-ALL SOURCES			88,510,600	88,430,200

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
<b>1</b>	<b>20.465 Department of Military Affairs</b>				
<b>2</b>	(1) NATIONAL GUARD OPERATIONS				
<b>3</b>	(a) General program operations	GPR	A	5,562,700	5,562,700
<b>4</b>	(b) Repair and maintenance	GPR	A	806,900	806,900
<b>5</b>	(c) Public emergencies	GPR	S	40,000	40,000
<b>6</b>	(d) Principal repayment and interest	GPR	S	3,441,300	6,089,300
<b>7</b>	(e) State flags	GPR	A	400	400
<b>8</b>	(f) Energy costs; energy-related assessments	GPR	A	2,696,400	2,873,300
<b>10</b>	(g) Military property	PR	A	639,000	639,000
<b>11</b>	(h) Intergovernmental services	PR	A	251,400	251,400
<b>12</b>	(i) Distance learning centers	PR	C	-0-	-0-
<b>13</b>	(k) Armory store operations	PR-S	A	219,900	219,900
<b>14</b>	(km) Agency services	PR-S	A	60,800	60,800
<b>15</b>	(Li) Gifts and grants	PR	C	-0-	-0-
<b>16</b>	(m) Federal aid	PR-F	C	29,508,900	29,508,900
<b>17</b>	(pz) Indirect cost reimbursements	PR-F	C	495,900	495,900
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			12,547,700	15,372,600
	PROGRAM REVENUE			31,175,900	31,175,900
	FEDERAL			(30,004,800)	(30,004,800)
	OTHER			(890,400)	(890,400)
	SERVICE			(280,700)	(280,700)
	TOTAL-ALL SOURCES			43,723,600	46,548,500
<b>18</b>	(2) GUARD MEMBERS' BENEFITS				
<b>19</b>	(a) Tuition grants	GPR	S	3,500,000	3,500,000
<b>20</b>	(r) Military family relief	SEG	C	-0-	-0-
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			3,500,000	3,500,000
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			3,500,000	3,500,000
<b>21</b>	(3) EMERGENCY MANAGEMENT SERVICES				
<b>22</b>	(a) General program operations	GPR	A	813,700	813,700
<b>23</b>	(b) State disaster assistance	GPR	A	-0-	-0-
<b>24</b>	(dd) Regional emergency response teams	GPR	A	1,247,400	1,247,400
<b>26</b>	(dp) Emergency response equipment	GPR	A	417,000	417,000
<b>27</b>	(dr) Emergency response supplement	GPR	C	-0-	-0-
<b>28</b>	(dt) Emergency response training	GPR	B	57,900	57,900
<b>29</b>	(e) Disaster recovery aid; public health emergency quarantine costs	GPR	S	2,500,000	2,500,000
<b>30</b>	(f) Civil air patrol aids	GPR	A	16,900	16,900
<b>32</b>	(g) Program services	PR	A	2,283,600	2,283,600
<b>33</b>	(h) Interstate emergency assistance	PR	A	-0-	-0-
<b>34</b>	(i) Emergency planning and reporting; administration	PR	A	949,100	949,100
<b>36</b>	(j) Division of emergency management; gifts and grants	PR	C	-0-	-0-
<b>37</b>					



	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(jm) Division of emergency management; emergency planning grants	PR	C	743,800	743,800
2					
4	(jt) Regional emergency response reimbursement	PR	C	-0-	-0-
3					
6	(m) Federal aid, state operations	PR-F	C	4,634,800	4,634,800
7	(n) Federal aid, local assistance	PR-F	C	12,800,000	12,800,000
8	(o) Federal aid, individuals and organizations	PR-F	C	1,926,400	1,926,400
10	(r) Division of emergency management; petroleum inspection fund	SEG	A	462,100	462,100
11					
13	(s) State disaster assistance; petroleum inspection fund	SEG	C	1,000,000	-0-
12					
14	(t) Emergency response training – environmental fund	SEG	B	7,600	7,600
16					
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			5,052,900	5,052,900
	PROGRAM REVENUE			23,337,700	23,337,700
	FEDERAL			(19,361,200)	(19,361,200)
	OTHER			(3,976,500)	(3,976,500)
	SEGREGATED REVENUE			1,469,700	469,700
	OTHER			(1,469,700)	(469,700)
	TOTAL-ALL SOURCES			29,860,300	28,860,300
17	(4) NATIONAL GUARD YOUTH PROGRAMS				
18	(h) Gifts and grants	PR	C	-0-	-0-
19	(ka) Challenge academy program; public instruction funds	PR-S	C	1,078,900	1,078,900
20	(m) Federal aid	PR-F	C	3,236,900	3,236,900
	(4) PROGRAM TOTALS				
	PROGRAM REVENUE			4,315,800	4,315,800
	FEDERAL			(3,236,900)	(3,236,900)
	OTHER			(-0-)	(-0-)
	SERVICE			(1,078,900)	(1,078,900)
	TOTAL-ALL SOURCES			4,315,800	4,315,800
	20.465 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			21,100,600	23,925,500
	PROGRAM REVENUE			58,829,400	58,829,400
	FEDERAL			(52,602,900)	(52,602,900)
	OTHER			(4,866,900)	(4,866,900)
	SERVICE			(1,359,600)	(1,359,600)
	SEGREGATED REVENUE			1,469,700	469,700
	OTHER			(1,469,700)	(469,700)
	TOTAL-ALL SOURCES			81,399,700	83,224,600
22	<b>20.475 District Attorneys</b>				
23	(1) DISTRICT ATTORNEYS				
24	(d) Salaries and fringe benefits	GPR	A	41,684,600	41,684,600
25	(h) Gifts and grants	PR	C	3,208,500	2,855,100
26	(i) Other employees	PR	A	304,300	314,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(k) Interagency and intra-agency assistance	PR-S	C	-0-	-0-
2	(km) Deoxyribonucleic acid evidence activities	PR-S	A	142,500	142,500
3	(m) Federal aid	PR-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			41,684,600	41,684,600
	PROGRAM REVENUE			3,655,300	3,311,900
	FEDERAL			(-0-)	(-0-)
	OTHER			(3,512,800)	(3,169,400)
	SERVICE			(142,500)	(142,500)
	TOTAL-ALL SOURCES			45,339,900	44,996,500
	20.475 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			41,684,600	41,684,600
	PROGRAM REVENUE			3,655,300	3,311,900
	FEDERAL			(-0-)	(-0-)
	OTHER			(3,512,800)	(3,169,400)
	SERVICE			(142,500)	(142,500)
	TOTAL-ALL SOURCES			45,339,900	44,996,500
6	<b>20.485 Department of Veterans Affairs</b>				
7	(1) VETERANS HOMES				
8	(a) Aids to indigent veterans	GPR	A	178,200	178,200
9	(b) General fund supplement to institutional operations	GPR	B	-0-	-0-
10	(d) Cemetery maintenance and beautification	GPR	A	23,200	23,200
11	(e) Lease rental payments	GPR	S	-0-	-0-
14	(f) Principal repayment and interest	GPR	S	1,147,400	1,814,200
15	(g) Home exchange	PR	A	261,100	261,100
16	(gd) Veterans home cemetery operations	PR	C	39,300	48,800
17	(gk) Institutional operations	PR	A	85,715,000	91,821,400
18	(go) Self-amortizing facilities; principal repayment and interest	PR	S	1,230,700	1,309,400
19	(h) Gifts and bequests	PR	C	239,600	239,600
21	(hm) Gifts and grants	PR	C	-0-	-0-
22	(i) State-owned housing maintenance	PR	C	59,700	59,700
23	(kg) Grants to counties	PR-S	A	76,200	76,200
24	(m) Federal aid; care at veterans homes	PR-F	C	-0-	-0-
25	(mj) Federal aid; geriatric unit	PR-F	C	-0-	-0-
26	(mn) Federal projects	PR-F	C	25,000	25,000
27	(t) Veterans homes member accounts	SEG	C	-0-	-0-
28	(u) Rentals; improvements; equipment; land acquisition	SEG	A	-0-	-0-
29	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			1,348,800	2,015,600
	PROGRAM REVENUE			87,646,600	93,841,200
	FEDERAL			(25,000)	(25,000)
	OTHER			(87,545,400)	(93,740,000)
	SERVICE			(76,200)	(76,200)

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			88,995,400	95,856,800
1	(2) LOANS AND AIDS TO VETERANS				
2	(a) General program operations; loans and aids	GPR	A	-0-	-0-
3	(ac) Veterans assistance	GPR	A	7,900	7,100
5	(b) Housing vouchers for homeless veterans	GPR	A	-0-	-0-
6	(d) Veterans memorials at the Highground	GPR	C	-0-	-0-
8	(db) General fund supplement to veterans trust fund	GPR	A	416,800	-0-
10	(dm) Military funeral honors	GPR	B	221,900	221,900
12	(e) Korean War memorial grant	GPR	A	-0-	-0-
13	(g) Consumer reporting agency fees	PR	C	-0-	-0-
14	(h) Public and private receipts	PR	C	18,200	18,200
15	(kg) American Indian services coordinator	PR-S	A	86,300	86,300
16	(km) American Indian grants	PR-S	A	61,200	61,200
18	(m) Federal payments; veterans assistance	PR-F	C	538,300	538,300
20	(rm) Veterans assistance program	SEG	B	319,700	319,700
21	(rp) Veterans assistance program receipts	SEG	C	112,000	115,500
22	(s) Transportation payment	SEG	A	200,000	200,000
24	(tf) Veterans tuition reimbursement program	SEG	B	1,403,100	1,403,100
26	(tj) Retraining assistance program	SEG	A	210,000	210,000
27	(tm) Facilities	SEG	C	-0-	-0-
28	(u) Administration of loans and aids to veterans	SEG	A	5,437,100	5,422,700
30	(vm) Assistance to needy veterans	SEG	A	970,000	970,000
31	(vw) Payments to veterans organizations for claims service	SEG	A	110,000	110,000
32	(vx) County grants	SEG	A	342,400	342,400
34	(vy) American Indian services coordinator	SEG	A	-0-	-0-
36	(w) Home for needy veterans	SEG	C	10,000	10,000
37	(x) Federal per diem payments	SEG-F	C	1,460,600	1,460,600
38	(yg) Acquisition of 1981 revenue bond mortgages	SEG	S	-0-	-0-
40	(yn) Veterans trust fund loans and expenses	SEG	B	3,050,000	3,050,000
42	(yo) Debt payment	SEG	S	-0-	-0-
43	(z) Gifts	SEG	C	-0-	-0-
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			646,600	229,000
	PROGRAM REVENUE			704,000	704,000

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2011-12	2012-13
	FEDERAL			(538,300)	(538,300)
	OTHER			(18,200)	(18,200)
	SERVICE			(147,500)	(147,500)
	SEGREGATED REVENUE			13,624,900	13,614,000
	FEDERAL			(1,460,600)	(1,460,600)
	OTHER			(12,164,300)	(12,153,400)
	TOTAL-ALL SOURCES			14,975,500	14,547,000
1	(3) SELF-AMORTIZING MORTGAGE LOANS FOR VETERANS				
2	(b) Self insurance	GPR	S	-0-	-0-
3	(e) General program deficiency	GPR	S	-0-	-0-
4	(q) Foreclosure loss payments	SEG	C	801,000	801,000
5	(r) Funded reserves	SEG	C	50,000	50,000
6	(rm) Other reserves	SEG	C	-0-	-0-
7	(s) General program operations	SEG	A	3,531,800	3,527,200
8	(sm) County grants	SEG	A	342,400	342,400
9	(t) Debt service	SEG	C	19,033,300	19,020,700
10	(v) Revenue obligation repayment	SEG	C	-0-	-0-
11	(wd) Loan-servicing administration	SEG	A	-0-	-0-
12	(wg) Escrow payments, recoveries, and refunds	SEG	C	-0-	-0-
14	(wp) Loan-servicing rights	SEG	B	-0-	-0-
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	SEGREGATED REVENUE			23,758,500	23,741,300
	OTHER			(23,758,500)	(23,741,300)
	TOTAL-ALL SOURCES			23,758,500	23,741,300
15	(4) VETERANS MEMORIAL CEMETERIES				
16	(g) Cemetery operations	PR	A	194,400	194,400
17	(h) Gifts, grants and bequests	PR	C	-0-	-0-
18	(m) Federal aid; cemetery operations and burials	PR-F	C	504,700	603,200
20	(q) Cemetery administration and maintenance	SEG	A	504,100	528,300
22	(qm) Repayment of principal and interest	SEG	S	86,100	85,500
23	(r) Cemetery energy costs; energy-related assessments	SEG	A	106,300	106,300
25	(4) PROGRAM TOTALS				
	PROGRAM REVENUE			699,100	797,600
	FEDERAL			(504,700)	(603,200)
	OTHER			(194,400)	(194,400)
	SEGREGATED REVENUE			696,500	720,100
	OTHER			(696,500)	(720,100)
	TOTAL-ALL SOURCES			1,395,600	1,517,700
26	(5) WISCONSIN VETERANS MUSEUM				
27	(c) Operation of Wisconsin Veterans Museum	GPR	A	249,200	249,200
28	(mn) Federal projects; museum acquisitions and operations	PR-F	C	-0-	-0-
30					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(tm) Museum facilities	SEG	C	52,800	52,800
2	(v) Museum sales receipts	SEG	C	205,700	170,700
3	(vo) Veterans of World War I	SEG	A	2,500	2,500
4	(wd) Operation of Wisconsin Veterans Museum	SEG	A	2,005,300	2,029,900
6	(zm) Museum gifts and bequests	SEG	C	-0-	-0-
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			249,200	249,200
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	SEGREGATED REVENUE			2,266,300	2,255,900
	OTHER			(2,266,300)	(2,255,900)
	TOTAL-ALL SOURCES			2,515,500	2,505,100
	20.485 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			2,244,600	2,493,800
	PROGRAM REVENUE			89,049,700	95,342,800
	FEDERAL			(1,068,000)	(1,166,500)
	OTHER			(87,758,000)	(93,952,600)
	SERVICE			(223,700)	(223,700)
	SEGREGATED REVENUE			40,346,200	40,331,300
	FEDERAL			(1,460,600)	(1,460,600)
	OTHER			(38,885,600)	(38,870,700)
	TOTAL-ALL SOURCES			131,640,500	138,167,900
7	<b>20.490 Wisconsin Housing and Economic Development Authority</b>				
8	(1) FACILITATION OF CONSTRUCTION				
9	(a) Capital reserve fund deficiency	GPR	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
10	(2) HOUSING REHABILITATION LOAN PROGRAM				
11	(a) General program operations	GPR	C	-0-	-0-
12	(q) Loan loss reserve fund	SEG	C	-0-	-0-
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
13	(3) HOMEOWNERSHIP MORTGAGE ASSISTANCE				
14	(a) Homeowner eviction lien protection program	GPR	C	-0-	-0-
15	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
16	(4) DISADVANTAGED BUSINESS MOBILIZATION ASSISTANCE				
17	(g) Disadvantaged business mobilization loan guarantee	PR	C	-0-	-0-
18	(4) PROGRAM TOTALS				
	PROGRAM REVENUE			-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
1	(5) WISCONSIN DEVELOPMENT LOAN GUARANTEES				
2	(a) Wisconsin development reserve fund	GPR	C	-0-	-0-
4	(q) Environmental fund transfer to Wisconsin development reserve fund	SEG	C	-0-	-0-
5	(r) Agrichemical management fund transfer to Wisconsin development reserve fund	SEG	C	-0-	-0-
6	(s) Petroleum inspection fund transfer to Wisconsin development reserve fund	SEG	C	-0-	-0-
7					
8					
10					
9					
11		SEG	A	-0-	-0-
	(5) PROGRAM TOTALS				
12	GENERAL PURPOSE REVENUE			-0-	-0-
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
	20.490 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
	Human Resources				
	FUNCTIONAL AREA TOTALS				
	GENERAL PURPOSE REVENUE			4,415,414,200	4,463,813,400
	PROGRAM REVENUE			6,762,268,900	6,722,111,600
	FEDERAL			(5,789,498,200)	(5,750,588,200)
	OTHER			(644,047,100)	(644,661,600)
	SERVICE			(328,723,600)	(326,861,800)
	SEGREGATED REVENUE			883,490,900	897,779,300
	FEDERAL			(1,460,600)	(1,460,600)
	OTHER			(882,030,300)	(896,318,700)
	SERVICE			(-0-)	(-0-)
	LOCAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			12,061,174,000	12,083,704,300
13	<b>20.505 Department of Administration</b>				
14	(1) SUPERVISION AND MANAGEMENT				
15	(a) General program operations	GPR	A	7,215,000	7,215,000
16	(b) Midwest interstate low-level radioactive waste compact; loan from general fund	GPR	C	-0-	-0-
17	(bq) Appropriation obligations repayment; tobacco settlement revenues	GPR	A	92,474,100	93,693,400
18					
20					
21					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011–12	2012–13
1	(br) Appropriation obligations repayment; unfunded liabilities under the Wisconsin Retirement System	GPR	A	274,749,000	533,473,500
2					
5	(cg) Relocation assistance	GPR	A	101,200	101,200
6	(cm) Comprehensive planning grants; general purpose revenue	GPR	A	–0–	–0–
4					
8	(cn) Comprehensive planning; administrative support	GPR	A	–0–	–0–
10	(fo) Federal resource acquisition support grants	GPR	A	92,500	92,500
12	(g) Midwest interstate low-level radioactive waste compact; membership and costs	PR	A	4,100	4,100
13					
15	(gc) Processing services	PR	A	181,300	181,300
16	(ge) High-voltage transmission line annual impact fee distributions	PR	C	–0–	–0–
18	(gr) Disabled veteran-owned, woman-owned, and minority business certification fees	PR	C	31,500	31,500
19					
21	(gs) High-voltage transmission line environmental impact fee distributions	PR	C	–0–	–0–
20					
22					
24	(id) Justice information fee receipts	PR	C	–0–	–0–
25	(ie) Land	PR	C	2,549,300	2,549,300
26	(if) Comprehensive planning grants; program revenue	PR	A	–0–	–0–
28	(im) Services to nonstate governmental units; entity contract	PR	A	1,670,200	1,670,200
30	(ir) Relay service	PR	A	4,014,100	4,014,100
31	(is) Information technology and communications services; nonstate entities	PR	A	17,900,900	17,900,900
32					
34	(it) Appropriation obligations; agreements and ancillary arrangements	PR	C	–0–	–0–
33					
35					
37	(iu) Plat and proposed incorporation and annexation review	PR	C	414,600	414,600
36					
38	(iv) Integrated business information system; nonstate entities	PR	C	–0–	–0–
40	(j) Gifts, grants, and bequests	PR	C	–0–	–0–
42	(ka) Materials and services to state agencies and certain districts	PR–S	A	7,044,200	6,904,100
44	(kb) Transportation, records, and document services	PR–S	A	18,819,100	18,819,100
46	(kc) Capital planning and building construction services	PR–S	A	11,988,500	11,988,500
48	(kd) Integrated business information system	PR–S	C	9,319,400	9,319,400
49					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011–12	2012–13
1	(ke) Telecommunications services; state agencies; veterans services	PR-S	A	18,301,900	18,301,900
3	(kf) Procurement services	PR-S	C	3,605,000	3,605,000
4	(kg) Federal resource acquisition	PR-S	C	-0-	-0-
5	(kh) Justice information systems	PR-S	A	4,120,100	4,120,100
6	(kj) Financial services	PR-S	A	8,619,600	8,619,600
7	(kL) Printing, mail, communication and information technology services; agencies	PR-S	A	102,652,400	102,652,400
8					
10	(km) University of Wisconsin–Green Bay programming	PR-S	A	247,500	247,500
9					
12	(kp) Interagency assistance; justice information systems	PR-S	A	326,700	326,700
13	(kq) Justice information systems development, operation and maintenance	PR-S	A	-0-	-0-
15					
17	(kr) Legal services	PR-S	A	802,100	802,100
18	(ks) Wisconsin land council; state agency support	PR-S	C	-0-	-0-
20	(ku) Management assistance grants to counties	PR-S	A	563,200	563,200
22	(kx) American Indian economic development; technical assistance	PR-S	A	79,500	79,500
23	(mb) Federal aid	PR-F	C	9,146,600	7,927,300
25	(md) Oil overcharge restitution funds	PR-F	C	264,700	264,700
26	(n) Federal aid; local assistance	PR-F	C	90,000,000	90,000,000
27	(ng) Sale of forest products; funds for public schools and public roads	PR	C	-0-	-0-
28	(pz) Indirect cost reimbursements	PR-F	C	73,800	48,500
30	(r) VendorNet fund administration	SEG	A	84,700	84,700
31	(tb) Payment of qualified higher education expenses and refunds; college tuition and expenses program	SEG	S	-0-	-0-
32					
35	(td) Administrative expenses; college tuition and expenses program	SEG	A	118,300	118,300
36	(tf) Payment of qualified higher education expenses and refunds; college savings program trust fund	SEG	S	-0-	-0-
38					
40	(th) Administrative expenses; college savings program trust fund	SEG	A	563,400	563,400
39					
42	(tj) Payment of qualified higher education expenses and refunds; college savings program bank deposit trust fund	SEG	S	-0-	-0-
43					
46	(tL) Administrative expenses; college savings program bank deposit trust fund	SEG	A	-0-	-0-
47					
48					



	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(tn) Payment of qualified higher education expenses and refunds;				
2	college savings program credit union deposit trust fund	SEG	S	-0-	-0-
5	(tp) Administrative expenses; college savings program credit union deposit trust fund	SEG	A	-0-	-0-
6					
8	(v) General program operations — environmental improvement programs; state funds	SEG	A	1,005,400	1,005,400
7					
9	(x) General program operations — clean water fund program; federal funds	SEG-F	C	-0-	-0-
11					
10	(y) General program operations — safe drinking water loan program; federal funds	SEG-F	C	-0-	-0-
12					
14	(z) Transportation planning grants to local governmental units	SEG-S	B	-0-	-0-
13					
15					
17					
16					
18					
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			374,631,800	634,575,600
	PROGRAM REVENUE			312,740,300	311,355,600
	FEDERAL			(99,485,100)	(98,240,500)
	OTHER			(26,766,000)	(26,766,000)
	SERVICE			(186,489,200)	(186,349,100)
	SEGREGATED REVENUE			1,771,800	1,771,800
	FEDERAL			(-0-)	(-0-)
	OTHER			(1,771,800)	(1,771,800)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			689,143,900	947,703,000
19	(2) RISK MANAGEMENT				
20	(a) General fund supplement — risk management claims	GPR	S	-0-	-0-
21	(am) Costs and judgments	GPR	S	-0-	-0-
22					
23	(k) Risk management costs	PR-S	C	27,934,500	27,934,500
24	(ki) Risk management administration	PR-S	A	6,688,300	6,688,300
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	PROGRAM REVENUE			34,622,800	34,622,800
	SERVICE			(34,622,800)	(34,622,800)
	TOTAL-ALL SOURCES			34,622,800	34,622,800
25	(3) UTILITY PUBLIC BENEFITS AND AIR QUALITY IMPROVEMENT				
26	(q) General program operations; utility public benefits	SEG	A	11,893,700	11,893,700
27	(r) Low-income assistance grants	SEG	S	19,447,300	19,447,300
28					
29	(rr) Air quality improvement grants	SEG	S	-0-	-0-
30	(s) Transfer to air quality improvement fund	SEG	S	-0-	-0-
31	(3) PROGRAM TOTALS				
	SEGREGATED REVENUE			31,341,000	31,341,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	OTHER			(31,341,000)	(31,341,000)
	TOTAL-ALL SOURCES			31,341,000	31,341,000
1	(4) ATTACHED DIVISIONS AND OTHER BODIES				
2	(a) Adjudication of tax appeals	GPR	A	535,800	539,400
3	(b) Adjudication of equalization appeals	GPR	S	-0-	-0-
4	(c) Literacy initiative	GPR	A	600,000	600,000
6	(d) Claims awards	GPR	S	22,500	22,500
7	(ea) Women's council operations	GPR	A	139,900	139,900
8	(ec) Service award program; general program operations	GPR	A	17,200	17,200
10	(er) Service award program; state matching awards	GPR	S	1,884,300	1,884,300
12	(es) Principal, interest, and rebates; general purpose revenue — schools	GPR	S	1,353,100	2,252,200
14	(et) Principal, interest, and rebates; general purpose revenue — public library boards	GPR	S	8,400	15,200
15	(f) Hearings and appeals operations	GPR	A	2,532,500	2,510,200
17	(h) Program services	PR	A	27,200	27,200
18	(ha) Principal, interest and rebates; program revenue—schools	PR	C	724,700	332,100
19	(hb) Principal, interest and rebates; program revenue—public library boards	PR	C	5,200	-0-
22	(hc) Administration of Governor's Wisconsin Educational Technology Conference	PR	A	150,200	150,200
23	(j) National and community service board; gifts and grants	PR	C	-0-	-0-
25	(js) Educational technology block grants; Wisconsin Advanced Telecommunications foundation assessments	PR	C	-0-	-0-
27	(k) Waste facility siting board; general program operations	PR-S	A	45,500	45,500
26	(ka) State use board — general program operations	PR-S	A	123,600	123,600
28	(kb) National and community service board; administrative support	PR-S	A	275,000	275,000
30	(kp) Hearings and appeals fees	PR-S	A	3,291,100	3,268,800
31	(L) Equipment purchases and leases	PR	C	-0-	-0-
32	(Lm) Educational telecommunications; additional services	PR	C	-0-	-0-
36	(mp) Federal e-rate aid	PR-F	C	5,428,800	5,364,100
37	(o) National and community service board; federal aid for administration	PR-F	C	638,900	600,900
39	(p) National and community service board; federal aid for grants	PR-F	C	3,354,300	3,354,300
40					
41					
42					
43					
44					
45					
46					
47					
48					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(r) State capitol and executive residence board; gifts and grants	SEG	C	-0-	-0-
3	(s) Telecommunications access; school districts	SEG	B	11,105,100	11,105,100
4	(t) Telecommunications access; private and technical colleges and libraries	SEG	B	5,016,000	5,016,000
6	(tm) Telecommunications access; private schools	SEG	B	694,300	694,300
8	(tu) Telecommunications access; state schools	SEG	B	82,500	82,500
10	(tw) Telecommunications access; juvenile correctional facilities	SEG	B	86,300	86,300
12	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			7,093,700	7,980,900
	PROGRAM REVENUE			14,064,500	13,541,700
	FEDERAL			(9,422,000)	(9,319,300)
	OTHER			(907,300)	(509,500)
	SERVICE			(3,735,200)	(3,712,900)
	SEGREGATED REVENUE			16,984,200	16,984,200
	OTHER			(16,984,200)	(16,984,200)
	TOTAL-ALL SOURCES			38,142,400	38,506,800
13	(5) FACILITIES MANAGEMENT				
14	(c) Principal repayment and interest; Black Point Estate	GPR	S	81,100	170,200
16	(g) Principal repayment, interest and rebates; parking	PR-S	S	1,778,000	2,260,300
18	(ka) Facility operations and maintenance; police and protection functions	PR-S	A	37,866,400	37,866,400
19	(kb) Parking	PR	A	813,400	813,400
21	(kc) Principal repayment, interest and rebates	PR-S	C	19,320,200	16,986,900
20	(ke) Additional energy conservation construction projects	PR-S	C	-0-	-0-
23	(5) PROGRAM TOTALS				
25	GENERAL PURPOSE REVENUE			81,100	170,200
	PROGRAM REVENUE			59,778,000	57,927,000
	OTHER			(813,400)	(813,400)
	SERVICE			(58,964,600)	(57,113,600)
	TOTAL-ALL SOURCES			59,859,100	58,097,200
26	(6) OFFICE OF JUSTICE ASSISTANCE				
27	(a) General program operations	GPR	A	273,300	273,300
28	(b) Alternatives to prosecution and incarceration for persons who use alcohol or other drugs; presentencing assessments	GPR	A	-0-	-0-
29	(d) Youth diversion	GPR	A	321,000	321,000
30					
31					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(gj) Grants for victims of sexual assault; child pornography surcharge	PR	C	-0-	-0-
2					
4	(h) Public safety interoperable communication system; general usage fees	PR	A	-0-	-0-
3					
5					
7	(i) Gifts and grants	PR	C	-0-	-0-
8	(k) Law enforcement programs and youth diversion – administration	PR-S	A	161,800	161,800
10	(ka) Public safety interoperable communication system; state fees	PR-S	A	-0-	-0-
12	(kb) Law enforcement officer supplement grants	PR-S	A	1,224,900	1,224,900
13	(ke) Child advocacy centers	PR-S	A	238,100	238,100
15	(kf) American Indian reintegration program	PR-S	A	50,000	50,000
16	(ki) Interoperable communications system	PR-S	A	410,800	1,073,100
18	(kj) Youth diversion program	PR-S	A	672,400	672,400
20	(km) Interagency and intra-agency aids	PR-S	C	281,600	281,600
21	(kn) Alternatives to prosecution and incarceration for persons who use alcohol or other drugs; justice information fee	PR-S	A	1,078,400	1,078,400
22					
25	(ko) Wisconsin Justice Information Sharing Program	PR	A	786,500	797,300
26	(kq) Traffic stop data collection; state	PR-S	A	-0-	-0-
27					
28	(kr) Traffic stop data collection; local	PR-S	A	-0-	-0-
29	(ku) Grants for substance abuse treatment programs for criminal offenders	PR	C	7,500	7,500
30					
32	(m) Federal aid, justice assistance, state operations	PR-F	C	3,407,000	3,281,100
31					
33	(mb) Federal aid, homeland security	PR-F	C	36,606,800	36,585,500
35	(n) Federal aid; criminal justice	PR-F	C	207,100	98,300
36	(p) Federal aid, local assistance and aids	PR-F	C	18,904,900	18,904,900
37					
	(6) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			594,300	594,300
	PROGRAM REVENUE			64,037,800	64,454,900
	FEDERAL			(59,125,800)	(58,869,800)
	OTHER			(794,000)	(804,800)
	SERVICE			(4,118,000)	(4,780,300)
	TOTAL-ALL SOURCES			64,632,100	65,049,200
38	(7) HOUSING ASSISTANCE				
39	(a) General program operations	GPR	A	527,800	527,800
40	(b) Housing grants and loans; general purpose revenue	GPR	B	3,097,800	3,097,800
42	(c) Payments to designated agents	GPR	A	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(fm) Shelter for homeless and transitional housing grants	GPR	B	1,413,600	1,413,600
2	(fr) Mental health for homeless individuals	GPR	A	42,200	42,200
4	(gg) Housing program services; other entities	PR	C	168,900	168,900
6	(h) Funding for the homeless	PR	C	422,400	422,400
8	(k) Sale of materials or services	PR-S	C	-0-	-0-
9	(kg) Housing program services	PR-S	C	422,400	422,400
10	(m) Federal aid; state operations	PR-F	C	1,467,400	1,467,400
11	(n) Federal aid; local assistance	PR-F	C	10,000,000	10,000,000
12	(o) Federal aid; individuals and organizations	PR-F	C	23,000,000	23,000,000
13	(7) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			5,081,400	5,081,400
	PROGRAM REVENUE			35,481,100	35,481,100
	FEDERAL			(34,467,400)	(34,467,400)
	OTHER			(591,300)	(591,300)
	SERVICE			(422,400)	(422,400)
	TOTAL-ALL SOURCES			40,562,500	40,562,500
14	(8) DIVISION OF GAMING				
15	(am) Interest on racing and bingo moneys	GPR	S	11,700	11,700
16	(h) General program operations; Indian gaming	PR	A	1,825,100	1,825,100
18	(hm) Indian gaming receipts	PR	C	-0-	-0-
20	(j) General program operations; raffles and crane games	PR	A	264,100	264,100
22	(jm) General program operations; bingo	PR	A	304,800	304,800
	(8) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			11,700	11,700
	PROGRAM REVENUE			2,394,000	2,394,000
	OTHER			(2,394,000)	(2,394,000)
	TOTAL-ALL SOURCES			2,405,700	2,405,700
	20.505 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			387,494,000	648,414,100
	PROGRAM REVENUE			523,118,500	519,777,100
	FEDERAL			(202,500,300)	(200,897,000)
	OTHER			(32,266,000)	(31,879,000)
	SERVICE			(288,352,200)	(287,001,100)
	SEGREGATED REVENUE			50,097,000	50,097,000
	FEDERAL			(-0-)	(-0-)
	OTHER			(50,097,000)	(50,097,000)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			960,709,500	1,218,288,200
23	<b>20.507 Board of Commissioners of Public Lands</b>				
24	(1) TRUST LANDS AND INVESTMENTS				
25	(h) Trust lands and investments — general program operations	PR-S	A	1,494,500	1,494,500
26					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(j) Payments to American Indian tribes or bands for raised sunken logs	PR	C	-0-	-0-
2					
4	(k) Trust lands and investments — interagency and intra-agency assistance	PR-S	A	-0-	-0-
3					
5					
7	(mg) Federal aid — flood control	PR-F	C	52,700	52,700
6					
		(1) PROGRAM TOTALS			
	PROGRAM REVENUE			1,547,200	1,547,200
	FEDERAL			(52,700)	(52,700)
	OTHER			(-0-)	(-0-)
	SERVICE			(1,494,500)	(1,494,500)
	TOTAL-ALL SOURCES			1,547,200	1,547,200
		20.507 DEPARTMENT TOTALS			
	PROGRAM REVENUE			1,547,200	1,547,200
	FEDERAL			(52,700)	(52,700)
	OTHER			(-0-)	(-0-)
	SERVICE			(1,494,500)	(1,494,500)
	TOTAL-ALL SOURCES			1,547,200	1,547,200
8	<b>20.511 Government Accountability Board</b>				
9	(1) ADMINISTRATION OF ELECTIONS, ETHICS, AND LOBBYING LAWS				
10	(a) General program operations; general purpose revenue	GPR	B	4,313,300	2,551,000
11	(be) Investigations	GPR	S	31,100	31,100
13	(bm) Training of chief inspectors	GPR	B	-0-	-0-
14	(c) Voter identification training	GPR	A	82,600	82,600
15	(d) Election administration transfer	GPR	A	-0-	-0-
16	(g) Recount fees	PR	C	-0-	-0-
17	(h) Materials and services	PR	A	19,200	19,200
18	(i) Elections administration; program revenue	PR	A	31,700	31,700
19	(im) Lobbying administration; program revenue	PR	A	495,600	495,600
21	(j) Electronic filing software	PR	C	-0-	-0-
23	(jm) Gifts and grants	PR	C	-0-	-0-
24	(m) Federal aid	PR-F	C	-0-	-0-
25	(t) Election administration	SEG	A	100	100
26	(x) Federal aid; election administration fund	SEG-F	C	1,452,000	1,452,000
27		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			4,427,000	2,664,700
	PROGRAM REVENUE			546,500	546,500
	FEDERAL			(-0-)	(-0-)
	OTHER			(546,500)	(546,500)
	SEGREGATED REVENUE			1,452,100	1,452,100
	FEDERAL			(1,452,000)	(1,452,000)
	OTHER			(100)	(100)
	TOTAL-ALL SOURCES			6,425,600	4,663,300

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
20.511 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			4,427,000	2,664,700
PROGRAM REVENUE			546,500	546,500
FEDERAL			(-0-)	(-0-)
OTHER			(546,500)	(546,500)
SEGREGATED REVENUE			1,452,100	1,452,100
FEDERAL			(1,452,000)	(1,452,000)
OTHER			(100)	(100)
TOTAL-ALL SOURCES			6,425,600	4,663,300
<b>1</b> <b>20.515 Department of Employee Trust Funds</b>				
<b>2</b> (1) EMPLOYEE BENEFIT PLANS				
<b>3</b> (a) Annuity supplements and payments	GPR	S	555,200	460,600
<b>4</b> (c) Contingencies	GPR	S	-0-	-0-
<b>6</b> (gm) Gifts and grants	PR	C	-0-	-0-
<b>7</b> (m) Federal aid	PR-F	C	-0-	-0-
<b>8</b> (sr) Gifts and grants; public employee trust fund	SEG	C	-0-	-0-
<b>10</b> (t) Automated operating system	SEG	C	691,100	691,100
<b>11</b> (u) Employee-funded reimbursement account plan	SEG	C	-0-	-0-
<b>12</b> (um) Benefit administration	SEG	B	4,900	4,900
<b>14</b> (ut) Health insurance data collection and analysis and other consulting services contracts	SEG	A	968,100	968,100
<b>15</b> (w) Administration	SEG	A	29,318,000	29,513,100
<b>17</b>				
<b>16</b> (1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			555,200	460,600
PROGRAM REVENUE			-0-	-0-
FEDERAL			(-0-)	(-0-)
OTHER			(-0-)	(-0-)
SEGREGATED REVENUE			30,982,100	31,177,200
OTHER			(30,982,100)	(31,177,200)
TOTAL-ALL SOURCES			31,537,300	31,637,800
20.515 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			555,200	460,600
PROGRAM REVENUE			-0-	-0-
FEDERAL			(-0-)	(-0-)
OTHER			(-0-)	(-0-)
SEGREGATED REVENUE			30,982,100	31,177,200
OTHER			(30,982,100)	(31,177,200)
TOTAL-ALL SOURCES			31,537,300	31,637,800
<b>18</b> <b>20.525 Office of the Governor</b>				
<b>19</b> (1) EXECUTIVE ADMINISTRATION				
<b>20</b> (a) General program operations	GPR	S	4,002,800	4,002,800
<b>21</b> (b) Contingent fund	GPR	S	20,400	20,400
<b>22</b> (c) Membership in national associations	GPR	S	118,300	118,300
<b>23</b> (d) Disability board	GPR	S	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(f) Literacy improvement aids	GPR	A	23,600	23,600
2	(i) Gifts and grants	PR	C	-0-	-0-
3	(m) Federal aid	PR-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			4,165,100	4,165,100
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			4,165,100	4,165,100
4	(2) EXECUTIVE RESIDENCE				
5	(a) General program operations	GPR	S	270,700	270,700
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			270,700	270,700
	TOTAL-ALL SOURCES			270,700	270,700
	20.525 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			4,435,800	4,435,800
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			4,435,800	4,435,800
6	<b>20.536 Investment Board</b>				
7	(1) INVESTMENT OF FUNDS				
8	(k) General program operations	PR	C	28,888,600	28,888,600
9	(ka) General program operations; environmental improvement fund	PR-S	C	-0-	-0-
10	(1) PROGRAM TOTALS				
	PROGRAM REVENUE			28,888,600	28,888,600
	OTHER			(28,888,600)	(28,888,600)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			28,888,600	28,888,600
	20.536 DEPARTMENT TOTALS				
	PROGRAM REVENUE			28,888,600	28,888,600
	OTHER			(28,888,600)	(28,888,600)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			28,888,600	28,888,600
11	<b>20.540 Office of the Lieutenant Governor</b>				
12	(1) EXECUTIVE COORDINATION				
13	(a) General program operations	GPR	A	393,500	393,500
14	(g) Gifts, grants and proceeds	PR	C	-0-	-0-
15	(k) Grants from state agencies	PR-S	C	-0-	-0-
16	(m) Federal aid	PR-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			393,500	393,500
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			393,500	393,500



	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	20.540 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			393,500	393,500
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			393,500	393,500
<b>1</b>	<b>20.545 Office of State Employment Relations</b>				
<b>2</b>	(1) STATE EMPLOYMENT RELATIONS				
<b>3</b>	(i) Services to non-state governmental units	PR	A	87,100	87,100
<b>4</b>	(j) Gifts and donations	PR	C	-0-	-0-
<b>6</b>	(jm) Employee development and training services	PR	A	243,800	243,800
<b>8</b>	(k) General program operations	PR-S	A	5,139,500	5,139,500
<b>9</b>	(ka) Publications	PR	A	102,100	102,100
<b>10</b>	(km) Collective bargaining grievance arbitrations	PR-S	A	105,600	70,600
<b>12</b>	(m) Federal grants and contracts	PR-F	C	-0-	-0-
<b>13</b>	(pz) Indirect cost reimbursements	PR-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	PROGRAM REVENUE			5,678,100	5,643,100
	FEDERAL			(-0-)	(-0-)
	OTHER			(433,000)	(433,000)
	SERVICE			(5,245,100)	(5,210,100)
	TOTAL-ALL SOURCES			5,678,100	5,643,100
	20.545 DEPARTMENT TOTALS				
	PROGRAM REVENUE			5,678,100	5,643,100
	FEDERAL			(-0-)	(-0-)
	OTHER			(433,000)	(433,000)
	SERVICE			(5,245,100)	(5,210,100)
	TOTAL-ALL SOURCES			5,678,100	5,643,100
<b>14</b>	<b>20.550 Public Defender Board</b>				
<b>15</b>	(1) LEGAL ASSISTANCE				
<b>16</b>	(a) Program administration	GPR	A	2,758,800	2,758,800
<b>17</b>	(b) Appellate representation	GPR	A	4,714,500	4,714,500
<b>18</b>	(c) Trial representation	GPR	A	49,691,000	49,445,000
<b>19</b>	(d) Private bar and investigator reimbursement	GPR	B	21,194,700	23,155,400
<b>20</b>	(e) Private bar and investigator payments; administration costs	GPR	A	716,700	716,700
<b>22</b>	(f) Transcripts, discovery and interpreters	GPR	A	1,325,700	1,325,700
<b>24</b>	(fb) Payments from clients; administrative costs	PR	A	249,600	249,600
<b>26</b>	(g) Gifts, grants and proceeds	PR	C	-0-	-0-
<b>28</b>	(h) Contractual agreements	PR-S	A	-0-	-0-
<b>29</b>	(i) Tuition payments	PR	C	-0-	-0-
<b>30</b>	(kj) Conferences and training	PR-S	A	126,900	126,900

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(L) Private bar and investigator reimbursement; payments for legal representation	PR	C	913,000	913,000
2					
4	(m) Federal aid	PR-F	C	-0-	-0-
3					
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			80,401,400	82,116,100
	PROGRAM REVENUE			1,289,500	1,289,500
	FEDERAL			(-0-)	(-0-)
	OTHER			(1,162,600)	(1,162,600)
	SERVICE			(126,900)	(126,900)
	TOTAL-ALL SOURCES			81,690,900	83,405,600
	20.550 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			80,401,400	82,116,100
	PROGRAM REVENUE			1,289,500	1,289,500
	FEDERAL			(-0-)	(-0-)
	OTHER			(1,162,600)	(1,162,600)
	SERVICE			(126,900)	(126,900)
	TOTAL-ALL SOURCES			81,690,900	83,405,600
5	<b>20.566 Department of Revenue</b>				
6	(1) COLLECTION OF TAXES				
7	(a) General program operations	GPR	A	50,716,900	50,716,900
8	(g) Administration of county sales and use taxes	PR	A	3,363,200	3,363,200
10	(ga) Cigarette tax stamps	PR	A	262,400	262,400
11	(gb) Business tax registration	PR	A	1,503,900	1,503,900
12	(gd) Administration of special district taxes	PR-S	A	443,800	443,800
14	(ge) Administration of local professional football stadium district taxes	PR-S	A	111,800	111,800
16	(gf) Administration of resort tax	PR-S	A	69,300	69,300
17	(gg) Administration of local taxes	PR	A	116,300	116,300
18	(gm) Administration of tax on controlled substances dealers	PR	A	-0-	-0-
20	(gn) Ambulatory surgical center assessment	PR	C	110,200	110,200
22	(h) Debt collection	PR	A	813,300	813,300
23	(ha) Administration of liquor tax and alcohol beverages enforcement	PR	A	1,032,900	1,032,900
24	(hb) Collections by the department	PR	A	347,800	141,500
26	(hc) Collections from the financial record matching program	PR	A	469,100	469,100
28	(hd) Administration of liquor tax and alcohol beverages enforcement; wholesaler fees funding special agent position	PR	C	73,200	87,800
29					
30	(hm) Collections under contracts	PR	S	357,300	357,300
33	(hn) Collections under the multistate tax commission audit program	PR	S	58,300	58,300
31					
34					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(ho) Collections under multistate streamlined sales tax project	PR	S	40,000	40,000
2	(hp) Administration of income tax checkoff voluntary payments	PR	A	27,600	27,600
4	(i) Gifts and grants	PR	C	-0-	-0-
6	(m) Federal funds; state operations	PR-F	C	-0-	-0-
7	(q) Economic development surcharge administration	SEG	A	210,800	210,800
8	(qm) Administration of rental vehicle fee	SEG	A	70,000	70,000
10	(r) Administration of dry cleaner fees	SEG	A	18,800	18,800
11	(s) Petroleum inspection fee collection	SEG	A	123,500	123,500
12	(t) Farmland preservation credit, 2010 and beyond	SEG	A	-0-	-0-
14	(u) Motor fuel tax administration	SEG	A	1,529,300	1,529,300
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			50,716,900	50,716,900
	PROGRAM REVENUE			9,200,400	9,008,700
	FEDERAL			(-0-)	(-0-)
	OTHER			(8,575,500)	(8,383,800)
	SERVICE			(624,900)	(624,900)
	SEGREGATED REVENUE			1,952,400	1,952,400
	OTHER			(1,952,400)	(1,952,400)
	TOTAL-ALL SOURCES			61,869,700	61,678,000
15	(2) STATE AND LOCAL FINANCE				
16	(a) General program operations	GPR	A	7,690,800	7,690,800
17	(b) Valuation error loans	GPR	A	-0-	-0-
18	(bm) Integrated property assessment system technology	GPR	A	2,464,500	2,464,500
20	(g) County assessment studies	PR	C	-0-	-0-
21	(gb) Manufacturing property assessment	PR	A	1,140,400	1,140,400
22	(gi) Municipal finance report compliance	PR	A	34,500	34,500
24	(h) Reassessments	PR	A	535,200	535,200
26	(hm) Administration of tax incremental, and environmental remediation tax incremental, financing programs	PR	C	151,700	151,700
27	(i) Gifts and grants	PR	C	-0-	-0-
29	(m) Federal funds; state operations	PR-F	C	-0-	-0-
30	(q) Railroad and air carrier tax administration	SEG	A	203,600	203,600
31	(r) Lottery and gaming credit administration	SEG	A	276,900	276,900
32	(2) PROGRAM TOTALS				
34	GENERAL PURPOSE REVENUE			10,155,300	10,155,300
	PROGRAM REVENUE			1,861,800	1,861,800
	FEDERAL			(-0-)	(-0-)
	OTHER			(1,861,800)	(1,861,800)
	SEGREGATED REVENUE			480,500	480,500

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2011-12	2012-13
	OTHER			(480,500)	(480,500)
	TOTAL-ALL SOURCES			12,497,600	12,497,600
1	(3) ADMINISTRATIVE SERVICES AND SPACE RENTAL				
2	(a) General program operations	GPR	A	26,764,500	26,764,500
3	(b) Integrated tax system technology	GPR	A	4,087,100	4,087,100
4	(c) Expert professional services	GPR	B	63,300	63,300
5	(g) Services	PR	A	85,300	85,300
6	(gm) Reciprocity agreement and publications	PR	A	75,400	75,400
8	(go) Reciprocity agreement, Illinois	PR	A	-0-	-0-
9	(i) Gifts and grants	PR	C	-0-	-0-
10	(k) Internal services	PR-S	A	3,083,700	3,083,700
11	(m) Federal funds; state operations	PR-F	C	-0-	-0-
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			30,914,900	30,914,900
	PROGRAM REVENUE			3,244,400	3,244,400
	FEDERAL			(-0-)	(-0-)
	OTHER			(160,700)	(160,700)
	SERVICE			(3,083,700)	(3,083,700)
	TOTAL-ALL SOURCES			34,159,300	34,159,300
12	(7) INVESTMENT AND LOCAL IMPACT FUND				
13	(e) Investment and local impact fund supplement	GPR	A	-0-	-0-
14	(g) Investment and local impact fund administrative expenses	PR	A	-0-	-0-
16	(n) Federal mining revenue	PR-F	C	-0-	-0-
18	(v) Investment and local impact fund	SEG	C	-0-	-0-
	(7) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
19	(8) LOTTERY				
20	(q) General program operations	SEG	A	21,221,300	21,221,300
21	(r) Retailer compensation	SEG	S	33,744,500	33,723,100
22	(s) Prizes	SEG	S	-0-	-0-
23	(v) Vendor fees	SEG	S	11,201,800	11,193,400
	(8) PROGRAM TOTALS				
	SEGREGATED REVENUE			66,167,600	66,137,800
	OTHER			(66,167,600)	(66,137,800)
	TOTAL-ALL SOURCES			66,167,600	66,137,800
	20.566 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			91,787,100	91,787,100
	PROGRAM REVENUE			14,306,600	14,114,900
	FEDERAL			(-0-)	(-0-)

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	OTHER			(10,598,000)	(10,406,300)
	SERVICE			(3,708,600)	(3,708,600)
	SEGREGATED REVENUE			68,600,500	68,570,700
	OTHER			(68,600,500)	(68,570,700)
	TOTAL-ALL SOURCES			174,694,200	174,472,700
<b>1</b>	<b>20.575 Secretary of State</b>				
<b>2</b>	(1) MANAGING AND OPERATING PROGRAM RESPONSIBILITIES				
<b>3</b>	(g) Program fees	PR	A	510,200	510,200
<b>4</b>	(ka) Agency collections	PR-S	A	3,400	3,400
	(1) PROGRAM TOTALS				
	PROGRAM REVENUE			513,600	513,600
	OTHER			(510,200)	(510,200)
	SERVICE			(3,400)	(3,400)
	TOTAL-ALL SOURCES			513,600	513,600
	20.575 DEPARTMENT TOTALS				
	PROGRAM REVENUE			513,600	513,600
	OTHER			(510,200)	(510,200)
	SERVICE			(3,400)	(3,400)
	TOTAL-ALL SOURCES			513,600	513,600
<b>5</b>	<b>20.585 Office of the State Treasurer</b>				
<b>6</b>	(1) CUSTODIAN OF STATE FUNDS				
<b>7</b>	(b) Insurance	GPR	A	-0-	-0-
<b>8</b>	(e) Unclaimed property; contingency appropriation	GPR	S	-0-	-0-
<b>10</b>	(h) Training conferences	PR	C	-0-	-0-
<b>11</b>	(i) Gifts and grants	PR	C	-0-	-0-
<b>12</b>	(j) Unclaimed property; claims	PR	C	-0-	-0-
<b>13</b>	(k) Unclaimed property; administrative expenses	PR-S	A	4,861,100	4,861,100
<b>14</b>	(kb) General program operations	PR-S	A	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	PROGRAM REVENUE			4,861,100	4,861,100
	OTHER			(-0-)	(-0-)
	SERVICE			(4,861,100)	(4,861,100)
	TOTAL-ALL SOURCES			4,861,100	4,861,100
	20.585 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	PROGRAM REVENUE			4,861,100	4,861,100
	OTHER			(-0-)	(-0-)
	SERVICE			(4,861,100)	(4,861,100)
	TOTAL-ALL SOURCES			4,861,100	4,861,100
	General Executive Functions				
	FUNCTIONAL AREA TOTALS				
	GENERAL PURPOSE REVENUE			569,494,000	830,271,900
	PROGRAM REVENUE			580,749,700	577,181,600
	FEDERAL			(202,553,000)	(200,949,700)
	OTHER			(74,404,900)	(73,826,200)

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	SERVICE			(303,791,800)	(302,405,700)
	SEGREGATED REVENUE			151,131,700	151,297,000
	FEDERAL			(1,452,000)	(1,452,000)
	OTHER			(149,679,700)	(149,845,000)
	SERVICE			(-0-)	(-0-)
	LOCAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			1,301,375,400	1,558,750,500
1	<b>20.625 Circuit Courts</b>				
2	(1) COURT OPERATIONS				
3	(a) Circuit courts	GPR	S	71,671,700	71,671,700
4	(as) Violent crime court costs	GPR	A	-0-	-0-
5	(b) Permanent reserve judges	GPR	A	-0-	-0-
6	(c) Court interpreter fees	GPR	A	1,433,500	1,433,500
7	(d) Circuit court support payments	GPR	B	18,552,200	18,552,200
8	(e) Guardian ad litem costs	GPR	A	4,691,100	4,691,100
9	(g) Sale of materials and services	PR	C	-0-	-0-
10	(k) Court interpreters	PR-S	A	134,000	232,700
11	(m) Federal aid	PR-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			96,348,500	96,348,500
	PROGRAM REVENUE			134,000	232,700
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(134,000)	(232,700)
	TOTAL-ALL SOURCES			96,482,500	96,581,200
	20.625 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			96,348,500	96,348,500
	PROGRAM REVENUE			134,000	232,700
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(134,000)	(232,700)
	TOTAL-ALL SOURCES			96,482,500	96,581,200
12	<b>20.660 Court of Appeals</b>				
13	(1) APPELLATE PROCEEDINGS				
14	(a) General program operations	GPR	S	10,477,000	10,477,000
15	(m) Federal aid	PR-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			10,477,000	10,477,000
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			10,477,000	10,477,000
	20.660 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			10,477,000	10,477,000
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			10,477,000	10,477,000
16	<b>20.665 Judicial Commission</b>				
17	(1) JUDICIAL CONDUCT				

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(a) General program operations	GPR	A	342,100	274,700
2	(cm) Contractual agreements	GPR	B	16,200	16,200
3	(mm) Federal aid	PR-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			358,300	290,900
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			358,300	290,900
	20.665 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			358,300	290,900
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			358,300	290,900
4	<b>20.670 Judicial Council</b>				
5	(1) ADVISORY SERVICES TO THE COURTS AND THE LEGISLATURE				
6	(a) General program operations	GPR	A	69,700	69,700
7	(k) Director of state courts and law library transfer	PR-S	C	-0-	-0-
8	(m) Federal aid	PR-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			69,700	69,700
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			69,700	69,700
	20.670 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			69,700	69,700
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			69,700	69,700
10	<b>20.680 Supreme Court</b>				
11	(1) SUPREME COURT PROCEEDINGS				
12	(a) General program operations	GPR	S	5,236,100	5,236,100
13	(m) Federal aid	PR-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			5,236,100	5,236,100
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			5,236,100	5,236,100
14	(2) DIRECTOR OF STATE COURTS				
15	(a) General program operations	GPR	A	7,836,200	7,807,500
16	(b) Judicial planning and research	GPR	A	-0-	-0-
17	(g) Gifts and grants	PR	C	-0-	-0-
18	(ga) Court commissioner training	PR	C	62,600	62,600
19	(gc) Court interpreter training and certification	PR	C	45,100	45,100
20	(h) Materials and services	PR	C	60,300	60,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(i) Municipal judge training	PR	C	157,300	157,300
2	(j) Court information systems	PR	C	10,103,200	10,103,200
3	(kc) Central services	PR-S	A	236,000	236,000
4	(ke) Interagency and intra-agency automation assistance	PR-S	C	-0-	-0-
6	(m) Federal aid	PR-F	C	914,600	914,600
7	(qm) Mediation fund	SEG	C	766,700	766,700
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			7,836,200	7,807,500
	PROGRAM REVENUE			11,579,100	11,579,100
	FEDERAL			(914,600)	(914,600)
	OTHER			(10,428,500)	(10,428,500)
	SERVICE			(236,000)	(236,000)
	SEGREGATED REVENUE			766,700	766,700
	OTHER			(766,700)	(766,700)
	TOTAL-ALL SOURCES			20,182,000	20,153,300
8	(3) BAR EXAMINERS AND RESPONSIBILITY				
9	(g) Board of bar examiners	PR	C	793,200	793,200
10	(h) Office of lawyer regulation	PR	C	2,824,100	2,824,100
	(3) PROGRAM TOTALS				
	PROGRAM REVENUE			3,617,300	3,617,300
	OTHER			(3,617,300)	(3,617,300)
	TOTAL-ALL SOURCES			3,617,300	3,617,300
11	(4) LAW LIBRARY				
12	(a) General program operations	GPR	A	2,272,700	2,231,700
13	(g) Library collections and services	PR	C	136,800	136,800
14	(h) Gifts and grants	PR	C	622,300	622,300
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			2,272,700	2,231,700
	PROGRAM REVENUE			759,100	759,100
	OTHER			(759,100)	(759,100)
	TOTAL-ALL SOURCES			3,031,800	2,990,800
	20.680 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			15,345,000	15,275,300
	PROGRAM REVENUE			15,955,500	15,955,500
	FEDERAL			(914,600)	(914,600)
	OTHER			(14,804,900)	(14,804,900)
	SERVICE			(236,000)	(236,000)
	SEGREGATED REVENUE			766,700	766,700
	OTHER			(766,700)	(766,700)
	TOTAL-ALL SOURCES			32,067,200	31,997,500
	Judicial				
	FUNCTIONAL AREA TOTALS				
	GENERAL PURPOSE REVENUE			122,598,500	122,461,400
	PROGRAM REVENUE			16,089,500	16,188,200
	FEDERAL			(914,600)	(914,600)
	OTHER			(14,804,900)	(14,804,900)
	SERVICE			(370,000)	(468,700)



	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	SEGREGATED REVENUE			766,700	766,700
	FEDERAL			(-0-)	(-0-)
	OTHER			(766,700)	(766,700)
	SERVICE			(-0-)	(-0-)
	LOCAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			139,454,700	139,416,300
1	<b>20.765 Legislature</b>				
2	(1) ENACTMENT OF STATE LAWS				
3	(a) General program operations — assembly	GPR	S	25,910,800	25,910,800
4	(b) General program operations — senate	GPR	S	18,589,700	18,589,700
6	(d) Legislative documents	GPR	S	4,084,600	4,084,600
8	(e) Gifts, grants and bequests	PR	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			48,585,100	48,585,100
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			48,585,100	48,585,100
9	(3) SERVICE AGENCIES AND NATIONAL ASSOCIATIONS				
10	(a) Revisor of statutes bureau	GPR	B	-0-	-0-
11	(b) Legislative reference bureau	GPR	B	6,226,100	6,226,100
12	(c) Legislative audit bureau	GPR	B	6,144,400	6,144,400
13	(d) Legislative fiscal bureau	GPR	B	3,956,200	3,956,200
14	(e) Joint legislative council; execution of functions, conduct of research, development of studies, and the provision of assistance to committees	GPR	B	4,010,400	4,010,400
16	(ec) Joint legislative council; contractual studies	GPR	B	15,000	-0-
17	(em) Legislative technology services bureau	GPR	B	4,155,800	4,155,800
20	(f) Joint committee on legislative organization	GPR	B	-0-	-0-
22	(fa) Membership in national associations	GPR	S	199,500	199,500
26	(g) Gifts and grants to service agencies	PR	C	-0-	-0-
28	(ka) Audit bureau reimbursable audits	PR-S	A	1,934,300	1,951,100
29	(m) Federal aid	PR-F	C	-0-	-0-
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			24,707,400	24,692,400
	PROGRAM REVENUE			1,934,300	1,951,100
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(1,934,300)	(1,951,100)
	TOTAL-ALL SOURCES			26,641,700	26,643,500
30	(4) CAPITOL OFFICES RELOCATION				
31	(a) Capitol offices relocation costs	GPR	B	-0-	-0-

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			-0-	-0-
TOTAL-ALL SOURCES			-0-	-0-
20.765 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			73,292,500	73,277,500
PROGRAM REVENUE			1,934,300	1,951,100
FEDERAL			(-0-)	(-0-)
OTHER			(-0-)	(-0-)
SERVICE			(1,934,300)	(1,951,100)
TOTAL-ALL SOURCES			75,226,800	75,228,600
Legislative FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUE			73,292,500	73,277,500
PROGRAM REVENUE			1,934,300	1,951,100
FEDERAL			(-0-)	(-0-)
OTHER			(-0-)	(-0-)
SERVICE			(1,934,300)	(1,951,100)
SEGREGATED REVENUE			-0-	-0-
FEDERAL			(-0-)	(-0-)
OTHER			(-0-)	(-0-)
SERVICE			(-0-)	(-0-)
LOCAL			(-0-)	(-0-)
TOTAL-ALL SOURCES			75,226,800	75,228,600
<b>1</b>	<b>20.835 Shared Revenue and Tax Relief</b>			
<b>2</b>	(1) SHARED REVENUE PAYMENTS			
<b>3</b>	(c) Expenditure restraint program			
	account	GPR	S	
				58,145,700
<b>4</b>	(db) County and municipal aid account	GPR	S	769,639,300
<b>6</b>	(dm) Public utility distribution account	GPR	S	64,852,800
<b>7</b>	(e) State aid; tax exempt property	GPR	S	81,989,700
<b>8</b>	(q) County and municipal aid account;			
	wireless 911 fund	SEG	A	-0-
<b>10</b>	(r) County and municipal aid account;			
	police and fire protection fund	SEG	C	55,186,500
<b>11</b>	(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			974,627,500
	SEGREGATED REVENUE			55,186,500
	OTHER			(55,186,500)
	TOTAL-ALL SOURCES			1,029,814,000
<b>12</b>	(2) TAX RELIEF			
<b>13</b>	(b) Claim of right credit	GPR	S	266,000
<b>14</b>	(bb) Jobs tax credit	GPR	C	-0-
<b>15</b>	(bc) Woody biomass harvesting and			
	processing credit	GPR	S	900,000
<b>17</b>	(bd) Meat processing facility investment			
	credit	GPR	S	700,000
<b>19</b>	(be) Food processing plant and food			
	warehouse investment credit	GPR	S	700,000
<b>20</b>				

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(bL) Film production company investment credit	GPR	S	100,000	100,000
<del>2</del>	(bm) Film production services credit	GPR	S	400,000	400,000
4	(bn) Dairy manufacturing facility investment credit	GPR	C	657,100	657,100
<del>6</del>	(bp) Dairy manufacturing facility investment credit; dairy cooperatives	GPR	C	700,000	700,000
7	(br) Interest payments on overassessments of manufacturing property	GPR	S	10,000	10,000
8					
10	(c) Homestead tax credit	GPR	S	130,700,000	129,200,000
12	(ci) Development zones investment credit	GPR	S	-0-	-0-
<del>13</del>	(cL) Development zones location credit	GPR	S	-0-	-0-
14	(cm) Development zones jobs credit	GPR	S	-0-	-0-
16	(cn) Development zones sales tax credit	GPR	S	-0-	-0-
17	(co) Enterprise zone jobs credit	GPR	S	13,800,000	34,100,000
18	(dm) Farmland preservation credit	GPR	S	800,000	600,000
19	(dn) Farmland tax relief credit	GPR	S	-0-	-0-
20	(do) Farmland preservation credit, 2010 and beyond	GPR	A	27,007,200	27,007,200
21	(em) Veterans and surviving spouses property tax credit	GPR	S	19,000,000	20,000,000
<del>22</del>	(en) Beginning farmer and farm asset owner tax credit	GPR	S	860,500	1,200,000
24	(ep) Cigarette and tobacco product tax refunds	GPR	S	47,500,000	50,000,000
<del>26</del>	(f) Earned income tax credit	GPR	S	69,635,800	75,835,800
28	(ka) Farmland tax relief credit; Indian gaming receipts	PR-S	C	-0-	-0-
30	(kf) Earned income tax credit; temporary assistance for needy families	PR-S	A	43,664,200	43,664,200
32	(q) Farmland tax relief credit	SEG	S	-0-	-0-
33					
35					
34	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			313,736,600	351,388,100
	PROGRAM REVENUE			43,664,200	43,664,200
	SERVICE			(43,664,200)	(43,664,200)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			357,400,800	395,052,300
36	(3) STATE PROPERTY TAX CREDITS				
37	(b) School levy tax credit and first dollar credit	GPR	S	880,182,600	882,550,000
<del>38</del>	(q) Lottery and gaming credit	SEG	S	121,391,700	118,870,400
40	(qb) School levy tax credit; lottery fund	SEG	A	14,850,000	14,850,000
41	(s) Lottery and gaming credit; late applications	SEG	S	147,000	147,000
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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE		880,182,600	882,550,000
	SEGREGATED REVENUE		136,388,700	133,867,400
	OTHER		(136,388,700)	(133,867,400)
	TOTAL-ALL SOURCES		1,016,571,300	1,016,417,400
1	(4) COUNTY AND LOCAL TAXES			
2	(g) County taxes	PR C	-0-	-0-
3	(gb) Special district taxes	PR C	-0-	-0-
4	(gd) Premier resort area tax	PR C	-0-	-0-
5	(ge) Local professional football stadium district taxes	PR C	-0-	-0-
6	(gg) Local taxes	PR C	-0-	-0-
(4) PROGRAM TOTALS				
	PROGRAM REVENUE		-0-	-0-
	OTHER		(-0-)	(-0-)
	TOTAL-ALL SOURCES		-0-	-0-
8	(5) PAYMENTS IN LIEU OF TAXES			
9	(a) Payments for municipal services	GPR A	18,584,200	18,584,200
(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE		18,584,200	18,584,200
	TOTAL-ALL SOURCES		18,584,200	18,584,200
20.835 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE		2,187,130,900	2,155,289,100
	PROGRAM REVENUE		43,664,200	43,664,200
	OTHER		(-0-)	(-0-)
	SERVICE		(43,664,200)	(43,664,200)
	SEGREGATED REVENUE		191,575,200	189,795,300
	OTHER		(191,575,200)	(189,795,300)
	TOTAL-ALL SOURCES		2,422,370,300	2,388,748,600
10	<b>20.855 Miscellaneous Appropriations</b>			
11	(1) CASH MANAGEMENT EXPENSES; INTEREST AND PRINCIPAL REPAYMENT			
12	(a) Obligation on operating notes	GPR S	5,000,000	5,000,000
13	(b) Operating note expenses	GPR S	150,000	150,000
14	(bm) Payment of canceled drafts	GPR S	1,175,000	1,175,000
15	(c) Interest payments to program revenue accounts	GPR S	-0-	-0-
16	(d) Interest payments to segregated funds	GPR S	-0-	-0-
18	(dm) Interest reimbursements to federal government	GPR S	-0-	-0-
20	(e) Interest on prorated local government payments	GPR S	-0-	-0-
22	(gm) Payment of canceled drafts; program revenues	PR S	-0-	-0-
24	(q) Redemption of operating notes	SEG S	-0-	-0-
26	(r) Interest payments to general fund	SEG S	-0-	-0-
27	(rm) Payment of canceled drafts; segregated revenues	SEG S	-0-	-0-
28				

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			6,325,000	6,325,000
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			6,325,000	6,325,000
1	(3) CAPITOL RENOVATION EXPENSES				
2	(b) Capitol restoration and relocation planning	GPR	B	-0-	-0-
3	(c) Historically significant furnishings	GPR	B	-0-	-0-
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
5	(4) TAX, ASSISTANCE AND TRANSFER PAYMENTS				
6	(a) Interest on overpayment of taxes	GPR	S	2,500,000	2,500,000
7	(am) Great Lakes protection fund contribution	GPR	C	-0-	-0-
8	(be) Study of engineering	GPR	A	1,666,700	-0-
10	(bm) Oil pipeline terminal tax distribution	GPR	S	857,000	866,000
12	(c) Minnesota income tax reciprocity	GPR	S	59,950,000	-0-
13	(ca) Minnesota income tax reciprocity bench mark	GPR	A	-0-	-0-
14	(cm) Illinois income tax reciprocity	GPR	S	47,900,000	71,600,000
16	(cn) Illinois income tax reciprocity bench mark	GPR	A	-0-	-0-
18	(co) Illinois income tax reciprocity, 1998 and 1999	GPR	A	-0-	-0-
20	(e) Transfer to conservation fund; land acquisition reimbursement	GPR	S	16,600	16,600
22	(f) Transfer to environmental fund; nonpoint sources	GPR	A	11,577,300	11,577,300
24	(fc) Aids for certain local purchases and projects	GPR	A	-0-	-0-
26	(fm) Transfer to transportation fund; hub facility exemptions	GPR	S	2,333,800	2,333,800
28	(ge) Feeding America; Second Harvest food banks	PR	C	-0-	-0-
30	(q) Terminal tax distribution	SEG	S	1,773,000	1,776,000
31	(r) Petroleum allowance	SEG	S	600,000	600,000
32	(s) Transfer to conservation fund; motorboat formula	SEG	S	12,924,100	13,086,200
34	(t) Transfer to conservation fund; snowmobile formula	SEG	S	5,078,100	5,104,700
36	(u) Transfer to conservation fund; all-terrain vehicle formula	SEG	S	1,880,100	1,892,600
38	(w) Transfer to transportation fund; petroleum inspection fund	SEG	A	6,258,500	6,258,500
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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
			(4) PROGRAM TOTALS		
			GENERAL PURPOSE REVENUE	126,801,400	88,893,700
			PROGRAM REVENUE	-0-	-0-
			OTHER	(-0-)	(-0-)
			SEGREGATED REVENUE	28,513,800	28,718,000
			OTHER	(28,513,800)	(28,718,000)
			TOTAL-ALL SOURCES	155,315,200	117,611,700
1	(5) STATE HOUSING AUTHORITY RESERVE FUND				
2	(a) Enhancement of credit of authority debt	GPR	A	-0-	-0-
3			(5) PROGRAM TOTALS		
			GENERAL PURPOSE REVENUE	-0-	-0-
			TOTAL-ALL SOURCES	-0-	-0-
4	(6) MISCELLANEOUS RECEIPTS				
5	(g) Gifts and grants	PR	C	-0-	-0-
6	(h) Vehicle and aircraft receipts	PR	A	-0-	-0-
7	(i) Miscellaneous program revenue	PR	A	-0-	-0-
8	(j) Custody accounts	PR	C	-0-	-0-
9	(k) Aids to individuals and organizations	PR-S	C	-0-	-0-
10	(ka) Local assistance	PR-S	C	-0-	-0-
12	(m) Federal aid	PR-F	C	-0-	-0-
13	(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-
14	(7) SPECIAL TASK FORCE ON UW RESTRUCTURING AND OPERATIONAL FLEXIBILITIES				
15	(a) Expenses	GPR	A	50,000	-0-
			(7) PROGRAM TOTALS		
			GENERAL PURPOSE REVENUE	50,000	-0-
			TOTAL-ALL SOURCES	50,000	-0-
16	(8) MARQUETTE UNIVERSITY				
17	(a) Dental clinic and education facility; principal repayment, interest and rebates	GPR	S	940,000	1,789,900
18			(8) PROGRAM TOTALS		
19			GENERAL PURPOSE REVENUE	940,000	1,789,900
			TOTAL-ALL SOURCES	940,000	1,789,900
20	(9) STATE CAPITOL RENOVATION AND RESTORATION				
21	(a) South wing renovation and restoration	GPR	C	-0-	-0-
22			(9) PROGRAM TOTALS		
			GENERAL PURPOSE REVENUE	-0-	-0-
			TOTAL-ALL SOURCES	-0-	-0-
			20.855 DEPARTMENT TOTALS		
			GENERAL PURPOSE REVENUE	134,116,400	97,008,600

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	SEGREGATED REVENUE			28,513,800	28,718,000
	OTHER			(28,513,800)	(28,718,000)
	TOTAL-ALL SOURCES			162,630,200	125,726,600
<b>1</b>	<b>20.865 Program Supplements</b>				
<b>2</b>	(1) EMPLOYEE COMPENSATION AND SUPPORT				
<b>3</b>	(a) Judgments and legal expenses	GPR	S	44,300	44,300
<b>4</b>	(c) Compensation and related adjustments	GPR	S	-0-	-0-
<b>6</b>	(ci) Nonrepresented university system senior executive, faculty and academic pay adjustments	GPR	S	-0-	-0-
<b>7</b>	(cj) Pay adjustments for certain university employees	GPR	A	-0-	-0-
<b>9</b>	(cm) Represented university faculty and academic staff pay adjustments	GPR	S	-0-	-0-
<b>8</b>	(d) Employer fringe benefit costs	GPR	S	-0-	-0-
<b>10</b>	(e) Additional biweekly payroll	GPR	A	45,634,000	-0-
<b>13</b>	(em) Financial and procurement services	GPR	A	-0-	-0-
<b>14</b>	(fm) Risk management	GPR	A	-0-	-0-
<b>15</b>	(fn) Physically handicapped supplements	GPR	A	5,800	5,800
<b>16</b>	(g) Judgments and legal expenses; program revenues	PR	S	-0-	-0-
<b>17</b>	(i) Compensation and related adjustments; program revenues	PR	S	-0-	-0-
<b>18</b>	(ic) Nonrepresented university system senior executive, faculty and academic pay adjustments	PR	S	-0-	-0-
<b>19</b>	(im) Represented university system faculty and academic staff pay adjustments; program revenue	PR	S	-0-	-0-
<b>20</b>	(j) Employer fringe benefit costs; program revenues	PR	S	-0-	-0-
<b>21</b>	(jm) Additional biweekly payroll; nonfederal program revenues	PR	S	-0-	-0-
<b>22</b>	(js) Financial and procurement services; program revenues	PR	S	-0-	-0-
<b>23</b>	(kr) Risk management; program revenues	PR	S	-0-	-0-
<b>24</b>	(Ln) Physically handicapped supplements; program revenues	PR	S	-0-	-0-
<b>25</b>	(m) Additional biweekly payroll; federal program revenues	PR-F	S	-0-	-0-
<b>26</b>	(q) Judgments and legal expenses; segregated revenues	SEG	S	-0-	-0-
<b>27</b>					
<b>28</b>					
<b>29</b>					
<b>30</b>					
<b>31</b>					
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<b>41</b>					
<b>42</b>					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(s) Compensation and related adjustments; segregated revenues	SEG	S	-0-	-0-
2	(si) Nonrepresented university system senior executive, faculty and academic pay adjustments	SEG	S	-0-	-0-
4	(sm) Represented university faculty and academic staff pay adjustments; segregated revenues	SEG	S	-0-	-0-
5	(t) Employer fringe benefit costs; segregated revenues	SEG	S	-0-	-0-
7	(tm) Additional biweekly payroll; nonfederal segregated revenues	SEG	S	-0-	-0-
8	(ts) Financial and procurement services; segregated revenues	SEG	S	-0-	-0-
10	(ur) Risk management; segregated revenues	SEG	S	-0-	-0-
13	(vn) Physically handicapped supplements; segregated revenues	SEG	S	-0-	-0-
14	(x) Additional biweekly payroll; federal segregated revenues	SEG-F	S	-0-	-0-
16					
18					
20	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			45,684,100	50,100
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SEGREGATED REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			45,684,100	50,100
21	(2) STATE PROGRAMS AND FACILITIES				
22	(a) Private facility rental increases	GPR	A	-0-	-0-
23	(ag) State-owned office rent supplement	GPR	A	-0-	-0-
24	(am) Space management	GPR	A	-0-	-0-
25	(d) State deposit fund	GPR	S	-0-	-0-
26	(e) Maintenance of capitol and executive residence	GPR	A	4,508,900	4,508,900
28	(eb) Executive residence furnishings replacement	GPR	C	10,200	10,200
29	(em) Groundwater survey and analysis	GPR	A	182,500	182,500
31	(g) Private facility rental increases; program revenues	PR	S	-0-	-0-
32	(gg) State-owned office rent supplement; program revenues	PR	S	-0-	-0-
34	(gm) Space management; program revenues	PR	S	-0-	-0-
36	(i) Integrated business information system; program revenues	PR	S	-0-	-0-
38	(j) State deposit fund; program revenues	PR	S	-0-	-0-
40					



	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(L) Data processing and telecommunications study; program revenues	PR	S	-0-	-0-
2					
4	(q) Private facility rental increases; segregated revenues	SEG	S	-0-	-0-
3					
6	(qg) State-owned office rent supplement; segregated revenues	SEG	S	-0-	-0-
8	(qm) Space management; segregated revenues	SEG	S	-0-	-0-
10	(r) Integrated business information system; segregated revenues	SEG	S	-0-	-0-
12	(t) State deposit fund; segregated revenues	SEG	S	-0-	-0-
13	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			4,701,600	4,701,600
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			4,701,600	4,701,600
14	(3) TAXES AND SPECIAL CHARGES				
15	(a) Property taxes	GPR	S	-0-	-0-
16	(g) Property taxes; program revenues	PR	S	-0-	-0-
17	(i) Payments for municipal services; program revenues	PR	S	-0-	-0-
18	(q) Property taxes; segregated revenues	SEG	S	-0-	-0-
20	(s) Payments for municipal services; segregated revenues	SEG	S	-0-	-0-
22	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
23	(4) JOINT COMMITTEE ON FINANCE SUPPLEMENTAL APPROPRIATIONS				
24	(a) General purpose revenue funds general program supplementation	GPR	B	34,582,500	9,832,500
26	(g) Program revenue funds general program supplementation	PR	S	820,500	820,500
28	(k) Public assistance programs supplementation	PR-S	C	-0-	-0-
30	(m) Federal funds general program supplementation	PR-F	C	1,000,000	1,000,000
32	(u) Segregated funds general program supplementation	SEG	S	3,561,400	4,206,700
33	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			34,582,500	9,832,500

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2011-12	2012-13
	PROGRAM REVENUE			1,820,500	1,820,500
	FEDERAL			(1,000,000)	(1,000,000)
	OTHER			(820,500)	(820,500)
	SERVICE			(-0-)	(-0-)
	SEGREGATED REVENUE			3,561,400	4,206,700
	OTHER			(3,561,400)	(4,206,700)
	TOTAL-ALL SOURCES			39,964,400	15,859,700
1	(8) SUPPLEMENTATION OF PROGRAM REVENUE AND PROGRAM REVENUE-SERVICE APPROPRIATIONS				
2	(g) Supplementation of program				
	revenue and program				
3	revenue-service appropriations	PR	S	-0-	-0-
	(8) PROGRAM TOTALS				
4	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
	20.865 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			84,968,200	14,584,200
	PROGRAM REVENUE			1,820,500	1,820,500
	FEDERAL			(1,000,000)	(1,000,000)
	OTHER			(820,500)	(820,500)
	SERVICE			(-0-)	(-0-)
	SEGREGATED REVENUE			3,561,400	4,206,700
	FEDERAL			(-0-)	(-0-)
	OTHER			(3,561,400)	(4,206,700)
	TOTAL-ALL SOURCES			90,350,100	20,611,400
5	<b>20.866 Public Debt</b>				
6	(1) BOND SECURITY AND REDEMPTION FUND				
7	(u) Principal repayment and interest	SEG	S	-0-	-0-
	(1) PROGRAM TOTALS				
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
	20.866 DEPARTMENT TOTALS				
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
8	<b>20.867 Building Commission</b>				
9	(1) STATE OFFICE BUILDINGS				
10	(a) Principal repayment and interest;				
	housing of state agencies	GPR	S	-0-	-0-
11	(b) Principal repayment and interest;				
	capitol and executive residence	GPR	S	6,896,600	13,367,700
12	(1) PROGRAM TOTALS				
13	GENERAL PURPOSE REVENUE			6,896,600	13,367,700
	TOTAL-ALL SOURCES			6,896,600	13,367,700
14	(2) ALL STATE-OWNED FACILITIES				
15	(b) Asbestos removal	GPR	A	-0-	-0-
16	(f) Facilities preventive maintenance	GPR	A	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(q) Building trust fund	SEG	C	-0-	-0-
2	(r) Planning and design	SEG	C	-0-	-0-
3	(u) Aids for buildings	SEG	C	-0-	-0-
4	(v) Building program funding contingency	SEG	C	-0-	-0-
6	(w) Building program funding	SEG	C	-0-	-0-
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
7	(3) STATE BUILDING PROGRAM				
8	(a) Principal repayment and interest	GPR	S	6,816,100	28,051,000
9	(b) Principal repayment and interest	GPR	S	1,112,600	2,373,000
10	(bb) Principal repayment, interest and rebates; AIDS Network, Inc.	GPR	S	13,900	23,400
11	(bc) Principal repayment, interest and rebates; Grand Opera House in Oshkosh	GPR	S	12,500	40,200
13	(bd) Principal repayment, interest and rebates; Aldo Leopold climate change classroom and interactive laboratory	GPR	S	12,500	40,200
14	(be) Principal repayment, interest and rebates; Bradley Center Sports and Entertainment Corporation	GPR	S	176,400	390,600
15	(bf) Principal repayment, interest and rebates; AIDS Resource Center of Wisconsin, Inc.	GPR	S	36,900	62,200
16	(bg) Principal repayment, interest, and rebates; Madison Children's Museum	GPR	S	11,600	19,500
19	(bh) Principal repayment, interest, and rebates; Myrick Hixon EcoPark, Inc.	GPR	S	31,000	41,100
20	(bi) Principal repayment, interest, and rebates; Marshfield Clinic	GPR	S	125,000	526,300
21	(bj) Principal repayment, interest and rebates; Lac du Flambeau Indian Tribal Cultural Center	GPR	S	-0-	-0-
22	(bm) Principal repayment, interest, and rebates; HR Academy, Inc.	GPR	S	59,900	134,400
23	(bn) Principal repayment, interest and rebates; Hmong cultural centers	GPR	S	12,300	22,000
24	(bp) Principal repayment, interest and rebates	GPR	S	-0-	-0-
25	(bq) Principal repayment, interest and rebates; children's research institute	GPR	S	501,300	1,037,500
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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13		
1	(br) Principal repayment, interest and rebates	GPR	S	61,200	99,100		
2	(bu) Principal repayment, interest and rebates; Civil War exhibit at the						
4	Kenosha Public Museums	GPR	S	26,900	43,800		
6	(bv) Principal repayment, interest, and rebates; Bond Health Center	GPR	S	-0-	40,200		
5	8	(d) Interest rebates on obligation proceeds; general fund	GPR	S	-0-	-0-	
10	(e) Principal repayment, interest and rebates; parking ramp	GPR	S	-0-	-0-		
12	(g) Principal repayment, interest and rebates; program revenues	PR	S	-0-	-0-		
13	(h) Principal repayment, interest, and rebates	PR	S	-0-	-0-		
16	(i) Principal repayment, interest and rebates; capital equipment	PR	S	-0-	-0-		
18	(k) Interest rebates on obligation proceeds; program revenues	PR-S	C	-0-	-0-		
20	(kd) Energy conservation construction projects; principal repayment, interest and rebates	PR-S	C	2,183,000	3,013,300		
21	(km) Aquaculture demonstration facility; principal repayment and interest	PR-S	S	263,400	264,700		
23	22	24	(q) Principal repayment and interest; segregated revenues	SEG	S	-0-	-0-
26	(r) Interest rebates on obligation proceeds; conservation fund	SEG	S	-0-	-0-		
28	(s) Interest rebates on obligation proceeds; transportation fund	SEG	S	-0-	-0-		
30	(t) Interest rebates on obligation proceeds; veterans trust fund	SEG	S	-0-	-0-		
32	(w) Bonding services	SEG	S	1,024,200	1,024,200		
		(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUE			9,010,100	32,944,500		
	PROGRAM REVENUE			2,446,400	3,278,000		
	OTHER			(-0-)	(-0-)		
	SERVICE			(2,446,400)	(3,278,000)		
	SEGREGATED REVENUE			1,024,200	1,024,200		
	OTHER			(1,024,200)	(1,024,200)		
	TOTAL-ALL SOURCES			12,480,700	37,246,700		
34	(4) CAPITAL IMPROVEMENT FUND INTEREST EARNINGS						
35	(q) Funding in lieu of borrowing	SEG	C	-0-	-0-		
36	(r) Interest on veterans obligations	SEG	C	-0-	-0-		
		(4) PROGRAM TOTALS					
	SEGREGATED REVENUE			-0-	-0-		
	OTHER			(-0-)	(-0-)		
	TOTAL-ALL SOURCES			-0-	-0-		
37	(5) SERVICES TO NONSTATE GOVERNMENTAL UNITS						

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(g) Financial consulting services	PR	C	-0-	-0-
		(5) PROGRAM TOTALS			
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
	20.867 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			15,906,700	46,312,200
	PROGRAM REVENUE			2,446,400	3,278,000
	OTHER			(-0-)	(-0-)
	SERVICE			(2,446,400)	(3,278,000)
	SEGREGATED REVENUE			1,024,200	1,024,200
	OTHER			(1,024,200)	(1,024,200)
	TOTAL-ALL SOURCES			19,377,300	50,614,400
2	<b>20.875 Budget Stabilization Fund</b>				
3	(1) TRANSFERS TO FUND				
4	(a) General fund transfer	GPR	S	-0-	-0-
		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
5	(2) TRANSFERS FROM FUND				
6	(q) Budget stabilization fund transfer	SEG	A	-0-	-0-
		(2) PROGRAM TOTALS			
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
	20.875 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
	General Appropriations				
	FUNCTIONAL AREA TOTALS				
	GENERAL PURPOSE REVENUE			2,422,122,200	2,313,194,100
	PROGRAM REVENUE			47,931,100	48,762,700
	FEDERAL			(1,000,000)	(1,000,000)
	OTHER			(820,500)	(820,500)
	SERVICE			(46,110,600)	(46,942,200)
	SEGREGATED REVENUE			224,674,600	223,744,200
	FEDERAL			(-0-)	(-0-)
	OTHER			(224,674,600)	(223,744,200)
	SERVICE			(-0-)	(-0-)
	LOCAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			2,694,727,900	2,585,701,000
	STATE TOTALS			31,705,633,900	32,396,034,000
	GENERAL PURPOSE REVENUE			14,166,186,500	14,751,044,300
	PROGRAM REVENUE			12,966,611,400	12,947,070,000
	FEDERAL			(8,635,594,800)	(8,575,578,600)
	OTHER			(3,542,860,200)	(3,591,977,600)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011–12	2012–13
SERVICE			(788,156,400)	(779,513,800)
SEGREGATED REVENUE			4,572,836,000	4,697,919,700
FEDERAL			(899,567,900)	(905,442,300)
OTHER			(3,371,810,600)	(3,486,019,900)
SERVICE			(192,898,100)	(197,898,100)
LOCAL			(108,559,400)	(108,559,400)

1

2

**SECTION 373e.** 20.115 (1) (gg) of the statutes is repealed.

3

**SECTION 374.** 20.115 (1) (u) of the statutes is amended to read:

4

20.115 (1) (u) *Recyclable and nonrecyclable products regulation.* From the

5

recycling and renewable energy environmental fund, the amounts in the schedule for

6

the implementation and enforcement of ss. 100.29, 100.295 and 100.33.

7

**SECTION 375g.** 20.115 (4) (d) of the statutes is created to read:

8

20.115 (4) (d) *Dairy industry promotion.* The amounts in the schedule for

9

promoting the growth of the dairy industry by providing grants and loans to dairy

10

producers.

11

**SECTION 376.** 20.115 (4) (qm) of the statutes is amended to read:

12

20.115 (4) (qm) *Grants for agricultural facilities.* Biennially, from the recycling

13

environmental fund, the amounts in the schedule for grants for agricultural facilities

14

under 2007 Wisconsin Act 20, section 9103 (4u) and 2009 Wisconsin Act 28, section

15

9103 (3f).

16

**SECTION 377.** 20.115 (7) (br) of the statutes is repealed.

17

**SECTION 379.** 20.115 (7) (tb) of the statutes is repealed.

18

**SECTION 382.** 20.115 (7) (va) of the statutes is amended to read:

19

20.115 (7) (va) *Clean sweep grants.* From the recycling and renewable energy

20

environmental fund, the amounts in the schedule for chemical and container

1 collection grants under s. 93.55 and for household hazardous waste grants under s.  
2 93.57.

3 **SECTION 384.** 20.143 (intro.) of the statutes is repealed.

4 **SECTION 385.** 20.143 (1) (title) of the statutes is repealed.

5 **SECTION 386.** 20.143 (1) (a) of the statutes is repealed.

6 **SECTION 387.** 20.143 (1) (b) of the statutes is repealed.

7 **SECTION 388.** 20.143 (1) (bk) of the statutes is repealed.

8 **SECTION 389.** 20.143 (1) (bt) of the statutes is repealed.

9 **SECTION 390.** 20.143 (1) (c) of the statutes is repealed.

10 **SECTION 391.** 20.143 (1) (cf) of the statutes is repealed.

11 **SECTION 392.** 20.143 (1) (d) of the statutes is repealed.

12 **SECTION 393.** 20.143 (1) (dr) of the statutes is repealed.

13 **SECTION 394.** 20.143 (1) (e) of the statutes is repealed.

14 **SECTION 395.** 20.143 (1) (em) of the statutes is repealed.

15 **SECTION 396.** 20.143 (1) (er) of the statutes is repealed.

16 **SECTION 397.** 20.143 (1) (ew) of the statutes is repealed.

17 **SECTION 398.** 20.143 (1) (fi) of the statutes is repealed.

18 **SECTION 399.** 20.143 (1) (fj) of the statutes is repealed.

19 **SECTION 400m.** 20.143 (1) (fw) of the statutes is repealed.

20 **SECTION 401.** 20.143 (1) (fy) of the statutes is repealed.

21 **SECTION 402.** 20.143 (1) (g) of the statutes is repealed.

22 **SECTION 403.** 20.143 (1) (gc) of the statutes is repealed.

23 **SECTION 404.** 20.143 (1) (gh) of the statutes is repealed.

24 **SECTION 405.** 20.143 (1) (gm) of the statutes is repealed.

1           **SECTION 406.** 20.143 (1) (gr) of the statutes is renumbered 20.505 (1) (gr) and  
2 amended to read:

3           20.505 (1) (gr) ~~Woman-owned~~ Disabled veteran-owned, woman-owned, and  
4 minority business certification processing fees. All moneys received from processing  
5 fees collected under s. 16.283 (3) (c) for the costs of certifying disabled veteran-owned  
6 businesses under s. 16.283; all moneys received from fees collected under s. 560.035  
7 16.285 (1) (bm), for the costs of certifying woman-owned businesses under s. 560.035  
8 (1) 6.285; and all moneys received from fees collected under s. 16.287 (2) (dm) for the  
9 costs of certifying minority businesses under s. 16.287.

10           **SECTION 407.** 20.143 (1) (gv) of the statutes is repealed.

11           **SECTION 408.** 20.143 (1) (h) of the statutes is repealed.

12           **SECTION 409.** 20.143 (1) (hm) of the statutes is repealed.

13           **SECTION 410.** 20.143 (1) (hr) of the statutes is repealed.

14           **SECTION 411.** 20.143 (1) (ie) of the statutes is repealed.

15           **SECTION 412.** 20.143 (1) (ig) of the statutes is repealed.

16           **SECTION 413m.** 20.143 (1) (im) of the statutes is repealed.

17           **SECTION 414.** 20.143 (1) (io) of the statutes is repealed.

18           **SECTION 415.** 20.143 (1) (ir) of the statutes is repealed.

19           **SECTION 416.** 20.143 (1) (jp) of the statutes is repealed.

20           **SECTION 417.** 20.143 (1) (k) of the statutes is repealed.

21           **SECTION 418.** 20.143 (1) (ka) of the statutes is repealed.

22           **SECTION 419.** 20.143 (1) (kb) of the statutes is repealed.

23           **SECTION 420.** 20.143 (1) (kc) of the statutes is repealed.

24           **SECTION 421m.** 20.143 (1) (kf) of the statutes is renumbered 20.505 (1) (kx) and  
25 amended to read:



1           20.505 (1) (kx) *American Indian economic development; technical assistance.*

2           The amounts in the schedule for grants under s. ~~560.875~~ 16.29 (1). All moneys  
3           transferred from the appropriation account under s. ~~20.505 sub.~~ (8) (hm) ~~6f.~~ 19m.  
4           shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the  
5           unencumbered balance on June 30 of each year shall revert to the appropriation  
6           account under s. ~~20.505 sub.~~ (8) (hm).

7           **SECTION 422.** 20.143 (1) (kg) of the statutes is repealed.

8           **SECTION 423.** 20.143 (1) (kh) of the statutes is repealed.

9           **SECTION 424.** 20.143 (1) (kj) of the statutes is repealed.

10          **SECTION 425.** 20.143 (1) (kt) of the statutes is repealed.

11          **SECTION 426.** 20.143 (1) (m) of the statutes is repealed.

12          **SECTION 427.** 20.143 (1) (mr) of the statutes is repealed.

13          **SECTION 428.** 20.143 (1) (n) of the statutes is repealed.

14          **SECTION 429.** 20.143 (1) (o) of the statutes is repealed.

15          **SECTION 430.** 20.143 (1) (qa) of the statutes is repealed.

16          **SECTION 431.** 20.143 (1) (qm) of the statutes is repealed.

17          **SECTION 432.** 20.143 (1) (tm) of the statutes is repealed.

18          **SECTION 433.** 20.143 (1) (um) of the statutes is repealed.

19          **SECTION 434.** 20.143 (2) (title) of the statutes is repealed.

20          **SECTION 435m.** 20.143 (2) (a) of the statutes is renumbered 20.505 (7) (a) and  
21          amended to read:

22                 20.505 (7) (a) *General program operations.* The amounts in the schedule for  
23          general program operations under subch. ~~X~~ of ch. ~~560~~ ss. 16.301 to 16.315.

24          **SECTION 436m.** 20.143 (2) (b) of the statutes is renumbered 20.505 (7) (b) and  
25          amended to read:

1           20.505 (7) (b) *Housing grants and loans; general purpose revenue.* Biennially,  
2 the amounts in the schedule for grants and loans under s. ~~560.9803, 16.303~~ and for  
3 grants under s. ~~560.9805 and 2009 Wisconsin Act 28, section 9110 (12u)~~, and for the  
4 ~~grant under 2009 Wisconsin Act 2, section 9110 (1)~~ 16.305.

5           **SECTION 437m.** 20.143 (2) (c) of the statutes is renumbered 20.505 (7) (c) and  
6 amended to read:

7           20.505 (7) (c) *Payments to designated agents.* The amounts in the schedule for  
8 payments for services provided by agents designated under s. ~~560.9804~~ 16.304 (2),  
9 in accordance with agreements entered into under s. ~~560.9804~~ 16.304 (1).

10           **SECTION 438m.** 20.143 (2) (fm) of the statutes is renumbered 20.505 (7) (fm)  
11 and amended to read:

12           20.505 (7) (fm) *Shelter for homeless and transitional housing grants.*  
13 Biennially, the amounts in the schedule for transitional housing grants under s.  
14 ~~560.9806~~ 16.306 and for grants to agencies and shelter facilities for homeless  
15 individuals and families as provided under s. ~~560.9808~~ 16.308. Notwithstanding ss.  
16 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years  
17 under this paragraph.

18           **SECTION 439m.** 20.143 (2) (fr) of the statutes is renumbered 20.505 (7) (fr) and  
19 amended to read:

20           20.505 (7) (fr) *Mental health for homeless individuals.* The amounts in the  
21 schedule for mental health services for homeless individuals under s. ~~560.9811~~  
22 16.311.

23           **SECTION 440m.** 20.143 (2) (gg) of the statutes is renumbered 20.505 (7) (gg).

24           **SECTION 441m.** 20.143 (2) (h) of the statutes is renumbered 20.505 (7) (h) and  
25 amended to read:

1           20.505 (7) (h) *Funding for the homeless.* All moneys received from interest on  
2 real estate trust accounts under s. 452.13 for grants under s. ~~560.9807~~ 16.307, and  
3 all moneys received under s. 704.05 (5) (a) 2., for grants to agencies and shelter  
4 facilities for homeless individuals and families under s. ~~560.9808~~ 16.308 (2) (a) and  
5 (b).

6           **SECTION 442m.** 20.143 (2) (k) of the statutes is renumbered 20.505 (7) (k) and  
7 amended to read:

8           20.505 (7) (k) *Sale of materials or services.* All moneys received from the sale  
9 of materials or services related to housing assistance under ~~subch. X of ch. 560 ss.~~  
10 16.301 to 16.315 to the department or other state agencies, for the purpose of  
11 providing those materials and services.

12           **SECTION 443m.** 20.143 (2) (kg) of the statutes is renumbered 20.505 (7) (kg).

13           **SECTION 444m.** 20.143 (2) (m) of the statutes is renumbered 20.505 (7) (m) and  
14 amended to read:

15           20.505 (7) (m) *Federal aid; state operations.* All moneys received from the  
16 federal government for state operations related to housing assistance under ~~subch.~~  
17 ~~X of ch. 560 ss.~~ 16.301 to 16.315, as authorized by the governor under s. 16.54, for the  
18 purposes of state operations.

19           **SECTION 445m.** 20.143 (2) (n) of the statutes is renumbered 20.505 (7) (n) and  
20 amended to read:

21           20.505 (7) (n) *Federal aid; local assistance.* All moneys received from the  
22 federal government for local assistance related to housing assistance under ~~subch.~~  
23 ~~X of ch. 560 ss.~~ 16.301 to 16.315, as authorized by the governor under s. 16.54, for the  
24 purposes of providing local assistance.

1           **SECTION 446m.** 20.143 (2) (o) of the statutes is renumbered 20.505 (7) (o) and  
2 amended to read:

3           20.505 (7) (o) *Federal aid; individuals and organizations.* All moneys received  
4 from the federal government for aids to individuals and organizations related to  
5 housing assistance under ~~subch. X of ch. 560~~ ss. 16.301 to 16.315, as authorized by  
6 the governor under s. 16.54, for the purpose of providing aids to individuals and  
7 organizations.

8           **SECTION 447.** 20.143 (3) (title) of the statutes is renumbered 20.165 (2) (title).

9           **SECTION 448d.** 20.143 (3) (a) of the statutes is renumbered 20.165 (2) (a) and  
10 amended to read:

11           20.165 (2) (a) *General program operations.* The amounts in the schedule for  
12 general program operations relating to the regulation of industry, buildings, and  
13 safety under chs. 101, 107, 145, and 168 and ss. ~~32.19 to 32.27~~, 167.10, and 167.27.

14           **SECTION 449.** 20.143 (3) (de) of the statutes is renumbered 20.165 (2) (de).

15           **SECTION 450.** 20.143 (3) (dm) of the statutes is renumbered 20.165 (2) (dm).

16           **SECTION 451.** 20.143 (3) (g) of the statutes is renumbered 20.165 (2) (g) and  
17 amended to read:

18           20.165 (2) (g) *Gifts and grants.* All moneys received as gifts or grants relating  
19 to the regulation of industry, buildings, and safety to carry out the purposes for which  
20 made.

21           **SECTION 452.** 20.143 (3) (ga) of the statutes is renumbered 20.165 (2) (ga).

22           **SECTION 453.** 20.143 (3) (gb) of the statutes is renumbered 20.165 (2) (gb) and  
23 amended to read:

24           20.165 (2) (gb) *Local agreements.* All moneys received through contracts or  
25 financial agreements for provision of services to local units of government or local

1 organizations relating to the regulation of industry, buildings, and safety, for the  
2 purpose of providing the services.

3 **SECTION 454.** 20.143 (3) (h) of the statutes is renumbered 20.165 (2) (h).

4 **SECTION 455.** 20.143 (3) (j) of the statutes is renumbered 20.165 (2) (j) and  
5 amended to read:

6 20.165 (2) (j) *Safety and building operations.* The amounts in the schedule for  
7 the purposes of chs. 101, 145, and 168 and ss. 167.35, 236.12 (2) (a), 236.13 (1) (d) and  
8 (2m), and 236.335, for the purpose of transferring the amounts in the schedule under  
9 par. (kg) to the appropriation account under par. (kg), and for the purpose of  
10 transferring the amounts in the schedule under par. (km) to the appropriation  
11 account under par. (km). All moneys received under ch. 145, ss. ~~101.136 (6) (b),~~  
12 101.177 (4) (a) 4., 101.178, 101.19, 101.63 (9), 101.654 (3), 101.73 (12), 101.82 (4),  
13 101.955 (2), 101.973 (7), 167.35 (2) (f), and 236.12 (7), ~~except moneys received under~~  
14 ~~s. 101.9208 (2m),~~ and all moneys transferred under 2005 Wisconsin Act 45, section  
15 76 (6), shall be credited to this appropriation.

16 **SECTION 456.** 20.143 (3) (ka) of the statutes is renumbered 20.165 (2) (ka) and  
17 amended to read:

18 20.165 (2) (ka) *Interagency agreements.* All moneys received through contracts  
19 or financial agreements for provision of services to other state agencies relating to  
20 the regulation of industry, buildings, and safety, except moneys appropriated under  
21 par. (ks) or sub. (4) ~~(1)~~ (kd), for the purpose of providing the services.

22 **SECTION 457.** 20.143 (3) (kg) of the statutes is renumbered 20.165 (2) (kg).

23 **SECTION 458.** 20.143 (3) (km) of the statutes is renumbered 20.165 (2) (km).

24 **SECTION 459.** 20.143 (3) (ks) of the statutes is renumbered 20.165 (2) (ks) and  
25 amended to read:

1           20.165 (2) (ks) *Data processing*. All moneys received from data processing  
2 services provided internally relating to the regulation of industry, buildings, and  
3 safety to be used to meet the costs associated with the services.

4           **SECTION 460.** 20.143 (3) (L) of the statutes is renumbered 20.165 (2) (L).

5           **SECTION 461.** 20.143 (3) (La) of the statutes is renumbered 20.165 (2) (La).

6           **SECTION 462.** 20.143 (3) (Lm) of the statutes is renumbered 20.165 (2) (Lm).

7           **SECTION 463.** 20.143 (3) (m) of the statutes is renumbered 20.165 (2) (m) and  
8 amended to read:

9           20.165 (2) (m) *Federal funds*. All federal moneys received as authorized under  
10 s. 16.54 relating to the regulation of industry, buildings, and safety, except as  
11 otherwise appropriated under this subsection, for the purposes of the programs  
12 administered by the department.

13           **SECTION 464.** 20.143 (3) (ma) of the statutes is renumbered 20.165 (2) (ma).

14           **SECTION 465.** 20.143 (3) (pz) of the statutes is renumbered 20.165 (2) (pz) and  
15 amended to read:

16           20.165 (2) (pz) *Indirect cost reimbursements*. All moneys received from the  
17 federal government relating to the regulation of industry, buildings, and safety, as  
18 reimbursement of indirect costs of grants and contracts for the purposes authorized  
19 in s. 16.54 (9) (b).

20           **SECTION 466.** 20.143 (3) (q) of the statutes is renumbered 20.165 (2) (q).

21           **SECTION 467.** 20.143 (3) (r) of the statutes is renumbered 20.165 (2) (r).

22           **SECTION 468.** 20.143 (3) (s) of the statutes is renumbered 20.165 (2) (s).

23           **SECTION 469.** 20.143 (3) (sm) of the statutes is renumbered 20.165 (2) (sm) and  
24 amended to read:

1           20.165 (2) (sm) *Diesel truck idling reduction grants.* From the petroleum  
2 inspection fund, the amounts in the schedule for diesel truck idling reduction grants  
3 under s. ~~560.125~~ 101.45. No funds may be encumbered under this paragraph after  
4 June 30, 2015.

5           **SECTION 470.** 20.143 (3) (sn) of the statutes is renumbered 20.165 (2) (sn) and  
6 amended to read:

7           20.165 (2) (sn) *Diesel truck idling reduction grant administration.* From the  
8 petroleum inspection fund, the amounts in the schedule for administering the Diesel  
9 Truck Idling Reduction Grant Program under s. ~~560.125~~ 101.45. No funds may be  
10 encumbered under this paragraph after December 31, 2016.

11           **SECTION 471.** 20.143 (3) (t) of the statutes is renumbered 20.165 (2) (t).

12           **SECTION 472.** 20.143 (3) (u) of the statutes is renumbered 20.165 (2) (u).

13           **SECTION 473.** 20.143 (3) (v) of the statutes is renumbered 20.165 (2) (v).

14           **SECTION 474.** 20.143 (3) (vb) of the statutes is renumbered 20.165 (2) (vb).

15           **SECTION 475.** 20.143 (3) (vm) of the statutes is renumbered 20.165 (2) (vm).

16           **SECTION 476.** 20.143 (3) (w) of the statutes is renumbered 20.165 (2) (w).

17           **SECTION 477.** 20.143 (4) (title) of the statutes is repealed.

18           **SECTION 478.** 20.143 (4) (a) of the statutes is renumbered 20.165 (1) (a), and  
19 20.165 (1) (a) (title), as renumbered, is amended to read:

20           20.165 (1) (a) (title) *General program operations — executive and*  
21 *administrative services.*

22           **SECTION 479.** 20.143 (4) (g) of the statutes is repealed.

23           **SECTION 480.** 20.143 (4) (k) of the statutes is renumbered 20.165 (1) (kc).

24           **SECTION 481.** 20.143 (4) (ka) of the statutes is renumbered 20.165 (1) (ka).

25           **SECTION 482.** 20.143 (4) (kb) of the statutes is renumbered 20.165 (1) (kb).

1           **SECTION 483.** 20.143 (4) (kd) of the statutes is renumbered 20.165 (1) (kd) and  
2 amended to read:

3           20.165 (1) (kd) *Administrative services.* The amounts in the schedule for  
4 administrative and support services for programs administered by the department.  
5 All moneys received by the department from the department, except for moneys  
6 directed to be deposited under pars. ~~(k)~~, (ka) and, ~~(kb)~~, and (kc) and subs. ~~(1) (k)~~, ~~(ka)~~  
7 ~~and (kb)~~ and ~~(3) sub. (2)~~ (ks), as payment for administrative and support services for  
8 programs administered by the department shall be credited to this appropriation.

9           **SECTION 484.** 20.143 (4) (ke) of the statutes is renumbered 20.165 (1) (ke).

10          **SECTION 485.** 20.143 (4) (m) of the statutes is repealed.

11          **SECTION 486.** 20.143 (4) (n) of the statutes is renumbered 20.165 (1) (n).

12          **SECTION 487.** 20.143 (4) (o) of the statutes is renumbered 20.165 (1) (o).

13          **SECTION 488.** 20.143 (4) (pz) of the statutes is renumbered 20.165 (1) (pz).

14          **SECTION 489.** 20.144 (intro.) of the statutes is amended to read:

15          **20.144 Financial institutions, department of.** (intro.) There is  
16 appropriated to the department of financial institutions for the following programs  
17 program:

18          **SECTION 490.** 20.144 (1) (g) of the statutes is amended to read:

19          20.144 (1) (g) *General program operations.* The amounts in the schedule for  
20 the general program operations of the department of financial institutions. Except  
21 as provided in pars. (a), (h), (i), (j), and (u), all moneys received by the department,  
22 other than by the office of credit unions and the division of banking, and 88% of all  
23 moneys received by the office of credit unions and the department's division of  
24 banking shall be credited to this appropriation, but any balance at the close of a fiscal  
25 year under this appropriation shall lapse to the general fund. Annually, \$200,000



1     \$325,000 of the amounts received under this appropriation account shall be  
2 transferred to the appropriation account under s. 20.575 (1) (g).

3     **SECTION 491.** 20.144 (2) (title) and (g) of the statutes are repealed.

4     **SECTION 492.** 20.144 (2) (m) of the statutes is renumbered 20.144 (1) (m).

5     **SECTION 493.** 20.145 (1) (g) (intro.) of the statutes is amended to read:

6     20.145 (1) (g) (intro.) *General program operations.* The amounts in the  
7 schedule for general program operations, including organizational support services  
8 and oversight of care management organizations, and for transferring to the  
9 appropriation account under s. 20.435 (4) (kv) the amount allocated by the  
10 commissioner of insurance. Notwithstanding s. 20.001 (3) (a), at the end of each  
11 fiscal year, the unencumbered balance in this appropriation account that exceeds 10  
12 percent of that fiscal year's expenditure under this appropriation shall lapse to the  
13 general fund. All of the following shall be credited to this appropriation account:

14     **SECTION 493c.** 20.145 (1) (g) 1. of the statutes is amended to read:

15     20.145 (1) (g) 1. ~~Ninety percent of all~~ All moneys received under ss. 601.31,  
16 601.32, 601.42 (7), 601.45, and 601.47 and by the commissioner for expenses related  
17 to insurance company restructurings, except for restructurings specified in par. (h).

18     **SECTION 494.** 20.165 (intro.) of the statutes is amended to read:

19     **20.165 ~~Regulation and licensing~~ Safety and professional services,**  
20 **department of.** (intro.) There is appropriated to the department of ~~regulation and~~  
21 ~~licensing~~ safety and professional services for the following programs:

22     **SECTION 495.** 20.165 (1) (title) of the statutes is amended to read:

23     20.165 (1) (title) PROFESSIONAL REGULATION AND ADMINISTRATIVE SERVICES.

24     **SECTION 496m.** 20.165 (1) (gk) of the statutes is created to read:

1           20.165 (1) (gk) *Bail bond sureties and agents.* The amounts in the schedule for  
2 administration of surety bail bond corporation and agent licenses under subch. XV  
3 of ch. 440. All moneys received from fees collected under ss. 440.9993 (1) (b) and (2)  
4 (b) and 440.9994 (1) shall be credited to this appropriation account.

5           **SECTION 499.** 20.192 (1) (k) of the statutes, as created by 2011 Wisconsin Act  
6 7, is amended to read:

7           20.192 (1) (k) *Transferred general fund moneys from department of commerce.*  
8 All moneys transferred under 2011 Wisconsin Act 7, section 9155 (2), and 2011  
9 Wisconsin Act ... (this act), section 9210 (2), for the operations of the Wisconsin  
10 Economic Development Corporation and for funding economic development  
11 programs developed and implemented under s. 238.03.

12           **SECTION 500.** 20.192 (1) (m) of the statutes, as created by 2011 Wisconsin Act  
13 7, is amended to read:

14           20.192 (1) (m) *Federal aid; programs.* All moneys received from the federal  
15 government as authorized by the governor under s. 16.54 and all moneys transferred  
16 under 2011 Wisconsin Act ... (this act), section 9210 (3), for the purposes of funding  
17 programs administered by the Wisconsin Economic Development Corporation.

18           **SECTION 501.** 20.192 (1) (r) of the statutes is created to read:

19           20.192 (1) (r) *Economic development fund; programs.* From the economic  
20 development fund, as a continuing appropriation, the amounts in the schedule for  
21 funding economic development programs administered by the Wisconsin Economic  
22 Development Corporation.

23           **SECTION 501c.** 20.192 (1) (s) of the statutes is created to read:

1           20.192 (1) (s) *Brownfield site assessment grants.* Biennially, from the  
2 environmental fund, the amounts in the schedule for brownfield site assessment  
3 grants under s. 238.133.

4           **SECTION 502.** 20.215 (intro.) of the statutes is repealed.

5           **SECTION 503.** 20.215 (1) (title) of the statutes is renumbered 20.380 (3) (title).

6           **SECTION 504.** 20.215 (1) (a) of the statutes is renumbered 20.380 (3) (a) and  
7 amended to read:

8           20.380 (3) (a) *General program operations.* The amounts in the schedule for  
9 general program operations of the arts board.

10          **SECTION 505.** 20.215 (1) (b) of the statutes is renumbered 20.380 (3) (b) and  
11 amended to read:

12          20.380 (3) (b) *State aid for the arts.* The amounts in the schedule for  
13 grants-in-aid or contract payments to groups, individuals, organizations and  
14 institutions by the arts board under s. 44.53 41.53 (1) (f) and (2) (a), and for grants  
15 and loans related to arts incubators under s. 44.60 ~~and for the grant under 1999~~  
16 ~~Wisconsin Act 9, section 9105 (1c)~~ 41.60.

17          **SECTION 506.** 20.215 (1) (c) of the statutes is renumbered 20.380 (3) (c) and  
18 amended to read:

19          20.380 (3) (c) *Portraits of governors.* The amounts in the schedule to pay for  
20 costs associated with the selection and purchase of portraits of governors under s.  
21 44.53 41.53 (1) (g).

22          **SECTION 507.** 20.215 (1) (d) of the statutes is renumbered 20.380 (3) (d) and  
23 amended to read:

24          20.380 (3) (d) *Challenge grant program.* The amounts in the schedule for  
25 challenge grants under ss. 44.53 41.53 (1) (i) and 44.565 41.565.

1           **SECTION 508.** 20.215 (1) (e) of the statutes is renumbered 20.380 (3) (e) and  
2 amended to read:

3           20.380 (3) (e) *High Point fund.* The amounts in the schedule for a grant to the  
4 Milwaukee Foundation, Inc., for deposit in the High Point fund under s. ~~44.53~~ 41.53  
5 (1) (j).

6           **SECTION 509.** 20.215 (1) (f) of the statutes is renumbered 20.380 (3) (f) and  
7 amended to read:

8           20.380 (3) (f) *Wisconsin regranting program.* The amounts in the schedule for  
9 grants under s. ~~44.62~~ 41.62.

10          **SECTION 510.** 20.215 (1) (g) of the statutes is renumbered 20.380 (3) (g) and  
11 amended to read:

12          20.380 (3) (g) *Gifts and grants; state operations.* All moneys received by the arts  
13 board as gifts and grants for expenses other than aids, to be used for the purposes  
14 for which made.

15          **SECTION 511.** 20.215 (1) (h) of the statutes is renumbered 20.380 (3) (h) and  
16 amended to read:

17          20.380 (3) (h) *Gifts and grants; aids to individuals and organizations.* All  
18 moneys received by the arts board as gifts and grants for the purpose of providing  
19 aids to individuals and organizations, to be used for the purposes for which made.

20          **SECTION 512.** 20.215 (1) (j) of the statutes is renumbered 20.380 (3) (j) and  
21 amended to read:

22          20.380 (3) (j) *Support of arts programs.* All moneys received by the arts board  
23 from the Wisconsin Artistic Endowment Foundation under s. 247.06 (1) (a) for  
24 operating support of arts organizations and for grants under the Wisconsin  
25 regranting program under s. ~~44.62~~ 41.62.

1           **SECTION 513.** 20.215 (1) (k) of the statutes is repealed.

2           **SECTION 514.** 20.215 (1) (ka) of the statutes is repealed.

3           **SECTION 515.** 20.215 (1) (km) of the statutes is renumbered 20.380 (3) (km) and  
4 amended to read:

5           20.380 (3) (km) *State aid for the arts; Indian gaming receipts.* The amounts in  
6 the schedule for grants-in-aid or contract payments to American Indian groups,  
7 individuals, organizations, and institutions under s. ~~44.53~~ 41.53 (1) (fm) and (2) (am).  
8 All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 4b.  
9 shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the  
10 unencumbered balance on June 30 of each year shall revert to the appropriation  
11 account under s. 20.505 (8) (hm).

12           **SECTION 516.** 20.215 (1) (m) of the statutes is renumbered 20.380 (3) (m) and  
13 amended to read:

14           20.380 (3) (m) *Federal grants; state operations.* All moneys received by the arts  
15 board from the federal government for expenses other than aids, to be used for the  
16 purposes for which made.

17           **SECTION 517.** 20.215 (1) (o) of the statutes is renumbered 20.380 (3) (o) and  
18 amended to read:

19           20.380 (3) (o) *Federal grants; aids to individuals and organizations.* All  
20 moneys received by the arts board from the federal government for the purpose of  
21 providing aids to individuals and organizations, to be used for the purposes for which  
22 made.

23           **SECTION 518.** 20.235 (1) (fe) of the statutes is amended to read:

24           20.235 (1) (fe) *Wisconsin higher education grants; University of Wisconsin*  
25 *System students.* A sum sufficient equal to ~~\$37,750,000~~ \$58,345,400 in the 2009–10

1 2011–12 fiscal year, equal to \$58,345,400 in the ~~2010–11~~ 2012–13 fiscal year, and  
2 equal to the amount calculated under s. 39.435 (7) for the Wisconsin higher education  
3 grant program under s. 39.435 for University of Wisconsin System students, except  
4 for grants awarded under s. 39.435 (2) or (5), thereafter.

5 **SECTION 520.** 20.255 (1) (e) of the statutes is created to read:

6 20.255 (1) (e) *Student information system.* Biennially, the amounts in the  
7 schedule for the student information system under s. 115.28 (12).

8 **SECTION 521.** 20.255 (1) (gh) of the statutes is repealed.

9 **SECTION 522.** 20.255 (1) (hf) of the statutes is repealed.

10 **SECTION 522m.** 20.255 (1) (j) of the statutes is amended to read:

11 20.255 (1) (j) *Milwaukee Parental Choice Program and choice programs in*  
12 *other eligible school districts; financial audits.* All moneys received under s. ~~ss.~~  
13 118.60 (2) (a) 3. and 119.23 (2) (a) 3. to be used to evaluate the financial information  
14 submitted under s. 119.23 (7) (am) and (d) 2. and 3. by private schools participating  
15 in the Milwaukee Parental Choice Program and under s. 118.60 (7) (am) and (d) 2.  
16 and 3. by private schools participating in the choice program under s. 118.60.

17 **SECTION 523.** 20.255 (1) (kd) of the statutes is amended to read:

18 20.255 (1) (kd) *Alcohol and other drug abuse program.* The amounts in the  
19 schedule for the purpose of s. 115.36 (2) and the administration of s. 115.36 (3). All  
20 moneys transferred from the appropriation account under s. 20.455 (2) (i) 4. shall be  
21 credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the  
22 unencumbered balance on June 30 of each year shall be transferred to the  
23 appropriation account under s. 20.455 (2) (i).

24 **SECTION 524.** 20.255 (1) (q) of the statutes is repealed.

25 **SECTION 525g.** 20.255 (2) (ap) of the statutes is created to read:

1           20.255 (2) (ap) *Per pupil adjustment aid*. The amounts in the schedule for  
2 payments under 2011 Wisconsin Act .... (this act), section 9137 (3r). No moneys may  
3 be encumbered from this appropriation after June 30, 2013.

4           **SECTION 525r.** 20.255 (2) (ar) of the statutes is created to read:

5           20.255 (2) (ar) *Low revenue adjustment aid*. The amounts in the schedule for  
6 payments under 2011 Wisconsin Act .... (this act), section 9137 (3q). No moneys may  
7 be encumbered from this appropriation after June 30, 2012.

8           **SECTION 527.** 20.255 (2) (ce) of the statutes is repealed.

9           **SECTION 530.** 20.255 (2) (de) of the statutes is repealed.

10          **SECTION 531.** 20.255 (2) (df) of the statutes is repealed.

11          **SECTION 532.** 20.255 (2) (dL) of the statutes is repealed.

12          **SECTION 533.** 20.255 (2) (dm) of the statutes is repealed.

13          **SECTION 534.** 20.255 (2) (do) of the statutes is repealed.

14          **SECTION 535.** 20.255 (2) (er) of the statutes is repealed.

15          **SECTION 536.** 20.255 (2) (es) of the statutes is repealed.

16          **SECTION 537m.** 20.255 (2) (fr) of the statutes is created to read:

17           20.255 (2) (fr) *Parental choice program for eligible school districts*. A sum  
18 sufficient to make the payments to private schools under s. 118.60 (4) and (4m).

19          **SECTION 537v.** 20.255 (2) (fv) of the statutes is amended to read:

20           20.255 (2) (fv) *Milwaukee Parental Choice Program and choice programs in*  
21 *other eligible school districts; transfer pupils*. A sum sufficient to make the payments  
22 under s. ss. 118.60 (4r) and 119.23 (4r).

23          **SECTION 538.** 20.255 (2) (fw) of the statutes is repealed.

24          **SECTION 539.** 20.255 (2) (fz) of the statutes is repealed.

25          **SECTION 540.** 20.255 (2) (kd) of the statutes is amended to read:

1           20.255 (2) (kd) *Aid for alcohol and other drug abuse programs.* The amounts  
2 in the schedule for the purpose of s. 115.36 (3). All moneys transferred from the  
3 appropriation account under s. 20.455 (2) (i) 5. shall be credited to this appropriation  
4 account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30  
5 of each year shall be transferred to the appropriation account under s. 20.455 (2) (i).

6           **SECTION 541.** 20.255 (2) (kg) of the statutes is repealed.

7           **SECTION 541c.** 20.285 (intro.) of the statutes is amended to read:

8           **20.285 University of Wisconsin System.** (intro.) There is appropriated to  
9 the board of regents of the University of Wisconsin System for the following program  
10 programs:

11           **SECTION 541e.** 20.285 (1) (a) of the statutes is amended to read:

12           20.285 (1) (a) *General program operations.* The amounts in the schedule for  
13 the purpose of educational programs and related programs. ~~Any transfers between~~  
14 ~~the instruction, research, public service, libraries, learning resources and media,~~  
15 ~~farm operations, student services, auxiliary enterprises, physical plant or general~~  
16 ~~operations and services subprograms shall be reported quarterly to the department~~  
17 ~~of administration.~~ The board of regents may not encumber amounts appropriated  
18 under this paragraph for groundwater research without the approval of the  
19 secretary of administration.

20           **SECTION 541v.** 20.285 (1) (ab) of the statutes is repealed.

21           **SECTION 542b.** 20.285 (1) (am) of the statutes is repealed.

22           **SECTION 542n.** 20.285 (1) (as) of the statutes is repealed.

23           **SECTION 543g.** 20.285 (1) (b) of the statutes is repealed.

24           **SECTION 543r.** 20.285 (1) (bm) of the statutes is repealed.

25           **SECTION 544b.** 20.285 (1) (c) of the statutes is repealed.



1           **SECTION 544p.** 20.285 (1) (cd) of the statutes is repealed.

2           **SECTION 545g.** 20.285 (1) (cm) of the statutes is repealed.

3           **SECTION 545p.** 20.285 (1) (d) of the statutes is renumbered 20.285 (1) (d) (intro.)  
4 and amended to read:

5           20.285 (1) (d) *Principal repayment and interest.* (intro.) A sum sufficient to  
6 reimburse do all of the following:

7           1. Reimburse s. 20.866 (1) (u) for the payment of principal and interest costs  
8 incurred in financing the acquisition, construction, development, enlargement, or  
9 improvement of university academic facilities ~~and to make.~~

10          3. Make payments under an agreement or ancillary arrangement entered into  
11 under s. 18.06 (8) (a).

12          **SECTION 545v.** 20.285 (1) (d) 2. of the statutes is created to read:

13          20.285 (1) (d) 2. Reimburse s. 20.866 (1) (u) for any amounts advanced to meet  
14 principal and interest costs on self-amortizing university facilities whenever the  
15 amount appropriated under par. (gj) is insufficient, as determined by the department  
16 of administration, to make such reimbursement.

17          **SECTION 546g.** 20.285 (1) (da) of the statutes is repealed.

18          **SECTION 546r.** 20.285 (1) (db) of the statutes is repealed.

19          **SECTION 546v.** 20.285 (1) (eb) of the statutes is repealed.

20          **SECTION 547g.** 20.285 (1) (em) of the statutes is repealed.

21          **SECTION 547p.** 20.285 (1) (eo) of the statutes is repealed.

22          **SECTION 548g.** 20.285 (1) (ep) of the statutes is repealed.

23          **SECTION 548n.** 20.285 (1) (er) of the statutes is repealed.

24          **SECTION 548v.** 20.285 (1) (fc) of the statutes is repealed.

25          **SECTION 549g.** 20.285 (1) (fm) of the statutes is repealed.

1           **SECTION 549n.** 20.285 (1) (fs) of the statutes is repealed.

2           **SECTION 549p.** 20.285 (1) (ft) of the statutes is repealed.

3           **SECTION 550b.** 20.285 (1) (fx) of the statutes is repealed.

4           **SECTION 550g.** 20.285 (1) (g) of the statutes is repealed.

5           **SECTION 550gb.** 20.285 (1) (gb) of the statutes is created to read:

6           20.285 (1) (g) *General program operations.* All moneys received from the  
7 operation of educational programs and related programs to carry out the purposes  
8 for which received, including the transfer of funds to par. (gj). In each fiscal year, the  
9 Board of Regents shall transfer no more than \$20,338,500 from this appropriation  
10 account to the medical assistance trust fund.

11           **SECTION 550gd.** 20.285 (1) (ge) of the statutes is created to read:

12           20.285 (1) (g) *Gifts and nonfederal grants and contracts.* All moneys received  
13 as gifts, bequests, or devises or nonfederal grants or contracts to carry out the  
14 purposes for which received.

15           **SECTION 550gk.** 20.285 (1) (gj) of the statutes is created to read:

16           20.285 (1) (g) *Self-amortizing facilities principal and interest.* From revenues  
17 credited under par (gb), a sum sufficient to reimburse s. 20.866 (1) (u) for any  
18 amounts advanced to meet principal and interest costs on self-amortizing university  
19 facilities and to make payments under an agreement or ancillary arrangement  
20 entered into under s. 18.06 (8) (a). For projects authorized by the building  
21 commission on or after July 1, 2001, annually an amount equal to 40 percent of the  
22 principal and interest costs for maintenance of University of Wisconsin–Madison  
23 intercollegiate athletic facilities shall be paid from the appropriation under this  
24 paragraph.

25           **SECTION 550v.** 20.285 (1) (gm) of the statutes is repealed.

- 1           **SECTION 551g.** 20.285 (1) (gn) of the statutes is repealed.
- 2           **SECTION 552.** 20.285 (1) (gr) of the statutes is repealed.
- 3           **SECTION 553.** 20.285 (1) (gs) of the statutes is repealed.
- 4           **SECTION 554.** 20.285 (1) (h) of the statutes is repealed.
- 5           **SECTION 555.** 20.285 (1) (ha) of the statutes is repealed.
- 6           **SECTION 556.** 20.285 (1) (hm) of the statutes is repealed.
- 7           **SECTION 557.** 20.285 (1) (im) of the statutes is repealed.
- 8           **SECTION 558.** 20.285 (1) (in) of the statutes is repealed.
- 9           **SECTION 559.** 20.285 (1) (ip) of the statutes is repealed.
- 10          **SECTION 560.** 20.285 (1) (iz) of the statutes is repealed.
- 11          **SECTION 561.** 20.285 (1) (j) of the statutes is repealed.
- 12          **SECTION 562.** 20.285 (1) (ja) of the statutes is repealed.
- 13          **SECTION 563.** 20.285 (1) (jc) of the statutes is repealed.
- 14          **SECTION 564.** 20.285 (1) (jm) of the statutes is repealed.
- 15          **SECTION 565.** 20.285 (1) (jp) of the statutes is repealed.
- 16          **SECTION 566.** 20.285 (1) (jq) of the statutes is repealed.
- 17          **SECTION 568.** 20.285 (1) (ka) of the statutes is repealed.
- 18          **SECTION 569.** 20.285 (1) (kb) of the statutes is repealed.
- 19          **SECTION 570.** 20.285 (1) (kc) of the statutes is repealed.
- 20          **SECTION 571.** 20.285 (1) (kd) of the statutes is repealed.
- 21          **SECTION 572.** 20.285 (1) (ke) of the statutes is repealed.
- 22          **SECTION 573.** 20.285 (1) (kf) of the statutes is repealed.
- 23          **SECTION 574g.** 20.285 (1) (kj) of the statutes is repealed.
- 24          **SECTION 574rm.** 20.285 (1) (km) of the statutes is renumbered 20.867 (3) (km).
- 25          **SECTION 575b.** 20.285 (1) (kn) of the statutes is repealed.

1           **SECTION 575g.** 20.285 (1) (ko) of the statutes is repealed.

2           **SECTION 575p.** 20.285 (1) (kp) of the statutes is repealed.

3           **SECTION 575v.** 20.285 (1) (kr) of the statutes is repealed.

4           **SECTION 576g.** 20.285 (1) (ks) of the statutes is repealed.

5           **SECTION 576gm.** 20.285 (1) (Li) of the statutes is created to read:

6           20.285 (1) (Li) *General fund interest.* All interest earned in the general fund  
7 that is attributable to the appropriations under pars. (gb), (ge), (gj), and (k) for the  
8 purpose of the appropriation to which it is attributable.

9           **SECTION 576r.** 20.285 (1) (Lm) of the statutes is repealed.

10          **SECTION 577b.** 20.285 (1) (Ls) of the statutes is repealed.

11          **SECTION 577d.** 20.285 (1) (m) of the statutes is repealed and recreated to read:

12          20.285 (1) (m) *Federal aid.* All federal moneys received to carry out the  
13 purposes for which received.

14          **SECTION 577e.** 20.285 (1) (ma) of the statutes is repealed.

15          **SECTION 577g.** 20.285 (1) (n) of the statutes is repealed.

16          **SECTION 577m.** 20.285 (1) (rm) of the statutes is amended to read:

17          20.285 (1) (rm) *Environmental program grants and scholarships.* From ~~income~~  
18 ~~and interest in the normal school fund, the amounts in the schedule~~ all income and  
19 interest for grants and, scholarships, and environmental programs under s. 36.49.

20          **SECTION 577n.** 20.285 (1) (s) of the statutes is amended to read:

21          20.285 (1) (s) *Wisconsin Bioenergy Initiative.* From the ~~recycling and~~  
22 ~~renewable energy~~ environmental fund, the amounts in the schedule to support  
23 research under the Wisconsin Bioenergy Initiative into improved plant biomass,  
24 improved biomass processing, conversion of biomass into energy products,

1 development of a sustainable energy economy, and development of enabling  
2 technologies for bioenergy research.

3 **SECTION 577r.** 20.285 (1) (tb) of the statutes is amended to read:

4 20.285 (1) (tb) *Extension recycling education.* From the ~~recycling and~~  
5 ~~renewable energy~~ environmental fund, the amounts in the schedule for University  
6 of Wisconsin–Extension educational and technical assistance programs in recycling  
7 and recycling market development.

8 **SECTION 578.** 20.285 (1) (tm) of the statutes is amended to read:

9 20.285 (1) (tm) *Solid waste research and experiments.* From the ~~recycling and~~  
10 ~~renewable energy~~ environmental fund, the amounts in the schedule for research into  
11 alternative methods of solid waste management and for administering solid waste  
12 experiment centers.

13 **SECTION 579s.** 20.285 (2) (a) of the statutes is repealed.

14 **SECTION 580g.** 20.285 (2) (b) of the statutes is repealed.

15 **SECTION 580m.** 20.285 (2) (i) of the statutes is repealed.

16 **SECTION 581.** 20.285 (2) (j) of the statutes is amended to read:

17 20.285 (2) (j) Notwithstanding s. 20.001 (2) (c), annually, there shall lapse from  
18 the appropriation accounts under ss. 20.285 (1) (a), ~~(h)~~, and ~~(j)~~ (gb), and (ge) an  
19 amount equal to the amount spent during that fiscal year from the appropriation  
20 account under s. 20.455 (1) (b) for legal advice regarding public broadcasting by the  
21 University of Wisconsin System, as determined by the secretary of administration.

22 **SECTION 582g.** 20.285 (3) (iz) of the statutes is repealed.

23 **SECTION 582k.** 20.285 (3) (n) of the statutes is repealed.

24 **SECTION 582n.** 20.285 (4) of the statutes is repealed.

25 **SECTION 583.** 20.285 (5) of the statutes is repealed.

1           **SECTION 584.** 20.285 (6) of the statutes is repealed.

2           **SECTION 585.** 20.292 (1) (gm) of the statutes is amended to read:

3           20.292 (1) (gm) *Fire schools; state operations.* The amounts in the schedule for  
4 supervising and conducting schools for instruction in fire protection and prevention  
5 under s. 38.04 (9). All moneys transferred from s. ~~20.143 (3)~~ 20.165 (2) (L) to this  
6 appropriation shall be credited to this appropriation. Notwithstanding s. 20.001 (3)  
7 (a), at the end of each fiscal year the unencumbered balance in this appropriation  
8 shall revert to the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (L).

9           **SECTION 586.** 20.292 (1) (gr) of the statutes is amended to read:

10           20.292 (1) (gr) *Fire schools; local assistance.* The amounts in the schedule for  
11 district fire fighter training programs under s. 38.12 (9). All moneys transferred  
12 from s. ~~20.143 (3)~~ 20.165 (2) (L) to this appropriation shall be credited to this  
13 appropriation. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on  
14 June 30 of each year shall revert to the appropriation under s. ~~20.143 (3)~~ 20.165 (2)  
15 (L).

16           **SECTION 586b.** 20.370 (1) (cu) of the statutes is amended to read:

17           20.370 (1) (cu) *Forestry — forestry education curriculum.* ~~From the moneys~~  
18 ~~received as surcharges under s. 28.06 (2m), the~~ The amounts in the schedule for the  
19 development of a forestry education curriculum under s. 26.39 (2).

20           **SECTION 586d.** 20.370 (1) (cv) of the statutes is repealed.

21           **SECTION 586r.** 20.370 (1) (cy) of the statutes is amended to read:

22           20.370 (1) (cy) *Forestry — cooperating foresters and private contractors.* All  
23 moneys received under s. 28.05 (3) (c) for payment to cooperating foresters and  
24 private contractors to be used for those payments.

25           **SECTION 586t.** 20.370 (1) (fs) of the statutes is amended to read:

1           20.370 (1) (fs) *Endangered resources — voluntary payments; sales, leases, and*  
2 *fees.* As a continuing appropriation, from moneys received as amounts designated  
3 under ss. 71.10 (5) (b) and 71.30 (10) (b), the net amounts certified under ss. 71.10  
4 (5) (h) 4. and 71.30 (10) (h) 3., all moneys received from the sale or lease of resources  
5 derived from the land in the state natural areas system, and all moneys received from  
6 fees collected under ss. ~~23.27 (3) (b)~~, 29.319 (2), 29.563 (10), and 341.14 (6r) (b) 5. and  
7 12., for the purposes of the endangered resources program, as defined under ss. 71.10  
8 (5) (a) 2. and 71.30 (10) (a) 2. Three percent of the moneys certified under ss. 71.10  
9 (5) (h) 4. and 71.30 (10) (h) 3. in each fiscal year and 3% of the fees received under  
10 s. 341.14 (6r) (b) 5. and 12. in each fiscal year shall be allocated for wildlife damage  
11 control and payment of claims for damage associated with endangered or threatened  
12 species, except that this combined allocation may not exceed \$100,000 per fiscal year.

13           **SECTION 587.** 20.370 (1) (gr) of the statutes is amended to read:

14           20.370 (1) (gr) *Endangered resources program — gifts and grants; sale of state-*  
15 *owned lands.* All moneys received from gifts, grants and bequests for the endangered  
16 resources program, as defined under s. 71.10 (5) (a) 2., to be expended for the  
17 purposes for which made and received; and all moneys received from gifts and  
18 contributions under the Wisconsin natural areas heritage program and all moneys  
19 received from the sale of state-owned lands withdrawn from the state natural areas  
20 system for the purposes of natural heritage land acquisition activities, natural area  
21 land acquisition activities, and administration of the natural areas inventory  
22 program.

23           **SECTION 588.** 20.370 (1) (it) of the statutes is repealed.

24           **SECTION 589.** 20.370 (1) (mg) of the statutes is repealed.

25           **SECTION 589m.** 20.370 (1) (mu) of the statutes is amended to read:

1           20.370 (1) (mu) *General program operations — state funds.* The amounts in  
2 the schedule for general program operations that do not relate to the management  
3 and protection of the state’s fishery resources and that are conducted under ss. 23.09  
4 to 23.11, 27.01, 30.203, 30.277, and 90.21, and chs. 29 and 169, for activities  
5 conducted under the ecological inventory and monitoring program of the endangered  
6 resources program, as defined under s. 71.10 (5) (a) 2., for the aquatic and terrestrial  
7 resources inventory under s. 23.09 (2) (km), and for transfers payments of \$53,700  
8 in each fiscal year, to be credited to the appropriation account under s. 20.285 (1) (k),  
9 to the appropriation account under s. 20.285 (1) (kf) University of Wisconsin System  
10 for outdoor skills training under s. 29.598.

11           **SECTION 590.** 20.370 (2) (bg) of the statutes is amended to read:

12           20.370 (2) (bg) *Air management — stationary sources.* The amounts in the  
13 schedule for purposes related to stationary sources of air contaminants as specified  
14 in s. 285.69 (2) (c) ~~and to transfer the amounts appropriated under s. 20.143 (1) (ke)~~  
15 ~~to the appropriation account under s. 20.143 (1) (ke).~~ All moneys received from fees  
16 under s. 285.69 (2) (a) and (e), except moneys appropriated under subs. (3) (bg), (8)  
17 (mg) and (9) (mh), and all moneys received from fees imposed under s. 285.69 (7) shall  
18 be credited to this appropriation.

19           **SECTION 591.** 20.370 (2) (hq) of the statutes is amended to read:

20           20.370 (2) (hq) *Recycling; administration.* From the ~~recycling and renewable~~  
21 energy environmental fund, the amounts in the schedule for the administration of  
22 subch. II of ch. 287, other than ss. 287.21, and 287.23 and 287.25.

23           **SECTION 591b.** 20.370 (2) (hr) of the statutes is amended to read:



1           20.370 (2) (hr) *Electronic waste recycling*. From the ~~recycling and renewable~~  
2   energy environmental fund, all moneys received under s. 287.17 (4) and (10) (j) for  
3   administration of the electronic waste recycling program under s. 287.17.

4           **SECTION 592.** 20.370 (2) (mr) of the statutes is amended to read:

5           20.370 (2) (mr) *General program operations – brownfields*. From the  
6   environmental fund, the amounts in the schedule for administration of activities  
7   related to brownfields, as defined in s. ~~560.13~~ 238.13 (1) (a).

8           **SECTION 593.** 20.370 (3) (mr) of the statutes is amended to read:

9           20.370 (3) (mr) *Recycling; enforcement and research*. From the ~~recycling and~~  
10   renewable energy environmental fund, the amounts in the schedule for research and  
11   enforcement under subch. II of ch. 287, other than under ss. 287.21, and 287.23 ~~and~~  
12   ~~287.25~~.

13          **SECTION 593d.** 20.370 (4) (mu) of the statutes is amended to read:

14          20.370 (4) (mu) *General program operations — state funds*. The amounts in  
15   the schedule for general program operations that relate to the management and  
16   protection of the state’s fishery resources and that are conducted under ss. 23.09 to  
17   23.11, 30.203 and 30.277 and ch. 29 and for ~~transfers~~ payments of \$51,900 in each  
18   fiscal year, to be credited to the appropriation account under s. 20.285 (1) (k), to the  
19   ~~appropriation account under s. 20.285 (1) (kb)~~ University of Wisconsin System for  
20   studies of Great Lakes fish.

21          **SECTION 593i.** 20.370 (5) (cq) of the statutes is amended to read:

22          20.370 (5) (cq) *Recreation aids — recreational boating and other projects*. As  
23   a continuing appropriation, the amounts in the schedule for recreational boating  
24   aids under s. 30.92, for the grant for Black Point Estate under s. 23.0962, for the  
25   Portage levee system and the Portage canal under s. 31.309, for development of a

1 state park under s. 23.198, for the Southeastern Wisconsin Fox River commission  
2 under 2011 Wisconsin Act .... (this act), section 9135 (3q), for funding for the Fox  
3 River Navigational System Authority under s. 237.08 (2), and for the engineering  
4 and environmental study under s. 31.307.

5 **SECTION 593j.** 20.370 (5) (cq) of the statutes, as affected by 2011 Wisconsin Act  
6 .... (this act), is repealed and recreated to read:

7 20.370 (5) (cq) *Recreation aids — recreational boating and other projects.* As  
8 a continuing appropriation, the amounts in the schedule for recreational boating  
9 aids under s. 30.92, for the grant for Black Point Estate under s. 23.0962, for the  
10 Portage levee system and the Portage canal under s. 31.309, for development of a  
11 state park under s. 23.198, for funding for the Fox River Navigational System  
12 Authority under s. 237.08 (2), and for the engineering and environmental study  
13 under s. 31.307.

14 **SECTION 594.** 20.370 (5) (cv) of the statutes is amended to read:

15 20.370 (5) (cv) *Recreation aids — all-terrain vehicle landowner incentive*  
16 *program.* ~~All moneys received as fees under s. 23.33 (2j) to be used~~ Biennially, from  
17 the moneys received by the department under s. 23.33 (2j), the amounts in the  
18 schedule for incentive payments to landowners for public all-terrain vehicle  
19 corridors under s. 23.33 (5r).

20 **SECTION 595.** 20.370 (6) (br) of the statutes is repealed.

21 **SECTION 596b.** 20.370 (6) (bu) of the statutes is amended to read:

22 20.370 (6) (bu) *Financial assistance for responsible units.* From the ~~recycling~~  
23 ~~and renewable energy~~ environmental fund, the amounts in the schedule for grants  
24 to responsible units under s. 287.23 and for the grant under 2009 Wisconsin Act 28,  
25 section 9137 (1q).

1           **SECTION 597.** 20.370 (6) (bv) of the statutes is repealed.

2           **SECTION 597e.** 20.370 (6) (bw) of the statutes is created to read:

3           20.370 **(6)** (bw) *Recycling consolidation grants.* From the environmental fund,  
4 the amounts in the schedule for recycling consolidation grants under s. 287.24.

5           **SECTION 598.** 20.370 (6) (et) of the statutes is repealed.

6           **SECTION 599.** 20.370 (6) (eu) of the statutes is repealed.

7           **SECTION 600.** 20.370 (6) (ev) of the statutes is amended to read:

8           20.370 **(6)** (ev) *Reimbursement for disposal of contaminated sediment.* From  
9 the recycling environmental fund, the amounts in the schedule for reimbursement  
10 for out-of-state disposal of contaminated sediment under s. 292.68.

11           **SECTION 600m.** 20.370 (7) (mc) of the statutes is amended to read:

12           20.370 **(7)** (mc) *Resource maintenance and development — state park, forest*  
13 *and riverway roads.* As a continuing appropriation, the amounts in the schedule for  
14 state park and forest roads and roads in the lower Wisconsin state riverway as  
15 defined in s. 30.40 (15) under s. 84.28 and for the maintenance of roads in state parks  
16 under ch. 27 and recreation areas in state forests under ch. 28 which are not eligible  
17 for funding under s. 84.28. The department may shall expend up to \$400,000 not less  
18 than one-third of the amounts in the schedule from this appropriation in each fiscal  
19 year for state park and forest roads and roads in the lower Wisconsin state riverway  
20 as defined in s. 30.40 (15) under s. 84.28 and shall expend the balance from the  
21 appropriation for the maintenance of roads which are not eligible for funding under  
22 s. 84.28.

23           **SECTION 601.** 20.370 (8) (ir) of the statutes is amended to read:

24           20.370 **(8)** (ir) *Promotional activities and publications.* ~~Except as provided in~~  
25 ~~sub. (1) (it), all~~ All moneys received from subscriptions and other revenues generated

1 by promotional activities, photographs, slides, videotapes, artwork, publications,  
2 magazines and other periodicals, except the Wisconsin natural resources magazine,  
3 to be used for these promotional activities, photographs, slides, videotapes, artwork,  
4 publications and magazines and for educational and informational activities  
5 concerning conservation and the environment.

6 **SECTION 602.** 20.370 (8) (iw) of the statutes is amended to read:

7 20.370 (8) (iw) *Statewide recycling administration.* From the ~~recycling and~~  
8 ~~renewable—energy~~ environmental fund, the amounts in the schedule for  
9 administration of a statewide recycling program under ch. 287.

10 **SECTION 603.** 20.370 (9) (is) of the statutes is amended to read:

11 20.370 (9) (is) *Statewide recycling administration.* From the ~~recycling and~~  
12 ~~renewable—energy~~ environmental fund, the amounts in the schedule for the  
13 administration of recycling activities under ch. 287.

14 **SECTION 603g.** 20.380 (1) (b) of the statutes is amended to read:

15 20.380 (1) (b) *Tourism marketing; general purpose revenue.* ~~The Biennially, the~~  
16 amounts in the schedule for tourism marketing service expenses and the execution  
17 of the functions under ss. 41.11 (4) and 41.17. In each fiscal year, the department  
18 shall expend for tourism marketing service expenses and the execution of the  
19 functions under ss. 41.11 (4) and 41.17 an amount that bears the same proportion to  
20 the amount in the schedule for the fiscal year as the amount expended under par. (kg)  
21 in that fiscal year bears to the amount in the schedule for par. (kg) for that fiscal year.  
22 Of the amounts under this paragraph, not more than 50% shall be used to match  
23 funds allocated under s. 41.17 by private or public organizations for the joint effort  
24 marketing of tourism with the state.

25 **SECTION 605t.** 20.395 (1) (hq) of the statutes is created to read:

1           20.395 (1) (hq) *Paratransit aids*. The amounts in the schedule for paratransit  
2 aids under s. 85.205.

3           **SECTION 611.** 20.395 (3) (aq) of the statutes is created to read:

4           20.395 (3) (aq) *Southeast Wisconsin freeway megaprojects, state funds*. As a  
5 continuing appropriation, the amounts in the schedule for southeast Wisconsin  
6 freeway megaprojects under s. 84.0145 and for the purpose specified in s. 84.017 (3).  
7 This paragraph does not apply to the installation, replacement, rehabilitation, or  
8 maintenance of highway signs, traffic control signals, highway lighting, pavement  
9 markings, or intelligent transportation systems, unless incidental to a southeast  
10 Wisconsin freeway megaproject.

11           **SECTION 612.** 20.395 (3) (av) of the statutes is created to read:

12           20.395 (3) (av) *Southeast Wisconsin freeway megaprojects, local funds*. All  
13 moneys received from any local unit of government or other source for southeast  
14 Wisconsin freeway megaprojects under s. 84.0145 and for the purpose specified in s.  
15 84.017 (3), for such purposes.

16           **SECTION 613.** 20.395 (3) (ax) of the statutes is created to read:

17           20.395 (3) (ax) *Southeast Wisconsin freeway megaprojects, federal funds*. All  
18 moneys received from the federal government for southeast Wisconsin freeway  
19 megaprojects under s. 84.0145 and for the purpose specified in s. 84.017 (3), for such  
20 purposes. This paragraph does not apply to the installation, replacement,  
21 rehabilitation, or maintenance of highway signs, traffic control signals, highway  
22 lighting, pavement markings, or intelligent transportation systems, unless  
23 incidental to a southeast Wisconsin freeway megaproject.

24           **SECTION 614.** 20.395 (3) (bq) of the statutes is amended to read:

1           20.395 (3) (bq) *Major highway development, state funds.* As a continuing  
2 appropriation, the amounts in the schedule for major development of state trunk and  
3 connecting highways ~~and~~, for the disadvantaged business demonstration and  
4 training program under s. 84.076, and for the purpose specified in s. 84.017 (3). This  
5 paragraph does not apply to major development of with respect to any southeast  
6 Wisconsin freeway, ~~as defined in s. 84.014 (1) (e)~~ megaproject under s. 84.0145.

7           **SECTION 615.** 20.395 (3) (br) of the statutes is amended to read:

8           20.395 (3) (br) *Major highway development, service funds.* All moneys received  
9 from the fund created under s. 18.57 (1) as reimbursement for the temporary  
10 financing under sub. (9) (th) of projects for major development of state trunk and  
11 connecting highways that are financed under s. 84.59 and enumerated under s.  
12 84.013 (3), for the purpose of financing such projects and for the purpose specified  
13 in s. 84.017 (3). This paragraph does not apply to any project for major development  
14 of a with respect to any southeast Wisconsin freeway, ~~as defined in s. 84.014 (1) (e)~~  
15 megaproject under s. 84.0145.

16           **SECTION 616.** 20.395 (3) (bv) of the statutes is amended to read:

17           20.395 (3) (bv) *Major highway development, local funds.* All moneys received  
18 from any local unit of government or other source for major development of state  
19 trunk and connecting highways, including the railroad and utility alteration and  
20 relocation loan program under s. 84.065, ~~and~~ the disadvantaged business  
21 demonstration and training program under s. 84.076, and for the purpose specified  
22 in s. 84.017 (3), for such purposes. This paragraph does not apply with respect to  
23 ~~major development of any southeast Wisconsin freeway, as defined in s. 84.014 (1)~~  
24 ~~(e)~~ megaproject under s. 84.0145.

25           **SECTION 617.** 20.395 (3) (bx) of the statutes is amended to read:

1           20.395 (3) (bx) *Major highway development, federal funds.* All moneys received  
2 from the federal government for major development of state trunk and connecting  
3 highways ~~and~~, the disadvantaged business demonstration and training program  
4 under s. 84.076, and for the purpose specified in s. 84.017 (3), for such purposes. This  
5 paragraph does not apply to ~~major development of~~ with respect to any southeast  
6 Wisconsin freeway, ~~as defined in s. 84.014 (1) (e)~~ megaproject under s. 84.0145.

7           **SECTION 618.** 20.395 (3) (cq) of the statutes is amended to read:

8           20.395 (3) (cq) *State highway rehabilitation, state funds.* As a continuing  
9 appropriation, the amounts in the schedule for improvement of existing state trunk  
10 and connecting highways; for improvement of bridges on state trunk or connecting  
11 highways and other bridges for which improvement is a state responsibility, for  
12 necessary approach work for such bridges and for replacement of such bridges with  
13 at-grade crossing improvements; for the construction and rehabilitation of the  
14 national system of interstate and defense highways and bridges and related  
15 appurtenances; for special maintenance activities under s. 84.04 on roadside  
16 improvements; for bridges under s. 84.10; for the bridge project under s. 84.115; for  
17 payment to a local unit of government for a jurisdictional transfer under s. 84.02 (8);  
18 for the disadvantaged business demonstration and training program under s.  
19 84.076; for the purpose specified in s. 84.017 (3); for the transfers required under  
20 1999 Wisconsin Act 9, section 9250 (1) and 2003 Wisconsin Act 33, section 9153 (4q);  
21 and for the purposes described under 1999 Wisconsin Act 9, section 9150 (8g), 2001  
22 Wisconsin Act 16, section 9152 (4e), and 2007 Wisconsin Act 20, section 9148 (9i) (b)  
23 and (9x). This paragraph does not apply to any southeast Wisconsin freeway  
24 megaprojects under s. 84.0145, to any southeast Wisconsin freeway rehabilitation  
25 projects under s. 84.014 that also qualify as major highway projects under s. 84.013,

1 or to the installation, replacement, rehabilitation, or maintenance of highway signs,  
2 traffic control signals, highway lighting, pavement markings, or intelligent  
3 transportation systems, unless incidental to the improvement of existing state trunk  
4 and connecting highways.

5 **SECTION 618m.** 20.395 (3) (cr) of the statutes is amended to read:

6 20.395 (3) (cr) *Southeast Wisconsin freeway rehabilitation, state funds.* As a  
7 continuing appropriation, the amounts in the schedule for rehabilitation of  
8 southeast Wisconsin freeways, including reconstruction and interim repair of the  
9 Marquette interchange in Milwaukee County, and for the grant under s. 84.03 (3) (a).  
10 This paragraph does not apply to the installation, replacement, rehabilitation, or  
11 maintenance of highway signs, traffic control signals, highway lighting, pavement  
12 markings, or intelligent transportation systems, unless incidental to rehabilitation  
13 of southeast Wisconsin freeways. No moneys may be encumbered from this  
14 appropriation account after June 30, 2011. Notwithstanding s. 20.001 (3) (c), any  
15 unencumbered balance in this appropriation account on July 1, 2011, shall be  
16 transferred to the appropriation account under par. (cq) except that the amount  
17 specified in 2011 Wisconsin Act .... (this act), section 9148 (7f) (a), shall be transferred  
18 to the appropriation account under par. (aq).

19 **SECTION 619.** 20.395 (3) (cv) of the statutes is amended to read:

20 20.395 (3) (cv) *State highway rehabilitation, local funds.* All moneys received  
21 from any local unit of government or other source for the specific information sign  
22 program under s. 86.195; for improvement of existing state trunk and connecting  
23 highways; for improvement of bridges on state trunk or connecting highways and  
24 other bridges for which improvement is a state responsibility, for necessary approach  
25 work for such bridges and for replacement of such bridges with at-grade crossing



1 improvements; for the construction and rehabilitation of the national system of  
2 interstate and defense highways and bridges and related appurtenances; for special  
3 maintenance activities under s. 84.04 on roadside improvements; for the bridge  
4 project under s. 84.115; for the railroad and utility alteration and relocation loan  
5 program under s. 84.065; for the purpose specified in s. 84.017 (3); and for the  
6 disadvantaged business demonstration and training program under s. 84.076, for  
7 such purposes. This paragraph does not apply to any southeast Wisconsin freeway  
8 megaprojects under s. 84.0145 or to any southeast Wisconsin freeway rehabilitation  
9 projects under s. 84.014 that also qualify as major highway projects under s. 84.013.

10 **SECTION 619m.** 20.395 (3) (cw) of the statutes is amended to read:

11 20.395 (3) (cw) *Southeast Wisconsin freeway rehabilitation, local funds.* All  
12 moneys received from any local unit of government or other source for rehabilitation  
13 of southeast Wisconsin freeways, including reconstruction and interim repair of the  
14 Marquette interchange in Milwaukee County, for such purposes. No moneys may be  
15 encumbered from this appropriation account after June 30, 2011. Notwithstanding  
16 s. 20.001 (3) (c), any unencumbered balance in this appropriation account on July 1,  
17 2011, shall be transferred to the appropriation account under par. (cv) except that the  
18 amount specified in 2011 Wisconsin Act .... (this act), section 9148 (7f) (b), shall be  
19 transferred to the appropriation account under par. (av).

20 **SECTION 620.** 20.395 (3) (cx) of the statutes is amended to read:

21 20.395 (3) (cx) *State highway rehabilitation, federal funds.* All moneys  
22 received from the federal government for improvement of existing state trunk and  
23 connecting highways; for improvement of bridges on state trunk or connecting  
24 highways and other bridges for which improvement is a state responsibility, for  
25 necessary approach work for such bridges and for replacement of such bridges with

1 at-grade crossing improvements; for the construction and rehabilitation of the  
2 national system of interstate and defense highways and bridges and related  
3 appurtenances; for special maintenance activities under s. 84.04 on roadside  
4 improvements; for the bridge project under s. 84.115; for the purpose specified in s.  
5 84.017 (3); and for the disadvantaged business demonstration and training program  
6 under s. 84.076; and all moneys received under 2003 Wisconsin Act 33, section 9153  
7 (4q); for such purposes. This paragraph does not apply to any southeast Wisconsin  
8 freeway megaprojects under s. 84.0145 or to any southeast Wisconsin freeway  
9 rehabilitation projects under s. 84.014 that also qualify as major highway projects  
10 under s. 84.013.

11 **SECTION 620d.** 20.395 (3) (cy) of the statutes is amended to read:

12 20.395 (3) (cy) *Southeast Wisconsin freeway rehabilitation, federal funds.* All  
13 moneys received from the federal government for rehabilitation of southeast  
14 Wisconsin freeways, including reconstruction and interim repair of the Marquette  
15 interchange in Milwaukee County, and for the grant under s. 84.03 (3) (a), for such  
16 purposes. This paragraph does not apply to the installation, replacement,  
17 rehabilitation, or maintenance of highway signs, traffic control signals, highway  
18 lighting, pavement markings, or intelligent transportation systems, unless  
19 incidental to rehabilitation of southeast Wisconsin freeways. No moneys may be  
20 encumbered from this appropriation account after June 30, 2011. Notwithstanding  
21 s. 20.001 (3) (c), any unencumbered balance in this appropriation account on July 1,  
22 2011, shall be transferred to the appropriation account under par. (cx) except that the  
23 amount specified in 2011 Wisconsin Act .... (this act), section 9148 (7f) (c), shall be  
24 transferred to the appropriation account under par. (ax).

25 **SECTION 620e.** 20.395 (3) (dr) of the statutes is created to read:

1           20.395 (3) (dr) *High-cost state highway bridge projects, state funds.* As a  
2 continuing appropriation, the amounts in the schedule for high-cost state highway  
3 bridge projects under s. 84.017.

4           **SECTION 620m.** 20.395 (3) (dw) of the statutes is created to read:

5           20.395 (3) (dw) *High-cost state highway bridge projects, local funds.* All  
6 moneys received from any local unit of government or other source for high-cost state  
7 highway bridge projects under s. 84.017, for such purpose.

8           **SECTION 620s.** 20.395 (3) (dy) of the statutes is created to read:

9           20.395 (3) (dy) *High-cost state highway bridge projects, federal funds.* All  
10 moneys received from the federal government for high-cost state highway bridge  
11 projects under s. 84.017, for such purpose.

12           **SECTION 622.** 20.395 (6) (af) of the statutes is amended to read:

13           20.395 (6) (af) *Principal repayment and interest, local roads for job preservation*  
14 *program, transit improvements, and major highway and rehabilitation projects,*  
15 *state funds.* From the general fund, a sum sufficient to reimburse s. 20.866 (1) (u)  
16 for the payment of principal and interest costs incurred in financing the local roads  
17 for job preservation program under s. 86.312, ~~transit capital improvements under s.~~  
18 ~~85.11, as provided under s. 20.866 (2) (uq),~~ and major highway and rehabilitation  
19 projects, as provided under ss. 20.866 (2) (uum) and (uur), 84.555, and 84.95, to make  
20 the payments determined by the building commission under s. 13.488 (1) (m) that are  
21 attributable to the proceeds of obligations incurred in financing the local roads for  
22 job preservation program under s. 86.312, and to make payments under an  
23 agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

24           **SECTION 623.** 20.395 (6) (au) of the statutes is amended to read:

1           20.395 (6) (au) *Principal repayment and interest, Marquette interchange, zoo*  
2 *interchange, southeast megaprojects, and I 94 north–south corridor reconstruction*  
3 *projects, state funds.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment  
4 of principal and interest costs incurred in financing the Marquette interchange  
5 reconstruction project and, the reconstruction of the I 94 north–south corridor and  
6 the zoo interchange, and southeast Wisconsin freeway megaprojects, as provided  
7 under ss. 20.866 (2) (uup) and 84.555, and to make payments under an agreement  
8 or ancillary arrangement entered into under s. 18.06 (8) (a).

9           **SECTION 625.** 20.410 (1) (kd) of the statutes is created to read:

10           20.410 (1) (kd) *Victim notification.* The amounts in the schedule for victim  
11 notification services. All moneys transferred from the appropriation account under  
12 s. 20.505 (1) (id) 6. shall be credited to this appropriation account.

13           **SECTION 626.** 20.410 (1) (kh) of the statutes is amended to read:

14           20.410 (1) (kh) *Victim services and programs.* The amounts in the schedule for  
15 the administration of victim services and programs. All moneys transferred from the  
16 appropriation account under s. 20.455 (2) (i) 5m. shall be credited to this  
17 appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered  
18 balance on June 30 of each year shall be transferred to the appropriation account  
19 under s. 20.455 (2) (i).

20           **SECTION 627.** 20.410 (1) (kp) of the statutes is amended to read:

21           20.410 (1) (kp) *Correctional officer training.* The amounts in the schedule to  
22 finance correctional officers training under s. 301.28. All moneys transferred from  
23 the appropriation account under s. 20.455 (2) (i) 6. shall be credited to this  
24 appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered

1 balance on June 30 of each year shall be transferred to the appropriation account  
2 under s. 20.455 (2) (i).

3 **SECTION 628.** 20.410 (1) (qm) of the statutes is amended to read:

4 20.410 (1) (qm) *Computer recycling.* From the ~~recycling and renewable energy~~  
5 environmental fund, the amounts in the schedule for the department to recycle  
6 computers.

7 **SECTION 631.** 20.410 (3) (hm) of the statutes is amended to read:

8 20.410 (3) (hm) *Juvenile correctional services.* ~~Except as provided in pars. (ho)~~  
9 ~~and (hr), the~~ The amounts in the schedule for juvenile correctional services specified  
10 in s. ss. 49.45 (25) (bj) and 301.26 (4) (c) and (d). All moneys received from the sale  
11 of surplus property, including vehicles, from juvenile correctional institutions  
12 operated by the department, all moneys received as payments in restitution of  
13 property damaged at juvenile correctional institutions operated by the department,  
14 all moneys received from miscellaneous services provided at a juvenile correctional  
15 institution operated by the department, all moneys transferred under s. 301.26 (4)  
16 (cm), all moneys transferred under s. 301.26 (4) (ct). and, except as otherwise  
17 provided in ~~par. pars. (ho) and (hr),~~ all moneys received in payment for juvenile  
18 correctional services as specified in s. 301.26 (4) (d), (dt), and (g) shall be credited to  
19 this appropriation account. If moneys generated by the daily rate under s. 301.26  
20 (4) (d) exceed actual fiscal year institutional costs by more than 2% ~~or more~~, all  
21 moneys in excess of ~~that~~ 2% shall be remitted to the counties during the subsequent  
22 calendar year or transferred to the appropriation account under par. (kx) during the  
23 subsequent fiscal year. Each county and the department shall receive a  
24 proportionate share of the remittance and transfer depending on the total number  
25 of days of placement at juvenile correctional institutions including the Mendota

1 Juvenile Treatment Center. Counties shall use the funds for purposes specified in  
2 s. 301.26. The department shall deposit in the general fund the amounts transferred  
3 under this paragraph to the appropriation account under par. (kx).

4 **SECTION 632.** 20.410 (3) (ho) of the statutes is amended to read:

5 20.410 (3) (ho) *Juvenile residential aftercare.* The amounts in the schedule for  
6 providing foster care, group home care, and institutional child care to delinquent  
7 juveniles under ss. 49.19 (10) (d), 49.45 (25) (bj), 301.26 (4) (c), 938.48 (4) and (14),  
8 and 938.52. All moneys transferred under s. 301.26 (4) (cm) and all moneys received  
9 in payment for providing foster care, group home care, and institutional child care  
10 to delinquent juveniles under ss. 49.19 (10) (d), 938.48 (4) and (14), and 938.52 as  
11 specified in s. 301.26 (4) (d), (e), and (ed) shall be credited to this appropriation  
12 account. If moneys generated by the daily rate under s. 301.26 (4) (d) exceed actual  
13 fiscal year foster care, group home care, and institutional child care costs, that excess  
14 shall be transferred to the appropriation account under par. (hm) as provided in s.  
15 301.26 (4) (ct), except that, if those moneys generated exceed those costs by more than  
16 2% or more, all moneys in excess of 2% shall be remitted to the counties during the  
17 subsequent calendar year or transferred to the appropriation account under par. (kx)  
18 during the subsequent fiscal year. Each county and the department shall receive a  
19 proportionate share of the remittance and transfer depending on the total number  
20 of days of placement in foster care, group home care, or institutional child care.  
21 Counties shall use the funds for purposes specified in s. 301.26. The department  
22 shall deposit in the general fund the amounts transferred under this paragraph to  
23 the appropriation account under par. (kx).

24 **SECTION 633.** 20.410 (3) (hr) of the statutes is amended to read:

1           20.410 (3) (hr) *Juvenile corrective sanctions program*. The amounts in the  
2 schedule for the corrective sanctions services specified in s. ss. 49.45 (25) (bj) and  
3 301.26 (4) (c) and (eg). All moneys received in payment for the those corrective  
4 sanctions services as specified in s. 301.26 (4) (d) and (eg), and all moneys transferred  
5 under s. 301.26 (4) (cm), shall be credited to this appropriation account. If moneys  
6 generated by the daily rate under s. 301.26 (4) (d) exceed actual fiscal year corrective  
7 sanctions services costs, that excess shall be transferred to the appropriation account  
8 under par. (hm) as provided in s. 301.26 (4) (ct).

9           **SECTION 634.** 20.410 (3) (o) of the statutes is repealed.

10           **SECTION 634r.** 20.425 (1) (i) of the statutes, as affected by 2011 Wisconsin Act  
11 10, is repealed and recreated to read:

12           20.425 (1) (i) *Fees, collective bargaining training, publications, and appeals*.  
13 The amounts in the schedule for the performance of fact-finding, mediation,  
14 certification, and arbitration functions, for the provision of copies of transcripts, for  
15 the cost of operating training programs under ss. 111.09 (3), 111.71 (5m), and 111.94  
16 (3), for the preparation of publications, transcripts, reports, and other copied  
17 material, and for costs related to conducting appeals under s. 230.45. All moneys  
18 received under ss. 111.09 (1) and (2), 111.70 (4) (d) 3. b., 111.71 (1) and (2), 111.83 (3)  
19 (b), 111.94 (1) and (2), and 230.45 (3), all moneys received from arbitrators and  
20 arbitration panel members, and individuals who are interested in serving in such  
21 positions, and from individuals and organizations who participate in other collective  
22 bargaining training programs conducted by the commission, and all moneys received  
23 from the sale of publications, transcripts, reports, and other copied material shall be  
24 credited to this appropriation account.

25           **SECTION 634x.** 20.435 (1) (dk) of the statutes is created to read:

1           20.435 (1) (dk) *Low-income dental clinics*. The amounts in the schedule for  
2 grants to low-income dental clinics under s. 146.66.

3           **SECTION 635b.** 20.435 (1) (f) of the statutes is amended to read:

4           20.435 (1) (f) ~~*Family planning*~~ *Women's health block grant*. The amounts in  
5 the schedule to provide ~~family planning~~ women's health services under s. 253.07.  
6 Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds  
7 between fiscal years under this paragraph. All funds distributed by the department  
8 under s. 253.07 (2) (b) and (4) but not encumbered by December 31 of each year lapse  
9 to the general fund on the next January 1 unless transferred to the next calendar  
10 year by the joint committee on finance.

11           **SECTION 635d.** 20.435 (1) (gd) of the statutes is created to read:

12           20.435 (1) (gd) *American Red Cross, Badger Chapter*. As a continuing  
13 appropriation, from moneys received as amounts designated under s. 71.10 (5k) (b),  
14 the net amount certified under s. 71.10 (5k) (h) 3. for the Badger Chapter of the  
15 American Red Cross for its Wisconsin Disaster Relief Fund.

16           **SECTION 635j.** 20.435 (2) (km) of the statutes is amended to read:

17           20.435 (2) (km) *Indian mental health placement*. All moneys transferred from  
18 the appropriation account under s. 20.505 (8) (hm) 25. to reimburse an Indian tribe  
19 or band in this state or a county department as ~~provided under 2009 Wisconsin Act~~  
20 ~~318, section 4d (1) (b).~~ No money may be encumbered from this appropriation  
21 account after June 30, 2011 for placements by a tribal court of a member of the Indian  
22 tribe or band that are unexpected or that result in cumulative costs of placements  
23 to the tribe or county department exceeding \$50,000 annually. Notwithstanding s.  
24 20.001 (3) (a), the unencumbered balance on ~~July 1, 2011~~ June 30 of each year shall  
25 revert to the appropriation account under s. 20.505 (8) (hm).



1           **SECTION 636m.** 20.435 (4) (bm) of the statutes is amended to read:

2           20.435 **(4)** (bm) *Medical Assistance, food stamps, and Badger Care*  
3 *administration; contract costs, insurer reports, and resource centers.* Biennially, the  
4 amounts in the schedule to provide a portion of the state share of administrative  
5 contract costs for the Medical Assistance program under subch. IV of ch. 49 and the  
6 Badger Care health care program under s. 49.665 and to provide the state share of  
7 administrative costs for the food stamp program under s. 49.79, other than payments  
8 ~~to counties and tribal governing bodies~~ under s. 49.78 (8), to develop and implement  
9 a registry of recipient immunizations, to reimburse 3rd parties for their costs under  
10 s. 49.475, for costs associated with outreach activities, for state administration of  
11 state supplemental grants to supplemental security income recipients under s.  
12 49.77, to administer the pharmacy benefits purchasing pool under s. 146.45, and for  
13 services of resource centers under s. 46.283. No state positions may be funded in the  
14 department of health services from this appropriation, except positions for the  
15 performance of duties under a contract in effect before January 1, 1987, related to  
16 the administration of the Medical Assistance program between the subunit of the  
17 department primarily responsible for administering the Medical Assistance  
18 program and another subunit of the department. Total administrative funding  
19 authorized for the program under s. 49.665 may not exceed 10% of the amounts  
20 budgeted under pars. (p) and (x).

21           **SECTION 640f.** 20.435 (4) (bn) of the statutes is amended to read:

22           20.435 **(4)** (bn) *Income maintenance.* Biennially, the amounts in the schedule  
23 ~~for funeral expenses under s. 49.785,~~ for the administration of the food stamp  
24 employment and training program under s. 49.79 (9), for the performance of income  
25 maintenance administrative activities on behalf of a local entity, as defined in s.

1 30.77 (3) (dm) 1. b., and for payments under s. 49.78 (8) relating to the administration  
2 of the Medical Assistance program under subch. IV of ch. 49, the Badger Care health  
3 care program under s. 49.665, the food stamp program, and the cemetery, funeral,  
4 and burial expenses program under s. 49.785.

5 **SECTION 640m.** 20.435 (4) (bn) of the statutes, as affected by 2011 Wisconsin  
6 Act .... (this act), is amended to read:

7 20.435 (4) (bn) *Income maintenance.* Biennially, the amounts in the schedule  
8 for the administration of the food stamp employment and training program under  
9 s. 49.79 (9), for the performance of income maintenance administrative activities on  
10 behalf of a ~~local entity, as defined in s. 30.77 (3) (dm) 1. b.~~ county or multicounty  
11 consortium under s. 49.78 (1m) (c), and for payments under s. 49.78 (8) relating to  
12 the administration of the Medical Assistance program under subch. IV of ch. 49, the  
13 Badger Care health care program under s. 49.665, and the food stamp program, ~~and~~  
14 ~~the cemetery, funeral, and burial expenses program under s. 49.785.~~

15 **SECTION 642.** 20.435 (4) (br) of the statutes is created to read:

16 20.435 (4) (br) *Cemetery, funeral, and burial expenses program.* Biennially, the  
17 amounts in the schedule for the cemetery, funeral, and burial program under s.  
18 49.785.

19 **SECTION 644.** 20.435 (4) (gm) of the statutes is created to read:

20 20.435 (4) (gm) *Medical assistance; provider refunds and collections.* All  
21 moneys received from provider refunds, third party liability payments, drug rebates,  
22 audit recoveries, and other collections related to expenditures made from pars. (b),  
23 (jz), and (w), except for those moneys deposited in the appropriation accounts under  
24 par. (im) or (in) regardless of the fiscal year in which the expenditure from par. (b),  
25 (jz), or (w) is made, to provide a portion of the state share of Medical Assistance

1 program benefits administered under subch. IV of ch. 49; to provide a portion of the  
2 Badger Care health care program under s. 49.665; to provide a portion of the Medical  
3 Assistance program benefits administered under subch. IV of ch. 49 that are not also  
4 provided under par. (o); to fund the pilot project under s. 46.27 (9) and (10); to fund  
5 services provided by resource centers under s. 46.283; to fund services under the  
6 family care benefit under s. 46.284 (5); and to assist victims of diseases, as provided  
7 in ss. 49.68, 49.683, and 49.685.

8 **SECTION 644m.** 20.435 (4) (gr) of the statutes is created to read:

9 20.435 (4) (gr) *Income maintenance; county payments.* All moneys received  
10 from counties under s. 49.78 (1m) (d) for administering income maintenance  
11 program under s. 49.78 (1m) (c).

12 **SECTION 648.** 20.435 (4) (nn) of the statutes is amended to read:

13 20.435 (4) (nn) *Federal aid; income maintenance.* All moneys received from the  
14 federal government for the costs of contracting for the administration of the Medical  
15 Assistance program under subch. IV of ch. 49 and the Badger Care health care  
16 program under s. 49.665 and the food stamp program, other than moneys received  
17 under par. (pa), for ~~payments under s. 49.78 (8)~~ costs to administer income  
18 maintenance programs, as defined in s. 49.78 (1) (b).

19 **SECTION 653e.** 20.435 (5) (bf) of the statutes is created to read:

20 20.435 (5) (bf) *Brighter futures initiative.* The amounts in the schedule to be  
21 transferred to the appropriation account under s. 20.437 (1) (kb) for the brighter  
22 futures initiative under s. 48.545.

23 **SECTION 654.** 20.435 (5) (bL) of the statutes is amended to read:

24 20.435 (5) (bL) *Community support programs and psychosocial services.* The  
25 amounts in the schedule for one-time grants under s. 51.423 (3) to counties that

1 currently do not operate certified community support programs, for community  
2 support program services under s. 51.421 (3) (e), for community–based psychosocial  
3 services under the requirements of s. 49.45 (30e), for community recovery services  
4 under the requirements of s. 49.45 (30g), and for mental health crisis intervention  
5 under the requirements of s. 49.45 (41). Notwithstanding s. 20.002 (1), the  
6 department of health services may transfer from this appropriation account to the  
7 appropriation account under sub. (7) (bc) funds as specified in sub. (7) (bc).

8 **SECTION 656.** 20.435 (6) (jm) of the statutes is amended to read:

9 20.435 (6) (jm) *Licensing and support services.* The amounts in the schedule  
10 for the purposes specified in ss. 48.685 (2) (am) and (b) 1., (3) (a), (am), (b), and (bm),  
11 and (5) (a), 49.45 (47), 50.02 (2), 50.025, ~~50.031~~, 50.065 (2) (am) and (b) 1., (3) (a) and  
12 (b), and (5), 50.13, 50.135, 50.36 (2), 50.49 (2) (b), 50.495, 50.52 (2) (a), 50.57, 50.981,  
13 and 146.40 (4r) (b) and (er), and subch. IV of ch. 50 and to conduct health facilities  
14 plan and rule development activities, for accrediting nursing homes, convalescent  
15 homes, and homes for the aged, to conduct capital construction and remodeling plan  
16 reviews under ss. 50.02 (2) (b) and 50.36 (2), and for the costs of inspecting, licensing  
17 or certifying, and approving facilities, issuing permits, and providing technical  
18 assistance, that are not specified under any other paragraph in this subsection. All  
19 moneys received under ss. 48.685 (8), 49.45 (42) (c), 49.45 (47) (c), 50.02 (2), 50.025,  
20 ~~50.031~~(6), 50.065 (8), 50.13, 50.36 (2), 50.49 (2) (b), 50.495, 50.52 (2) (a), 50.57, 50.93  
21 (1) (c), and 50.981, all moneys received from fees for the costs of inspecting, licensing  
22 or certifying, and approving facilities, issuing permits, and providing technical  
23 assistance, that are not specified under any other paragraph in this subsection, and  
24 all moneys received under s. 50.135 (2) shall be credited to this appropriation  
25 account.

1           **SECTION 657.** 20.435 (7) (b) of the statutes is amended to read:

2           20.435 (7) (b) *Community aids and Medical Assistance payments.* The  
3 amounts in the schedule for human services under s. 46.40, to fund services provided  
4 by resource centers under s. 46.283 (5), for services under the family care benefit  
5 under s. 46.284 (5), for Medical Assistance payment adjustments under s. 49.45 (52),  
6 and (a) for services described in s. 49.45 (52) (a) 1., for Medical Assistance payments  
7 under s. 49.45 (6tw), and for Medical Assistance payments under s. 49.45 (53) for  
8 services described in s. 49.45 (53) that are provided before January 1, 2012. Social  
9 services disbursements under s. 46.03 (20) (b) may be made from this appropriation.  
10 Refunds received relating to payments made under s. 46.03 (20) (b) for the provision  
11 of services for which moneys are appropriated under this paragraph shall be  
12 returned to this appropriation. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the  
13 department of health services may transfer funds between fiscal years under this  
14 paragraph. The department shall deposit into this appropriation funds it recovers  
15 under ss. 46.495 (2) (b) and 51.423 (15), from prior year audit adjustments including  
16 those resulting from audits of services under s. 46.26, 1993 stats., or s. 46.27. Except  
17 for amounts authorized to be carried forward under s. 46.45, all funds recovered  
18 under ss. 46.495 (2) (b) and 51.423 (15) and all funds allocated under s. 46.40 and not  
19 spent or encumbered by December 31 of each year shall lapse to the general fund on  
20 the succeeding January 1 unless carried forward to the next calendar year by the  
21 joint committee on finance.

22           **SECTION 658.** 20.435 (7) (hc) of the statutes is created to read:

23           20.435 (7) (hc) *Administration of the birth to 3 waiver program and the disabled*  
24 *children's long-term support program.* All monies received from counties under ss.  
25 46.99 (3) and (3m) and 46.995, for an entity to administer and to pay for services

1 provided under the the birth to 3 waiver program under s. 46.99 and the disabled  
2 children's long-term support program, as defined in s. 46.011 (1g).

3 **SECTION 659d.** 20.435 (7) (o) of the statutes is amended to read:

4 20.435 (7) (o) *Federal aid; community aids.* All federal moneys received in  
5 amounts pursuant to allocation plans developed by the department for the provision  
6 or purchase of services authorized under par. (b); ~~all~~ and all federal moneys received  
7 under 42 USC 1396 to 1396v in reimbursement of the cost of preventing out-of-home  
8 placements of children, for distribution under s. 46.40; and all federal temporary  
9 assistance for needy families moneys received under 42 USC 601 to 619 that are  
10 authorized to be used to purchase or provide social services under 42 USC 1397 to  
11 1397e; all and all unanticipated federal social services block grant funds received  
12 under 42 USC 1397 to 1397e, in accordance with s. 46.49 (2); ~~and all federal moneys~~  
13 ~~received under 42 USC 1396 to 1396v in reimbursement of the cost of preventing~~  
14 ~~out-of-home placements of children, for distribution under s. 46.40~~ or for transfer  
15 to the appropriation account under s. 20.437 (1) (km). Disbursements from this  
16 appropriation may be made directly to counties for social and mental hygiene  
17 services under s. 46.03 (20) (b) or 46.031 or directly to counties in accordance with  
18 federal requirements for the disbursement of federal funds.

19 **SECTION 660.** 20.435 (8) (mb) of the statutes is amended to read:

20 20.435 (8) (mb) *Income augmentation services receipts.* All moneys that are  
21 received under 42 USC 1395 to 1395ddd and 42 USC 1396 to 1396v as the result of  
22 income augmentation activities for which the state has contracted, to be used as  
23 provided in s. 46.46; and all moneys that are received under 42 USC 1396 to 1396v  
24 in reimbursement of the cost of providing targeted case management services to  
25 children whose care is not eligible for reimbursement under 42 USC 670 to 679a, to

1 be transferred to the appropriation account under s. 20.437 (3) (kp). All moneys  
2 received under this paragraph in excess of the moneys necessary to support the costs  
3 specified in ~~s. ss.~~ ss. 46.46 and 48.567 shall be deposited in the general fund as a  
4 nonappropriated receipt.

5 **SECTION 660s.** 20.437 (1) (dd) of the statutes is amended to read:

6 20.437 (1) (dd) *State foster care, guardianship, and adoption services.* The  
7 amounts in the schedule for foster care, institutional child care, and subsidized  
8 adoptions under ss. 48.48 (12) and 48.52, for the cost of care for children under s.  
9 49.19 (10) (d), for the cost of subsidized guardianship payments under s. ~~48.62 (5)~~  
10 48.623 (1) or (6), for the cost of the foster care monitoring system, for the cost of  
11 providing, or contracting with private adoption agencies to assist the department in  
12 providing, services to children with special needs who are under the guardianship  
13 of the department to prepare those children for adoption, and for the cost of providing  
14 postadoption services to children with special needs who have been adopted.

15 **SECTION 661.** 20.437 (1) (kb) of the statutes is created to read:

16 20.437 (1) (kb) *Interagency aids; brighter futures initiative.* All moneys  
17 transferred from the appropriation account under s. 20.435 (5) (bf) for the brighter  
18 futures initiative under s. 48.545.

19 **SECTION 662.** 20.437 (1) (km) of the statutes is created to read:

20 20.437 (1) (km) *Interagency and intra-agency aids; children and family aids;*  
21 *local assistance.* All moneys transferred from the appropriation accounts under sub.  
22 (2) (md) and s. 20.435 (7) (o), for services for children and families under s. 48.563.

23 **SECTION 663.** 20.437 (1) (kx) of the statutes is amended to read:

24 20.437 (1) (kx) *Interagency and intra-agency programs.* Except as provided in  
25 ~~par.~~ pars. (km) and (kw), all moneys received from other state agencies and all

1 moneys received by the department from the department for the administration of  
2 programs or projects for which received, for such purposes.

3 **SECTION 664.** 20.437 (1) (ky) of the statutes is amended to read:

4 20.437 (1) (ky) *Interagency and intra–agency aids.* Except as provided in ~~par.~~  
5 pars. (km) and (kw), all moneys received from other state agencies and all moneys  
6 received by the department from the department for local assistance, for such  
7 purposes.

8 **SECTION 665.** 20.437 (1) (mc) of the statutes is amended to read:

9 20.437 (1) (mc) *Federal block grant operations.* ~~All~~ Except as provided in sub.  
10 (2) (mg), all block grant moneys received from the federal government or any of its  
11 agencies for the state administration of federal block grants for the purposes  
12 specified.

13 **SECTION 666.** 20.437 (1) (md) of the statutes is amended to read:

14 20.437 (1) (md) *Federal block grant aids.* ~~All~~ Except as provided in par. (mc)  
15 and sub. (2) (mg), all block grant moneys received from the federal government or any  
16 of its agencies to be expended as aids to individuals or organizations.

17 **SECTION 667.** 20.437 (1) (o) of the statutes is amended to read:

18 20.437 (1) (o) *Federal aid; children and family aids.* All federal moneys  
19 received in amounts pursuant to allocation plans developed by the department for  
20 the provision or purchase of services authorized under par. (b); and all federal  
21 moneys received as child welfare funds under 42 USC 620 to 626 for projects and  
22 services as limited under s. 48.985; ~~all federal temporary assistance for needy~~  
23 ~~families moneys received under 42 USC 601 to 619 that are authorized to be used to~~  
24 ~~purchase or provide social services under 42 USC 1397 to 1397e; all unanticipated~~  
25 ~~federal social services block grant funds received under 42 USC 1397 to 1397e, in~~



1     ~~accordance with s. 48.568; for distribution under s. 48.563.~~ Disbursements from this  
2     appropriation may be made directly to counties for services to children and families  
3     under s. 49.32 (2) (b) or 49.325 or directly to counties in accordance with federal  
4     requirements for the disbursement of federal funds.

5             **SECTION 667e.** 20.437 (1) (pd) of the statutes is amended to read:

6             20.437 (1) (pd) *Federal aid; state foster care, guardianship, and adoption*  
7     *services.* All federal moneys received for meeting the costs of providing foster care,  
8     institutional child care, and subsidized adoptions under ss. 48.48 (12) and 48.52, the  
9     cost of care for children under s. 49.19 (10) (d), the cost of subsidized guardianship  
10    payments under s. ~~48.62 (5)~~ 48.623 (1) or (6), the cost of providing, or contracting with  
11    private adoption agencies to assist the department in providing, services to children  
12    with special needs who are under the guardianship of the department to prepare  
13    those children for adoption, and the cost of providing postadoption services to  
14    children with special needs who have been adopted. Disbursements for foster care  
15    under s. 49.32 (2) and for the purposes described under s. 48.627 may be made from  
16    this appropriation.

17            **SECTION 670.** 20.437 (2) (jb) of the statutes is amended to read:

18            20.437 (2) (jb) *Fees for administrative services.* All moneys received from fees  
19    charged for filing statements of economic interest under s. 49.143 (1) (ac), for  
20    providing worker's compensation coverage for persons participating in employment  
21    and training programs under ch. 49, and for providing state mailings, special  
22    computer services, training programs, printed materials, and publications relating  
23    to economic support, for the purposes of ~~filing statements of economic interest under~~  
24    administering s. 49.143 (1) ~~(ac)~~, providing worker's compensation coverage for  
25    persons participating in employment and training programs under ch. 49, and

1 providing state mailings, special computer services, training programs, printed  
2 materials, and publications relating to economic support.

3 **SECTION 672.** 20.437 (2) (mc) of the statutes is amended to read:

4 20.437 (2) (mc) *Federal block grant operations.* The amounts in the schedule,  
5 ~~less the amounts withheld under s. 49.143 (3),~~ for the purposes of operating and  
6 administering the block grant programs for which the block grant moneys are  
7 received and transferring moneys to the appropriation account under sub. (1) (kx).  
8 All block grant moneys received for these purposes from the federal government or  
9 any of its agencies for the state administration of federal block grants shall be  
10 credited to this appropriation account.

11 **SECTION 673.** 20.437 (2) (md) of the statutes is amended to read:

12 20.437 (2) (md) *Federal block grant aids.* The amounts in the schedule for aids  
13 to individuals or organizations and to be transferred to the appropriation accounts  
14 under sub. (1) (km) and ss. 20.435 (4) (kz), (6) (kx), (7) (ky), and (8) (kx) and 20.835  
15 (2) (kf). All block grant moneys received for these purposes from the federal  
16 government or any of its agencies shall be credited to this appropriation account. The  
17 department may credit to this appropriation account the amount of any returned  
18 check, or payment in other form, that is subject to expenditure in the same contract  
19 period in which the original payment attempt was made, regardless of the fiscal year  
20 in which the original payment attempt was made.

21 **SECTION 674.** 20.437 (2) (mf) of the statutes is repealed.

22 **SECTION 675.** 20.437 (2) (mg) of the statutes is created to read:

23 20.437 (2) (mg) *Community services block grant; federal funds.* All moneys  
24 received from the federal government from the community services block grant for  
25 assistance and administration under the community services block grant program.

1           **SECTION 676.** 20.437 (2) (na) of the statutes is repealed.

2           **SECTION 680.** 20.437 (2) (s) of the statutes is amended to read:

3           20.437 **(2)** (s) *Economic support — public benefits.* From the utility public  
4 benefits fund, the amounts in the schedule for the Wisconsin Works program under  
5 subch. III of ch. 49 and for any of the purposes under s. 49.175 (1).

6           **SECTION 681.** 20.437 (3) (kp) of the statutes is created to read:

7           20.437 **(3)** (kp) *Interagency and intra-agency aids; income augmentation*  
8 *services receipts.* All moneys transferred from the appropriation account under s.  
9 20.435 (8) (mb) and all moneys credited to this appropriation account under s. 48.565  
10 (2) (c), to be used as provided in s. 48.567. All moneys received under this paragraph  
11 in excess of the moneys necessary to support the costs specified in s. 48.567 shall be  
12 deposited into the general fund as a nonappropriated receipt.

13           **SECTION 682.** 20.437 (3) (mp) of the statutes is repealed.

14           **SECTION 683.** 20.445 (1) (bc) of the statutes is repealed.

15           **SECTION 684.** 20.445 (1) (jm) of the statutes is repealed.

16           **SECTION 685.** 20.455 (2) (g) of the statutes is amended to read:

17           20.455 **(2)** (g) *Gaming law enforcement; racing revenues.* From all moneys  
18 received under ss. 562.02 (2) (f), 562.04 (1) (b) 4. and (2) (d), 562.05 (2), 562.065 (3)  
19 (cm) and (d), (3m) (c) 2., and (4), 562.09 (2) (e), and 562.124 (2), the amounts in the  
20 schedule for the performance of the department's gaming law enforcement  
21 responsibilities ~~as specified in s. 165.70 (3m)~~ under chs. 562 to 569 and 945.  
22 Notwithstanding s. 20.001 (3) (a), the unencumbered balance of this appropriation  
23 account at the end of each fiscal year shall be transferred to the lottery fund.

24           **SECTION 686.** 20.455 (2) (i) (intro.) of the statutes is amended to read:

1           20.455 (2) (i) *Penalty surcharge, receipts.* (intro.) The amounts in the schedule  
2 for the purposes of s. 165.85 (5) (b) and for crime laboratory equipment. All moneys  
3 received from the penalty surcharge on court fines and forfeitures under s. 757.05  
4 (2) and all moneys transferred to this appropriation account from the appropriation  
5 accounts specified in subds. 1. to 15. shall be credited to this appropriation account.  
6 Moneys may be transferred from this paragraph to pars. (j), (ja), and (jb) by the  
7 secretary of administration for expenditures based upon determinations by the  
8 department of justice. The following amounts shall be transferred to the following  
9 appropriation accounts:

10           **SECTION 687.** 20.455 (2) (j) of the statutes is amended to read:

11           20.455 (2) (j) *Law enforcement training fund, local assistance.* The amounts  
12 in the schedule to finance local law enforcement training as provided in s. 165.85 (5)  
13 (b). All moneys transferred from par. (i) for the purpose of this appropriation shall  
14 be credited to this appropriation. Notwithstanding s. 20.001 (3) (a), the  
15 unencumbered balance on June 30 of each year shall be transferred to the  
16 appropriation account under par. (i).

17           **SECTION 688.** 20.455 (2) (ja) of the statutes is amended to read:

18           20.455 (2) (ja) *Law enforcement training fund, state operations.* The amounts  
19 in the schedule to finance state operations associated with the administration of the  
20 law enforcement training fund and to finance training for state law enforcement  
21 personnel, as provided in s. 165.85 (5) (b). All moneys transferred from par. (i) for  
22 the purpose of this appropriation shall be credited to this appropriation.  
23 Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year  
24 shall be transferred to the appropriation account under par. (i).

25           **SECTION 689.** 20.455 (2) (jb) of the statutes is amended to read:

1           20.455 (2) (jb) *Crime laboratory equipment and supplies.* The amounts in the  
2 schedule for the maintenance, repair, upgrading, and replacement costs of the  
3 laboratory equipment, and for supplies used to maintain, repair, upgrade, and  
4 replace that equipment, in the state and regional crime laboratories. All moneys  
5 transferred from par. (i) for the purpose of this appropriation shall be credited to this  
6 appropriation. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on  
7 June 30 of each year shall be transferred to the appropriation account under par. (i).

8           **SECTION 690.** 20.455 (2) (kc) of the statutes is amended to read:

9           20.455 (2) (kc) *Transaction information management of enforcement system.*  
10 The amounts in the schedule for payments for a lease with option to purchase  
11 regarding computers for the transaction information for the management of  
12 enforcement system. All moneys transferred from the appropriation account under  
13 par. (i) 1. shall be credited to this appropriation account. Notwithstanding s. 20.001  
14 (3) (a), the unencumbered balance on June 30 of each year shall be transferred to the  
15 appropriation account under par. (i).

16           **SECTION 691.** 20.455 (2) (ke) of the statutes is amended to read:

17           20.455 (2) (ke) *Drug enforcement intelligence operations.* The amounts in the  
18 schedule for drug enforcement tactical and strategic intelligence units. All moneys  
19 transferred from the appropriation account under ~~s. 20.455 (2)~~ par. (i) 9. shall be  
20 credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the  
21 unencumbered balance on June 30 of each year shall be transferred to the  
22 appropriation account under par. (i).

23           **SECTION 692.** 20.455 (2) (kp) of the statutes is amended to read:

24           20.455 (2) (kp) *Drug crimes enforcement; local grants.* The amounts in the  
25 schedule for grants to local multijurisdictional groups to enforce prohibitions related

1 to controlled substances, and to fund prosecutor positions serving  
2 multijurisdictional enforcement groups. All moneys transferred from the  
3 appropriation account under ~~s. 20.455 (2) par.~~ (i) 3. shall be credited to this  
4 appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered  
5 balance on June 30 of each year shall be transferred to the appropriation account  
6 under par. (i).

7 **SECTION 693.** 20.455 (2) (r) of the statutes is amended to read:

8 20.455 (2) (r) *Gaming law enforcement; lottery revenues.* From the lottery fund,  
9 the amounts in the schedule for the performance of the department's gaming law  
10 enforcement responsibilities ~~as specified in s. 165.70 (3m) under chs. 562 to 569 and~~  
11 945.

12 **SECTION 694.** 20.455 (3) (g) of the statutes is amended to read:

13 20.455 (3) (g) *Gifts, grants and proceeds.* All moneys received from gifts and  
14 grants and all proceeds from services, conferences, and sales of publications and  
15 promotional materials to carry out the purposes for which made or collected, except  
16 as provided in sub. (2) (gm) and (gp) and to transfer to s. 20.505 (1) (kg), at the  
17 discretion of the attorney general, an amount not to exceed \$98,300 annually.

18 **SECTION 695.** 20.455 (5) (gc) of the statutes, as affected by 2009 Wisconsin Act  
19 28, section 538c, is amended to read:

20 20.455 (5) (gc) *Crime victim and witness surcharge, sexual assault victim*  
21 *services.* All moneys received from any crime victim and witness assistance  
22 surcharge authorized under s. 973.045 (1) that are allocated to this appropriation  
23 account under s. 973.045 (2m) (a), to provide grants for sexual assault victim services  
24 under s. 165.93 and to administer the grant program.

25 **SECTION 696.** 20.455 (5) (kp) of the statutes is amended to read:

1           20.455 (5) (kp) *Reimbursement to counties for victim–witness services.* The  
2 amounts in the schedule for the purpose of reimbursing counties under s. 950.06 (2)  
3 for costs incurred in providing services to victims and witnesses of crime. All moneys  
4 transferred from the appropriation account under s. sub. (2) (i) 11. shall be credited  
5 to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered  
6 balance on June 30 of each year shall be transferred to the appropriation account  
7 under sub. (2) (i).

8           **SECTION 698.** 20.485 (1) (gk) of the statutes is amended to read:

9           20.485 (1) (gk) *Institutional operations.* The amounts in the schedule for the  
10 care of the members of the Wisconsin veterans homes under s. 45.50, for the payment  
11 of stipends under s. 45.50 (9) (2m) (f), for the transfer of moneys to the appropriation  
12 account under s. 20.435 (4) (ky) for payment of the state share of the medical  
13 assistance costs related to the provision of stipends under s. 45.50 (9) (2m) (f), for the  
14 payment of assistance to indigent veterans under s. 45.43 to allow them to reside at  
15 the Wisconsin Veterans Home at Union Grove, for the transfer of moneys to the  
16 appropriation account under par. (kg), and for the payment of grants under s. 45.82,  
17 ~~and for the transfer of moneys under s. 45.03 (20).~~ Not more than 1 percent of the  
18 moneys credited to this appropriation account may be used for the payment of  
19 assistance to indigent veterans under s. 45.43. All moneys received under par. (m)  
20 and s. 45.51 (7) (b) and (8) and all moneys received for the care of members under  
21 medical assistance, as defined in s. 49.43 (8), shall be credited to this appropriation  
22 account.

23           **SECTION 699.** 20.485 (1) (hm) of the statutes is amended to read:

1           20.485 (1) (hm) *Gifts and grants*. All moneys received from gifts and grants  
2 specifically for the purpose of s. 45.50 (1)–(e) (2m) (d), to carry out the purpose of s.  
3 45.50 (1)–(e) (2m) (d).

4           **SECTION 700c.** 20.485 (1) (j) of the statutes is repealed.

5           **SECTION 701.** 20.485 (1) (mj) of the statutes is amended to read:

6           20.485 (1) (mj) *Federal aid; geriatric unit*. All moneys received from the federal  
7 government for the geriatric program at Wisconsin veterans homes, to carry out the  
8 purpose of s. 45.50 (1)–(e) (2m) (d).

9           **SECTION 702.** 20.485 (2) (c) of the statutes is renumbered 20.485 (5) (c).

10          **SECTION 703.** 20.485 (2) (kt) of the statutes is repealed.

11          **SECTION 704.** 20.485 (2) (mn) of the statutes is renumbered 20.485 (5) (mn).

12          **SECTION 705.** 20.485 (2) (tm) of the statutes is amended to read:

13          20.485 (2) (tm) *Facilities*. As a continuing appropriation, the amounts in the  
14 schedule to acquire, construct, develop, enlarge or improve facilities, other than the  
15 Wisconsin Veterans Museum, for the ~~Wisconsin veterans museum~~ and the  
16 department of veterans affairs.

17          **SECTION 706.** 20.485 (2) (v) of the statutes is renumbered 20.485 (5) (v) and  
18 amended to read:

19          20.485 (5) (v) ~~Wisconsin veterans museum~~ Museum sales receipts. All moneys  
20 received from the sale of items in the Wisconsin veterans museum for general  
21 program operations.

22          **SECTION 707.** 20.485 (2) (vo) of the statutes is renumbered 20.485 (5) (vo).

23          **SECTION 708.** 20.485 (2) (wd) of the statutes is renumbered 20.485 (5) (wd).

24          **SECTION 709.** 20.485 (2) (zm) of the statutes is renumbered 20.485 (5) (zm).

25          **SECTION 710.** 20.485 (5) (intro.) of the statutes is created to read:



1           20.485 (5) WISCONSIN VETERANS MUSEUM. (intro.) From the veterans trust fund  
2 or from other funds if so indicated:

3           **SECTION 711.** 20.485 (5) (tm) of the statutes is created to read:

4           20.485 (5) (tm) *Museum facilities.* As a continuing appropriation, the amounts  
5 in the schedule to acquire, construct, develop, enlarge, or improve facilities for the  
6 Wisconsin Veterans Museum.

7           **SECTION 712.** 20.490 (5) (q) of the statutes is amended to read:

8           20.490 (5) (q) ~~*Recycling and renewable energy*~~ *Environmental* fund transfer to  
9 *Wisconsin development reserve fund.* From the ~~recycling and renewable energy~~  
10 environmental fund, as a continuing appropriation, the amounts in the schedule to  
11 be transferred to the Wisconsin development reserve fund under s. 234.93.

12           **SECTION 713.** 20.490 (6) (title) of the statutes is repealed.

13           **SECTION 714.** 20.490 (6) (a) of the statutes is repealed.

14           **SECTION 715.** 20.490 (6) (k) of the statutes is repealed.

15           **SECTION 716m.** 20.505 (1) (cg) of the statutes is created to read:

16           20.505 (1) (cg) *Relocation assistance.* The amounts in the schedule for general  
17 program operations under ss. 32.19 to 32.27.

18           **SECTION 717.** 20.505 (1) (id) of the statutes is created to read:

19           20.505 (1) (id) *Justice information fee receipts.* All moneys less \$700,000  
20 received from the justice information surcharge under s. 814.86 (1) for the purpose  
21 of annually transferring the amounts indicated in subds. 1. to 8. The following  
22 amounts shall be transferred to the following appropriation accounts:

23           1. The amount transferred to par. (kh) shall be the amount in the schedule  
24 under par. (kh).

1           2. The amount transferred to sub. (6) (ki) shall be the amount in the schedule  
2 under sub. (6) (ki).

3           3. The amount transferred to sub. (6) (kb) shall be the amount in the schedule  
4 under sub. (6) (kb).

5           4. The amount transferred to sub. (6) (ke) shall be the amount in the schedule  
6 under sub. (6) (ke).

7           5. The amount transferred to sub. (6) (kn) shall be the amount in the schedule  
8 under sub. (6) (kn).

9           5d. The amount transferred to sub. (6) (ko) shall be the amount in the schedule  
10 under sub. (6) (ko).

11          5g. The amount transferred to sub. (6) (kq) shall be the amount in the schedule  
12 under sub. (6) (kq).

13          5r. The amount transferred to sub. (6) (kr) shall be the amount in the schedule  
14 under sub. (6) (kr).

15          6. The amount transferred to s. 20.410 (1) (kd) shall be the amount in the  
16 schedule under s. 20.410 (1) (kd).

17          8. The amount transferred to s. 20.625 (1) (k) shall be the amount in the  
18 schedule under s. 20.625 (1) (k).

19          **SECTION 718.** 20.505 (1) (ja) of the statutes is renumbered 20.505 (1) (kh) and  
20 amended to read:

21           20.505 (1) (kh) *Justice information systems.* The amounts in the schedule for  
22 the development and operation of automated justice information systems under s.  
23 16.971 (9). ~~Of each \$21.50 received under s. 814.86 (1), \$7.50~~ All moneys transferred  
24 from the appropriation account under par. (id) 1. shall be credited to this  
25 appropriation account.

1           **SECTION 719.** 20.505 (1) (jc) of the statutes is repealed.

2           **SECTION 721.** 20.505 (1) (kg) of the statutes is created to read:

3           20.505 **(1)** (kg) *Federal resource acquisition.* All moneys received from the  
4 appropriation account under s. 20.455 (3) (g) to carry out the federal resource  
5 acquisition activities under s. 16.98.

6           **SECTION 722.** 20.505 (1) (kq) of the statutes is amended to read:

7           20.505 **(1)** (kq) *Justice information systems development, operation and*  
8 *maintenance.* The amounts in the schedule for the purpose of developing, operating  
9 and maintaining automated justice information systems under s. 16.971 (9). All  
10 moneys transferred from the appropriation account under s. 20.455 (2) (i) 12. shall  
11 be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the  
12 unencumbered balance on June 30 of each year shall be transferred to the  
13 appropriation account under s. 20.455 (2) (i).

14           **SECTION 725.** 20.505 (4) (bm) of the statutes is repealed.

15           **SECTION 726.** 20.505 (4) (c) of the statutes is created to read:

16           20.505 **(4)** (c) *Literacy initiative.* The amounts in the schedule for the costs to  
17 develop and implement a program to assess and improve literacy in elementary  
18 school children under 2011 Wisconsin Act .... (this act), section 9101 (2).

19           **SECTION 727.** 20.505 (5) (ka) of the statutes is amended to read:

20           20.505 **(5)** (ka) *Facility operations and maintenance; police and protection*  
21 *functions.* The amounts in the schedule for the purpose of financing the costs of  
22 operation of state–owned or operated facilities that are not funded from other  
23 appropriations, including custodial and maintenance services; minor projects;  
24 utilities, fuel, heat and air conditioning; assessments levied by the department  
25 under s. 16.847 (3) for costs incurred and savings generated at departmental

1 facilities; and costs incurred under ss. 16.858 and 16.895 by or on behalf of the  
2 department; ~~and supplementing the costs of operation of child care facilities for~~  
3 ~~children of state employees under s. 16.841;~~ and for police and protection functions  
4 under s. 16.84 (2) and (3). All moneys received from state agencies for the operation  
5 of such facilities, parking rental fees established under s. 16.843 (2) (bm) and  
6 miscellaneous other sources, all moneys received from assessments under s. 16.895,  
7 all moneys received for the performance of gaming protection functions under s.  
8 16.84 (3), and all moneys transferred from the appropriation account under s. 20.865  
9 (2) (e) for this purpose shall be credited to this appropriation account.

10 **SECTION 728.** 20.505 (6) (c) of the statutes is renumbered 20.505 (6) (kb) and  
11 amended to read:

12 20.505 (6) (kb) *Law enforcement officer supplement grants.* The amounts in the  
13 schedule to provide grants for uniformed law enforcement officers under s. 16.964  
14 (5). All moneys transferred from the appropriation account under sub. (1) (id) 3. shall  
15 be credited to this appropriation account.

16 **SECTION 729.** 20.505 (6) (f) of the statutes is renumbered 20.505 (6) (ke) and  
17 amended to read:

18 20.505 (6) (ke) *Child advocacy centers.* The amounts in the schedule for grants  
19 to child advocacy centers under s. 16.964 (14). All moneys transferred from the  
20 appropriation account under sub. (1) (id) 4. shall be credited to this appropriation  
21 account.

22 **SECTION 730.** 20.505 (6) (h) of the statutes is created to read:

23 20.505 (6) (h) *Public safety interoperable communication system; general usage*  
24 *fees.* The amounts in the schedule to operate a statewide public safety interoperable

1 communication system. All moneys received from users as fees under s. 16.964 (15)  
2 (b) 2. shall be credited to this appropriation account.

3 **SECTION 731.** 20.505 (6) (j) of the statutes is renumbered 20.505 (6) (kn) and  
4 amended to read:

5 20.505 (6) (kn) *Alternatives to prosecution and incarceration for persons who*  
6 *use alcohol or other drugs; justice information surcharge fee.* The amounts in the  
7 schedule for administering and making grants to counties under s. 16.964 (12) (b).  
8 Of each \$21.50 received under s. 814.86 (1), \$1.50 All moneys transferred from the  
9 appropriation account under sub. (1) (id) 5. shall be credited to this appropriation  
10 account.

11 **SECTION 732.** 20.505 (6) (k) of the statutes is amended to read:

12 20.505 (6) (k) *Law enforcement programs and youth diversion —*  
13 *administration.* The amounts in the schedule for administering grants for law  
14 enforcement assistance and for administering the youth diversion program under s.  
15 16.964 (8). All moneys transferred from the appropriation account under s. 20.455  
16 (2) (i) 13. shall be credited to this appropriation account. Notwithstanding s. 20.001  
17 (3) (a), the unencumbered balance on June 30 of each year shall be transferred to the  
18 appropriation account under s. 20.455 (2) (i).

19 **SECTION 733.** 20.505 (6) (ka) of the statutes is amended to read:

20 20.505 (6) (ka) *Public safety interoperable communication system; state fees.*  
21 The amounts in the schedule to operate a statewide public safety interoperable  
22 communication system. All moneys received from public safety agencies that are  
23 state agencies as fees under s. 16.964 (15) (b) 1. shall be credited to this appropriation  
24 account.

25 **SECTION 734.** 20.505 (6) (ki) of the statutes is created to read:

1           20.505 (6) (ki) *Interoperable communications system*. The amounts in the  
2 schedule to operate a statewide public safety interoperable communication system.  
3 All moneys transferred from the appropriation account under sub. (1) (id) 2. shall be  
4 credited to this appropriation account.

5           **SECTION 735.** 20.505 (6) (kj) of the statutes is amended to read:

6           20.505 (6) (kj) *Youth diversion program*. The amounts in the schedule for youth  
7 diversion services under s. 16.964 (8) (a) and (c). All moneys transferred from the  
8 appropriation account under s. 20.455 (2) (i) 8. shall be credited to this appropriation  
9 account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30  
10 of each year shall be transferred to the appropriation account under s. 20.455 (2) (i).

11           **SECTION 735m.** 20.505 (6) (ko) of the statutes is created to read:

12           20.505 (6) (ko) *Wisconsin Justice Information Sharing Program*. The amounts  
13 in the schedule for the development and operation of a justice information system.  
14 All moneys transferred from the appropriation account under sub. (1) (id) 5d. shall  
15 be credited to this appropriation account.

16           **SECTION 736.** 20.505 (6) (kp) of the statutes is repealed.

17           **SECTION 737.** 20.505 (6) (kq) of the statutes is amended to read:

18           20.505 (6) (kq) *Traffic stop data collection; state*. The amounts in the schedule  
19 to fund state information technology and administrative costs associated with traffic  
20 stop data collection. All moneys transferred to this appropriation from the  
21 appropriation account under ~~par. (kp)~~ sub. (1) (id) 5g. shall be credited to this  
22 appropriation account.

23           **SECTION 738.** 20.505 (6) (kr) of the statutes is amended to read:

24           20.505 (6) (kr) *Traffic stop data collection; local*. The amounts in the schedule  
25 to fund local information technology and administrative costs associated with traffic

1 stop data collection. All moneys transferred to ~~this appropriation~~ from the  
2 appropriation account under par. ~~(kp)~~ sub. (1) (id) 5r. shall be credited to this  
3 appropriation account.

4 **SECTION 738m.** 20.505 (7) (title) of the statutes is created to read:

5 20.505 (7) (title) HOUSING ASSISTANCE.

6 **SECTION 738pm.** 20.505 (8) (hm) 1c. of the statutes is amended to read:

7 20.505 (8) (hm) 1c. The amount transferred to s. ~~20.285 (1)~~ 20.867 (3) (km) shall  
8 be the amount in the schedule under s. ~~20.285 (1)~~ 20.867 (3) (km).

9 **SECTION 739.** 20.505 (8) (hm) 4b. of the statutes is amended to read:

10 20.505 (8) (hm) 4b. The amount transferred to s. ~~20.215 (1)~~ 20.380 (3) (km) shall  
11 be the amount in the schedule under s. ~~20.215 (1)~~ 20.380 (3) (km).

12 **SECTION 740m.** 20.505 (8) (hm) 6f. of the statutes is renumbered 20.505 (8)  
13 (hm) 19m. and amended to read:

14 20.505 (8) (hm) 19m. The amount transferred to s. ~~20.143~~ sub. (1) (kf) (kx) shall  
15 be the amount in the schedule under s. ~~20.143~~ sub. (1) (kf) (kx).

16 **SECTION 741.** 20.505 (8) (hm) 6g. of the statutes is repealed.

17 **SECTION 742.** 20.505 (8) (hm) 6h. of the statutes is repealed.

18 **SECTION 743.** 20.505 (8) (hm) 6j. of the statutes is repealed.

19 **SECTION 744m.** 20.505 (8) (hm) 6r. of the statutes is repealed and recreated to  
20 read:

21 20.505 (8) (hm) 6r. In each fiscal year \$488,700 to the Board of Regents of the  
22 University of Wisconsin System for loan repayments under ss. 36.60 and 36.61.

23 **SECTION 745m.** 20.505 (8) (hm) 11a. of the statutes is repealed and recreated  
24 to read:

1           20.505 (8) (hm) 11a. In each fiscal year \$417,500 to the Board of Regents of the  
2 University of Wisconsin System for the operational costs of the aquaculture  
3 demonstration facility enumerated under 1999 Wisconsin Act 9, section 9107 (1) (i)  
4 3.

5           **SECTION 746.** 20.505 (8) (hm) 13v. of the statutes is repealed.

6           **SECTION 747.** 20.505 (8) (hm) 20. of the statutes is repealed.

7           **SECTION 747c.** 20.505 (8) (hm) 25. of the statutes is amended to read:

8           20.505 (8) (hm) 25. The amount transferred to s. 20.435 (2) (km) shall be  
9 \$250,000 or the amount remaining in this appropriation after all other transfers  
10 under subds. 1c. to 24. are made, whichever is less. ~~No money may be transferred~~  
11 ~~under this subdivision after June 30, 2011.~~

12           **SECTION 747j.** 20.511 (1) (b) of the statutes is repealed.

13           **SECTION 747k.** 20.511 (1) (c) of the statutes is created to read:

14           20.511 (1) (c) *Voter identification training.* The amounts in the schedule for  
15 training of county and municipal clerks concerning voter identification  
16 requirements provided in 2011 Wisconsin Act 23.

17           **SECTION 747m.** 20.511 (1) (h) of the statutes is amended to read:

18           20.511 (1) (h) *Materials and services.* The amounts in the schedule for the costs  
19 of publishing documents, locating and copying records, and conducting programs  
20 under s. 19.48 (9) and administrative meetings and conferences, for compiling,  
21 disseminating, and making available information prepared by and filed with the  
22 board under s. 19.48 (10), and for supplies, postage, and shipping. All moneys  
23 received by the board from collections for sales of publications, for copies of records  
24 and for supplies, for postage, for shipping and records location fees, from fees  
25 assessed under s. 19.48 (9) and (10), and for charges assessed to participants in



1 administrative meetings and conferences, except moneys received from requesters  
2 from sales of copies of the official registration list, shall be credited to this  
3 appropriation account.

4 **SECTION 748g.** 20.511 (1) (q) of the statutes is repealed.

5 **SECTION 748r.** 20.511 (1) (r) of the statutes is repealed.

6 **SECTION 751.** 20.550 (1) (kj) of the statutes is amended to read:

7 20.550 (1) (kj) *Conferences and training.* The amounts in the schedule to  
8 sponsor conferences and training under ch. 977. All moneys transferred from the  
9 appropriation account under s. 20.455 (2) (i) 15. shall be credited to this  
10 appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered  
11 balance on June 30 of each year shall be transferred to the appropriation account  
12 under s. 20.455 (2) (i).

13 **SECTION 751g.** 20.566 (1) (gc) of the statutes is repealed.

14 **SECTION 751h.** 20.566 (1) (gh) of the statutes is repealed.

15 **SECTION 751m.** 20.566 (1) (hd) of the statutes is created to read:

16 20.566 (1) (hd) *Administration of liquor tax and alcohol beverages enforcement;*  
17 *wholesaler fees funding special agent position.* All moneys received under s. 125.28  
18 (4) for the purpose of funding one special agent position dedicated to alcohol and  
19 tobacco enforcement.

20 **SECTION 752.** 20.566 (1) (hp) of the statutes is amended to read:

21 20.566 (1) (hp) *Administration of income tax checkoff voluntary payments.* The  
22 amounts in the schedule for the payment of all administrative costs, including data  
23 processing costs, incurred in administering ss. 71.10 (5), (5e), (5f), (5fm), (5g), (5h),  
24 (5i), (5j), (5k), and (5m), and 71.30 (10). All moneys specified for deposit in this  
25 appropriation under ss. 71.10 (5) (h) 5., (5e) (h) 4., (5f) (i), (5fm) (i), (5g) (i), (5h) (i),

1 (5i) (i), (5j) (i), (5k) (i), and (5m) (i), and 71.30 (10) (i) and (11) (i) shall be credited to  
2 this appropriation account.

3 **SECTION 753.** 20.566 (1) (q) of the statutes is amended to read:

4 20.566 (1) (q) *Recycling Economic development surcharge administration.*

5 From the ~~recycling and renewable energy~~ economic development fund, the amounts  
6 in the schedule for the costs, including data processing costs, incurred in  
7 administering the ~~recycling~~ economic development surcharge under subch. VII of ch.  
8 77.

9 **SECTION 754.** 20.575 (1) (g) of the statutes is amended to read:

10 20.575 (1) (g) *Program fees.* The amounts in the schedule for the purpose of  
11 carrying out general program operations. Except as provided under par. (ka), all  
12 amounts received by the secretary of state, including fees under ~~ch. 132 and subch.~~  
13 ~~I of ch. 137 s. 137.02~~ and all moneys transferred from the appropriation under s.  
14 20.144 (1) (g), shall be credited to this appropriation. Notwithstanding s. 20.001 (3)  
15 (a), any unencumbered balance at the close of a fiscal year exceeding 10% of that  
16 fiscal year's expenditures under this appropriation shall lapse to the general fund.

17 **SECTION 755.** 20.585 (1) (g) of the statutes is renumbered 20.505 (1) (gc).

18 **SECTION 756m.** 20.585 (1) (q) of the statutes is repealed.

19 **SECTION 757.** 20.585 (1) (r) of the statutes is repealed.

20 **SECTION 758.** 20.585 (2) (title) of the statutes is repealed.

21 **SECTION 759.** 20.585 (2) (q) of the statutes is renumbered 20.505 (1) (tb) and  
22 amended to read:

23 20.505 (1) (tb) *Payment of qualified higher education expenses and ~~refund~~*  
24 *refunds; college tuition and expenses program.* From the tuition trust fund, a sum

1 sufficient for the payment of qualified higher education expenses and refunds under  
2 s. ~~14.63~~ 16.64 (5) and (7).

3 **SECTION 760.** 20.585 (2) (s) of the statutes is renumbered 20.505 (1) (td) and  
4 amended to read:

5 20.505 (1) (td) *Administrative expenses; college tuition and expenses program.*

6 From the tuition trust fund, the amounts in the schedule for the administrative  
7 expenses of the college tuition and expenses program under s. ~~14.63~~ 16.64, including  
8 the expense of promoting the program.

9 **SECTION 761.** 20.585 (2) (t) of the statutes is renumbered 20.505 (1) (tf) and  
10 amended to read:

11 20.505 (1) (tf) *Payment of qualified higher education expenses and refunds;*  
12 *college savings program trust fund.* From the college savings program trust fund, a  
13 sum sufficient for the payment of qualified higher education expenses and refunds  
14 under s. ~~14.64~~ 16.641 (2) and (3).

15 **SECTION 762.** 20.585 (2) (tm) of the statutes is renumbered 20.505 (1) (th) and  
16 amended to read:

17 20.505 (1) (th) *Administrative expenses; college savings program trust fund.*

18 From the college savings program trust fund, the amounts in the schedule for the  
19 administrative expenses of the college savings program under s. ~~14.64~~ 16.641,  
20 including the expense of promoting the program.

21 **SECTION 763.** 20.585 (2) (u) of the statutes is renumbered 20.505 (1) (tj) and  
22 amended to read:

23 20.505 (1) (tj) *Payment of qualified higher education expenses and refunds;*  
24 *college savings program bank deposit trust fund.* From the college savings program

1 bank deposit trust fund, a sum sufficient for the payment of qualified higher  
2 education expenses and refunds under s. ~~14.64~~ 16.641 (2) and (3).

3 **SECTION 764.** 20.585 (2) (um) of the statutes is renumbered 20.505 (1) (tL) and  
4 amended to read:

5 20.505 (1) (tL) *Administrative expenses; college savings program bank deposit*  
6 *trust fund.* From the college savings program bank deposit trust fund, the amounts  
7 in the schedule for the administrative expenses of the college savings program under  
8 s. ~~14.64~~ 16.641, including the expense of promoting the program.

9 **SECTION 765.** 20.585 (2) (v) of the statutes is renumbered 20.505 (1) (tn) and  
10 amended to read:

11 20.505 (1) (tn) *Payment of qualified higher education expenses and refunds;*  
12 *college savings program credit union deposit trust fund.* From the college savings  
13 program credit union deposit trust fund, a sum sufficient for the payment of qualified  
14 higher education expenses and refunds under s. ~~14.64~~ 16.641 (2) and (3).

15 **SECTION 766.** 20.585 (2) (vm) of the statutes is renumbered 20.505 (1) (tp) and  
16 amended to read:

17 20.505 (1) (tp) *Administrative expenses; college savings program credit union*  
18 *deposit trust fund.* From the college savings program credit union deposit trust fund,  
19 the amounts in the schedule for the administrative expenses of the college savings  
20 program under s. ~~14.64~~ 16.641, including the expense of promoting the program.

21 **SECTION 767.** 20.625 (1) (g) of the statutes is created to read:

22 20.625 (1) (g) *Sale of materials and services.* All moneys received, other than  
23 from state agencies, by circuit courts from the sale of materials or services, for  
24 general program operations of the circuit courts.

25 **SECTION 768.** 20.625 (1) (k) of the statutes is created to read:

1           20.625 (1) (k) *Court interpreters.* The amounts in the schedule to pay  
2 interpreter fees reimbursed under s. 758.19 (8) and 2009 Wisconsin Act 28, section  
3 9109 (1). All moneys transferred from the appropriation account under s. 20.505 (1)  
4 (id) 8. shall be credited to this appropriation account.

5           **SECTION 768g.** 20.670 (1) (k) of the statutes is created to read:

6           20.670 (1) (k) *Director of state courts and law library transfer.* All moneys  
7 received from the appropriations under s. 20.680 (2) (a) to (ke) and (4) (a) to (h) for  
8 the purposes of the judicial council under s. 758.13.

9           **SECTION 770d.** 20.835 (1) (b) of the statutes is repealed.

10          **SECTION 770e.** 20.835 (1) (d) of the statutes is repealed.

11          **SECTION 770f.** 20.835 (1) (db) of the statutes is amended to read:

12          20.835 (1) (db) *County and municipal aid account.* A sum sufficient to make  
13 payments to counties, towns, villages, and cities under s. 79.035, less the amount  
14 paid from the appropriations under pars. ~~(m)~~, (q), and (r).

15          **SECTION 770g.** 20.835 (1) (db) of the statutes, as affected by 2011 Wisconsin Act  
16 .... (this act), is repealed and recreated to read:

17          20.835 (1) (db) *County and municipal aid account.* A sum sufficient to make  
18 payments to counties, towns, villages, and cities under s. 79.035, less the amount  
19 paid from the appropriation under par. (r).

20          **SECTION 770gh.** 20.835 (1) (dm) of the statutes is amended to read:

21          20.835 (1) (dm) *Public utility distribution account.* ~~Beginning in 2005, a~~ A sum  
22 sufficient to make the payments under s. 79.04 ~~(5), (6), and (7).~~

23          **SECTION 770h.** 20.835 (1) (f) of the statutes is repealed.

24          **SECTION 770j.** 20.835 (1) (m) of the statutes is repealed.

25          **SECTION 770m.** 20.835 (1) (q) of the statutes is repealed.

1           **SECTION 771.** 20.835 (2) (bb) of the statutes, as created by 2009 Wisconsin Act  
2 28, is amended to read:

3           20.835 (2) (bb) *Jobs tax credit.* ~~The~~ As a continuing appropriation, the amounts  
4 in the schedule to make the payments under ss. 71.07 (3q) (d) 2., 71.28 (3q) (d) 2., and  
5 71.47 (3q) (d) 2.

6           **SECTION 772.** 20.835 (2) (bn) of the statutes is amended to read:

7           20.835 (2) (bn) *Dairy manufacturing facility investment credit.* ~~The~~ As a  
8 continuing appropriation, the amounts in the schedule to make the payments under  
9 ss. 71.07 (3p) (d) 2., 71.28 (3p) (d) 2., and 71.47 (3p) (d) 2.

10           **SECTION 772d.** 20.835 (2) (bp) of the statutes is amended to read:

11           20.835 (2) (bp) *Dairy manufacturing facility investment credit; dairy*  
12 *cooperatives.* ~~A sum sufficient~~ As a continuing appropriation, the amount in the  
13 schedule to make the payments under ss. 71.07 (3p) (d) 3., 71.28 (3p) (d) 3., and 71.47  
14 (3p) (d) 3.

15           **SECTION 772g.** 20.835 (4) (gc) of the statutes is repealed.

16           **SECTION 772r.** 20.835 (4) (gh) of the statutes is repealed.

17           **SECTION 773.** 20.855 (4) (b) of the statutes is repealed.

18           **SECTION 774.** 20.855 (4) (ba) of the statutes is repealed.

19           **SECTION 775.** 20.855 (4) (bb) of the statutes is repealed.

20           **SECTION 775b.** 20.855 (7) of the statutes is created to read:

21           20.855 (7) SPECIAL TASK FORCE ON UW RESTRUCTURING AND OPERATIONAL  
22 FLEXIBILITIES. (a) *Expenses.* The amounts in the schedule for expenses of the Special  
23 Task Force on UW restructuring and operational flexibilities under 2011 Wisconsin  
24 Act .... (this act), section 9152 (1tc). No moneys may be encumbered from this  
25 appropriation after June 30, 2012.

1           **SECTION 775e.** 20.865 (intro.) of the statutes is amended to read:

2           **20.865 Program supplements.** (intro.) There is appropriated to the various  
3 state agencies from the respective funds and accounts from which their  
4 appropriations are financed, the amounts provided in this section as approved by the  
5 department of administration under ss. 16.50 and 20.928, but only after the amounts  
6 included in the respective program appropriations for the purposes specified in this  
7 section have been exhausted. Every expenditure under this section for purposes  
8 normally financed by a program revenue appropriation or segregated revenue  
9 appropriation from program receipts shall be charged to the appropriate account, but  
10 if there are insufficient moneys available in that account, the expenditure shall be  
11 charged to the fund from which the appropriation is made. Those general fund  
12 expenditures paid from general purpose revenues for purposes financed by program  
13 revenues shall be separately accounted for and the general fund, except as otherwise  
14 provided in sub. (2) (d), (j) and (t) and ss. ~~20.285 (1) (g)~~ and s. 36.52, shall be  
15 reimbursed for those expenditures as soon as moneys become available in the  
16 appropriate account.

17           **SECTION 775h.** 20.865 (1) (c) of the statutes is amended to read:

18           20.865 **(1)** (c) *Compensation and related adjustments.* A sum sufficient to  
19 supplement the appropriations to state agencies for the cost of compensation and  
20 related adjustments approved by the legislature under s. 111.92 for represented  
21 employees and by the joint committee on employment relations under s. 230.12 and  
22 by the legislature, when required, for nonrepresented employees in the classified  
23 service and comparable adjustments for nonrepresented employees in the  
24 unclassified service, except those nonrepresented employees specified in ss. 20.923  
25 ~~(4g), (5) and (6) (c) and (m)~~ and 230.08 (2) ~~(d) and (f)~~, as determined under s. 20.928,

1 other than adjustments funded under par. (cj). Unclassified employees included  
2 under s. 20.923 (2) need not be paid comparable adjustments.

3 **SECTION 775L.** 20.865 (1) (ci) of the statutes is amended to read:

4 20.865 (1) (ci) ~~Nonrepresented university system senior executive, faculty and~~  
5 ~~academic~~ University pay adjustments. A sum sufficient to pay the cost of pay and  
6 related adjustments approved by the joint committee on employment relations under  
7 s. 230.12 (3) (e) for University of Wisconsin System employees ~~under ss. 20.923 (4g),~~  
8 ~~(5) and (6) (m) and 230.08 (2) (d) who are not included within a collective bargaining~~  
9 ~~unit for which a representative is certified under subch. V or VI of ch. 111, as~~  
10 determined under s. 20.928, other than adjustments funded under par. (cj).

11 **SECTION 775o.** 20.865 (1) (i) of the statutes is amended to read:

12 20.865 (1) (i) *Compensation and related adjustments; program revenues*. From  
13 the appropriate program revenue and program revenue–service accounts, a sum  
14 sufficient to supplement the appropriations to state agencies for the cost of  
15 compensation and related adjustments approved by the legislature under s. 111.92  
16 for represented employees and by the joint committee on employment relations  
17 under s. 230.12 and the legislature, when required for nonrepresented employees in  
18 the classified service and comparable adjustments for nonrepresented employees in  
19 the unclassified service, except those nonrepresented employees specified in ss.  
20 20.923 (4g), (5) and (6) (c) ~~and (m)~~ and 230.08 (2) (d) ~~and (f)~~, as determined under s.  
21 20.928, other than adjustments funded under par. (cj). Unclassified employees  
22 included under s. 20.923 (2) need not be paid comparable adjustments.

23 **SECTION 775r.** 20.865 (1) (ic) of the statutes is amended to read:

24 20.865 (1) (ic) ~~Nonrepresented university system senior executive, faculty and~~  
25 ~~academic~~ University pay adjustments. From the appropriate program revenue and



1 program revenue–service accounts, a sum sufficient to supplement the  
2 appropriations to the University of Wisconsin System to pay the cost of pay and  
3 related adjustments approved by the joint committee on employment relations under  
4 s. 230.12 (3) (e) for University of Wisconsin System employees ~~under ss. 20.923 (4g),~~  
5 ~~(5) and (6) (m) and 230.08 (2) (d) who are not included within a collective bargaining~~  
6 ~~unit for which a representative is certified under subch. V or VI of ch. 111, as~~  
7 determined under s. 20.928, other than adjustments funded under par. (cj).

8 **SECTION 775u.** 20.865 (1) (s) of the statutes is amended to read:

9 20.865 (1) (s) *Compensation and related adjustments; segregated revenues.*

10 From the appropriate segregated funds, a sum sufficient to supplement the  
11 appropriations to state agencies for the cost of compensation and related  
12 adjustments approved by the legislature under s. 111.92 for represented employees  
13 and by the joint committee on employment relations under s. 230.12 and the  
14 legislature, when required for nonrepresented employees in the classified service  
15 and comparable adjustments for nonrepresented employees in the unclassified  
16 service, except those nonrepresented employees specified in ss. 20.923 (4g), ~~(5) and~~  
17 ~~(6) (c) and (m) and 230.08 (2) (d) and (f), as determined under s. 20.928. Unclassified~~  
18 employees under s. 20.923 (2) need not be paid comparable adjustments.

19 **SECTION 775y.** 20.865 (1) (si) of the statutes is amended to read:

20 20.865 (1) (si) *Nonrepresented university system senior executive, faculty and*  
21 *academic University pay adjustments.* From the appropriate segregated funds, a  
22 sum sufficient to supplement the appropriations to the University of Wisconsin  
23 System to pay the cost of pay and related adjustments approved by the joint  
24 committee on employment relations under s. 230.12 (3) (e) for University of  
25 Wisconsin System employees ~~under ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d)~~

1 ~~who are not included within a collective bargaining unit for which a representative~~  
2 ~~is certified under subch. V or VI of ch. 111, as determined under s. 20.928.~~

3 **SECTION 776.** 20.865 (2) (am) of the statutes is amended to read:

4 20.865 (2) (am) *Space management and child care.* The amounts in the  
5 schedule to finance the unbudgeted costs of remodeling, moving, additional rental  
6 costs, and move-related vacant space costs resulting from relocations of state  
7 agencies directed by the department of administration, ~~and the unbudgeted costs of~~  
8 ~~assessments for child care facilities under s. 16.841 (4) incurred by state agencies.~~

9 **SECTION 777.** 20.865 (2) (gm) of the statutes is amended to read:

10 20.865 (2) (gm) *Space management and child care; program revenues.* From  
11 the appropriate program revenue and program revenue-service accounts, a sum  
12 sufficient to finance the unbudgeted costs of remodeling, moving, additional rental  
13 costs, and move-related vacant space costs resulting from relocations of state  
14 agencies directed by the department of administration, ~~and the unbudgeted costs of~~  
15 ~~assessments for child care facilities under s. 16.841 (4) incurred by state agencies.~~

16 **SECTION 778.** 20.865 (2) (qm) of the statutes is amended to read:

17 20.865 (2) (qm) *Space management and child care; segregated revenues.* From  
18 the appropriate segregated funds, a sum sufficient to finance the unbudgeted costs  
19 of remodeling, moving, additional rental costs, and move-related vacant space costs  
20 resulting from relocations of state agencies directed by the department of  
21 administration, ~~and the unbudgeted costs of assessments for child care facilities~~  
22 ~~under s. 16.841 (4) incurred by state agencies.~~

23 **SECTION 778m.** 20.865 (4) (a) of the statutes is amended to read:

24 20.865 (4) (a) *General purpose revenue funds general program*  
25 *supplementation.* Biennially, the amounts in the schedule to be used to supplement

1 appropriations of the general fund which prove insufficient because of unforeseen  
2 emergencies or which prove insufficient to accomplish the purposes for which made  
3 and, during the 2011–13 fiscal biennium, to be used to supplement sum certain  
4 program revenue and program revenue–service appropriations and appropriations  
5 made from segregated funds for payment or reimbursement of costs incurred by this  
6 state to maintain security in and around the state capitol building in 2011, to be used  
7 to make loans to appropriations from the general or any segregated fund as provided  
8 in s. 13.101 (4m) and miscellaneous expense of the joint committee on finance not to  
9 exceed \$250. All loans from this appropriation when repaid shall be credited to this  
10 appropriation if repaid during the biennium in which the loan is made. All loans from  
11 this appropriation not repaid during the biennium in which the loan is made shall  
12 be general purpose revenues–earned. The governor may under this paragraph allot  
13 sums not in excess of \$1,000 to any department or agency when necessary, without  
14 a meeting of the joint committee on finance. All allotments made under this  
15 paragraph by the governor shall be certified by him or her to the department of  
16 administration, and expenditures therefrom shall be shown in the state budget  
17 report as an additional cost of the state agency to which such allotments were made.

18 **SECTION 778n.** 20.865 (4) (a) of the statutes, as affected by 2011 Wisconsin Act  
19 .... (this act), is amended to read:

20 20.865 (4) (a) *General purpose revenue funds general program*  
21 *supplementation.* Biennially, the amounts in the schedule to be used to supplement  
22 appropriations of the general fund which prove insufficient because of unforeseen  
23 emergencies or which prove insufficient to accomplish the purposes for which made  
24 ~~and, during the 2011–13 fiscal biennium, to be used to supplement sum certain~~  
25 ~~program revenue and program revenue–service appropriations and appropriations~~

1 made from segregated funds for payment or reimbursement of costs incurred by this  
2 state to maintain security in and around the state capitol building in 2011, to be used  
3 to make loans to appropriations from the general or any segregated fund as provided  
4 in s. 13.101 (4m) and miscellaneous expense of the joint committee on finance not to  
5 exceed \$250. All loans from this appropriation when repaid shall be credited to this  
6 appropriation if repaid during the biennium in which the loan is made. All loans from  
7 this appropriation not repaid during the biennium in which the loan is made shall  
8 be general purpose revenues–earned. The governor may under this paragraph allot  
9 sums not in excess of \$1,000 to any department or agency when necessary, without  
10 a meeting of the joint committee on finance. All allotments made under this  
11 paragraph by the governor shall be certified by him or her to the department of  
12 administration, and expenditures therefrom shall be shown in the state budget  
13 report as an additional cost of the state agency to which such allotments were made.

14 **SECTION 779.** 20.866 (1) (u) of the statutes is amended to read:

15 20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys  
16 appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b), ~~(br)~~, and (s), ~~and~~  
17 ~~(tb)~~, 20.190 (1) (c), (d), (i), and (j), 20.225 (1) (c) and (i), 20.245 (1) (e) and (j), 20.250  
18 (1) (c) and (e), 20.255 (1) (d), 20.285 (1) (d), ~~(db)~~, ~~(im)~~, ~~(in)~~, (je), (jq), ~~(kd)~~, ~~(km)~~, and  
19 ~~(ko)~~ and (5) ~~(i)~~ and (gi), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (ag), (aq),  
20 (ar), (at), (au), (bq), (br), (cb), (cc), (cd), (cg), (cq), (cr), (cs), (ct), (ea), (eq), and (er),  
21 20.395 (6) (af), (aq), (ar), and (au), 20.410 (1) (e), (ec), and (ko) and (3) (e), 20.435 (2)  
22 (ee), 20.465 (1) (d), 20.485 (1) (f) and (go), (3) (t) and (4) (qm), 20.505 (4) (es), (et), (ha),  
23 and (hb) and (5) (c), (g), and (kc), 20.855 (8) (a), and 20.867 (1) (a) and (b) and (3) (a),  
24 (b), (bb), (bc), (bd), (be), (bf), (bg), (bh), (bi), ~~(bj)~~, ~~(bk)~~, (bm), (bn), (bp), (bq), (br), (bu),  
25 (bv), (g), (h), (i), (kd), and (q) for the payment of principal, interest, premium due, if

1 any, and payment due, if any, under an agreement or ancillary arrangement entered  
2 into under s. 18.06 (8) (a) relating to any public debt contracted under subchs. I and  
3 IV of ch. 18.

4 **SECTION 779g.** 20.866 (2) (s) (intro.) of the statutes is amended to read:

5 20.866 (2) (s) *University of Wisconsin; academic facilities.* (intro.) From the  
6 capital improvement fund, a sum sufficient for the board of regents of the University  
7 of Wisconsin System to acquire, construct, develop, enlarge or improve university  
8 academic educational facilities and facilities to support such facilities. The state may  
9 contract public debt in an amount not to exceed ~~\$1,893,731,800~~ \$2,016,636,300 for  
10 this purpose. Of this amount:

11 **SECTION 780.** 20.866 (2) (t) of the statutes is amended to read:

12 20.866 (2) (t) *University of Wisconsin; self-amortizing facilities.* From the  
13 capital improvement fund, a sum sufficient for the board of regents of the University  
14 of Wisconsin System to acquire, construct, develop, enlarge or improve university  
15 self-amortizing educational facilities and facilities to support such facilities. The  
16 state may contract public debt in an amount not to exceed ~~\$2,185,196,800~~  
17 \$2,342,774,900 for this purpose. Of this amount, \$4,500,000 is allocated only for the  
18 University of Wisconsin–Madison indoor practice facility for athletic programs and  
19 only at the time that ownership of the facility is transferred to the state.

20 **SECTION 780m.** 20.866 (2) (ta) of the statutes is amended to read:

21 20.866 (2) (ta) *Natural resources; Warren Knowles–Gaylord Nelson*  
22 *stewardship 2000 program.* From the capital improvement fund a sum sufficient for  
23 the Warren Knowles–Gaylord Nelson stewardship 2000 program under s. 23.0917.  
24 The state may contract public debt in an amount not to exceed ~~\$1,432,000,000~~  
25 \$1,198,000,000 for this program. Except as provided in s. 23.0917 (4g) (b), (4m) (k),

1 (5) and (5m), the amounts obligated, as defined in s. 23.0917 (1) (e), under this  
2 paragraph may not exceed \$46,000,000 in fiscal year 2000–01, may not exceed  
3 \$46,000,000 in fiscal year 2001–02, may not exceed \$60,000,000 in each fiscal year  
4 beginning with fiscal year 2002–03 and ending with fiscal year 2009–10, and may  
5 not exceed \$86,000,000 in each fiscal year beginning with fiscal year 2010–11, and  
6 may not exceed \$60,000,000 in each fiscal year beginning with fiscal year 2011–12  
7 and ending with fiscal year 2019–20.

8 **SECTION 780p.** 20.866 (2) (tc) of the statutes is amended to read:

9 20.866 (2) (tc) *Clean water fund program.* From the capital improvement fund,  
10 a sum sufficient for the purposes of s. 281.57 (10m) and (10r) and to be transferred  
11 to the environmental improvement fund for the purposes of the clean water fund  
12 program under ss. 281.58 and 281.59. The state may contract public debt in an  
13 amount not to exceed \$777,043,200 \$783,743,200 for this purpose. Of this amount,  
14 the amount needed to meet the requirements for state deposits under 33 USC 1382  
15 is allocated for those deposits. Of this amount, \$8,250,000 is allocated to fund the  
16 minority business development and training program under s. 200.49 (2) (b).  
17 Moneys from this appropriation account may be expended for the purposes of s.  
18 281.57 (10m) and (10r) only in the amount by which the department of natural  
19 resources and the department of administration determine that moneys available  
20 under par. (tn) are insufficient for the purposes of s. 281.57 (10m) and (10r).

21 **SECTION 781.** 20.866 (2) (td) of the statutes is amended to read:

22 20.866 (2) (td) *Safe drinking water loan program.* From the capital  
23 improvement fund, a sum sufficient to be transferred to the environmental  
24 improvement fund for the safe drinking water loan program under s. 281.61. The

1 state may contract public debt in an amount not to exceed ~~\$45,400,000~~ \$54,800,000  
2 for this purpose.

3 **SECTION 782.** 20.866 (2) (tf) of the statutes is amended to read:

4 20.866 (2) (tf) *Natural resources; nonpoint source.* From the capital  
5 improvement fund, a sum sufficient for the department of natural resources to fund  
6 nonpoint source water pollution abatement projects under s. 281.65 (4c) and (4e).  
7 The state may contract public debt in an amount not to exceed ~~\$18,000,000~~  
8 \$25,000,000 for this purpose.

9 **SECTION 783.** 20.866 (2) (tg) of the statutes is amended to read:

10 20.866 (2) (tg) *Natural resources; environmental repair.* From the capital  
11 improvement fund, a sum sufficient for the department of natural resources to fund  
12 investigations and remedial action under s. 292.11 (7) (a) or 292.31 and remedial  
13 action under s. 281.83 and for payment of this state's share of environmental repair  
14 that is funded under 42 USC 6991 to 6991i or 42 USC 9601 to 9675. The state may  
15 contract public debt in an amount not to exceed ~~\$54,000,000~~ \$57,000,000 for this  
16 purpose. Of this amount, \$7,000,000 is allocated for remedial action under s. 281.83.

17 **SECTION 784.** 20.866 (2) (th) of the statutes is amended to read:

18 20.866 (2) (th) *Natural resources; urban nonpoint source cost-sharing.* From  
19 the capital improvement fund, a sum sufficient for the department of natural  
20 resources to provide cost-sharing grants for urban nonpoint source water pollution  
21 abatement and storm water management projects under s. 281.66, to provide  
22 municipal flood control and riparian restoration cost-sharing grants under s.  
23 281.665, and to make the grant under 2007 Wisconsin Act 20, section 9135 (1i). The  
24 state may contract public debt in an amount not to exceed ~~\$35,900,000~~ \$41,900,000

1 for this purpose. Of this amount, \$500,000 is allocated in fiscal biennium 2001–03  
2 for dam rehabilitation grants under s. 31.387.

3 **SECTION 785.** 20.866 (2) (ti) of the statutes is amended to read:

4 20.866 (2) (ti) *Natural resources; contaminated sediment removal.* From the  
5 capital improvement fund, a sum sufficient for the department of natural resources  
6 to fund removal of contaminated sediment under s. 281.87. The state may contract  
7 public debt in an amount not to exceed ~~\$22,000,000~~ \$27,000,000 for this purpose.

8 **SECTION 785m.** 20.866 (2) (tk) of the statutes is amended to read:

9 20.866 (2) (tk) *Natural resources; environmental segregated fund supported*  
10 *administrative facilities.* From the capital improvement fund, a sum sufficient for  
11 the department of natural resources to acquire, construct, develop, enlarge or  
12 improve natural resource administrative office, laboratory, equipment storage and  
13 maintenance facilities. The state may contract public debt in an amount not to  
14 exceed ~~\$10,842,500~~ \$11,535,200 for this purpose.

15 **SECTION 785p.** 20.866 (2) (tu) of the statutes is amended to read:

16 20.866 (2) (tu) *Natural resources; segregated revenue supported facilities.* From  
17 the capital improvement fund, a sum sufficient for the department of natural  
18 resources to acquire, construct, develop, enlarge or improve natural resource  
19 administrative office, laboratory, equipment storage or maintenance facilities and to  
20 acquire, construct, develop, enlarge or improve state recreation facilities and state  
21 fish hatcheries. The state may contract public debt in an amount not to exceed  
22 ~~\$80,754,000~~ \$90,100,500 for this purpose.

23 **SECTION 786.** 20.866 (2) (tx) of the statutes is amended to read:

24 20.866 (2) (tx) *Natural resources; dam safety projects.* From the capital  
25 improvement fund, a sum sufficient for the department of natural resources to



1 provide financial assistance to counties, cities, villages, towns and public inland lake  
2 protection and rehabilitation districts for dam safety projects under s. 31.385. The  
3 state may contract public debt in an amount not to exceed ~~\$9,500,000~~ \$13,500,000  
4 for this purpose.

5 **SECTION 787.** 20.866 (2) (uq) of the statutes is repealed.

6 **SECTION 788.** 20.866 (2) (ur) of the statutes is amended to read:

7 20.866 (2) (ur) *Transportation; accelerated highway improvements.* From the  
8 capital improvement fund, a sum sufficient to acquire, construct, develop, enlarge,  
9 or improve state highway facilities as provided by ss. 84.06 and 84.09. The state may  
10 contract public debt in an amount not to exceed \$185,000,000 for this purpose. This  
11 paragraph does not apply with respect to any southeast Wisconsin freeway  
12 rehabilitation projects under s. 84.014 megaproject under s. 84.0145.

13 **SECTION 789.** 20.866 (2) (uu) of the statutes is amended to read:

14 20.866 (2) (uu) *Transportation; highway projects.* From the capital  
15 improvement fund, a sum sufficient for the department of transportation to acquire,  
16 construct, reconstruct, improve, or develop highway projects under ss. 84.06 and  
17 84.09. The state may contract public debt in an amount not to exceed \$41,000,000 for  
18 this purpose. This paragraph does not apply with respect to any southeast Wisconsin  
19 freeway rehabilitation projects under s. 84.014 megaproject under s. 84.0145.

20 **SECTION 790.** 20.866 (2) (uup) of the statutes is amended to read:

21 20.866 (2) (uup) *Transportation; Marquette interchange, zoo interchange,*  
22 *southeast megaprojects, and I 94 north–south corridor reconstruction projects.* From  
23 the capital improvement fund, a sum sufficient for the department of transportation  
24 to fund the Marquette interchange reconstruction project under s. 84.014, as  
25 provided under s. 84.555, ~~and~~ the reconstruction of the I 94 north–south corridor and

1 the zoo interchange, as provided under s. 84.555 (1m), and southeast Wisconsin  
2 freeway megaprojects under s. 84.0145, as provided under s. 84.555 (1m). The state  
3 may contract public debt in an amount not to exceed ~~\$553,550,000~~ \$704,750,000 for  
4 these purposes.

5 **SECTION 791.** 20.866 (2) (uur) of the statutes is amended to read:

6 20.866 (2) (uur) *Transportation; state highway rehabilitation projects.* From  
7 the capital improvement fund, a sum sufficient for the department of transportation  
8 to fund state highway rehabilitation projects, as provided under s. 84.95. The state  
9 may contract public debt in an amount not to exceed \$250,000,000 for this purpose.  
10 In addition, the state may contract public debt in an amount not to exceed \$50 million  
11 for this purpose. In addition, the state may contract public debt in an amount not  
12 to exceed \$204,712,200 for this purpose. In addition, the state may contract public  
13 debt in an amount not to exceed \$115,351,500 for this purpose.

14 **SECTION 792.** 20.866 (2) (uus) of the statutes is amended to read:

15 20.866 (2) (uus) *Transportation; major highway projects.* From the capital  
16 improvement fund, a sum sufficient for the department of transportation to fund  
17 major highway projects, as provided under s. 84.56. The state may contract public  
18 debt in an amount not to exceed ~~\$50,000,000~~ \$100,000,000 for these purposes.

19 **SECTION 793.** 20.866 (2) (uut) of the statutes is amended to read:

20 20.866 (2) (uut) *Transportation; state highway rehabilitation, certain projects.*  
21 From the capital improvement fund, a sum sufficient for the department of  
22 transportation to fund state highway rehabilitation projects, as provided under s.  
23 84.57. The state may contract public debt in an amount not to exceed ~~\$60,000,000~~  
24 \$141,000,000 for this purpose.

25 **SECTION 794.** 20.866 (2) (uv) of the statutes is amended to read:

1           20.866 (2) (uv) *Transportation, harbor improvements.* From the capital  
2 improvement fund, a sum sufficient for the department of transportation to provide  
3 grants for harbor improvements. The state may contract public debt in an amount  
4 not to exceed ~~\$66,100,000~~ \$76,800,000 for this purpose.

5           **SECTION 795.** 20.866 (2) (uw) of the statutes is amended to read:

6           20.866 (2) (uw) *Transportation; rail acquisitions and improvements.* From the  
7 capital improvement fund, a sum sufficient for the department of transportation to  
8 acquire railroad property under ss. 85.08 (2) (L) and 85.09; and to provide grants and  
9 loans for rail property acquisitions and improvements under s. 85.08 (4m) (c) and (d).  
10 The state may contract public debt in an amount not to exceed ~~\$126,500,000~~  
11 \$156,500,000 for these purposes.

12           **SECTION 795m.** 20.866 (2) (ux) of the statutes is amended to read:

13           20.866 (2) (ux) *Corrections; correctional facilities.* From the capital  
14 improvement fund, a sum sufficient for the department of corrections to acquire,  
15 construct, develop, enlarge or improve adult and juvenile correctional facilities. The  
16 state may contract public debt in an amount not to exceed ~~\$819,800,800~~  
17 \$840,602,600 for this purpose.

18           **SECTION 795p.** 20.866 (2) (uy) of the statutes is amended to read:

19           20.866 (2) (uy) *Corrections; self-amortizing facilities and equipment.* From the  
20 capital improvement fund, a sum sufficient for the department of corrections to  
21 acquire, develop, enlarge or improve facilities and equipment used in prison  
22 industries. The state may contract public debt in an amount not to exceed  
23 ~~\$12,779,900~~ \$7,337,000 for this purpose.

24           **SECTION 795s.** 20.866 (2) (v) of the statutes is amended to read:

1           20.866 (2) (v) *Health services; mental health and secure treatment facilities.*  
2 From the capital improvement fund, a sum sufficient for the department of health  
3 services to acquire, construct, develop, enlarge or extend mental health and secure  
4 treatment facilities. The state may contract public debt in an amount not to exceed  
5 ~~\$170,950,100~~ \$174,395,800 for this purpose.

6           **SECTION 796.** 20.866 (2) (we) of the statutes is amended to read:

7           20.866 (2) (we) *Agriculture; soil and water.* From the capital improvement  
8 fund, a sum sufficient for the department of agriculture, trade and consumer  
9 protection to provide for soil and water resource management under s. 92.14. The  
10 state may contract public debt in an amount not to exceed ~~\$40,075,000~~ \$47,075,000  
11 for this purpose.

12           **SECTION 797.** 20.866 (2) (wg) of the statutes is repealed.

13           **SECTION 797m.** 20.866 (2) (ws) of the statutes is amended to read:

14           20.866 (2) (ws) *Administration; energy conservation projects; capital*  
15 *improvement fund.* From the capital improvement fund, a sum sufficient for the  
16 department of administration to provide funding to agencies, as defined in s. 16.70  
17 (1e), for energy conservation construction projects at state facilities under the  
18 jurisdiction of the agencies pursuant to s. 16.847 (2). The state may contract public  
19 debt in an amount not exceeding ~~\$80,000,000~~ \$180,000,000 for this purpose.

20           **SECTION 798.** 20.866 (2) (xg) of the statutes is created to read:

21           20.866 (2) (xg) *Building commission; refunding tax-supported and*  
22 *self-amortizing general obligation debt before July 1, 2013.* From the capital  
23 improvement fund, a sum sufficient to refund the whole or any part of any unpaid  
24 indebtedness used to finance tax-supported or self-amortizing facilities. The state  
25 may contract public debt in an amount not to exceed \$264,200,000 for this purpose.

1 Such indebtedness shall be construed to include any premium and interest payable  
2 with respect thereto. Debt incurred by this paragraph shall be incurred before July  
3 1, 2013, and shall be repaid under the appropriations providing for the retirement  
4 of public debt incurred for tax-supported and self-amortizing facilities in  
5 proportional amounts to the purposes for which the debt was refinanced.

6 **SECTION 798g.** 20.866 (2) (y) of the statutes is amended to read:

7 20.866 (2) (y) *Building commission; housing state departments and agencies.*  
8 From the capital improvement fund, a sum sufficient to the building commission for  
9 the purpose of housing state departments and agencies. The state may contract  
10 public debt in an amount not to exceed ~~\$604,526,500~~ \$623,237,800 for this purpose.

11 **SECTION 798i.** 20.866 (2) (z) (intro.) of the statutes is amended to read:

12 20.866 (2) (z) *Building commission; other public purposes.* (intro.) From the  
13 capital improvement fund, a sum sufficient to the building commission for relocation  
14 assistance and capital improvements for other public purposes authorized by law but  
15 not otherwise specified in this chapter. The state may contract public debt in an  
16 amount not to exceed ~~\$2,104,751,000~~ \$2,298,171,700 for this purpose. Of this  
17 amount:

18 **SECTION 798k.** 20.866 (2) (zbd) of the statutes is created to read:

19 20.866 (2) (zbd) *Lac du Flambeau Indian Tribal Cultural Center.* From the  
20 capital improvement fund, a sum sufficient for the building commission to provide  
21 a grant to the Lac du Flambeau Band of Lake Superior Chippewa for construction  
22 of the facility described in s. 13.48 (40m). The state may contract public debt in an  
23 amount not to exceed \$250,000 for this purpose.

24 **SECTION 798m.** 20.866 (2) (zbm) of the statutes is amended to read:

1           20.866 (2) (zbn) *Marquette University; dental clinic and education facility.*  
2 From the capital improvement fund, a sum sufficient to provide a grant to Marquette  
3 University to aid in the construction of a dental clinic and education facility. The  
4 state may contract public debt in an amount not to exceed ~~\$15,000,000~~ \$23,000,000  
5 for this purpose.

6           **SECTION 798n.** 20.866 (2) (zd) of the statutes is amended to read:

7           20.866 (2) (zd) *Educational communications board; educational*  
8 *communications facilities.* From the capital improvement fund, a sum sufficient for  
9 the educational communications board to acquire, construct, develop, enlarge or  
10 improve educational communications facilities. The state may contract public debt  
11 in an amount not to exceed \$16,658,100 for this purpose before July 1, 2003, and an  
12 amount not to exceed ~~\$23,981,500~~ \$24,503,200 for this purpose on and after July 1,  
13 2003.

14           **SECTION 798p.** 20.866 (2) (zg) of the statutes is amended to read:

15           20.866 (2) (zg) *Historical society; museum facility.* From the capital  
16 improvement fund, a sum sufficient for the historical society to acquire and remodel  
17 a museum facility. The state may contract public debt in an amount not to exceed  
18 ~~\$4,384,400~~ \$14,384,400 for this purpose.

19           **SECTION 798q.** 20.866 (2) (zgh) of the statutes is amended to read:

20           20.866 (2) (zgh) *Historical society; Wisconsin history center.* From the capital  
21 improvement fund, a sum sufficient for the historical society to construct a Wisconsin  
22 history center. The state may contract public debt in an amount not to exceed  
23 ~~\$30,000,000~~ \$20,000,000 for this purpose.

24           **SECTION 798r.** 20.866 (2) (zh) of the statutes is amended to read:

1           20.866 (2) (zh) *Public instruction; state school, state center and library*  
2 *facilities.* From the capital improvement fund, a sum sufficient for the department  
3 of public instruction to acquire, construct, develop, enlarge or improve institutional  
4 facilities for individuals with hearing impairments and individuals with visual  
5 impairments and reference and loan library facilities. The state may contract public  
6 debt in an amount not to exceed ~~\$7,367,700~~ \$12,350,600 for this purpose.

7           **SECTION 798t.** 20.866 (2) (zj) of the statutes is amended to read:

8           20.866 (2) (zj) *Military affairs; armories and military facilities.* From the  
9 capital improvement fund, a sum sufficient for the department of military affairs to  
10 acquire, construct, develop, enlarge, or improve armories and other military  
11 facilities. The state may contract public debt in an amount not to exceed ~~\$51,415,300~~  
12 \$42,667,900 for this purpose.

13           **SECTION 798v.** 20.866 (2) (zp) of the statutes is amended to read:

14           20.866 (2) (zp) *Veterans affairs; self-amortizing facilities.* From the capital  
15 improvement fund, a sum sufficient for the department of veterans affairs to acquire,  
16 construct, develop, enlarge or improve facilities at state veterans homes. The state  
17 may contract public debt in an amount not to exceed ~~\$38,370,100~~ \$43,840,800 for this  
18 purpose.

19           **SECTION 798w.** 20.866 (2) (zz) of the statutes is amended to read:

20           20.866 (2) (zz) *State fair park board; self-amortizing facilities.* From the  
21 capital improvement fund, a sum sufficient to the state fair park board to acquire,  
22 construct, develop, enlarge, or improve facilities at the state fair park in West Allis.  
23 The state may contract public debt not to exceed ~~\$52,987,100~~ \$53,437,100 for this  
24 purpose.

25           **SECTION 798y.** 20.867 (3) (bj) of the statutes is created to read:

1           20.867 (3) (bj) *Principal repayment, interest and rebates; Lac du Flambeau*  
2 *Indian Tribal Cultural Center.* A sum sufficient to reimburse s. 20.866 (1) (u) for the  
3 payment of principal and interest costs incurred in financing the construction of a  
4 tribal cultural center for the Lac du Flambeau Band of Lake Superior Chippewa, as  
5 described in s. 13.48 (40m), to make the payments determined by the building  
6 commission under s. 13.488 (1) (m) that are attributable to the proceeds of  
7 obligations incurred in financing the project, and to make payments under an  
8 agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

9           **SECTION 799.** 20.867 (3) (c) of the statutes is repealed.

10          **SECTION 799g.** 20.867 (3) (h) of the statutes is amended to read:

11          20.867 (3) (h) *Principal repayment, interest, and rebates.* A sum sufficient to  
12 guarantee full payment of principal and interest costs for self-amortizing or  
13 partially self-amortizing facilities enumerated under ss. 20.190 (1) (j), 20.245 (1) (j),  
14 20.285 (1) ~~(im), (gj) and (je), (jq), (kd), (km), and (ko)~~, 20.370 (7) (eq), 20.485 (1) (go),  
15 and 20.867 (3) (kd) if moneys available in those appropriations are insufficient to  
16 make full payment, to make full payment of the amounts determined by the building  
17 commission under s. 13.488 (1) (m) if the appropriation under s. 20.190 (1) (j), 20.245  
18 (1) (j), 20.285 (1) ~~(im), (gj) and (je), (jq), (kd), (km), or (ko)~~, 20.485 (1) (g), or 20.867 (3)  
19 (kd) is insufficient to make full payment of those amounts, and to make payments  
20 under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a). All  
21 amounts advanced under the authority of this paragraph shall be repaid to the  
22 general fund whenever the balance of the appropriation for which the advance was  
23 made is sufficient to meet any portion of the amount advanced. The department of  
24 administration may take whatever action is deemed necessary including the making  
25 of transfers from program revenue appropriations and corresponding appropriations



1 from program receipts in segregated funds and including actions to enforce  
2 contractual obligations that will result in additional program revenue for the state,  
3 to ensure recovery of the amounts advanced.

4 **SECTION 799r.** 20.867 (3) (k) of the statutes is amended to read:

5 20.867 (3) (k) *Interest rebates on obligation proceeds; program revenues.* All  
6 moneys transferred from the appropriations under pars. (g) and (i) and ss. 20.190 (1)  
7 (j), 20.245 (1) (j), 20.285 (1) ~~(kd)~~ (gj), 20.410 (1) (ko) and 20.505 (5) (g) and (kc) to make  
8 the payments determined by the building commission under s. 13.488 (1) (m) on the  
9 proceeds of obligations specified in those paragraphs.

10 **SECTION 804.** 20.916 (3) of the statutes is amended to read:

11 20.916 (3) FURNISHING OF GROUP TRANSPORTATION TO PLACE OF WORK. The  
12 department of health services, the department of corrections, and the department of  
13 natural resources may, with the approval of the governor and the department of  
14 administration, provide group transportation, in the absence of convenient and  
15 public scheduled transportation, for employees to and from the Mendota and  
16 Winnebago mental health institutes and the centers for the developmentally  
17 disabled in the case of employees of the department of health services, to the ~~Ethan~~  
18 ~~Allen School~~, the Taycheedah Correctional Institution, and the Fox Lake  
19 Correctional Institution in the case of employees of the department of corrections,  
20 and to and from its temporary branch offices located at the Nevin Fish Hatchery  
21 grounds in the case of employees of the department of natural resources. Any  
22 employee, if injured while being so transported, shall be considered to have been in  
23 the course of his or her employment.

24 **SECTION 804m.** 20.916 (10) of the statutes is created to read:

1           20.916 **(10)** APPLICABILITY. This section shall not apply to officers or employees  
2 of the Board of Regents of the University of Wisconsin System.

3           **SECTION 804t.** 20.921 (2) (c) of the statutes is created to read:

4           20.921 **(2)** (c) The head of each state agency, as defined in s. 40.02 (54), shall  
5 deduct from the salary of each employee the contributions required by s. 40.05 (1) (a)  
6 as provided in s. 40.05 (1) (b).

7           **SECTION 805.** 20.923 (4) (intro.) of the statutes is amended to read:

8           20.923 **(4)** STATE AGENCY POSITIONS. (intro.) State agency heads, the  
9 administrator of the division of merit recruitment and selection in the office of state  
10 employment relations and commission chairpersons and members shall be identified  
11 and limited in number in accordance with the standardized nomenclature contained  
12 in this subsection, and shall be assigned to the executive salary groups listed in pars.  
13 (a) to (h). Except for positions specified in ~~par.~~ pars. (c) 3m. and (g) 1e. and sub. (12),  
14 all unclassified division administrator positions enumerated under s. 230.08 (2) (e)  
15 shall be assigned, when approved by the joint committee on employment relations,  
16 by the director of the office of state employment relations to one of 10 executive salary  
17 groups. The joint committee on employment relations, by majority vote of the full  
18 committee, may amend recommendations for initial position assignments and  
19 changes in assignments to the executive salary groups submitted by the director of  
20 the office of state employment relations. All division administrator assignments and  
21 amendments to assignments of administrator positions approved by the committee  
22 shall become part of the compensation plan. Whenever a new unclassified division  
23 administrator position is created, the appointing authority may set the salary for the  
24 position until the joint committee on employment relations approves assignment of  
25 the position to an executive salary group. If the committee approves assignment of

1 the position to an executive salary group having a salary range minimum or  
2 maximum inconsistent with the salary paid to the incumbent at the time of such  
3 approval, the incumbent's salary shall be adjusted by the appointing authority to  
4 conform with the committee's action, effective on the date of that action. Positions  
5 are assigned as follows:

6 **SECTION 807.** 20.923 (4) (c) 2. of the statutes is created to read:

7 20.923 (4) (c) 2. Administration, department of; office of business development:  
8 director.

9 **SECTION 808.** 20.923 (4) (f) 8m. of the statutes is amended to read:

10 20.923 (4) (f) 8m. ~~Regulation and licensing~~ Safety and professional services,  
11 department of: secretary.

12 **SECTION 809.** 20.923 (4) (g) 1e. of the statutes is created to read:

13 20.923 (4) (g) 1e. Administration, department of; division of enterprise  
14 technology: administrator.

15 **SECTION 809g.** 20.923 (4g) of the statutes is repealed.

16 **SECTION 809r.** 20.923 (5) of the statutes is repealed.

17 **SECTION 812.** 20.923 (6) (am) of the statutes is amended to read:

18 20.923 (6) (am) Each elective executive officer, except the secretary of state and  
19 the state treasurer: a stenographer.

20 **SECTION 812m.** 20.923 (6) (bm) of the statutes is amended to read:

21 20.923 (6) (bm) Investment board: all positions ~~except blue collar and clerical~~  
22 positions.

23 **SECTION 813g.** 20.923 (6) (Lm) of the statutes is created to read:

1           20.923 (6) (Lm) University of Wisconsin–Madison, chancellor: all positions  
2 assigned to the University of Wisconsin–Madison, other than chancellor of the  
3 University of Wisconsin–Madison.

4           **SECTION 813r.** 20.923 (6) (m) of the statutes is amended to read:

5           20.923 (6) (m) University of Wisconsin System: ~~deans, principals, professors,~~  
6 ~~instructors, research assistants, librarians and other teachers, as defined in s. 40.02~~  
7 ~~(55), the staff of the environmental education board, and instructional staff~~  
8 ~~employed by the board of regents of the University of Wisconsin System who provide~~  
9 ~~services for a charter school established by contract under s. 118.40 (2r) (cm) all~~  
10 ~~positions, including the chancellor of the University of Wisconsin–Madison, but not~~  
11 ~~including any other position assigned to the University of Wisconsin–Madison.~~

12           **SECTION 814.** 20.923 (8) of the statutes is amended to read:

13           20.923 (8) DEPUTIES. Salaries for deputies appointed pursuant to ss. 13.94 (3)  
14 (b), 15.04 (2) and 551.601 (1) shall be set by the appointing authority. The salary shall  
15 not exceed the maximum of the salary range one range below the salary range of the  
16 executive salary group to which the department or agency head is assigned. The  
17 positions of assistant secretary of state, assistant state treasurer and associate  
18 director of the historical society shall be treated as unclassified deputies for pay  
19 purposes under this subsection. The salary of the deputy director of the office of  
20 business development in the department of administration is assigned to executive  
21 salary group 2.

22           **SECTION 815.** 20.923 (12) (title) of the statutes is amended to read:

23           20.923 (12) (title) ~~OTHER DEPARTMENT OF REGULATION AND LICENSING~~ SAFETY AND  
24 PROFESSIONAL SERVICES POSITIONS.

25           **SECTION 815b.** 20.923 (14) (b) of the statutes is repealed.

1           **SECTION 815d.** 20.923 (15) (b) of the statutes is amended to read:

2           20.923 **(15)** (b) Except for the positions identified in ~~subs. (4g), (5), and sub.~~ (7)  
3 (b), the pay of any incumbent whose salary is subject to a limitation under this  
4 section may not equal or exceed that amount paid the governor.

5           **SECTION 815f.** 20.923 (16) of the statutes is amended to read:

6           20.923 **(16)** OVERTIME AND COMPENSATORY TIME EXCLUSION. The salary paid to  
7 any person whose position is included under subs. (2), (4), ~~(4g), (5),~~ (7), and (8) to (12)  
8 is deemed to compensate that person for all work hours. No overtime compensation  
9 may be paid, and no compensatory time under s. 103.025 may be provided, to any  
10 such person for hours worked in any workweek in excess of the standard basis of  
11 employment as specified in s. 230.35 (5) (a).

12           **SECTION 815g.** 20.924 (1) (a) of the statutes is amended to read:

13           20.924 **(1)** (a) Shall authorize the design and construction of any building,  
14 structure or facility costing in excess of \$500,000 \$760,000 regardless of funding  
15 source, only if that project is enumerated in the authorized state building program.

16           **SECTION 815h.** 20.924 (1) (b) of the statutes is amended to read:

17           20.924 **(1)** (b) Shall authorize the acquisition of land, or the repair, remodeling  
18 or improvement to any existing building, structure or facility costing in excess of  
19 \$500,000 \$760,000, regardless of funding source, only if that project is enumerated  
20 in the authorized state building program. This paragraph does not apply to the  
21 acquisition of land by the building commission in the city of Madison within a block  
22 number specified in s. 13.48 (18). This paragraph does not apply to projects  
23 authorized under s. 16.858.

24           **SECTION 815i.** 20.924 (1) (b) of the statutes, as affected by 1997 Wisconsin Acts  
25 5 and 27, is amended to read:

1           20.924 (1) (b) Shall authorize the acquisition of land, or the repair, remodeling  
2 or improvement to any existing building, structure or facility costing in excess of  
3 \$500,000 \$760,000, regardless of funding source, only if that project is enumerated  
4 in the authorized state building program. This paragraph does not apply to projects  
5 authorized under s. 16.858.

6           **SECTION 817m.** 20.927 (1m) of the statutes is amended to read:

7           20.927 (1m) Except as provided under subs. (2) and (3), no funds of this state  
8 or of any county, city, village, town or long-term care district under s. 46.2895 or of  
9 any subdivision or agency of this state, including an authority created in ch. 233, or  
10 of any subdivision or agency of any county, city, village or town and no federal funds  
11 passing through the state treasury shall be authorized for or paid to a physician or  
12 surgeon or a hospital, clinic or other medical facility for the performance of an  
13 abortion.

14           **SECTION 822d.** 23.0912 (title) of the statutes is repealed and recreated to read:

15           **23.0912** (title) **Land management, maintenance, and improvement**  
16 **activities.**

17           **SECTION 822g.** 23.0912 (1) of the statutes is renumbered 23.0912 (1g) and  
18 amended to read:

19           23.0912 (1g) The department may contract with nonprofit conservation  
20 organizations, ~~as defined in s. 23.0955 (1), and with private companies~~ and other 3rd  
21 parties to perform land management, maintenance, and improvement activities on  
22 department land, ~~as defined in s. 23.0917 (1) (c).~~

23           **SECTION 822j.** 23.0912 (1b) of the statutes is created to read:

24           23.0912 (1b) In this section:

25           (a) “Department land” has the meaning given in s. 23.0917 (1) (c).

1 (b) “Nonprofit conservation organization” has the meaning given in s. 23.0955  
2 (1).

3 **SECTION 822m.** 23.0912 (1m) of the statutes is created to read:

4 23.0912 (1m) The department may receive gifts, grants, and bequests of  
5 money, materials, or services from nonprofit conservation organizations and other  
6 donors for the performance of land management, maintenance, and improvement  
7 activities on department land.

8 **SECTION 822p.** 23.0912 (1r) of the statutes is created to read:

9 23.0912 (1r) The department may acknowledge the performance of activities  
10 pursuant to contracts under sub. (1g) and the receipt of moneys, materials, and  
11 services under sub. (1m) by the use of signs or by bulletins, pamphlets, or other  
12 communications that are published or electronically transmitted by the department.

13 **SECTION 822s.** 23.0912 (2) of the statutes is amended to read:

14 23.0912 (2) The department shall prepare, for the joint committee on finance,  
15 an annual report concerning any contracts into which the department enters under  
16 sub. (1) ~~(1g)~~ during each fiscal year. For each contract entered, the report shall  
17 include information concerning the cost of the contract, the activities performed  
18 under the contract, and an assessment of the cost–effectiveness of the contract. The  
19 department shall submit the report to the committee no later than November 15 for  
20 the preceding fiscal year, and shall submit the first report no later than November  
21 15, 2008.

22 **SECTION 822t.** 23.0913 of the statutes is created to read:

23 **23.0913 Report on land acquisitions. (1)** In this section, “land” has the  
24 meaning given in s. 23.0917 (1) (d).

1           **(2)** On or before November 15 of each odd-numbered year, the department of  
2 natural resources shall submit to the joint committee on finance and to the chief clerk  
3 of each house of the legislature for distribution to the appropriate standing  
4 committees under s. 13.172 (3) a report regarding the total number of acres of land  
5 that the department plans to acquire for any of the the purposes specified in s. 23.09  
6 (2) (d).

7           **SECTION 822u.** 23.0915 (2c) (b) of the statutes is amended to read:

8           23.0915 **(2c)** (b) If the amount of moneys available for expenditure for a purpose  
9 under sub. (1) (a) to (n) on July 1, 2000, is greater than zero, the department may  
10 expend for that purpose any portion of or all of the moneys available for expenditure  
11 in one or more subsequent fiscal years, subject to par. (d).

12           **SECTION 822v.** 23.0915 (2c) (c) of the statutes is amended to read:

13           23.0915 **(2c)** (c) If the amount of moneys available for expenditure for a purpose  
14 under sub. (1) (a) to (k) is not sufficient for a given project or activity and if the project  
15 or activity is uniquely valuable in conserving the natural resources of the state, the  
16 department may expend for that project or activity moneys that are designated for  
17 any of the purposes under sub. (1) (a) to (k) in one or more subsequent years, subject  
18 to par. (d).

19           **SECTION 822w.** 23.0915 (2c) (d) of the statutes is created to read:

20           23.0915 **(2c)** (d) No moneys may be committed for expenditure from the  
21 appropriation under s. 20.866 (2) (tz) after June 30, 2020.

22           **SECTION 825.** 23.0916 (2) (a) of the statutes is amended to read:

23           23.0916 **(2)** (a) Earlier acquisitions. Except as provided in par. (b) and sub. (4),  
24 any person receiving a stewardship grant on or after October 27, 2007, and before the  
25 effective date of this paragraph .... [LRB inserts date], that will be used to acquire



1 land in fee simple or to acquire an easement on former managed forest land shall  
2 permit public access to the land for nature–based outdoor activities.

3 **SECTION 826.** 23.0916 (2) (am) of the statutes is created to read:

4 23.0916 (2) (am) *Later acquisitions.* Except as provided in par. (b) or (c) and  
5 sub. (4), any person receiving a stewardship grant on or after the effective date of this  
6 paragraph .... [LRB inserts date], that will be used to acquire land in fee simple or  
7 to acquire an easement on former managed forest land shall permit public access to  
8 the land for nature–based outdoor activities.

9 **SECTION 827.** 23.0916 (2) (b) (intro.) of the statutes is amended to read:

10 23.0916 (2) (b) *Authority to prohibit access; earlier acquisitions; trails.* (intro.)  
11 The Except as provided in par. (c), the person receiving the a stewardship grant  
12 subject to par. (a) or (am) may prohibit public access for one or more nature–based  
13 outdoor activities, only if the natural resources board determines that it is necessary  
14 to do so in order to do any of the following:

15 **SECTION 828.** 23.0916 (2) (c) of the statutes is created to read:

16 23.0916 (2) (c) *Authority to prohibit access; later acquisitions.* For acquisitions  
17 of land or easements that are not for state trails or the ice age trail the person  
18 receiving a stewardship grant subject to par. (am) may prohibit public access for one  
19 or more nature–based outdoor activities only if the natural resources board  
20 determines that it is necessary to do so in order to do any of the following:

- 21 1. Protect public safety.
- 22 2. Protect a unique animal or plant community.

23 **SECTION 829.** 23.0916 (3) (a) (title) of the statutes is created to read:

24 23.0916 (3) (a) (title) *All acquisitions.*

1           **SECTION 830.** 23.0916 (3) (b) (intro.), 1., 2. and 3. of the statutes are  
2 consolidated, renumbered 23.0916 (3) (b) and amended to read:

3           23.0916 **(3)** (b) *Authority to prohibit access; earlier acquisitions; trails.* The  
4 department may prohibit public access on land or an easement subject to par. (a) for  
5 one or more nature-based outdoor activities if the natural resources board  
6 determines that it is necessary to do so ~~in order to do any of the following:~~ 1. ~~Protect~~  
7 ~~protect~~ public safety. 2. ~~Protect, protect~~ a unique animal or plant community. 3.  
8 ~~Accommodate, or accommodate~~ usership patterns, as defined by rule by the  
9 department. This paragraph applies to all acquisitions of land in fee simple and  
10 easements on former managed forest land that occur on former managed forest land  
11 before the effective date of this paragraph .... [LRB inserts date], and to the  
12 acquisition of easements on former managed forest land for state trails and the ice  
13 age trail that occur on or after the effective date of this paragraph .... [LRB inserts  
14 date].

15           **SECTION 831.** 23.0916 (3) (c) of the statutes is created to read:

16           23.0916 **(3)** (c) *Authority to prohibit access; later acquisitions.* The department  
17 may prohibit public access on land or an easement subject to par. (a) for one or more  
18 nature-based outdoor activities only if the natural resources board determines that  
19 it is necessary to do so to protect public safety or to protect a unique animal or plant  
20 community. This paragraph applies to acquisitions of land in fee simple and  
21 easements on former managed forest land for purposes other than for state trails and  
22 the ice age trail that occur on or after the effective date of this paragraph .... [LRB  
23 inserts date].

24           **SECTION 832.** 23.0916 (4) of the statutes is amended to read:

1           23.0916 **(4)** FISH AND GAME REFUGES. The department or an owner of land that  
2 is in a fish or game refuge and that is subject to sub. (2) (a) or (am) or (3) (a) may  
3 prohibit hunting, fishing, or trapping, or any combination thereof.

4           **SECTION 833.** 23.0916 (5) (a) of the statutes is amended to read:

5           23.0916 **(5)** (a) Provisions relating to public access for nature–based outdoor  
6 activities for all lands other than those subject to sub. (2) (a) or (am) or (3) (a) that  
7 are acquired in whole or in part with funding from the stewardship programs under  
8 ss. 23.0915 and 23.0917.

9           **SECTION 834.** 23.0916 (5) (b) of the statutes is amended to read:

10           23.0916 **(5)** (b) A process for the review of determinations made under subs. (2)  
11 (b) or (c) and (3) (b) or (c).

12           **SECTION 835f.** 23.0917 (3) (dm) 3m. of the statutes is amended to read:

13           23.0917 **(3)** (dm) 3m. For fiscal years 2008–09 and 2009–10, \$42,500,000 for  
14 each fiscal year.

15           **SECTION 835j.** 23.0917 (3) (dm) 4. of the statutes is amended to read:

16           23.0917 **(3)** (dm) 4. ~~For each fiscal year beginning with fiscal year 2010–11 and~~  
17 ~~ending with fiscal year 2019–20, \$62,000,000.~~

18           **SECTION 835m.** 23.0917 (3) (dm) 5. of the statutes is created to read:

19           23.0917 **(3)** (dm) 5. For fiscal year 2011–12, \$37,500,000.

20           **SECTION 835p.** 23.0917 (3) (dm) 6. of the statutes is created to read:

21           23.0917 **(3)** (dm) 6. For fiscal year 2012–13, \$36,500,000.

22           **SECTION 835s.** 23.0917 (3) (dm) 7. of the statutes is created to read:

23           23.0917 **(3)** (dm) 7. For each fiscal year beginning with 2013–14 and ending  
24 with fiscal year 2019–20, \$42,500,000.

25           **SECTION 836c.** 23.0917 (4) (d) 1. of the statutes is amended to read:

1           23.0917 (4) (d) 1. The department may obligate not more than \$11,500,000 in  
2           fiscal year 2000–01 and not more than \$11,500,000 in fiscal year 2001–02 under the  
3           subprogram except as provided in sub. (5). For each fiscal year beginning with  
4           2002–03 and ending with fiscal year 2009–10, the department may obligate not more  
5           than \$15,000,000 under the subprogram except as provided in sub. (5). For each  
6           ~~fiscal year beginning with fiscal year 2010–11 and ending with fiscal year 2019–20,~~  
7           the department may obligate not more than \$21,500,000 under the subprogram  
8           except as provided in sub. (5).

9           **SECTION 836f.** 23.0917 (4) (d) 1m. of the statutes is created to read:

10           23.0917 (4) (d) 1m. Except as provided in sub. (5), the department may not  
11           obligate under the subprogram more than the following amounts:

12           a. For fiscal year, 2011–12, \$20,000,000.

13           b. For fiscal year 2012–13, \$21,000,000.

14           c. For each fiscal year beginning with 2013–14 and ending with fiscal year  
15           2019–20, \$15,000,000.

16           **SECTION 836j.** 23.0917 (4) (d) 2n. of the statutes is amended to read:

17           23.0917 (4) (d) 2n. ~~Beginning with~~ For fiscal year 2010–11 ~~and ending with~~  
18           ~~fiscal year 2019–20,~~ the department may obligate not more than \$11,500,000 ~~in each~~  
19           ~~fiscal year~~ for local assistance.

20           **SECTION 836m.** 23.0917 (4) (d) 2p. of the statutes is created to read:

21           23.0917 (4) (d) 2p. Beginning with fiscal year 2011–2012 and ending with fiscal  
22           year 2019–20, the department may obligate not more than \$8,000,000 in each fiscal  
23           year for local assistance.

24           **SECTION 836p.** 23.0917 (5) (a) of the statutes is amended to read:

1           23.0917 (5) (a) If for a given fiscal year the department obligates an amount  
2 from the moneys appropriated under s. 20.866 (2) (ta) for a subprogram under sub.  
3 (3) or (4) that is less than the annual bonding authority for that subprogram for that  
4 given fiscal year, the department shall adjust the annual bonding authority for that  
5 subprogram by raising the annual bonding authority, as it may have been previously  
6 adjusted under this paragraph and par. (b), for the next fiscal year by the amount  
7 that equals the difference between the amount authorized for that subprogram and  
8 the obligated amount for that subprogram in that given fiscal year. This paragraph  
9 does not apply after fiscal year 2010–11.

10           **SECTION 836s.** 23.0917 (5g) of the statutes is created to read:

11           23.0917 (5g) UNUSED BONDING AUTHORITY. If for a given fiscal year, the  
12 department obligates an amount from the moneys appropriated under s. 20.866 (2)  
13 (ta) for a subprogram under sub. (3) or (4) that is less than the annual bonding  
14 authority under that subprogram for that given fiscal year, the department may not  
15 obligate the unobligated amount in subsequent fiscal years. This subsection applies  
16 beginning with fiscal year 2011–12 and ending with fiscal year 2019–20.

17           **SECTION 837.** 23.0917 (5t) of the statutes is created to read:

18           23.0917 (5t) LOCAL GOVERNMENTAL RESOLUTIONS. Each city, village, town, or  
19 county may adopt a nonbinding resolution that supports or opposes the proposed  
20 acquisition of land to be funded by moneys obligated from the appropriation under  
21 s. 20.866 (2) (ta) if all or a portion of the land is located in the city, village, town, or  
22 county. The department shall provide written notification of the proposed  
23 acquisition to each city, village, town, or county in which the land is located. A city,  
24 village, town, or county that adopts a resolution shall provide the department with  
25 a copy of the resolution. If the department receives the copy within 30 days after the

1 date that the city, village, town, or county received the notification of the proposed  
2 acquisition, the department shall take the resolution into consideration before  
3 approving or denying the obligation of moneys for the acquisition from the  
4 appropriation under s. 20.866 (2) (ta).

5 **SECTION 837m.** 23.0917 (6m) (a) of the statutes is amended to read:

6 23.0917 **(6m)** (a) The department may not obligate from the appropriation  
7 under s. 20.866 (2) (ta) for a given project or activity any moneys unless it first  
8 notifies the joint committee on finance in writing of the proposal. ~~The committee may~~  
9 ~~schedule a meeting to review the department's proposal only if at least 5 members~~  
10 ~~of the committee, one of whom is a cochairperson, object to the proposal in writing.~~

11 If the cochairpersons of the committee do not notify the department within 14  
12 working days after the date of the department's notification that the committee has  
13 scheduled a meeting to review the proposal, the department may obligate the  
14 moneys. If, within 14 working days after the date of the notification by the  
15 department, the cochairpersons of the committee notify the department that the  
16 committee has scheduled a meeting to review the proposal, the department may  
17 obligate the moneys only upon approval of the committee ~~unless par. (b) applies. A~~  
18 ~~proposal as submitted by the department is approved unless a majority of the~~  
19 ~~members of the committee who attend the meeting to review the proposal vote to~~  
20 ~~modify or deny the proposal.~~

21 **SECTION 837r.** 23.0917 (6m) (b) of the statutes is repealed.

22 **SECTION 837t.** 23.0917 (6m) (bg) of the statutes is repealed.

23 **SECTION 838.** 23.0917 (6m) (c) of the statutes is amended to read:

1           23.0917 **(6m)** (c) The procedures under ~~pars. par. (a) and (b)~~ apply only to an  
2 amount for a project or activity that exceeds \$750,000 \$250,000, except as provided  
3 in pars. (d) and (dm).

4           **SECTION 839.** 23.0917 (6m) (dm) (intro.) of the statutes is amended to read:

5           23.0917 **(6m)** (dm) (intro.) The procedures under ~~pars. par. (a) and (b)~~ apply to  
6 an amount for a project or activity that is less than or equal to \$750,000 \$250,000 if  
7 all of the following apply:

8           **SECTION 840.** 23.0917 (6m) (dm) 1. of the statutes is amended to read:

9           23.0917 **(6m)** (dm) 1. The project or activity is so closely related to one or more  
10 other department projects or activities for which the department has proposed to  
11 obligate or has obligated moneys under s. 20.866 (2) (ta) that the projects or  
12 activities, if combined, would constitute a larger project or activity that exceeds  
13 \$750,000 \$250,000.

14           **SECTION 840m.** 23.0917 (6m) (dm) 2. of the statutes is amended to read:

15           23.0917 **(6m)** (dm) 2. The project or activity was separated from a larger project  
16 or activity by the department primarily to avoid the procedures under ~~pars. par. (a)~~  
17 ~~and (b)~~.

18           **SECTION 840p.** 23.0917 (7) (a) of the statutes is amended to read:

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

25           **SECTION 841b.** 23.0917 (7) (b) of the statutes is amended to read:

1           23.0917 (7) (b) For land that has been owned by the current owner for less than  
2 one year, the ~~acquisition costs~~ buyer's acquisition price of the land shall equal the  
3 sum of the land's current fair market value and other acquisition costs of the buyer,  
4 as determined by rule by the department, or the current owner's acquisition price,  
5 whichever is lower.

6           **SECTION 842b.** 23.0917 (7) (c) of the statutes is renumbered 23.0917 (7) (c)  
7 (intro.) and amended to read:

8           23.0917 (7) (c) (intro.) For land that has been owned by the current owner for  
9 one year or more but for less than 3 years, the ~~acquisition costs of the land~~ buyer's  
10 acquisition price shall equal the lower of the following:

11           2. The sum of the current owner's acquisition price and the annual adjustment  
12 increase.

13           **SECTION 843b.** 23.0917 (7) (c) 1. of the statutes is created to read:

14           23.0917 (7) (c) 1. The land's current fair market value and other acquisition  
15 costs of the buyer as determined by rule by the department.

16           **SECTION 844.** 23.0917 (7) (d) (intro.) of the statutes is amended to read:

17           23.0917 (7) (d) (intro.) For purposes of par. (c) 2., the annual adjustment  
18 increase shall be calculated by multiplying the current owner's acquisition price by  
19 5% and by then multiplying that product by one of the following numbers:

20           **SECTION 845.** 23.0917 (7) (e) 1. of the statutes is amended to read:

21           23.0917 (7) (e) 1. For any land for which moneys are proposed to be obligated  
22 from the appropriation under s. 20.866 (2) (ta) in order to provide a grant ~~or~~ state  
23 aid, or other funding to a governmental unit or nonprofit conservation organization  
24 under s. 23.09 (19), (20), or (20m), 23.092 (4), 23.094 (3g), 23.0953, 23.096, 30.24 (2),  
25 or 30.277 ~~or to a nonprofit conservation organization under s. 23.096,~~ the department



1 shall use at least 2 appraisals to determine the current fair market value of the land.  
2 The governmental unit or nonprofit conservation organization shall submit to the  
3 department one appraisal that is paid for by the governmental unit or nonprofit  
4 conservation organization. The department shall obtain its own independent  
5 appraisal. The department may also require that the governmental unit or nonprofit  
6 conservation organization submit a 3rd independent appraisal. The department  
7 shall reimburse the governmental unit or nonprofit conservation organization up to  
8 50% of the costs of the 3rd appraisal as part of the acquisition costs of the land if the  
9 land is acquired by the governmental unit or nonprofit conservation organization  
10 with moneys obligated from the appropriation under s. 20.866 (2) (ta).

11 **SECTION 846.** 23.0917 (7) (e) 2. of the statutes is amended to read:

12 23.0917 (7) (e) 2. Subdivision 1. does not apply if the current fair market value  
13 of the land is estimated by the department to be \$350,000 or less.

14 **SECTION 847.** 23.0917 (7) (f) 2. of the statutes is amended to read:

15 23.0917 (7) (f) 2. For any acquisition of any land that is funded with moneys  
16 obligated from the appropriation under s. 20.866 (2) (ta), the department, within 30  
17 days after the moneys are obligated, shall submit to the clerk and the assessor of each  
18 taxation district in which the land is located a copy of every appraisal in the  
19 department's possession that was prepared in order to determine the current fair  
20 market value of the land involved. An assessor who receives a copy of an appraisal  
21 under this subdivision shall consider the appraisal in valuing the land as provided  
22 under s. 70.32 (1).

23 **SECTION 848m.** 23.0917 (12) of the statutes is repealed and recreated to read:

24 23.0917 (12) EXPENDITURES AFTER 2020. No moneys may be obligated from the  
25 appropriation under s. 20.866 (2) (ta) after June 30, 2020.

1           **SECTION 856.** 23.15 (1) of the statutes is amended to read:

2           23.15 (1) The natural resources board may sell, at public or private sale, lands  
3 and structures owned by the state under the jurisdiction of the department of natural  
4 resources, except central or district office facilities, when the natural resources board  
5 determines that ~~said~~ the lands are no longer necessary for the state's use for  
6 conservation purposes and, if real property, the real property is not the subject of a  
7 petition under s. ~~560.9810~~ 16.310 (2).

8           **SECTION 857.** 23.167 (2) (intro.) of the statutes is amended to read:

9           23.167 (2) (intro.) The department, in consultation with the ~~department of~~  
10 ~~commerce~~ Wisconsin Economic Development Corporation, shall do all of the  
11 following for each economic development program administered by the department:

12           **SECTION 858.** 23.169 (title) of the statutes is amended to read:

13           **23.169** (title) **Economic development assistance coordination and**  
14 **reporting.**

15           **SECTION 859.** 23.169 of the statutes is renumbered 23.169 (2) and amended to  
16 read:

17           23.169 (2) Annually, no later than October 1, the department shall submit to  
18 the joint legislative audit committee and to the appropriate standing committees of  
19 the legislature under s. 13.172 (3) a comprehensive report assessing economic  
20 development programs, as defined in s. 23.167 (1), administered by the department.  
21 The report shall include all of the information required under s. ~~560.01 (2) (am)~~  
22 238.07 (2). The department shall collaborate with the ~~department of commerce~~  
23 Wisconsin Economic Development Corporation to make readily accessible to the  
24 public on an Internet-based system the information required under this section.

25           **SECTION 860.** 23.169 (1) of the statutes is created to read:

1           23.169 (1) The department shall coordinate any economic development  
2 assistance with the Wisconsin Economic Development Corporation.

3           **SECTION 861g.** 23.17 (4m) of the statutes is created to read:

4           23.17 (4m) CHIPPEWA COUNTY INTERPRETIVE CENTER DESIGNATION. The  
5 interpretive center in the Chippewa Moraine State Recreation Area in Chippewa  
6 County is designated the David R. Obey Ice Age Trail Interpretive Center.

7           **SECTION 862m.** 23.197 (15) of the statutes is created to read:

8           23.197 (15) AGRICULTURAL EASEMENTS. From the appropriation under s. 20.866  
9 (2) (ta), the department of natural resources shall provide to the department of  
10 agriculture, trade and consumer protection the amount necessary for the  
11 department of agriculture, trade and consumer protection to purchase agricultural  
12 conservation easements under s. 93.73 (7) that were preliminarily approved under  
13 s. 93.73 (5) during 2010, but the amount may not exceed \$5,200,000. For the  
14 purposes of s. 23.0917, moneys provided under this subsection from the  
15 appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated under the  
16 subprogram under s. 23.0917 (3), but the easements acquired with these moneys  
17 shall otherwise not be treated as easements that are acquired under the stewardship  
18 program under s. 23.0917.

19           **SECTION 862p.** 23.1985 of the statutes is amended to read:

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

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

5 **SECTION 863.** 23.27 (5) of the statutes is amended to read:

6 23.27 (5) NATURAL AREAS LAND ACQUISITION; COMMITMENT UNDER THE WISCONSIN  
7 NATURAL AREAS HERITAGE PROGRAM. It is the intent of the legislature to initiate  
8 additional natural areas land acquisition activities with moneys available from the  
9 appropriations under ss. 20.370 (1) (~~mg~~) (gr) and 20.866 (2) (ta), (tt) and (tz) under  
10 the Wisconsin natural areas heritage program. This commitment is separate from  
11 and in addition to the continuing commitment under sub. (4). Moneys available from  
12 the appropriations under ss. 20.370 (1) (~~mg~~) (gr) and 20.866 (2) (ta), (tt) and (tz)  
13 under the Wisconsin natural areas heritage program may not be used to acquire land  
14 through condemnation. The department may not acquire land under this subsection  
15 unless the land is suitable for dedication under the Wisconsin natural areas heritage  
16 program and upon purchase or as soon after purchase as practicable the department  
17 shall take all necessary action to dedicate the land under the Wisconsin natural  
18 areas heritage program. Except as provided in s. 23.0915 (2), the department may  
19 not expend from the appropriation under s. 20.866 (2) (tz) more than \$500,000 in  
20 each fiscal year for natural areas land acquisition activities under this subsection  
21 and for grants for this purpose under s. 23.096.

22 **SECTION 864.** 23.27 (6) of the statutes is amended to read:

23 23.27 (6) SALE; CREDIT. Moneys received by the state from the sale of any area  
24 on state-owned land under the department's management or control which is  
25 withdrawn from the state natural areas system shall be credited to the appropriation

1 under s. 20.370 (1) (~~mg~~) (gr). An amount equal to the value of any area on  
2 state-owned land under the department's management or control which is  
3 withdrawn from the state natural areas system but remains in state ownership shall  
4 be credited to the appropriation under s. 20.370 (1) (~~mg~~) (gr).

5 **SECTION 865.** 23.29 (2) of the statutes is amended to read:

6 **23.29 (2) CONTRIBUTIONS; STATE MATCH.** The department may accept  
7 contributions and gifts for the Wisconsin natural areas heritage program. The  
8 department shall convert donations of land which it determines, with the advice of  
9 the council, are not appropriate for the Wisconsin natural areas heritage program  
10 into cash. The department shall convert other noncash contributions into cash.  
11 These moneys shall be deposited in the general conservation fund and credited to the  
12 appropriation under s. 20.370 (1) (~~mg~~) (gr). These moneys shall be matched by an  
13 equal amount released from the appropriation under s. 20.866 (2) (ta), (tt) or (tz) or  
14 from any combination of these appropriations to be used for natural areas land  
15 acquisition activities under s. 23.27 (5). The department shall determine how the  
16 moneys being released are to be allocated from these appropriations.

17 **SECTION 866.** 24.80 of the statutes is amended to read:

18 **24.80 Normal school fund.** The lands and moneys described in s. 24.79, not  
19 being granted for any other specified purpose, accrue to the school fund under article  
20 X, section 2, of the constitution; and having been found unnecessary for the support  
21 and maintenance of common schools, are appropriated to the support and  
22 maintenance of state universities and suitable libraries and apparatus therefor, and  
23 to that end are set apart and denominated the "Normal School Fund". All lands,  
24 moneys, loans, investments and securities set apart to the normal school fund and  
25 all swamp lands and income and interest received on account of the capital of that

1 fund constitute a separate and perpetual fund. ~~Except as provided in ss. 20.255 (1)~~  
2 ~~(q) and 20.285 (1) (rm), all income and interest from the normal school fund shall be~~  
3 ~~paid into the general fund as general purpose revenue.~~ Normal school fund income,  
4 interest and revenues do not include expenses deducted from gross receipts  
5 permitted under ss. 24.04 (2), 24.53 and 24.62 (1).

6 **SECTION 866d.** 25.15 (5) of the statutes is amended to read:

7 25.15 (5) COMMISSIONS. All records of commissions paid by the board for  
8 purchases and sales of investments are open to public inspection, except those  
9 relating to investments made or considered by the board in securities of entities that  
10 are in the venture capital stage.

11 **SECTION 866e.** 25.16 (2) of the statutes is amended to read:

12 25.16 (2) ~~Subject to authorization under s. 16.505, the~~ The executive director  
13 may appoint a chief legal counsel, chief financial officer, chief risk officer and not  
14 more than 11 investment directors and shall appoint a chief investment officer and  
15 all other employees necessary to carry out the functions of the board, except that the  
16 board shall appoint the internal auditor and shall participate in the selection of the  
17 chief investment officer and investment directors and the internal auditor shall  
18 appoint his or her staff. The executive director shall appoint all employees outside  
19 the classified service, ~~except blue collar and clerical employees.~~ Neither the  
20 executive director, the internal auditor, the chief investment officer, the chief legal  
21 counsel, the chief financial officer, the chief risk officer, any investment director nor  
22 any other employee of the board shall have any financial interest, either directly or  
23 indirectly, in any firm engaged in the sale or marketing of real estate or investments  
24 of any kind, nor shall any of them render investment advice to others for  
25 remuneration.

1           **SECTION 866m.** 25.16 (7) of the statutes is amended to read:

2           25.16 (7) The executive director shall fix the compensation of all employees  
3 appointed by the executive director, ~~subject to restrictions set forth in the~~  
4 ~~compensation plan under s. 230.12 or any applicable collective bargaining~~  
5 ~~agreement in the case of employees in the classified service~~ but the board may  
6 provide for bonus compensation to employees in the unclassified service. All  
7 employees shall pay employee required contributions under s. 40.05 (1) (a) 1. or 2.,  
8 whichever is appropriate, and shall pay the employee share of health insurance  
9 premiums as determined under s. 40.05 (4) (ag).

10           **SECTION 866s.** 25.165 (1) of the statutes is amended to read:

11           25.165 (1) There is created in the board an internal audit subunit, under the  
12 supervision of the internal auditor. The internal auditor shall report directly to the  
13 board and, ~~subject to authorization under s. 16.505,~~ shall appoint all employees  
14 necessary to carry out the duties of the internal auditor. The internal auditor shall  
15 appoint all employees outside the classified service, ~~except blue collar and clerical~~  
16 ~~employees.~~ The internal auditor shall fix the compensation of all employees  
17 appointed by the internal auditor, ~~subject to restrictions set forth in the~~  
18 ~~compensation plan under s. 230.12 or any applicable collective bargaining~~  
19 ~~agreement in the case of employees in the classified service~~ but the board may  
20 provide for bonus compensation to employees in the unclassified service.

21           **SECTION 866t.** 25.17 (1) (cm) of the statutes is repealed.

22           **SECTION 867.** 25.17 (1) (nm) of the statutes is amended to read:

23           25.17 (1) (nm) ~~Recycling and renewable energy~~ Economic development fund (s.  
24 25.49);

25           **SECTION 867m.** 25.17 (1) (ys) of the statutes is repealed.

1           **SECTION 868.** 25.17 (2) (f) of the statutes is amended to read:

2           25.17 **(2)** (f) Invest the moneys belonging to the college savings program trust  
3 fund, the college savings program bank deposit trust fund, and the college savings  
4 program credit union deposit trust fund in a manner consistent with the guidelines  
5 established under s. 14.64 16.641 (2) (c), unless the moneys are under the  
6 management and control of a vendor selected under s. 16.255. In making  
7 investments under this paragraph, the investment board shall accept any  
8 reasonable terms and conditions that the college savings program board specifies  
9 and is relieved of any obligations relevant to prudent investment of the fund,  
10 including the standard of responsibility under s. 25.15 (2).

11           **SECTION 868e.** 25.17 (13m) of the statutes is renumbered 25.17 (13m) (intro.)  
12 and amended to read:

13           25.17 **(13m)** (intro.) No later than 45 days after the end of each calendar  
14 quarter, submit a report to the department of administration, the cochairpersons of  
15 the joint legislative audit committee, and the cochairpersons of the joint committee  
16 on finance ~~detailing all~~ that identifies all of the following:

17           (a) All costs and expenses charged to funds during that calendar quarter. ~~The~~  
18 ~~report shall include, including~~ a breakdown of the amount and percentage of assets  
19 managed under each type of dedicated and commingled account or partnership, and  
20 the change in the amount and percentage from the prior calendar quarter.

21           **SECTION 868f.** 25.17 (13m) (b) of the statutes is created to read:

22           25.17 **(13m)** (b) All operating expenditures during that calendar quarter.

23           **SECTION 868g.** 25.17 (13m) (c) of the statutes is created to read:

24           25.17 **(13m)** (c) The number of full-time equivalent positions created or  
25 abolished by the board under s. 16.505 (2g) during that calendar quarter.



1           **SECTION 868j.** 25.17 (13r) of the statutes is created to read:

2           25.17 **(13r)** Appear before the joint committee on finance, by the board's  
3 executive director or by board personnel designated by the executive director, at the  
4 committee's first quarterly meeting under s. 13.10 in each fiscal year to provide an  
5 update, for the current fiscal year and the succeeding fiscal year, of the board's  
6 completed or projected operating budget changes, position authorization changes,  
7 assessment of the funds under management, and performance of the funds under  
8 management.

9           **SECTION 869.** 25.17 (70) (intro.) of the statutes is amended to read:

10           25.17 **(70)** (intro.) No later than December 31 of every even-numbered year,  
11 ~~after receiving a report from the department of commerce under s. 560.08 (2) (m) and~~  
12 ~~in consultation with the department of commerce,~~ submit to the governor and to the  
13 presiding officer of each house of the legislature a plan for making investments in  
14 this state. The purpose of the plan is to encourage the board to make the maximum  
15 amount of investments in this state, subject to s. 25.15 and consistent with the  
16 statutory purpose of each trust or fund managed by the board. The plan shall discuss  
17 potential investments to be made during the succeeding 5 years beginning in the  
18 year after submittal of the plan, and shall include, but not be limited to, the following:

19           **SECTION 870.** 25.17 (70) (a) of the statutes is repealed.

20           **SECTION 871.** 25.17 (70) (d) of the statutes is amended to read:

21           25.17 **(70)** (d) Comments solicited from the ~~secretary of commerce~~ chief  
22 executive officer of the Wisconsin Economic Development Corporation and received  
23 by the board on or before November 30 of the year of submittal.

24           **SECTION 871m.** 25.184 of the statutes is created to read:

1           **25.184 Confidentiality of venture capital investment information.**

2 Information relating to investments made or considered by the board in securities  
3 of entities that are in the venture capital stage are not subject to public inspection,  
4 copying, or disclosure under s. 19.35 unless the information has been publicly  
5 released by another person.

6           **SECTION 872.** 25.185 (1) (a) of the statutes is amended to read:

7           25.185 (1) (a) “Disabled veteran–owned financial adviser” means a financial  
8 adviser certified by the department of ~~commerce~~ administration under s. ~~560.0335~~  
9 16.283 (3).

10          **SECTION 873.** 25.185 (1) (b) of the statutes is amended to read:

11          25.185 (1) (b) “Disabled veteran–owned investment firm” means an  
12 investment firm certified by the department of ~~commerce~~ administration under s.  
13 ~~560.0335~~ 16.283 (3).

14          **SECTION 874.** 25.185 (1) (c) of the statutes is amended to read:

15          25.185 (1) (c) “Minority financial adviser” means a financial adviser certified  
16 by the department of ~~commerce~~ administration under s. ~~560.036~~ 16.287 (2).

17          **SECTION 875.** 25.185 (1) (d) of the statutes is amended to read:

18          25.185 (1) (d) “Minority investment firm” means an investment firm certified  
19 by the department of ~~commerce~~ administration under s. ~~560.036~~ 16.287 (2).

20          **SECTION 875e.** 25.187 (2) (a) of the statutes is amended to read:

21          25.187 (2) (a) ~~Subject to par. (c), on~~ On September 1 of each year, the investment  
22 board shall assess each fund for which the board has management responsibility for  
23 its share of the board’s operating expenditures for the current fiscal year in an  
24 equitable manner. The board shall pay the assessment from the current income of

1 each fund, unless an appropriation is made for payment of the assessment, in which  
2 case the assessment shall be paid from that appropriation account.

3 **SECTION 875m.** 25.187 (2) (b) of the statutes is created to read:

4 25.187 (2) (b) The investment board may establish the operating budget for  
5 operating expenditures and monitor the fiscal management of this operating budget.

6 **SECTION 875s.** 25.187 (2) (c) of the statutes is repealed.

7 **SECTION 877.** 25.36 (1) of the statutes is amended to read:

8 25.36 (1) Except as provided in sub. (2), all moneys appropriated or transferred  
9 by law shall constitute the veterans trust fund which shall be used for the lending  
10 of money to the mortgage loan repayment fund under s. 45.37 (5) (a) 12. and for the  
11 veterans programs under ss. 20.485 (2) (m), ~~(mn)~~, (tm), (u), ~~(v)~~, ~~(vo)~~, (vy), (w), and (z),  
12 and (zm), and (5) (mn), (v), (vo), and (zm), 45.03 (19), 45.07, 45.20, 45.21, 45.40 (1m),  
13 45.41, 45.42, 45.43, and 45.82 and administered by the department of veterans  
14 affairs, including all moneys received from the federal government for the benefit of  
15 veterans or their dependents; all moneys paid as interest on and repayment of loans  
16 under the post-war rehabilitation fund; soldiers rehabilitation fund, veterans  
17 housing funds as they existed prior to July 1, 1961; all moneys paid as interest on  
18 and repayment of loans under this fund; all moneys paid as expenses for, interest on,  
19 and repayment of veterans trust fund stabilization loans under s. 45.356, 1995 stats.;  
20 all moneys paid as expenses for, interest on, and repayment of veterans personal  
21 loans; the net proceeds from the sale of mortgaged properties related to veterans  
22 personal loans; all mortgages issued with the proceeds of the 1981 veterans home  
23 loan revenue bond issuance purchased with moneys in the veterans trust fund; all  
24 moneys received from the state investment board under s. 45.42 (8) (b); all moneys  
25 received from the veterans mortgage loan repayment fund under s. 45.37 (7) (a) and

1 (c); and all gifts of money received by the board of veterans affairs for the purposes  
2 of this fund.

3 **SECTION 878.** 25.40 (1) (a) 3. of the statutes is amended to read:

4 25.40 (1) (a) 3. Revenues collected under ss. 341.09 (2) (d), (2m) (a) 1., (4), and  
5 (7), 341.14 (2), (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1)  
6 (a) and (b), (2), (2e), and (2m), 341.17 (8), 341.19 (1) (a), 341.25, 341.255 (1), (2) (a),  
7 (b), and (c), and (5), 341.26 (1), (2), (2m) (am) and (b), (3), (3m), (4), (5), and (7), 341.264  
8 (1), 341.265 (1), 341.266 (2) (b) and (3), 341.268 (2) (b) and (3), 341.269 (2) (b), 341.30  
9 (3), 341.305 (3), 341.307 (4) (a), 341.308 (3), 341.36 (1) and (1m), 341.51 (2), and  
10 342.14, ~~except s. 342.14 (1r)~~, that are pledged to any fund created under s. 84.59 (2).

11 **SECTION 879m.** 25.40 (1) (a) 4. of the statutes is amended to read:

12 25.40 (1) (a) 4. Moneys received paid to the Board of Regents of the University  
13 of Wisconsin System under s. 341.14 (6r) (b) 4. ~~that are deposited in the general fund~~  
14 ~~and credited to the appropriation under s. 20.285 (1) (jp).~~

15 **SECTION 880.** 25.40 (1) (a) 5m. of the statutes is repealed.

16 **SECTION 883m.** 25.42 of the statutes is repealed.

17 **SECTION 884m.** 25.421 of the statutes is repealed.

18 **SECTION 885e.** 25.425 of the statutes is amended to read:

19 **25.425 Election administration fund.** There is established a separate  
20 nonlapsible trust fund, designated the election administration fund, consisting of all  
21 moneys received from the federal government under P.L. 107–252, all moneys  
22 received from requesters from sales of copies of the official registration list, and all  
23 moneys transferred to the fund from other funds.

24 **SECTION 886.** 25.46 (1k) of the statutes is repealed.

25 **SECTION 887b.** 25.46 (6s) of the statutes is created to read:

1           25.46 (6s) The fees imposed under s. 289.645.

2           **SECTION 888.** 25.46 (19) of the statutes is repealed.

3           **SECTION 889.** 25.466 of the statutes is amended to read:

4           **25.466 Working lands fund.** There is created a separate trust fund  
5 designated as the working lands fund, consisting of all moneys received under ss.  
6 ~~91.48 (2) (c) and s.~~ 91.66 (1) (c) and all moneys received due to the sale, modification,  
7 or termination of an easement purchased under s. 93.73.

8           **SECTION 890.** 25.47 (5) of the statutes is amended to read:

9           25.47 (5) The moneys transferred from the appropriation account under s.  
10 ~~20.143 (3) 20.165 (2) (s).~~

11          **SECTION 891.** 25.49 (intro.) of the statutes is amended to read:

12          **25.49 ~~Recycling and renewable energy~~ Economic development fund.**  
13 (intro.) There is established a separate nonlapsible trust fund designated as the  
14 ~~recycling and renewable energy~~ economic development fund, to consist of:

15          **SECTION 892.** 25.49 (1m) of the statutes is renumbered 25.46 (5k).

16          **SECTION 893.** 25.49 (2) of the statutes is renumbered 25.46 (5L).

17          **SECTION 894b.** 25.49 (3) of the statutes is repealed.

18          **SECTION 896.** 25.50 (3) (a) of the statutes is amended to read:

19          25.50 (3) (a) With the consent of the governing body, a local official may transfer  
20 local funds to the ~~state treasurer~~ department of administration for deposit in the  
21 fund.

22          **SECTION 896d.** 25.50 (3) (b) of the statutes is amended to read:

23          25.50 (3) (b) On the dates specified and to the extent to which they are  
24 available, subject to s. 16.53 (10), funds payable to local governments under ss. ~~79.03~~  
25 79.035, 79.04, 79.05, ~~79.058, 79.06, 79.08,~~ and 79.10 shall be considered local funds

1 and, pursuant to the instructions of local officials, may be paid into the separate  
2 accounts of all local governments established in the local government  
3 pooled–investment fund and, pursuant to the instructions of local officials, to the  
4 extent to which they are available, be disbursed or invested.

5 **SECTION 898.** 25.50 (4) of the statutes is amended to read:

6 **25.50 (4) PERIOD OF INVESTMENTS; WITHDRAWAL OF FUNDS.** Subject to the right of  
7 the local government to specify the period in which its funds may be held in the fund,  
8 the ~~state treasurer~~ department of administration shall prescribe the mechanisms  
9 and procedures for deposits and withdrawals.

10 **SECTION 899.** 25.50 (5m) (a) of the statutes is amended to read:

11 **25.50 (5m) (a)** The board, in cooperation with the department of  
12 administration, shall provide ~~information necessary for the state treasurer to~~  
13 ~~provide~~ a monthly report to each local government having an investment in the fund.  
14 The board shall use all reasonable efforts to provide ~~the information to the state~~  
15 ~~treasurer in time to allow the treasurer to mail or electronically transmit~~ the report  
16 to the local government no later than 6 business days after the end of the month  
17 covered by the report. The report shall include information on the fund's earnings  
18 for the month, with comparison to appropriate indexes or benchmarks in the private  
19 sector.

20 **SECTION 900.** 25.50 (7) of the statutes is amended to read:

21 **25.50 (7) REIMBURSEMENT OF EXPENSES.** The ~~state treasurer~~ department of  
22 administration shall deduct monthly from the earnings of the fund during the  
23 preceding calendar month an amount sufficient to cover all actual and necessary  
24 expenses incurred by the state in administering the fund in the preceding calendar  
25 month, except that in no fiscal year may the ~~state treasurer~~ department of

1 administration deduct an amount exceeding the amount appropriated under s.  
2 ~~20.585~~ 20.505 (1) ~~(g)~~ (gc) for that fiscal year.

3 **SECTION 901.** 25.50 (8) (b) of the statutes is amended to read:

4 25.50 **(8)** (b) The ~~state treasurer~~ department of administration shall report  
5 monthly to each local official the deposits and withdrawals of the preceding month  
6 and any other activity within the account.

7 **SECTION 902.** 25.50 (9) of the statutes is amended to read:

8 25.50 **(9)** RULES. The ~~state treasurer~~ department of administration may  
9 promulgate rules to carry out the purposes of this section.

10 **SECTION 903.** 25.50 (10) of the statutes is amended to read:

11 25.50 **(10)** INSURANCE OF PRINCIPAL. The ~~state treasurer~~ department of  
12 administration may obtain insurance for the safety of the principal investments of  
13 the fund. The insurance is a reimbursable expense under sub. (7).

14 **SECTION 903m.** 25.77 (8) of the statutes is amended to read:

15 25.77 **(8)** All moneys transferred from the appropriation under s. 20.285 (1) ~~(iz)~~  
16 (gb).

17 **SECTION 904.** 25.80 of the statutes is amended to read:

18 **25.80 Tuition trust fund.** There is established a separate nonlapsible trust  
19 fund designated as the tuition trust fund, consisting of all revenue from enrollment  
20 fees and the sale of tuition units under s. ~~14.63~~ 16.64.

21 **SECTION 905.** 25.85 of the statutes is amended to read:

22 **25.85 College savings program trust fund.** There is established a separate  
23 nonlapsible trust fund designated as the college savings program trust fund,  
24 consisting of all revenue from enrollment fees for and contributions to college savings  
25 accounts under s. ~~14.64~~ 16.641 and from distributions and fees paid by the vendor

1 under s. 16.255 (3) other than revenue from those sources that is deposited in the  
2 college savings program bank deposit trust fund or the college savings program  
3 credit union deposit trust fund.

4 **SECTION 906.** 25.853 of the statutes is amended to read:

5 **25.853 College savings program bank deposit trust fund.** There is  
6 established a separate nonlapsible trust fund designated as the college savings  
7 program bank deposit trust fund, consisting of all revenue from enrollment fees for  
8 and contributions to college savings accounts under s. ~~14.64~~ 16.641 in which the  
9 investment instrument is an account held by a state or national bank, a state or  
10 federal savings bank, a state or federal savings and loan association, or a savings and  
11 trust company that has its main office or home office or a branch office in this state  
12 and that is insured by the Federal Deposit Insurance Corporation, and all revenue  
13 from distributions and fees paid by the vendors of those investment instruments  
14 under s. 16.255 (3).

15 **SECTION 907.** 25.855 of the statutes is amended to read:

16 **25.855 College savings program credit union deposit trust fund.** There  
17 is established a separate nonlapsible trust fund designated as the college savings  
18 program credit union deposit trust fund, consisting of all revenue from enrollment  
19 fees for and contributions to college savings accounts under s. ~~14.64~~ 16.641 in which  
20 the investment instrument is an account held by a state or federal credit union,  
21 including a corporate central credit union organized under s. 186.32, that has its  
22 main office or home office or a branch office located in this state and that is insured  
23 by the National Credit Union Administration, and all revenue from distributions  
24 and fees paid by the vendors of those investment instruments under s. 16.255 (3).

25 **SECTION 908.** 26.02 (1) (intro.) of the statutes is amended to read:



1           26.02 (1) DUTIES. (intro.) The council on forestry shall advise the governor, the  
2 legislature, the department of natural resources, ~~the department of commerce~~, and  
3 other state agencies, as determined to be appropriate by the council, on all of the  
4 following topics as they affect forests located in this state:

5           **SECTION 909.** 26.37 (1) (intro.) of the statutes is amended to read:

6           26.37 (1) (intro.) The department of natural resources ~~and the department of~~  
7 ~~commerce~~ shall jointly develop a plan to establish a lake states wood utilization  
8 consortium to provide research, development, and demonstration grants to enhance  
9 the forest products industry in Wisconsin and other states. The plan shall do all of  
10 the following:

11           **SECTION 910.** 26.37 (1) (b) of the statutes is amended to read:

12           26.37 (1) (b) Establish an implementation committee for the consortium.  
13 Members of the committee may include one or more representatives from the  
14 department of natural resources, ~~the department of commerce~~ Wisconsin Economic  
15 Development Corporation, and the forest products industry.

16           **SECTION 911.** 26.37 (2) of the statutes is amended to read:

17           26.37 (2) The department of natural resources may not expend moneys from  
18 the appropriations under s. 20.370 (5) (ax) or (6) (bt), 1997 stats., unless the  
19 department of natural resources and the ~~department of commerce~~ Wisconsin  
20 Economic Development Corporation first submit to the joint committee on finance  
21 the plan required under sub. (1). If the cochairpersons of the joint committee on  
22 finance do not notify the department of natural resources within 14 working days  
23 after the date of the departments' submittal of the plan that the committee has  
24 scheduled a meeting to review the plan, the plan may be implemented and moneys  
25 may be expended as proposed by the department of natural resources. If, within 14

1 days after the date of the departments' submittal of the plan, the cochairpersons of  
2 the committee notify the department of natural resources that the committee has  
3 scheduled a meeting to review the plan, moneys may be expended only after the plan  
4 has been approved by the committee.

5 **SECTION 911t.** 26.39 (3) of the statutes is repealed.

6 **SECTION 913e.** 28.05 (3) (am) of the statutes is created to read:

7 28.05 (3) (am) The department shall, by rule, establish a program that allows  
8 cooperating foresters and private contractors to assist the state in regenerating  
9 harvested areas of state lands to meet the annual allowable timber harvest  
10 established under s. 28.025. The rule shall include provisions authorizing the  
11 department to contract with cooperating foresters and private contractors to conduct  
12 activities that promote artificial and natural forest regeneration including site  
13 preparation, invasive species control, and tree planting. The rule shall authorize  
14 cooperating foresters and private contractors with whom the department contracts  
15 under this paragraph to receive a portion of the proceeds from the sale of timber  
16 harvested from state lands on which the cooperating forester or private contractor  
17 provided assistance under the contract.

18 **SECTION 913g.** 28.05 (3) (b) of the statutes is renumbered 28.05 (3) (b) 1.

19 **SECTION 913i.** 28.05 (3) (b) 2. of the statutes is created to read:

20 28.05 (3) (b) 2. Each cooperating forester or private contractor with whom the  
21 department contracts under par. (am) shall be entitled to receive the amount  
22 determined by the department as specified in the rule promulgated by the  
23 department under par. (am).

24 **SECTION 913k.** 28.05 (3) (c) of the statutes is amended to read:

1           28.05 (3) (c) Of the amount received by the department from each timber sale  
2 for which the department used the services of a cooperating forester or a private  
3 contractor under this subsection, the department shall credit to the appropriation  
4 account under s. 20.370 (1) (cy) an amount equal to the portion of the sale proceeds  
5 that the department is required to pay to the cooperating forester or private  
6 contractor.

7           **SECTION 913r.** 28.06 (2m) (a) of the statutes is renumbered 28.06 (2m) and  
8 amended to read:

9           28.06 (2m) A person who purchases a seedling under sub. (2) shall pay, in  
10 addition to the price of the seedling charged under sub. (2), a surcharge for each  
11 seedling purchased. Beginning on September 1, 2001, and ending on June 30, 2002,  
12 the surcharge shall be 2 cents for each seedling. Beginning on July 1, 2002, the  
13 surcharge shall be 3 cents for each seedling. All surcharges collected under this  
14 ~~paragraph~~ subsection shall be deposited in the conservation fund.

15           **SECTION 913t.** 28.06 (2m) (b) of the statutes is repealed.

16           **SECTION 914m.** 29.598 (2) of the statutes is amended to read:

17           29.598 (2) MATCH. No moneys may be ~~transferred~~ paid from the appropriation  
18 account under s. 20.370 (1) (mu) ~~to pay~~ for the costs associated with the agreement  
19 under sub. (1), unless the organization described in sub. (1) demonstrates that it has  
20 contributed an equal amount to pay for those costs. The matching contribution may  
21 be in the form of money or in-kind goods or services.

22           **SECTION 915.** 30.121 (3w) (b) of the statutes is amended to read:

23           30.121 (3w) (b) The boathouse is located on land zoned exclusively for  
24 commercial or industrial purposes or the boathouse is located on a brownfield, as

1 defined in s. ~~560.13~~ 238.13 (1) (a), or in a blighted area, as defined in s. 66.1331 (3)  
2 (a).

3 **SECTION 916.** 30.126 (5) (h) of the statutes is amended to read:

4 30.126 (5) (h) *May not have improper toilets.* No person may construct, place  
5 or maintain a fishing raft on authorized portions of the Wolf River if the fishing raft  
6 is equipped with a toilet which permits toilet waste to be disposed of in the waterway.  
7 A toilet on a fishing raft shall comply with rules of the department of ~~commerce~~ safety  
8 and professional services as if the toilet were on a boat.

9 **SECTION 917.** 30.443 (1) (a) of the statutes is amended to read:

10 30.443 (1) (a) Promulgate rules establishing standards for erosion prevention  
11 or control at sites in the riverway that are not subject to the standards established  
12 under s. 101.1206 (1) or 101.653 (2) or ~~281.33 (3m) (a)~~ and that have a natural slope  
13 of 20% or less.

14 **SECTION 918.** 30.443 (1) (b) of the statutes is amended to read:

15 30.443 (1) (b) Promulgate rules establishing standards for erosion prevention  
16 or control that are in addition to standards established under ss. 101.1206 (1) and  
17 101.653 (2) and ~~281.33 (3m) (a)~~ for sites in the riverway that are subject to those  
18 standards and that have a natural slope of 12% or more but 20% or less.

19 **SECTION 919.** 30.443 (2) of the statutes is amended to read:

20 30.443 (2) The board may impose any of the applicable standards established  
21 under sub. (1) (a) or (b) or ss. 101.1206 (1) or 101.653 (2) or ~~281.33 (3m) (a)~~ as a  
22 condition for receiving a permit under s. 30.44 (1), and the board may promulgate  
23 rules to enforce these standards in the riverway.

24 **SECTION 920.** 30.71 (4) of the statutes is amended to read:

1           30.71 (4) Any rules necessary to carry out the purposes of this section shall be  
2 promulgated jointly by the department of ~~commerce~~ safety and professional services  
3 and the department of natural resources.

4           **SECTION 921.** 31.385 (2) (c) 1. of the statutes is amended to read:

5           31.385 (2) (c) 1. The department conducts an investigation or inspection of the  
6 dam under this chapter and the owner of the dam requests financial assistance under  
7 this section ~~within 6 months~~ after having received department directives, based on  
8 the department's investigation or inspection of the dam, for the repair, modification  
9 or abandonment and removal of the dam or for another activity to increase the safety  
10 of the dam.

11           **SECTION 921g.** 31.385 (2) (d) of the statutes is amended to read:

12           31.385 (2) (d) The financial assistance that is provided under this section shall  
13 be paid from the appropriations under s. 20.866 (2) (tL) and (tx), except as provided  
14 in par. (dm) and in 1991 Wisconsin Act 39, section 9142 (10d).

15           **SECTION 921m.** 31.385 (2) (dm) of the statutes is created to read:

16           31.385 (2) (dm) Financial assistance that is provided under sub. (7) shall be  
17 paid from the appropriation under s. 20.866 (2) (ta) and shall be treated as moneys  
18 obligated from the subprogram under s. 23.0917 (3).

19           **SECTION 921r.** 31.385 (7) of the statutes is created to read:

20           31.385 (7) Notwithstanding the limitations under sub. (2) (a), and beginning  
21 with fiscal year 2011–12 and ending with fiscal year 2019–20, the department shall  
22 set aside from the appropriation under s. 20.866 (2) (ta) not less than a total of  
23 \$6,000,000 that may be obligated only to provide financial assistance to counties for  
24 projects to maintain, repair, modify, abandon, or remove dams. To be eligible for  
25 financial assistance, a county must be under an order issued by the department to

1 maintain, repair, modify, abandon, or remove a dam that is owned by the county and  
2 the order must be in effect on the effective date of this subsection .... [LRB inserts  
3 date]. The amount of the financial assistance may not be for more than 25 percent  
4 of the costs of a project or \$2,500,000, whichever is less. Subsection (2) (c) does not  
5 apply to a project for which financial assistance is provided under this subsection.  
6 A project need not be included under the inventory maintained by the department  
7 under sub. (4) in order for a county to receive financial assistance under this  
8 subsection.

9 **SECTION 922e.** 32.02 (11) of the statutes is amended to read:

10 32.02 (11) Any housing authority created under ss. 66.1201 to 66.1211;  
11 redevelopment authority created under s. 66.1333; community development  
12 authority created under s. 66.1335; local cultural arts district created under subch.  
13 V of ch. 229, subject to s. 229.844 (4) (c); or local exposition district created under  
14 subch. II of ch. 229; ~~or transit authority created under s. 66.1039.~~

15 **SECTION 922m.** 32.05 (1) (a) of the statutes is amended to read:

16 32.05 (1) (a) Except as provided under par. (b), a county board of supervisors  
17 or a county highway committee when so authorized by the county board of  
18 supervisors, a city council, a village board, a town board, a sewerage commission  
19 governing a metropolitan sewerage district created by ss. 200.05 or 200.21 to 200.65,  
20 the secretary of transportation, a commission created by contract under s. 66.0301,  
21 a joint local water authority created by contract under s. 66.0823, ~~a transit authority~~  
22 ~~created under s. 66.1039~~, a housing authority under ss. 66.1201 to 66.1211, a local  
23 exposition district created under subch. II of ch. 229, a local cultural arts district  
24 created under subch. V of ch. 229, a redevelopment authority under s. 66.1333 or a  
25 community development authority under s. 66.1335 shall make an order providing

1 for the laying out, relocation and improvement of the public highway, street, alley,  
2 storm and sanitary sewers, watercourses, water transmission and distribution  
3 facilities, mass transit facilities, airport, or other transportation facilities, gas or  
4 leachate extraction systems to remedy environmental pollution from a solid waste  
5 disposal facility, housing project, redevelopment project, cultural arts facilities,  
6 exposition center or exposition center facilities which shall be known as the  
7 relocation order. This order shall include a map or plat showing the old and new  
8 locations and the lands and interests required. A copy of the order shall, within 20  
9 days after its issue, be filed with the county clerk of the county wherein the lands are  
10 located or, in lieu of filing a copy of the order, a plat may be filed or recorded in  
11 accordance with s. 84.095.

12 **SECTION 922v.** 32.07 (2) of the statutes is amended to read:

13 32.07 (2) The petitioner shall determine necessity if application is by the state  
14 or any commission, department, board or other branch of state government or by a  
15 city, village, town, county, school district, board, commission, public officer,  
16 commission created by contract under s. 66.0301, joint local water authority under  
17 s. 66.0823, ~~transit authority created under s. 66.1039~~, redevelopment authority  
18 created under s. 66.1333, local exposition district created under subch. II of ch. 229,  
19 local cultural arts district created under subch. V of ch. 229, housing authority  
20 created under ss. 66.1201 to 66.1211 or for the right-of-way of a railroad up to 100  
21 feet in width, for a telegraph, telephone or other electric line, for the right-of-way  
22 for a gas pipeline, main or service or for easements for the construction of any  
23 elevated structure or subway for railroad purposes.

24 **SECTION 923.** 32.19 (2) (b) of the statutes is amended to read:

1           32.19 (2) (b) “Comparable dwelling” means one which, when compared with the  
2 dwelling being taken, is substantially equal concerning all major characteristics and  
3 functionally equivalent with respect to: the number and size of rooms and closets,  
4 area of living space, type of construction, age, state of repair, size and utility of any  
5 garage or other outbuilding, type of neighborhood and accessibility to public services  
6 and places of employment. “Comparable dwelling” shall meet all of the standard  
7 building requirements and other code requirements of the local governmental body  
8 and shall also be decent, safe and sanitary and within the financial means of the  
9 displaced person, as defined by the department of ~~commerce~~ administration.

10           **SECTION 924.** 32.19 (2) (e) 1. b. of the statutes is amended to read:

11           32.19 (2) (e) 1. b. As a result of rehabilitation, demolition or other displacing  
12 activity, as determined by the department of ~~commerce~~ administration, if the person  
13 is a tenant–occupant of a dwelling, business or farm operation and the displacement  
14 is permanent.

15           **SECTION 925.** 32.19 (3) (b) 1. of the statutes is amended to read:

16           32.19 (3) (b) 1. ‘Dwellings.’ Any displaced person who moves from a dwelling  
17 and who elects to accept the payments authorized by this paragraph in lieu of the  
18 payments authorized by par. (a) may receive an expense and dislocation allowance,  
19 determined according to a schedule established by the department of ~~commerce~~  
20 administration.

21           **SECTION 926.** 32.19 (3) (b) 2. of the statutes is amended to read:

22           32.19 (3) (b) 2. ‘Business and farm operations.’ Any displaced person who  
23 moves or discontinues his or her business or farm operation, is eligible under criteria  
24 established by the department of ~~commerce~~ administration by rule and elects to  
25 accept payment authorized under this paragraph in lieu of the payment authorized



1 under par. (a), may receive a fixed payment in an amount determined according to  
2 criteria established by the department of ~~commerce~~ administration by rule, except  
3 that such payment shall not be less than \$1,000 nor more than \$20,000. A person  
4 whose sole business at the displacement dwelling is the rental of such property to  
5 others is not eligible for a payment under this subdivision.

6 **SECTION 927.** 32.19 (3) (c) of the statutes is amended to read:

7 32.19 (3) (c) *Optional payment for businesses.* Any displaced person who moves  
8 his or her business, and elects to accept the payment authorized in par. (a), may, if  
9 otherwise qualified under par. (b) 2., elect to receive the payment authorized under  
10 par. (b) 2., minus whatever payment the displaced person received under par. (a), if  
11 the displaced person discontinues the business within 2 years of the date of receipt  
12 of payment under par. (a), provided that the displaced person meets eligibility  
13 criteria established by the department of ~~commerce~~ administration by rule. In no  
14 event may the total combined payment be less than \$1,000 nor more than \$20,000.

15 **SECTION 928.** 32.19 (4) (a) 2. of the statutes is amended to read:

16 32.19 (4) (a) 2. The amount of increased interest expenses and other debt  
17 service costs incurred by the owner to finance the purchase of another property  
18 substantially similar to the property taken, if at the time of the taking the land  
19 acquired was subject to a bona fide mortgage or was held under a vendee's interest  
20 in a bona fide land contract, and such mortgage or land contract had been executed  
21 in good faith not less than 180 days prior to the initiation of negotiations for the  
22 acquisition of such property. The computation of the increased interest costs shall  
23 be determined according to rules promulgated by the department of ~~commerce~~  
24 administration.

25 **SECTION 929.** 32.19 (4) (b) (intro.) of the statutes is amended to read:

1           32.19 **(4)** (b) *Tenants and certain others.* (intro.) In addition to amounts  
2 otherwise authorized by this subchapter, the condemnor shall make a payment to  
3 any individual or family displaced from any dwelling which was actually and  
4 lawfully occupied by such individual or family for not less than 90 days prior to the  
5 initiation of negotiations for the acquisition of such property or, if displacement is not  
6 a direct result of acquisition, such other event as determined by the department of  
7 ~~commerce~~ administration by rule. For purposes of this paragraph, a corporation  
8 organized under ch. 181 that is a nonprofit corporation, as defined in s. 181.0103 (17),  
9 may, if otherwise eligible, be considered a displaced tenant. Subject to the limitations  
10 under par. (bm), such payment shall be either:

11           **SECTION 930.** 32.19 (4m) (a) 2. of the statutes is amended to read:

12           32.19 **(4m)** (a) 2. The amount, if any, which will compensate such owner  
13 displaced person for any increased interest and other debt service costs which such  
14 person is required to pay for financing the acquisition of any replacement property,  
15 if the property acquired was encumbered by a bona fide mortgage or land contract  
16 which was a valid lien on the property for at least one year prior to the initiation of  
17 negotiations for its acquisition. The amount under this subdivision shall be  
18 determined according to rules promulgated by the department of ~~commerce~~  
19 administration.

20           **SECTION 931.** 32.19 (4m) (b) (intro.) of the statutes is amended to read:

21           32.19 **(4m)** (b) *Tenant-occupied business or farm operation.* (intro.) In addition  
22 to amounts otherwise authorized by this subchapter, the condemnor shall make a  
23 payment to any tenant displaced person who has owned and occupied the business  
24 operation, or owned the farm operation, for not less than one year prior to initiation  
25 of negotiations for the acquisition of the real property on which the business or farm

1 operation lies or, if displacement is not a direct result of acquisition, such other event  
2 as determined by the department of ~~commerce~~ administration, and who actually  
3 rents or purchases a comparable replacement business or farm operation for the  
4 displaced business or farm operation within 2 years after the date the person vacates  
5 the acquired property. At the option of the tenant displaced person, such payment  
6 shall be either:

7 **SECTION 932.** 32.19 (4m) (b) 1. of the statutes is amended to read:

8 32.19 (4m) (b) 1. The amount, not to exceed \$30,000, which is necessary to lease  
9 or rent a comparable replacement business or farm operation for a period of 4 years.  
10 The payment shall be computed by determining the average monthly rent paid for  
11 the property from which the person was displaced for the 12 months prior to the  
12 initiation of negotiations or, if displacement is not a direct result of acquisition, such  
13 other event as determined by the department of ~~commerce~~ administration and the  
14 monthly rent of a comparable replacement business or farm operation, and  
15 multiplying the difference by 48; or

16 **SECTION 933.** 32.197 of the statutes is amended to read:

17 **32.197 Waiver of relocation assistance.** An owner–occupant of property  
18 being acquired may waive his or her right to receive any relocation payments or  
19 services under this subchapter if the property being acquired is not contiguous to any  
20 property which may be acquired by the condemnor and is not part of a previously  
21 identified or proposed project where it is reasonable to conclude that acquisition by  
22 the condemnor may occur in the foreseeable future. Prior to the execution of any  
23 waiver under this section, the condemnor shall provide to the owner–occupant, in  
24 writing, full information about the specific payments and services being waived by  
25 the owner–occupant. The department of ~~commerce~~ administration shall by rule

1 establish procedures for relocation assistance waivers under this section to ensure  
2 that the waivers are voluntarily and knowledgeably executed.

3 **SECTION 934.** 32.20 of the statutes is amended to read:

4 **32.20 Procedure for collection of itemized items of compensation.**

5 Claims for damages itemized in ss. 32.19 and 32.195 shall be filed with the  
6 condemnor carrying on the project through which condemnee's or claimant's claims  
7 arise. All such claims must be filed after the damages upon which they are based  
8 have fully materialized but not later than 2 years after the condemnor takes physical  
9 possession of the entire property acquired or such other event as determined by the  
10 department of ~~commerce~~ administration by rule. If such claim is not allowed within  
11 90 days after the filing thereof, the claimant has a right of action against the  
12 condemnor carrying on the project through which the claim arises. Such action shall  
13 be commenced in a court of record in the county wherein the damages occurred. In  
14 causes of action, involving any state commission, board or other agency, excluding  
15 counties, the sum recovered by the claimant shall be paid out of any funds  
16 appropriated to such condemning agency. Any judgment shall be appealable by  
17 either party and any amount recovered by the body against which the claim was filed,  
18 arising from costs, counterclaims, punitive damages or otherwise may be used as an  
19 offset to any amount owed by it to the claimant, or may be collected in the same  
20 manner and form as any other judgment.

21 **SECTION 935.** 32.25 (1) of the statutes is amended to read:

22 **32.25 (1)** Except as provided under sub. (3) and s. 85.09 (4m), no condemnor  
23 may proceed with any activity that may involve the displacement of persons,  
24 business concerns or farm operations until the condemnor has filed in writing a

1 relocation payment plan and relocation assistance service plan and has had both  
2 plans approved in writing by the department of ~~commerce~~ administration.

3 **SECTION 936.** 32.25 (2) (h) of the statutes is amended to read:

4 32.25 (2) (h) Assure that, within a reasonable time prior to displacement, there  
5 will be available, to the extent that may reasonably be accomplished, housing  
6 meeting the standards established by the department of ~~commerce~~ administration  
7 for decent, safe and sanitary dwellings. The housing, so far as practicable, shall be  
8 in areas not generally less desirable in regard to public utilities, public and  
9 commercial facilities and at rents or prices within the financial means of the families  
10 and individuals displaced and equal in number to the number of such displaced  
11 families or individuals and reasonably accessible to their places of employment.

12 **SECTION 937.** 32.26 (title) of the statutes is amended to read:

13 **32.26 (title) Authority of the department of ~~commerce~~ administration.**

14 **SECTION 938.** 32.26 (1) of the statutes is amended to read:

15 32.26 (1) In addition to all other powers granted in this subchapter, the  
16 department of ~~commerce~~ administration shall formulate local standards for decent,  
17 safe and sanitary dwelling accommodations.

18 **SECTION 939.** 32.26 (2) (a) of the statutes is amended to read:

19 32.26 (2) (a) The department of ~~commerce~~ administration shall promulgate  
20 rules to implement and administer ss. 32.19 to 32.27.

21 **SECTION 940.** 32.26 (2) (b) of the statutes is amended to read:

22 32.26 (2) (b) The department of ~~commerce~~ administration and the department  
23 of transportation shall establish interdepartmental liaison procedures for the  
24 purpose of cooperating and exchanging information to assist the department of  
25 ~~commerce~~ administration in promulgating rules under par. (a).

1           **SECTION 941.** 32.26 (3) of the statutes is amended to read:

2           32.26 (3) The department of ~~commerce~~ administration may make  
3 investigations to determine if the condemnor is complying with ss. 32.19 to 32.27.  
4 The department may seek an order from the circuit court requiring a condemnor to  
5 comply with ss. 32.19 to 32.27 or to discontinue work on that part of the project which  
6 is not in substantial compliance with ss. 32.19 to 32.27. The court shall give hearings  
7 on these actions precedence on the court's calendar.

8           **SECTION 942.** 32.26 (4) of the statutes is amended to read:

9           32.26 (4) Upon the request of the department of ~~commerce~~ administration, the  
10 attorney general shall aid and prosecute all necessary actions or proceedings for the  
11 enforcement of this subchapter and for the punishment of all violations of this  
12 subchapter.

13           **SECTION 943.** 32.26 (5) of the statutes is amended to read:

14           32.26 (5) Any displaced person may, prior to commencing court action against  
15 the condemnor under s. 32.20, petition the department of ~~commerce~~ administration  
16 for review of his or her complaint, setting forth in the petition the reasons for his or  
17 her dissatisfaction. The department may conduct an informal review of the situation  
18 and attempt to negotiate an acceptable solution. If an acceptable solution cannot be  
19 negotiated within 90 days, the department shall notify all parties, and the petitioner  
20 may then proceed under s. 32.20. The informal review procedure provided by this  
21 subsection is not a condition precedent to the filing of a claim and commencement of  
22 legal action pursuant to s. 32.20. In supplying information required by s. 32.25 (2)  
23 (d), the condemnor shall clearly indicate to each displaced person his or her right to  
24 proceed under this paragraph and under s. 32.20, and shall supply full information

1 on how the displaced person may contact the department of ~~commerce~~  
2 administration.

3 **SECTION 944.** 32.26 (6) of the statutes is amended to read:

4 32.26 (6) The department of ~~commerce~~ administration, with the cooperation  
5 of the attorney general, shall prepare pamphlets in simple language and in readable  
6 format describing the eminent domain laws of this state, including the reasons for  
7 condemnation, the procedures followed by condemnors, how citizens may influence  
8 the condemnation process and the rights of property owners and citizens affected by  
9 condemnation. The department shall make copies of the pamphlets available to all  
10 condemnors, who may be charged a price for the pamphlets sufficient to recover the  
11 costs of production.

12 **SECTION 945.** 32.26 (7) of the statutes is amended to read:

13 32.26 (7) The department of ~~commerce~~ administration shall provide technical  
14 assistance on relocation plan development and implementation to any condemnor  
15 carrying out a project which may result in the displacement of any person.

16 **SECTION 947h.** 33.32 (3) (b) of the statutes is amended to read:

17 33.32 (3) (b) If a county or municipality fails to pay a special assessment levied  
18 by a district, the clerk of the district may certify this fact to the department of  
19 administration, and shall state the amount due. The department, at the time of  
20 making the next scheduled distribution under s. ~~79.03~~ 79.035, shall deduct the  
21 amount claimed from the payment due the county or municipality, and shall forward  
22 it to the district.

23 **SECTION 950.** 36.09 (1) (am) (intro.) of the statutes is amended to read:

24 36.09 (1) (am) (intro.) The board, in consultation with the ~~department of~~  
25 ~~commerce~~ Wisconsin Economic Development Corporation, shall do all of the

1 following for each economic development program, as defined in s. 36.11 (29r) (a),  
2 administered by the board:

3 **SECTION 951b.** 36.09 (1) (e) of the statutes is amended to read:

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

16 **SECTION 951f.** 36.09 (1) (i) of the statutes is repealed.

17 **SECTION 951k.** 36.09 (1) (j) of the statutes is amended to read:

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



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

23 **SECTION 951o.** 36.09 (1) (k) of the statutes is repealed.

24 **SECTION 951s.** 36.11 (8) (b) of the statutes is amended to read:

1           36.11 **(8)** (b) The board shall establish fines for the violation of any rule made  
2 under par. (a). The institutions are authorized to collect such fines together with  
3 moneys collected from the sale of parking permits and other fees established under  
4 par. (a) ~~and such moneys shall be paid into the state treasury and credited to s. 20.285~~  
5 ~~(1) (h)~~, to be used only for the purpose of developing and operating parking or other  
6 transportation facilities at the institution at which collected and for enforcing  
7 parking rules under par. (a).

8           **SECTION 951w.** 36.11 (11) of the statutes is amended to read:

9           36.11 **(11)** SURPLUS MONEY. The board may invest any of the surplus money  
10 designated in s. 20.285 (1) (h), 2009 stats., in such securities as are legal for trust  
11 fund investments; or invest such funds or any part thereof, in the senior or junior  
12 bonds or obligations which may be issued by such nonprofit-sharing corporation as  
13 may be contracted with by the board for the construction or equipment of  
14 dormitories, commons or field houses, which bonds or obligations shall be secured by  
15 a mortgage or pledge of the buildings or improvements erected or to be erected by  
16 such corporations and by a mortgage or pledge of its leasehold interest. Any interest  
17 on any of such bonds or securities shall when received be added to the revolving funds  
18 and may be used for the purposes set forth in this subsection.

19           **SECTION 951y.** 36.11 (29m) of the statutes is repealed.

20           **SECTION 959.** 36.11 (29r) (b) of the statutes is renumbered 36.11 (29r) (b) 2. and  
21 amended to read:

22           36.11 **(29r)** (b) 2. Annually, no later than October 1, the board shall submit to  
23 the joint legislative audit committee and to the appropriate standing committees of  
24 the legislature under s. 13.172 (3) a comprehensive report assessing economic  
25 development programs administered by the board. The report shall include all of the

1 information required under s. ~~560.01 (2) (am)~~ 238.07 (2). The board shall collaborate  
2 with the ~~department of commerce~~ Wisconsin Economic Development Corporation to  
3 make readily accessible to the public on an Internet-based system the information  
4 required under this subsection.

5 **SECTION 960.** 36.11 (29r) (b) 1. of the statutes is created to read:

6 36.11 **(29r)** (b) 1. The board shall coordinate any economic development  
7 assistance with the Wisconsin Economic Development Corporation.

8 **SECTION 970b.** 36.11 (49) (title) of the statutes is repealed.

9 **SECTION 970d.** 36.11 (49) of the statutes is renumbered 36.585 (2) and amended  
10 to read:

11 36.585 **(2)** The board may use telecommunications services, ~~including data and~~  
12 ~~voice over Internet services~~, procured by the board only for the purpose of carrying  
13 out its mission. The board shall not offer, resell, or provide telecommunications  
14 services, ~~including data and voice over Internet services~~, that are available from a  
15 private telecommunications carrier to the general public or to any other public or  
16 private entity.

17 **SECTION 970f.** 36.11 (53) and (53m) of the statutes are created to read:

18 36.11 **(53)** BIDDING PROCEDURES; BUILDING PROJECTS. The board shall prescribe  
19 bidding procedures to be used by the system for building projects that are exempted  
20 from compliance with s. 16.855. Prior to the implementation of any such procedures  
21 or changes thereto, the board shall submit a copy of the proposed procedures or  
22 changes thereto in final form to the department of administration, for transmittal  
23 to the building commission. If the building commission does not approve the  
24 procedures or changes thereto, the board shall not implement the procedures or  
25 changes. If the building commission approves the proposed procedures or changes

1 thereto, the department shall transmit the proposed procedures or changes thereto  
2 to the cochairpersons of the joint committee on finance. If the cochairpersons of the  
3 committee do not notify the board that the committee has scheduled a meeting for  
4 the purpose of reviewing the proposed procedures or changes thereto within 14  
5 working days after the date of the department's submittal to the cochairpersons, the  
6 board may implement the proposed procedures or changes thereto if otherwise  
7 authorized to do so. If, within 14 working days after the date of the department's  
8 submittal, the cochairpersons notify the board that the committee has scheduled a  
9 meeting for the purpose of reviewing the proposed procedures or changes thereto, the  
10 board shall not implement the proposed procedures or changes without the approval  
11 of the committee.

12 **(53m)** DESIGNATION OF BUILDING PROJECTS. The board shall not designate any  
13 part of a state building project that is subject to approval under s. 13.48 (10) (a) as  
14 a separate building project.

15 **SECTION 970h.** 36.11 (56) of the statutes is created to read:

16 36.11 **(56)** TRAVEL POLICIES. Effective July 1, 2013, the board shall establish  
17 travel policies for system employees and a schedule for the reimbursement of system  
18 employees for travel expenses.

19 **SECTION 970j.** 36.11 (57) of the statutes is created to read:

20 36.11 **(57)** GENERAL PURPOSE REVENUE BLOCK GRANTS. The board shall allocate  
21 moneys appropriated to the board under s. 20.285 (1) (a) to the institutions, college  
22 campuses, and extension as block grants.

23 **SECTION 970L.** 36.115 of the statutes is created to read:

24 **36.115 Personnel systems. (1)** In this section, "chancellor" means the  
25 chancellor of the University of Wisconsin–Madison.

1           **(2)** The board shall develop a personnel system that is separate and distinct  
2 from the personnel system under ch. 230 for all system employees except system  
3 employees assigned to the University of Wisconsin–Madison.

4           **(3)** In consultation with the board, the chancellor shall develop a personnel  
5 system that is separate and distinct from the personnel system under ch. 230 for all  
6 system employees assigned to the University of Wisconsin–Madison.

7           **(3m)** The board shall set the salary ranges for all of the following positions:

8           (ae) Each of the vice chancellors who is serving as deputy at the University of  
9 Wisconsin System campuses at Eau Claire, Green Bay, La Crosse, Oshkosh,  
10 Parkside, Platteville, River Falls, Stevens Point, Stout, Superior, and Whitewater  
11 and each of the vice chancellors who is serving as deputy at the University of  
12 Wisconsin Colleges and the University of Wisconsin–Extension.

13           (am) The vice presidents of the University of Wisconsin System.

14           (ar) The chancellors at the University of Wisconsin System campuses at Eau  
15 Claire, Green Bay, La Crosse, Oshkosh, Parkside, Platteville, River Falls, Stevens  
16 Point, Stout, Superior, and Whitewater and the chancellors of the University of  
17 Wisconsin Colleges and the University of Wisconsin–Extension.

18           (b) The vice chancellor who is serving as deputy at the University of  
19 Wisconsin–Milwaukee.

20           (bm) The senior vice presidents of the University of Wisconsin System.

21           (c) The vice chancellor who is serving as deputy at the University of  
22 Wisconsin–Madison.

23           (d) The chancellor at the University of Wisconsin–Milwaukee.

24           (e) The chancellor at the University of Wisconsin–Madison.

25           (f) The president of the University of Wisconsin System.

1 (g) The associate and assistant vice presidents, vice chancellors not identified  
2 in pars. (ae), (b), or (c), assistant chancellors, associate and assistant vice  
3 chancellors, and administrative directors and associate directors of physical plant,  
4 general operations and services, and auxiliary enterprises activities or their  
5 equivalent, of each University of Wisconsin institution, the University of  
6 Wisconsin–Extension, and the University of Wisconsin System administration.

7 (4) The personnel systems developed under subs. (2) and (3) shall include a civil  
8 service system, a grievance procedure that addresses employee terminations, and  
9 provisions that address employee discipline and workplace safety. The grievance  
10 procedure shall include all of the following elements:

11 (a) A written document specifying the process that a grievant and an employer  
12 must follow.

13 (b) A hearing before an impartial hearing officer.

14 (c) An appeal process in which the highest level of appeal is the board.

15 (5) (a) The personnel systems developed under subs. (2) and (3) shall be  
16 implemented on July 1, 2013.

17 (b) The board may not implement the personnel system developed under sub.  
18 (2) unless it has been approved by the joint committee on employment relations.

19 (c) The chancellor may not implement the personnel system developed under  
20 sub. (3) unless it has been approved by the board and the joint committee on  
21 employment relations.

22 (6) All system employees holding positions in the classified or unclassified  
23 service of the civil service system under ch. 230 on June 30, 2013, shall be included  
24 in the personnel systems developed under subs. (2) and (3). System employees  
25 holding positions in the classified service on June 30, 2013, who have achieved

1 permanent status in class on that date, shall retain, while serving in the positions  
2 in the system, those protections afforded employees in the classified service under  
3 ss. 230.34 (1) (a) and 230.44 (1) (c) relating to demotion, suspension, discharge, layoff,  
4 or reduction in base pay. Such employees shall also have reinstatement privileges  
5 to the classified service as provided under s. 230.31 (1). System employees holding  
6 positions in the classified service on June 30, 2013, who have not achieved  
7 permanent status in class on that date are eligible to receive the protections,  
8 privileges, and rights preserved under this subsection if they successfully complete  
9 service equivalent to the probationary period required in the classified service for the  
10 positions which they hold on that date.

11 **SECTION 970n.** 36.14 (3) of the statutes is repealed.

12 **SECTION 970p.** 36.15 (2) of the statutes is amended to read:

13 36.15 (2) APPOINTMENTS. Appointments under this section shall be made by the  
14 board, or by an appropriate official authorized by the board, under policies and  
15 procedures established by the board and ~~subject to s. 36.09 (1) (i)~~. The policies for  
16 indefinite appointments shall provide for a probationary period, permanent status  
17 and such other conditions of appointment as the board establishes.

18 **SECTION 970r.** 36.25 (3) (c) of the statutes is amended to read:

19 36.25 (3) (c) The board shall, under the supervision of the dean of the College  
20 of Agricultural and Life Sciences of the University of Wisconsin–Madison, foster  
21 research and experimentation in the control of bovine brucellosis, which is also  
22 known as Bang's disease, at various points within this state that the board considers  
23 advisable. To facilitate the bovine brucellosis research and experimentation,  
24 contracts may be entered into with owners of bovine animals of various classes for  
25 the supervised control of the animals and for the purchase of animals under

1 conditions to be specified in contracts that shall be retained for control purposes.  
2 ~~Payment under the contracts shall be made out of the appropriation in s. 20.285 (1)~~  
3 ~~(a).~~

4 **SECTION 970t.** 36.25 (13s) of the statutes is amended to read:

5 **36.25 (13s) MEDICAL PRACTICE IN UNDERSERVED AREAS.** ~~Of the moneys~~  
6 ~~appropriated to the board under s. 20.285 (1) (fc) of the statutes, the~~ The board shall,  
7 ~~beginning in fiscal year 2008–09,~~ allocate \$400,000 in each fiscal year for the  
8 department of family medicine and practice in the University of Wisconsin School of  
9 Medicine and Public Health to support the Wisconsin Academy for Rural Medicine,  
10 the Academy for Center–city Medical Education, and the Wisconsin Scholars  
11 Academy programs. The board may not expend any moneys allocated under this  
12 subsection in a fiscal year unless the board receives \$400,000 in gifts and grants from  
13 private sources in that fiscal year for supporting such programs.

14 **SECTION 970v.** 36.25 (14) of the statutes is amended to read:

15 **36.25 (14) GRADUATE STUDENT FINANCIAL AID.** The board shall establish a grant  
16 program for minority and disadvantaged graduate students enrolled in the system.  
17 ~~The grants shall be awarded from the appropriation under s. 20.285 (4) (b).~~ The  
18 board shall give preference in awarding grants under this subsection to residents of  
19 this state. The board may not make a grant under this subsection to a person whose  
20 name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the  
21 person provides to the board a payment agreement that has been approved by the  
22 county child support agency under s. 59.53 (5) and that is consistent with rules  
23 promulgated under s. 49.858 (2) (a).

24 **SECTION 970w.** 36.25 (14m) (a) of the statutes is amended to read:



1           36.25 (14m) (a) The board shall ~~allocate funds under s. 20.285 (4) (a) to fund~~  
2           programs for recruiting minority and disadvantaged students and ~~to fund programs~~  
3           for minority and disadvantaged students enrolled in the system. ~~The funding under~~  
4           ~~s. 20.285 (4) (a) for these programs is in addition to any other funding provided by~~  
5           law.

6           **SECTION 970x.** 36.25 (14m) (b) of the statutes is amended to read:

7           36.25 (14m) (b) By April 15, 1992, and annually thereafter, the board shall  
8           adopt a precollege, recruitment and retention plan for minority and disadvantaged  
9           students enrolled in the system. ~~The plan shall include allocations from the~~  
10          ~~appropriation under s. 20.285 (4) (a).~~

11          **SECTION 986.** 36.25 (24) of the statutes is amended to read:

12          36.25 (24) EMPLOYEE-OWNED BUSINESSES PROGRAM. Through the University of  
13          Wisconsin small business development center, in cooperation with the department  
14          ~~of commerce under s. 560.07 (2m)~~ Wisconsin Economic Development Corporation,  
15          the technical college system board and the University of Wisconsin–Extension, the  
16          board shall create, as needed, educational programs to provide training in the  
17          management of employee–owned businesses and shall provide technical assistance  
18          to employee–owned businesses in matters affecting their management and business  
19          operations, including assistance with governmental relations and assistance in  
20          obtaining management, technical and financial assistance.

21          **SECTION 986g.** 36.25 (26) of the statutes is amended to read:

22          36.25 (26) CHILD CARE CENTERS. A college campus may establish a child care  
23          center and ~~may use funds received from the appropriation under s. 20.285 (1) (a) to~~  
24          operate it.

25          **SECTION 986r.** 36.25 (28) of the statutes is amended to read:

1           36.25 **(28)** SCHOOLS OF BUSINESS. The board shall ~~use the funds in the~~  
2 ~~appropriations under s. 20.285 (1) (em) and (Ls)~~ to support improvements in master's  
3 level business programs. The board may ~~spend funds in those appropriations~~  
4 provide financial support for such improvements only if it receives matching funds  
5 for the same purpose from private contributions.

6           **SECTION 987.** 36.25 (30) of the statutes is amended to read:

7           36.25 **(30)** POLLUTION PREVENTION. The board shall maintain in the extension  
8 a solid and hazardous waste education center to promote pollution prevention, as  
9 defined in s. 299.13 (1) (dm). In cooperation with the department of natural resources  
10 ~~and the department of commerce~~, the center shall conduct an education and  
11 technical assistance program to promote pollution prevention in this state.

12           **SECTION 988d.** 36.25 (32) (b) (intro.) of the statutes is amended to read:

13           36.25 **(32)** (b) (intro.) ~~From the appropriation under s. 20.285 (1) (fs), the~~ The  
14 board shall award grants totaling not more than \$500 annually per county to  
15 sponsors of farm safety education, training or information programs. To be eligible  
16 for a grant, a sponsor shall:

17           **SECTION 988h.** 36.25 (33) of the statutes is amended to read:

18           36.25 **(33)** QUALITY IMPROVEMENT AWARDS. ~~From the appropriation under s.~~  
19 ~~20.285 (1) (a), the~~ The board annually may award up to \$500 each to no more than  
20 10 system employees who make suggestions that result in significant quality  
21 improvements for the system relating to supplies and expenses. The board shall  
22 appoint a council under s. 15.04 (1) (c) to nominate recipients for the awards. The  
23 board shall not make more than one award to an employee in the same fiscal year.  
24 An award is not part of an employee's base pay.

25           **SECTION 988p.** 36.25 (38) (b) (intro.) of the statutes is amended to read:

1           36.25 **(38)** (b) (intro.) The board shall use the moneys appropriated under s.  
2    20.285 (1) (em) for provide for projects that have the following purposes:

3           **SECTION 988t.** 36.25 (49) of the statutes is amended to read:

4           36.25 **(49)** ACADEMIC FEE INCREASE GRANTS. The board may make grants in the  
5    2009–10 fiscal year from the appropriation under s. 20.285 (1) (kj), in the 2010–11  
6    fiscal year from the appropriations under s. 20.285 (1) (a) and (kj), and in the 2011–12  
7    fiscal year and each fiscal year thereafter from the appropriation under s. 20.285 (1)  
8    (a), to resident undergraduate students who do not receive grants under s. 39.435  
9    that are payable from the appropriation under s. 20.235 (1) (fe), whose annual family  
10   income is less than \$60,000, and who have unmet financial need. Beginning in fiscal  
11   year 2011–12, the board may make a grant under this subsection only to those  
12   students enrolled in the system during fiscal year 2010–11 who maintain continuous  
13   enrollment. A grant to a student under this subsection shall be in an amount  
14   determined by the board that corresponds to any increase, or any portion of an  
15   increase, in academic fees charged to the student, but may not exceed the amount of  
16   the student’s unmet need. The board may not make a grant under this subsection  
17   to a student whose name appears on the statewide support lien docket under s.  
18   49.854 (2) (b), unless the student provides to the board a payment agreement that  
19   has been approved by the county child support agency under s. 59.53 (5) and that is  
20   consistent with rules promulgated under s. 49.858 (2) (a).

21           **SECTION 993k.** 36.25 (49m) (c) of the statutes is amended to read:

22           36.25 **(49m)** (c) The center shall evaluate the effectiveness of the program  
23    during the pilot period in promoting careers in math, science, agricultural education,  
24    technology education, and information technology. If, based on the results of the  
25    evaluation, the center determines that the program has been effective in promoting

1 such careers, the center may continue the program after the pilot period and may  
2 expand the program by allowing participation by additional classrooms. The center  
3 shall prepare a report regarding the evaluation and describing whether the center  
4 has continued or expanded the program, and submit the report to the appropriate  
5 standing committees of the legislature under s. 13.172 (3), the department of public  
6 instruction, and the department of workforce development, ~~and the department of~~  
7 ~~commerce.~~

8 **SECTION 994c.** 36.25 (52) of the statutes is repealed.

9 **SECTION 994g.** 36.25 (53) of the statutes is amended to read:

10 36.25 **(53)** BUSINESS PLAN COMPETITION. The board shall ~~use the moneys~~  
11 ~~appropriated under s. 20.285 (1) (eb) to~~ support a business plan competition program  
12 existing on May 25, 2010, at institutions and college campuses other than the  
13 University of Wisconsin–Madison that makes entrepreneurial expertise available to  
14 students and that has ties to campus–based business plan contests and national  
15 organizations that foster student entrepreneurship. The board ~~may use the moneys~~  
16 ~~only~~ shall provide financial support of no more than \$125,000 annually if the board  
17 receives matching funds for the same purpose from private contributions.

18 **SECTION 994L.** 36.27 (1) (a) of the statutes is amended to read:

19 36.27 **(1)** (a) Subject to ~~pars. (am), par. (b) and (c),~~ the board may establish for  
20 different classes of students differing tuition and fees incidental to enrollment in  
21 educational programs or use of facilities in the system. Except as otherwise provided  
22 in this section, the board may charge any student who is not exempted by this section  
23 a nonresident tuition. The board may establish special rates of tuition and fees for  
24 the extension and summer sessions and such other studies or courses of instruction  
25 as the board deems advisable.

1           **SECTION 994p.** 36.27 (1) (am) of the statutes is repealed.

2           **SECTION 994t.** 36.27 (1) (bm) of the statutes is repealed.

3           **SECTION 994x.** 36.27 (1) (c) of the statutes is repealed.

4           **SECTION 995.** 36.27 (2) (cr) of the statutes is repealed.

5           **SECTION 995e.** 36.27 (3m) (d) of the statutes is repealed.

6           **SECTION 995g.** 36.27 (3n) (a) (intro.) of the statutes is amended to read:

7           36.27 (3n) (a) (intro.) In this subsection, “eligible veteran” subsection:

8           1m. “Eligible veteran” means a person verified by the department of veterans  
9           affairs to be either of the following:

10           **SECTION 995j.** 36.27 (3n) (a) 1. of the statutes is renumbered 36.27 (3n) (a) 1m.

11           a.

12           **SECTION 995m.** 36.27 (3n) (a) 1g. of the statutes is created to read:

13           36.27 (3n) (a) 1g. “Academic fees” means the amount charged to a resident  
14           student to enroll in a degree credit course, including the University of  
15           Wisconsin–Madison Executive MBA Program. In the case of a distance education,  
16           online, or other course for which the amount charged to enroll in the course equals  
17           at least 100 percent of the cost of offering the course, “academic fees” includes the  
18           regular fees charged to a resident student to enroll in the course and any additional  
19           fees charged to that student to enroll in that course, other than fees charged for  
20           books, supplies, meals, parking, travel, and other miscellaneous expenses incurred  
21           for attending the course.

22           **SECTION 995n.** 36.27 (3n) (a) 2. of the statutes is renumbered 36.27 (3n) (a) 1m.

23           b. and amended to read:

24           36.27 (3n) (a) 1m. b. A person who was a resident of this state at the time of  
25           entry into service described in subd. 1. 1m. a. and who the U.S. department of veteran

1 affairs has awarded at least a 30 percent service-connected disability rating under  
2 38 USC 1114 or 1134.

3 **SECTION 997e.** 36.27 (3n) (bg) of the statutes is amended to read:

4 36.27 **(3n)** (bg) Before the Board of Regents may grant a remission of academic  
5 fees and segregated fees under par. (b), the Board of Regents shall require the  
6 resident student to apply to the payment of those fees all educational assistance to  
7 which the resident student is entitled under 38 USC 3319. If that educational  
8 assistance covers 100 percent of those fees for a credit or semester, that credit or  
9 semester shall not count against the 128 credit or 8 semester limit provided in par.  
10 (b). If that educational assistance covers less than 100 percent of those fees for a  
11 credit or semester and the remission under par. (b) covers the remainder of those fees,  
12 the credit or semester shall count against that limit in the proportion that the  
13 remission bears to the total academic fees and segregated fees charged for that credit  
14 or semester. This requirement applies notwithstanding the fact that the resident  
15 student may be entitled to educational assistance under 10 USC 16132a, 10 USC  
16 16163a, or 38 USC 3500 to 3566 as well as under 38 USC 3319, unless the resident  
17 student has 12 months or less of eligibility remaining for educational assistance  
18 under 10 USC 16132a, 10 USC 16163a, or 38 USC 3500 to 3566.

19 **SECTION 997g.** 36.27 (3p) (a) (intro.) of the statutes is amended to read:

20 36.27 **(3p)** (a) (intro.) In this subsection, “veteran” subsection:

21 1r. “Veteran” means a person who is verified by the department of veterans  
22 affairs as being a resident of this state for purposes of receiving benefits under ch.  
23 45, as being a resident at the time of his or her entry into the U.S. armed forces or  
24 forces incorporated in the U.S. armed forces, and as meeting any of the following  
25 conditions:

1           **SECTION 997i.** 36.27 (3p) (a) 1. of the statutes is renumbered 36.27 (3p) (a) 1r.

2           a. and amended to read:

3           36.27 **(3p)** (a) 1r. a. The person has served on active duty for at least one  
4           qualifying term of service under ~~subds. 2. to 4.~~ subd. 1r. b. to d. under honorable  
5           conditions in the U.S. armed forces or in forces incorporated as part of the U.S. armed  
6           forces during a war period or in a crisis zone.

7           **SECTION 997k.** 36.27 (3p) (a) 1g. of the statutes is created to read:

8           36.27 **(3p)** (a) 1g. “Academic fees” has the meaning given in sub. (3n) (a) 1g.

9           **SECTION 997m.** 36.27 (3p) (a) 1m. of the statutes is created to read:

10          36.27 **(3p)** (a) 1m. “Nonresident tuition” means the amount charged to a  
11          nonresident student to enroll in a degree credit course, including the University of  
12          Wisconsin–Madison Executive MBA Program. In the case of a distance education,  
13          online, or other course for which the amount charged to enroll in the course equals  
14          at least 100 percent of the cost of offering the course, “nonresident tuition” includes  
15          the regular fees charged to a nonresident student to enroll in the course and any  
16          additional fees charged to that student to enroll in that course, other than fees  
17          charged for books, supplies, meals, parking, travel, and other miscellaneous  
18          expenses incurred for attending the course.

19          **SECTION 997p.** 36.27 (3p) (a) 2. of the statutes is renumbered 36.27 (3p) (a) 1r.

20          b.

21          **SECTION 997r.** 36.27 (3p) (a) 3. of the statutes is renumbered 36.27 (3p) (a) 1r.

22          c.

23          **SECTION 997t.** 36.27 (3p) (a) 4. of the statutes is renumbered 36.27 (3p) (a) 1r.

24          d.

1           **SECTION 997v.** 36.27 (3p) (a) 5. of the statutes is renumbered 36.27 (3p) (a) 1r.

2           e.

3           **SECTION 997y.** 36.27 (3p) (a) 6. of the statutes is renumbered 36.27 (3p) (a) 1r.

4           f.

5           **SECTION 999e.** 36.27 (3p) (bg) of the statutes is amended to read:

6           **36.27 (3p) (bg)** Before the Board of Regents may grant a remission of  
7 nonresident tuition, academic fees, and segregated fees under par. (b), the board  
8 shall require the student to apply to the payment of that tuition and those fees all  
9 educational assistance to which the student is entitled under 38 USC 3313. If that  
10 educational assistance covers 100 percent of that tuition and those fees for a credit  
11 or semester, that credit or semester shall not count against the 128 credit or 8  
12 semester limit provided in par. (b). If that educational assistance covers less than  
13 100 percent of that tuition and those fees for a credit or semester and the remission  
14 under par. (b) covers the remainder of that tuition and those fees, the credit or  
15 semester shall count against that limit in the proportion that the remission bears to  
16 the total nonresident tuition, academic fees, and segregated fees charged for that  
17 credit or semester. This requirement applies notwithstanding the fact that the  
18 student may be entitled to educational assistance under 10 USC 16131 to 16137, 10  
19 USC 16161 to 16166, or 38 USC 3001 to 3036 as well as under 38 USC 3313, unless  
20 the student has 12 months or less of eligibility remaining for educational assistance  
21 under 10 USC 16131 to 16137, 10 USC 16161 to 16166, or 38 USC 3001 to 3036.

22           **SECTION 1001e.** 36.27 (6) of the statutes is created to read:

23           **36.27 (6) SEGREGATED FEES.** The board shall ensure that segregated fees are  
24 used only for the purpose for which they are charged.

25           **SECTION 1001m.** 36.29 (6) of the statutes is amended to read:



1           36.29 **(6)** The board may not accept any gift, grant or bequest of real property  
2 with a value in excess of \$30,000 \$150,000 except as provided in s. 13.48 (2) (b) 1m.

3           **SECTION 1001s.** 36.30 of the statutes is amended to read:

4           **36.30 Sick leave.** Leave of absence for ~~persons holding positions under s.~~  
5 ~~20.923 (4g) and (5), faculty and academic staff personnel~~ employees with pay, owing  
6 to sickness, shall be regulated by rules of the board, except that unused sick leave  
7 shall accumulate from year to year.

8           **SECTION 1003.** 36.335 of the statutes is amended to read:

9           **36.335 Sale of other land; buildings and structures.** Except as provided  
10 in s. 36.33, if the ~~Board of Regents of the University of Wisconsin System~~ board sells  
11 any real property under its jurisdiction ~~during the period beginning on October 27,~~  
12 ~~2007, and ending on June 30, 2009, and the period beginning on July 1, 2009,~~ the  
13 board shall credit the net proceeds of the sale to the appropriation account under s.  
14 20.285 (1) ~~(iz)~~ (gb) except that if there is any outstanding public debt used to finance  
15 the acquisition, construction, or improvement of any property that is sold, the board  
16 shall deposit a sufficient amount of the net proceeds from the sale of the property in  
17 the bond security and redemption fund under s. 18.09 to repay the principal and pay  
18 the interest on the debt, and any premium due upon refunding any of the debt. If  
19 the property was acquired, constructed, or improved with federal financial  
20 assistance, the board shall pay to the federal government any of the net proceeds  
21 required by federal law. If the property was acquired by gift or grant or acquired with  
22 gift or grant funds, the board shall adhere to any restriction governing use of the  
23 proceeds.

24           **SECTION 1004.** 36.34 (1) (a) 3. of the statutes is amended to read:

25           36.34 **(1)** (a) 3. Is a Hispanic, as defined in s. ~~560.036~~ 16.287 (1) (d).

1           **SECTION 1004m.** 36.34 (1) (b) of the statutes is amended to read:

2           36.34 (1) (b) The board shall establish a grant program for minority  
3 undergraduates enrolled in the system. The board shall designate all grants under  
4 this subsection as Lawton grants. ~~Grants shall be awarded from the appropriation~~  
5 ~~under s. 20.285 (4) (dd).~~ The board may not make a grant under this subsection to  
6 a person whose name appears on the statewide support lien docket under s. 49.854  
7 (2) (b), unless the person provides to the board a payment agreement that has been  
8 approved by the county child support agency under s. 59.53 (5) and that is consistent  
9 with rules promulgated under s. 49.858 (2) (a).

10           **SECTION 1005.** 36.34 (1) (c) of the statutes is repealed.

11           **SECTION 1006m.** 36.36 (intro.) of the statutes is amended to read:

12           **36.36 Grants for study abroad.** (intro.) ~~From the appropriation under s.~~  
13 ~~20.285 (1) (er), the~~ The board shall may award a grant of up to \$2,000 to a resident  
14 undergraduate student to assist in paying the costs associated with the student's  
15 study abroad if the student satisfies all of the following criteria:

16           **SECTION 1010.** 36.46 (1) of the statutes is renumbered 36.46, and 36.46 (2), as  
17 renumbered, is amended to read:

18           36.46 (2) Notwithstanding ~~par. (a) sub. (1),~~ if, within 14 working days after the  
19 date of the secretary's notification, the cochairpersons of the committee do not notify  
20 the secretary that the committee has scheduled a meeting for the purpose of  
21 reviewing the secretary's proposed action, the proposed reserve funds may be  
22 accumulated. If, within 14 working days after the date of the secretary's notification,  
23 the cochairpersons of the committee notify the secretary that the committee has  
24 scheduled a meeting for the purpose of reviewing the secretary's proposed action, the

1 proposed reserve funds may not be accumulated unless the committee approves that  
2 action.

3 **SECTION 1011.** 36.46 (2) of the statutes is repealed.

4 **SECTION 1014m.** 36.49 (3) of the statutes is created to read:

5 36.49 (3) Award the balance to the University of Wisconsin–Stevens Point for  
6 environmental programs.

7 **SECTION 1015e.** 36.52 of the statutes is amended to read:

8 **36.52 Reimbursement of pay supplements.** Whenever moneys become  
9 available from the federal government to finance the cost of pay and related  
10 adjustments for employees of the system ~~in the unclassified service~~ whose positions  
11 are wholly or partly funded from federal revenue under 7 USC 343 that have been  
12 paid from the appropriation under s. 20.865 (1) (cj) during the same fiscal year in  
13 which moneys are expended from that appropriation, the board shall reimburse the  
14 general fund for any expenditures made under s. 20.865 (1) (cj) from the appropriate  
15 appropriation to the board made from federal revenues.

16 **SECTION 1015m.** 36.53 (2) (a) of the statutes is renumbered 36.53 (2).

17 **SECTION 1015p.** 36.53 (2) (b) of the statutes is repealed.

18 **SECTION 1015r.** 36.54 (2) (b) of the statutes is amended to read:

19 36.54 (2) (b) From the appropriations under s. 20.285 (1) ~~(j)~~, (ge), (r), and (rc)  
20 the environmental education board shall award grants to corporations and public  
21 agencies for the development, dissemination and presentation of environmental  
22 education programs. Programs shall be funded on an 18–month basis. The  
23 environmental education board may not award a grant unless the grant recipient  
24 matches at least 25% of the amount of the grant. Private funds and in–kind

1 contributions may be applied to meet the matching requirement. Grants under this  
2 paragraph may not be used to replace funding available from other sources.

3 **SECTION 1015s.** 36.54 (2) (c) of the statutes is amended to read:

4 36.54 **(2)** (c) The environmental education board shall promulgate rules  
5 establishing the criteria and procedures for the awarding of grants for programs and  
6 projects under par. (b). The environmental education board shall use the priorities  
7 established under sub. (1) for awarding grants if the amount in the appropriations  
8 under s. 20.285 (1) ~~(j), (g), (r), and (rc)~~ in any fiscal year is insufficient to fund all  
9 applications under this subsection.

10 **SECTION 1015v.** 36.58 (5) of the statutes is repealed.

11 **SECTION 1015x.** 36.585 of the statutes is created to read:

12 **36.585 Telecommunications and information technology services. (1)**

13 In this section:

14 (a) “Telecommunications services” includes data and voice over Internet  
15 protocol services, Internet protocol services, broadband access and transport,  
16 information technology services, Internet access services, and unlit fiber.

17 (b) “Third-party entity” means a company, corporation, nonprofit association,  
18 joint venture, cooperative, partnership, or consortium.

19 **(3)** (a) Except as provided in par. (b), beginning July 1, 2013, the board may not  
20 be, and shall ensure that no institution or college campus is and that the extension  
21 is not, a member, shareholder, or partner in or with any third-party entity or other  
22 person that offers, resells, or provides telecommunications services to the general  
23 public or to any public or private entity unless at least one of the following applies:

24 1. The third-party entity or other person does not offer, resell, or provide  
25 telecommunications services that it did not offer, resell, or provide on June 15, 2011,

1 and the third-party entity or other person does not offer, resell, or provide  
2 telecommunications services to a private entity, to the general public, or to a public  
3 entity other than a university or a university-affiliated research facility or a facility  
4 approved by the joint committee on finance under sub. (4), that the third-party entity  
5 was not serving on June 15, 2011.

6 2. The third-party entity or other person is comprised entirely of universities  
7 and university-affiliated research facilities.

8 (b) The joint committee on finance may by majority vote postpone the  
9 prohibition under par. (a).

10 **(4)** Beginning June 15, 2011, the board may not commit, and shall ensure that  
11 no institution or college campus or the extension, commits, any funds received from  
12 the National Telecommunications and Information Administration in the federal  
13 department of commerce related to the Building Community Capacity Through  
14 Broadband Project grant awarded to the extension to any facilities to which such  
15 funds were not committed prior to June 15, 2011, without the approval of the joint  
16 committee on finance.

17 **SECTION 1016g.** 36.60 (3) (b) of the statutes is amended to read:

18 36.60 **(3)** (b) The agreement shall specify that the responsibility of the board  
19 to make the payments under the agreement is subject to the ~~availability of funds in~~  
20 ~~the appropriations~~ amount of funds transferred to the board under s. 20.505 (8) (hm)  
21 6r., the contributions received and penalties assessed by the board, and the  
22 appropriation under s. 20.285 (1) (jc), ~~(ks), and (qj)~~.

23 **SECTION 1016k.** 36.60 (5) (a) of the statutes is amended to read:

24 36.60 **(5)** (a) The obligation of the board to make payments under an agreement  
25 entered into under sub. (3) (b) is subject to the ~~availability of funds in the~~

1 appropriations amount of funds transferred to the board under s. 20.505 (8) (hm) 6r.,  
2 the contributions received and penalties assessed by the board, and the  
3 appropriation under s. 20.285 (1) ~~(jc), (ks), and (qj)~~.

4 **SECTION 1016n.** 36.60 (5) (b) (intro.) of the statutes is amended to read:

5 36.60 (5) (b) (intro.) If the cost of repaying the loans of all eligible applicants,  
6 when added to the cost of loan repayments scheduled under existing agreements,  
7 exceeds the total amount ~~in the appropriations~~ of funds transferred to the board  
8 under s. 20.505 (8) (hm) 6r., the contributions received and penalties assessed by the  
9 board, and the appropriation under s. 20.285 (1) ~~(jc), (ks), and (qj)~~, the board shall  
10 establish priorities among the eligible applicants based upon the following  
11 considerations:

12 **SECTION 1016p.** 36.60 (6) of the statutes is amended to read:

13 36.60 (6) LOCAL PARTICIPATION. The board shall encourage contributions to the  
14 program under this section by counties, cities, villages, and towns. ~~Funds received~~  
15 ~~under this subsection shall be deposited in the appropriation under s. 20.285 (1) (jc).~~

16 **SECTION 1016r.** 36.60 (6m) (a) of the statutes is renumbered 36.60 (6m).

17 **SECTION 1016t.** 36.60 (6m) (b) of the statutes is repealed.

18 **SECTION 1016w.** 36.61 (3) (b) of the statutes is amended to read:

19 36.61 (3) (b) The agreement shall specify that the responsibility of the board  
20 to make the payments under the agreement is subject to the ~~availability of funds in~~  
21 ~~the appropriations~~ amount of funds transferred to the board under s. 20.505 (8) (hm)  
22 6r., the contributions received and penalties assessed by the board, and the  
23 appropriation under s. 20.285 (1) ~~(jc), (ks), and (qj)~~.

24 **SECTION 1016y.** 36.61 (5) (a) of the statutes is amended to read:

1           36.61 (5) (a) The obligation of the board to make payments under an agreement  
2 entered into under sub. (3) is subject to the ~~availability of funds in the appropriations~~  
3 amount of funds transferred to the board under s. 20.505 (8) (hm) 6r., the  
4 contributions received and penalties assessed by the board, and the appropriation  
5 under s. 20.285 (1) (jc), (ks), and (qj).

6           **SECTION 1017d.** 36.61 (5) (b) (intro.) of the statutes is amended to read:

7           36.61 (5) (b) (intro.) If the cost of repaying the loans of all eligible applicants,  
8 when added to the cost of loan repayments scheduled under existing agreements,  
9 exceeds the total amount ~~in the appropriations of funds transferred to the board~~  
10 under s. 20.505 (8) (hm) 6r., the contributions received and penalties assessed by the  
11 board, and the appropriation under s. 20.285 (1) (jc), (ks), and (qj), the board shall  
12 establish priorities among the eligible applicants based upon the following  
13 considerations:

14           **SECTION 1017g.** 36.61 (6) of the statutes is amended to read:

15           36.61 (6) LOCAL PARTICIPATION. The board shall encourage contributions to the  
16 program under this section by counties, cities, villages and towns. ~~Funds received~~  
17 ~~under this subsection shall be credited to the appropriation account under s. 20.285~~  
18 ~~(1) (jc).~~

19           **SECTION 1017i.** 36.61 (6m) (a) of the statutes is renumbered 36.61 (6m).

20           **SECTION 1017k.** 36.61 (6m) (b) of the statutes is repealed.

21           **SECTION 1017m.** 36.65 of the statutes is created to read:

22           **36.65 Annual reports. (1) DEFINITION.** In this section, “chancellor” means  
23 the chancellor of the University of Wisconsin–Madison.

24           **(2) REPORTS.** Annually, the board and the chancellor shall each submit an  
25 accountability report to the governor and to the legislature under s. 13.172 (2). The

1 reports shall include all of the following information, the board's report with respect  
2 to the system other than the University of Wisconsin–Madison, and the chancellor's  
3 report with respect to the University of Wisconsin–Madison:

4 (a) *Performance.* The graduation rate, the total number of graduates, the time  
5 needed to graduate, the number of credits needed to obtain a degree, retention rates,  
6 placement of graduates, and the percentage of residents and nonresidents who  
7 reside in this state 10 years after graduation.

8 (b) *Financial.* Financial reports from each institution and each college campus,  
9 prepared using generally accepted accounting principles.

10 (c) *Access and affordability.* A profile of enrolled students, including mean per  
11 capita family income, the percentage of resident and nonresident students who are  
12 low-income, the percentage of resident and nonresident students who are members  
13 of minority groups, the number of transfers from other institutions and other colleges  
14 within this state, the published cost for resident students and the actual cost for  
15 resident students once financial aid is subtracted, and increases in available  
16 institutional financial aid for students with a demonstrated need.

17 (d) *Undergraduate education.* The extent of access to required courses and to  
18 popular majors, the majors offered, improvements in overall student experience,  
19 efforts to close the achievement gap between majority and underrepresented  
20 minority students, and post-graduation success.

21 (e) *Graduate and professional education.* The number of graduate degrees  
22 awarded; the number of professional graduates in key areas, including physicians,  
23 nurses, business, engineers, pharmacists, veterinarians, and lawyers; and  
24 incentives provided for remaining in this state after graduation.



1 (f) *Faculty*. A profile of the faculty, including faculty teaching loads, success or  
2 failure in recruiting and retaining scholars, and teachers who are rated at the top of  
3 their fields.

4 (g) *Economic development*. The amount and source of research funds and other  
5 new revenue brought into the state, the number of government contracts received,  
6 the number of research projects in progress or completed, the number of patents and  
7 licenses for system inventions, the number of new businesses created or spun off, the  
8 number of secondary businesses affiliated with the system or system-sponsored  
9 research projects, support provided to existing industries throughout the state, job  
10 growth from support to existing industries and new businesses, the number of jobs  
11 created in campus areas, the number of jobs created statewide, and a comparison of  
12 economic indicators for campus and other areas.

13 (h) *Collaboration*. Partnerships and collaborative relationships with system  
14 administration and institutions.

15 **SECTION 1088.** 38.04 (1m) (b) (intro.) of the statutes is amended to read:

16 38.04 (1m) (b) (intro.) The board, in consultation with the ~~department of~~  
17 ~~commerce~~ Wisconsin Economic Development Corporation, shall do all of the  
18 following for each economic development program administered by the board:

19 **SECTION 1089.** 38.04 (4) (a) of the statutes is amended to read:

20 38.04 (4) (a) ~~Except as provided in par. (ag), the~~ The qualifications of  
21 educational personnel and the courses of study for each program offered in district  
22 schools shall be approved by the board. The board may charge the districts for the  
23 full costs associated with certification of educational personnel. Such certification  
24 expenses shall not be included in the district aidable cost.

25 **SECTION 1090.** 38.04 (4) (ag) of the statutes is repealed.

1           **SECTION 1091.** 38.04 (8) (a) of the statutes is amended to read:

2           38.04 **(8)** (a) In this subsection, “minority group member” has the meaning  
3 given in s. ~~560.036~~ 16.287 (1) (f).

4           **SECTION 1092.** 38.04 (10m) (title) of the statutes is amended to read:

5           38.04 **(10m)** (title) ECONOMIC DEVELOPMENT ASSISTANCE COORDINATION AND  
6 REPORTING.

7           **SECTION 1093.** 38.04 (10m) of the statutes is renumbered 38.04 (10m) (b) and  
8 amended to read:

9           38.04 **(10m)** (b) Annually, no later than October 1, the board shall submit to  
10 the joint legislative audit committee and to the appropriate standing committees of  
11 the legislature under s. 13.172 (3) a comprehensive report assessing economic  
12 development programs, as defined in sub. (1m) (a), administered by the board. The  
13 report shall include all of the information required under s. ~~560.01 (2) (am)~~ 238.07  
14 (2). The board shall collaborate with the ~~department of commerce~~ Wisconsin  
15 Economic Development Corporation to make readily accessible to the public on an  
16 Internet-based system the information required under this subsection.

17           **SECTION 1094.** 38.04 (10m) (a) of the statutes is created to read:

18           38.04 **(10m)** (a) The board shall coordinate any economic development  
19 assistance with the Wisconsin Economic Development Corporation.

20           **SECTION 1094g.** 38.15 (3) (e) of the statutes is created to read:

21           38.15 **(3)** (e) That portion of a capital expenditure funded with student housing  
22 payments for the purchase or construction, or the lease/purchase, of a student  
23 residence facility if the district board uses no revenue derived from its tax levy under  
24 s. 38.16, state aid received under s. 38.28, or fees and tuition collected under s. 38.24,

1 for the purchase or construction, or the lease/purchase, of the student residence  
2 facility.

3 **SECTION 1095.** 38.16 (3) of the statutes is created to read:

4 **38.16 (3) (a)** In this subsection:

5 1. “Department” means the department of revenue.

6 2. “Excess levy” means the amount by which a district board’s tax levy exceeds  
7 the limit under par. (b).

8 3. “Tax levy” excludes taxes levied for the purpose of paying principal and  
9 interest on valid bonds and notes.

10 (b) Notwithstanding sub. (1), a district board’s tax levy in 2011 and in 2012 may  
11 not exceed the greater of the following, except as provided in pars. (bg) and (br):

12 1. The district board’s tax levy in 2010.

13 2. The amount generated using the mill rate used for the tax levy in 2010.

14 (bg) The limit otherwise applicable to a district board under par. (b) is increased  
15 by an amount equal to the amount of any refunded or rescinded property taxes paid  
16 by the district board in the year of the levy if the refunded or rescinded property taxes  
17 result in a redetermination of the district’s equalized valuation by the department  
18 of revenue under s. 74.41.

19 (br) 1. If a district board wishes to exceed the limit under par. (b) otherwise  
20 applicable to the district in 2011 or 2012, it shall adopt a resolution supporting  
21 inclusion in the final district budget of an amount equal to the proposed excess levy.  
22 The resolution shall be filed as provided in s. 8.37. Within 10 days after adopting the  
23 resolution, the district board shall notify the board of the scheduled date of the  
24 referendum and submit a copy of the resolution to the board. The district board shall  
25 call a special referendum for the purpose of submitting the resolution to the electors

1 of the district for approval or rejection. In lieu of a special referendum, the district  
2 board may specify that the referendum be held at the next succeeding spring primary  
3 or election or September primary or general election, if such election is to be held not  
4 sooner than 42 days after the filing of the resolution of the district board. The district  
5 board shall certify the results of the referendum to the board within 10 days after the  
6 referendum is held.

7 2. The district board shall publish type A, B, C, D, and E notices of the  
8 referendum under s. 10.01 (2). Notwithstanding s. 10.01 (2) (a), the type A notice  
9 shall include a statement of the amount of the excess levy specified in subd. 1. and  
10 a copy of the resolution under subd. 1. Section 5.01 (1) applies in the event of failure  
11 to comply with the notice requirements of this subdivision.

12 3. The referendum shall be held in accordance with chs. 5 to 12. The district  
13 board shall provide the election officials with all necessary election supplies. The  
14 form of the ballot shall correspond substantially with the standard form for  
15 referendum ballots prescribed by the government accountability board under ss.  
16 5.64 (2) and 7.08 (1) (a). The question submitted shall be whether the limit under  
17 par. (b) may be exceeded by a specified amount. The limit otherwise applicable to the  
18 district under par. (b) is increased by the amount approved by a majority of those  
19 voting on the question.

20 (c) Except as provided in par. (d), if the board determines that a district board  
21 imposed an excess levy in 2011 or 2012, the board shall do all of the following:

22 1. Reduce the amount of state aid payments to the district board in the school  
23 year in which the district board imposed the excess levy by an amount equal to the  
24 amount of the excess levy.

1           2. Ensure that the amount of any reductions in state aid under subd. 1. lapses  
2 to the general fund.

3           3. Ensure that the amount of the excess levy is not included in determining the  
4 limit described under par. (b) for the district board for the following year.

5           4. Ensure that, if a district board's excess levy exceeds the amount of state aid  
6 that may be reduced under subd. 1., the excess amount is subtracted from state aid  
7 payments in the following years until the total amount of the excess levy is  
8 subtracted from the state aid payments.

9           (d) The department may issue a finding that a district board is not liable for  
10 a penalty that would otherwise be imposed under par. (c) if the department  
11 determines that the district board's excess levy is caused by one of the following  
12 clerical errors:

13           1. The department, through mistake or inadvertence, has assessed to any  
14 county or taxation district, in the current year or in the previous year, a greater or  
15 lesser valuation for any year than should have been assessed, causing the district  
16 board's levy to be erroneous in a way that directly causes an excess levy.

17           2. A taxation district clerk or a county clerk, through mistake or inadvertence  
18 in preparing or delivering the tax roll, causes a district board's levy to be erroneous  
19 in a way that directly causes an excess levy.

20           (e) Except as provided in par. (bg), a district board may not impose a tax levy  
21 at a rate greater than 1.5 mills on the full value of the taxable property of the district  
22 under this subsection.

23           **SECTION 1096.** 38.22 (6) (e) of the statutes is repealed.

24           **SECTION 1096bg.** 38.22 (6) (f) of the statutes is amended to read:

1           38.22 (6) (f) Any person verified by the department of veterans affairs as being  
2 a resident of this state under s. 38.24 (8) (a) 1r.

3           **SECTION 1097g.** 38.24 (7) (a) (intro.) of the statutes is amended to read:

4           38.24 (7) (a) (intro.) In this subsection, “eligible veteran” subsection:

5           1m. “Eligible veteran” means a person verified by the department of veterans  
6 affairs to be either of the following:

7           **SECTION 1097j.** 38.24 (7) (a) 1. of the statutes is renumbered 38.24 (7) (a) 1m.

8 a.

9           **SECTION 1097m.** 38.24 (7) (a) 1p. of the statutes is created to read:

10           38.24 (7) (a) 1p. “Fees” means the amount charged to a resident student under  
11 sub. (1m) (a) to (c) to enroll in a course leading to an associate degree, collegiate  
12 transfer, or vocational diploma. In the case of a distance education, online, or other  
13 course for which the amount charged to enroll in the course equals at least 100  
14 percent of the cost of offering the course, “fees” includes the regular fees charged to  
15 a resident student under sub. (1m) (a) to (c) to enroll in the course and any additional  
16 fees charged to that student under sub. (1m) (a) to (c) to enroll in that course.

17           **SECTION 1097p.** 38.24 (7) (a) 2. of the statutes is renumbered 38.24 (7) (a) 1m.

18 b. and amended to read:

19           38.24 (7) (a) 1m. b. A person who was a resident of this state at the time of entry  
20 into service described in subd. ~~1.~~ 1m. a. and who the U.S. department of veteran  
21 affairs has awarded at least a 30 percent service-connected disability rating under  
22 38 USC 1114 or 1134.

23           **SECTION 1098b.** 38.24 (7) (b) (intro.) of the statutes is amended to read:

24           38.24 (7) (b) (intro.) Except as provided in subds. 1. to 3. and par. (bg), the  
25 district board shall grant full remission of fees ~~under sub. (1m) (a) to (c)~~ for 128

1 credits or 8 semesters, whichever is longer, less the number of credits or semesters  
2 for which the person received remission of fees from any other district board under  
3 this subsection and from the Board of Regents under s. 36.27 (3n) (b) and less the  
4 amount of any fees paid under 38 USC 3319, to any resident student who is also any  
5 of the following:

6 **SECTION 1099b.** 38.24 (7) (bg) of the statutes is amended to read:

7 38.24 (7) (bg) Before the district board may grant a remission of fees under par.  
8 (b), the district board shall require the resident student to apply to the payment of  
9 those fees all educational assistance to which the resident student is entitled under  
10 38 USC 3319. If that educational assistance covers 100 percent of those fees for a  
11 credit or semester, that credit or semester shall not count against the 128 credit or  
12 8 semester limit provided in par. (b). If that educational assistance covers less than  
13 100 percent of those fees for a credit or semester and the remission under par. (b)  
14 covers the remainder of those fees, the credit or semester shall count against that  
15 limit in the proportion that the remission bears to the total fees charged for that  
16 credit or semester. This requirement applies notwithstanding the fact that the  
17 resident student may be entitled to educational assistance under 10 USC 16132a, 10  
18 USC 16163a, or 38 USC 3500 to 3566 as well as under 38 USC 3319, unless the  
19 resident student has 12 months or less of eligibility remaining for educational  
20 assistance under 10 USC 16132a, 10 USC 16163a, or 38 USC 3500 to 3566.

21 **SECTION 1099d.** 38.24 (7) (c) of the statutes is amended to read:

22 38.24 (7) (c) The higher educational aids board shall reimburse the district  
23 board for all fees ~~under sub. (1m) (a) to (e)~~ remitted under par. (b) as provided in s.  
24 39.50 (2) and (3m).

25 **SECTION 1099g.** 38.24 (8) (a) (intro.) of the statutes is amended to read:

1           38.24 (8) (a) (intro.) In this subsection, “veteran” subsection:

2           1r. “Veteran” means a person who is verified by the department of veterans  
3           affairs as being a resident of this state for purposes of receiving benefits under ch.  
4           45, as being a resident at the time of his or her entry into the U.S. armed forces or  
5           forces incorporated in the U.S. armed forces, and as meeting any of the following  
6           conditions:

7           **SECTION 1099i.** 38.24 (8) (a) 1. of the statutes is renumbered 38.24 (8) (a) 1r.  
8           a. and amended to read:

9           38.24 (8) (a) 1r. a. The person has served on active duty for at least one  
10          qualifying term of service under ~~subds. 2. to 4.~~ subd. 1r. b. to d. under honorable  
11          conditions in the U.S. armed forces or in forces incorporated as part of the U.S. armed  
12          forces during a war period or in a crisis zone.

13          **SECTION 1099k.** 38.24 (8) (a) 1g. of the statutes is created to read:

14          38.24 (8) (a) 1g. “Fees” has the meaning given in sub. (7) (a) 1p.

15          **SECTION 1099p.** 38.24 (8) (a) 2. of the statutes is renumbered 38.24 (8) (a) 1r.  
16          b.

17          **SECTION 1099r.** 38.24 (8) (a) 3. of the statutes is renumbered 38.24 (8) (a) 1r.  
18          c.

19          **SECTION 1099t.** 38.24 (8) (a) 4. of the statutes is renumbered 38.24 (8) (a) 1r.  
20          d.

21          **SECTION 1099v.** 38.24 (8) (a) 5. of the statutes is renumbered 38.24 (8) (a) 1r.  
22          e.

23          **SECTION 1099y.** 38.24 (8) (a) 6. of the statutes is renumbered 38.24 (8) (a) 1r.  
24          f.

25          **SECTION 1100b.** 38.24 (8) (b) of the statutes is amended to read:



1           38.24 (8) (b) Except as provided in par. (bg), the district board shall grant full  
2 remission of the fees charged ~~under sub. (1m) (a) to (e)~~ for 128 credits or 8 semesters,  
3 whichever is longer, less the number of credits or semesters for which the person  
4 received remission of fees from any other district board under this subsection and  
5 from the Board of Regents under s. 36.27 (3p) and less the amount of any fees paid  
6 under 10 USC 2107 (c), 38 USC 3104 (a) (7) (A), or 38 USC 3313, to any student who  
7 is a veteran.

8           **SECTION 1101e.** 38.24 (8) (bg) of the statutes is amended to read:

9           38.24 (8) (bg) Before the district board may grant a remission of fees under par.  
10 (b), the district board shall require the student to apply to the payment of those fees  
11 all educational assistance to which the student is entitled under 38 USC 3313. If that  
12 educational assistance covers 100 percent of those fees for a credit or semester, that  
13 credit or semester shall not count against the 128 credit or 8 semester limit provided  
14 in par. (b). If that educational assistance covers less than 100 percent of those fees  
15 for a credit or semester and the remission under par. (b) covers the remainder of those  
16 fees, the credit or semester shall count against that limit in the proportion that the  
17 remission bears to the total fees charged for that credit or semester. This  
18 requirement applies notwithstanding the fact that the student may be entitled to  
19 educational assistance under 10 USC 16131 to 16137, 10 USC 16161 to 16166, or 38  
20 USC 3001 to 3036 as well as under 38 USC 3313, unless the student has 12 months  
21 or less of eligibility remaining for educational assistance under 10 USC 16131 to  
22 16137, 10 USC 16161 to 16166, or 38 USC 3001 to 3036.

23           **SECTION 1101g.** 38.24 (8) (c) of the statutes is amended to read:

1           38.24 **(8)** (c) The higher educational aids board shall reimburse the district  
2 board for all fees ~~under sub. (1m) (a) to (e)~~ remitted under par. (b) as provided in s.  
3 39.50 (2) and (3m).

4           **SECTION 1102.** 38.26 (1) of the statutes is amended to read:

5           38.26 **(1)** In this section, “minority student” means a student enrolled in a  
6 district school who is a minority group member, as defined in s. ~~560.036~~ 16.287 (1)  
7 (f).

8           **SECTION 1105n.** 38.50 (12) (a) 1m. of the statutes is created to read:

9           38.50 **(12)** (a) 1m. A person described in sub. (1) (e) 1. whose administrative  
10 headquarters and principal place of business is in the village of Union Grove that  
11 provides a residential facility located in that village to assist young adults with  
12 disabilities in transitioning from home and school to work and independent living.

13           **SECTION 1105v.** 39.15 (1) (a) of the statutes is amended to read:

14           39.15 **(1)** (a) ~~One-third~~ Two of the members of the board of trustees of the  
15 Medical College of Wisconsin, Inc., shall be nominated by the governor, and, with the  
16 advice and consent of the senate, appointed for staggered 6-year terms expiring on  
17 ~~May 1~~ June 30.

18           **SECTION 1112.** 39.40 (1) (c) of the statutes is amended to read:

19           39.40 **(1)** (c) A Hispanic, as defined in s. ~~560.036~~ 16.287 (1) (d).

20           **SECTION 1119.** 39.435 (7) (a) 1. of the statutes is amended to read:

21           39.435 **(7)** (a) 1. For purposes of calculating the amount to be appropriated  
22 under s. 20.235 (1) (fe) for fiscal year ~~2011–12~~ 2013–14, “base amount” means the  
23 amount shown in the schedule under s. 20.005 for that appropriation for fiscal year  
24 ~~2010–11~~ 2012–13.

25           **SECTION 1120.** 39.435 (7) (a) 2. of the statutes is amended to read:

1           39.435 (7) (a) 2. For purposes of calculating the amount to be appropriated  
2 under s. 20.235 (1) (fe) for each fiscal year after fiscal year ~~2011–12~~ 2013–14, “base  
3 amount” means the appropriation amount calculated under par. (b) for the previous  
4 fiscal year.

5           **SECTION 1121.** 39.435 (7) (b) (intro.) of the statutes is amended to read:

6           39.435 (7) (b) (intro.) Biennially, beginning on February 1, ~~2011~~ 2013, the board  
7 shall calculate the amounts to be appropriated under s. 20.235 (1) (fe) for the next  
8 biennium as follows:

9           **SECTION 1125.** 39.437 (1) of the statutes is amended to read:

10          39.437 (1) ESTABLISHMENT OF GRANT PROGRAM. There is established, to be  
11 administered by the board, ~~with the assistance of the office of the Wisconsin~~  
12 ~~Covenant Scholars Program in the department of administration as provided in~~  
13 ~~subs. (2) (a) 2., (4), and (5),~~ a Wisconsin Covenant Scholars Program to provide grants  
14 to students who meet the eligibility criteria specified in sub. (2).

15          **SECTION 1126.** 39.437 (2) (a) 2. of the statutes is amended to read:

16          39.437 (2) (a) 2. The student has been designated as a Wisconsin covenant  
17 scholar by the ~~office of the Wisconsin Covenant Scholars Program in the department~~  
18 ~~of administration~~ board.

19          **SECTION 1127.** 39.437 (4) (a) of the statutes is amended to read:

20          39.437 (4) (a) By February 1 of each year, the Board of Regents of the University  
21 of Wisconsin System shall provide to the ~~office of the Wisconsin Covenant Scholars~~  
22 ~~Program in the department of administration~~ board information relating to the  
23 resident undergraduate academic fees charged to attend each of the institutions  
24 within that system for the current academic year, the technical college system board  
25 shall provide to ~~that office~~ the board information relating to the fees under s. 38.24

1 (1m) (a) to (c) charged to attend each of the technical colleges within that system for  
2 the current academic year, each tribally controlled college in this state shall provide  
3 to ~~that office~~ the board information relating to the tuition and fees charged to attend  
4 the tribal college for the current academic year, and the Wisconsin Association of  
5 Independent Colleges and Universities or a successor organization shall provide to  
6 ~~that office~~ the board information relating to tuition and fees charged to attend each  
7 of the private, nonprofit, accredited institutions of higher education in this state for  
8 the current academic year.

9 **SECTION 1128.** 39.437 (4) (b) of the statutes is amended to read:

10 39.437 (4) (b) By April 1 of each year, the ~~office of the Wisconsin Covenant~~  
11 ~~Scholars Program in the department of administration~~ board shall determine the  
12 average of the resident undergraduate academic fees charged for the current  
13 academic year among the institutions within the University of Wisconsin System,  
14 the average of the fees under s. 38.24 (1m) (a) to (c) charged for the current academic  
15 year among the technical colleges in this state, the average of the tuition and fees  
16 charged for the current academic year among the tribally controlled colleges in this  
17 state, and the average of the tuition and fees charged for the current academic year  
18 among the private, nonprofit, accredited institutions of higher education in this  
19 state.

20 **SECTION 1129.** 39.437 (4) (c) of the statutes is amended to read:

21 39.437 (4) (c) To the extent permitted under 20 USC 1232g and 34 CFR part  
22 99, the department of public instruction shall provide pupil information to the ~~office~~  
23 ~~of the Wisconsin Covenant Scholars Program in the department of administration~~  
24 board as necessary for that office to fulfill its role in the administration of the grant  
25 program under this section.

1           **SECTION 1130.** 39.437 (5) (intro.) of the statutes is amended to read:

2           39.437 **(5)** RULES. (intro.) The ~~department of administration~~ board shall  
3 promulgate rules to implement this section, including all of the following:

4           **SECTION 1131.** 39.437 (5) (c) of the statutes is amended to read:

5           39.437 **(5)** (c) Any other rules the ~~department of administration~~ board  
6 considers necessary to assure the uniform administration of this section.

7           **SECTION 1132.** 39.437 (6) of the statutes is created to read:

8           39.437 **(6)** SUNSET. No student may enroll in the Wisconsin Covenant Scholars  
9 Program after September 30, 2011. After that date, the board may designate a  
10 student as a Wisconsin covenant scholar under sub. (2) (a) 2. only if the student  
11 enrolled in the Wisconsin Covenant Scholars Program by that date.

12           **SECTION 1133.** 39.44 (1) (a) 3. of the statutes is amended to read:

13           39.44 **(1)** (a) 3. Is a Hispanic, as defined in s. ~~560.036~~ 16.287 (1) (d).

14           **SECTION 1136m.** 40.02 (22) (ec) of the statutes is created to read:

15           40.02 **(22)** (ec) Includes contributions made by a reduction in salary as provided  
16 in s. 40.05 (1) (b).

17           **SECTION 1139.** 40.02 (25) (b) 2c. of the statutes is amended to read:

18           40.02 **(25)** (b) 2c. A state employee described in s. 49.825 (4) or (5) or 49.826 (4).

19           **SECTION 1139m.** 40.02 (28) of the statutes is amended to read:

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

1 under s. ~~66.1039~~, and a long-term care district created under s. 46.2895, except as  
2 provided under ss. 40.51 (7) and 40.61 (3). “Employer” does not include a local  
3 cultural arts district created under subch. V of ch. 229. Each employer shall be a  
4 separate legal jurisdiction for OASDHI purposes.

5 **SECTION 1139mb.** 40.02 (30) of the statutes is amended to read:

6 40.02 (30) “Executive participating employee” means a participating employee  
7 in a position designated under s. 19.42 (10) (L) or 20.923 (4), ~~(4g)~~, (7), (8), or (9) or  
8 authorized under s. 230.08 (2) (e) during the time of employment, and also includes  
9 the president and vice presidents of the University of Wisconsin System and the  
10 chancellors and vice chancellors who are serving as deputies of all University of  
11 Wisconsin institutions, the University of Wisconsin Colleges, and the University of  
12 Wisconsin-Extension. All service credited prior to May 17, 1988, as executive  
13 service as defined under s. 40.02 (31), 1985 stats., shall continue to be treated as  
14 executive service as defined under s. 40.02 (31), 1985 stats., but no other service  
15 rendered prior to May 17, 1988, may be changed to executive service as defined  
16 under s. 40.02 (31), 1985 stats.

17 **SECTION 1139r.** 40.02 (41n) of the statutes is created to read:

18 40.02 (41n) “Municipal employer” has the meaning given in s. 111.70 (1) (j).

19 **SECTION 1140.** 40.02 (48) (am) 22. of the statutes is amended to read:

20 40.02 (48) (am) 22. A person employed under s. 60.553 (1), 61.66 (1), or 62.13  
21 (2e) (a).

22 **SECTION 1141.** 40.02 (48) (c) of the statutes is amended to read:

23 40.02 (48) (c) In s. 40.65, “protective occupation participant” means a  
24 participating employee who is a police officer, fire fighter, an individual determined  
25 by a participating employer under par. (a) or (bm) to be a protective occupation

1 participant, county undersheriff, deputy sheriff, state probation and parole officer,  
2 county traffic police officer, conservation warden, state forest ranger, field  
3 conservation employee of the department of natural resources who is subject to call  
4 for forest fire control or warden duty, member of the state traffic patrol, state motor  
5 vehicle inspector, University of Wisconsin System full-time police officer, guard or  
6 any other employee whose principal duties are supervision and discipline of inmates  
7 at a state penal institution, excise tax investigator employed by the department of  
8 revenue, person employed under s. 60.553 (1), 61.66 (1), or 62.13 (2e) (a), or special  
9 criminal investigation agent employed by the department of justice.

10 **SECTION 1144.** 40.03 (6) (h) (intro.) and 2. of the statutes are consolidated,  
11 renumbered 40.03 (6) (h) and amended to read:

12 40.03 (6) (h) Shall, on behalf of the state, offer as provided in s. 40.55 long-term  
13 care insurance policies, ~~subject to the following conditions:~~ 2. For purposes of this  
14 section, the offering by the state of long-term health insurance policies shall  
15 constitute a group insurance plan under par. (a) 1.

16 **SECTION 1145.** 40.03 (6) (h) 1. of the statutes is repealed.

17 **SECTION 1145d.** 40.05 (1) (a) (intro.) of the statutes, as affected by 2011  
18 Wisconsin Act 10, is repealed and recreated to read:

19 40.05 (1) (a) (intro.) Subject to par. (b):

20 **SECTION 1145f.** 40.05 (1) (a) 1. of the statutes, as affected by 2011 Wisconsin  
21 Act 10, is repealed and recreated to read:

22 40.05 (1) (a) 1. For each participating employee not otherwise specified, a  
23 percentage of each payment of earnings equal to one-half of the total actuarially  
24 required contribution rate, as approved by the board under s. 40.03 (1) (e).

1           **SECTION 1145h.** 40.05 (1) (a) 2. of the statutes, as affected by 2011 Wisconsin  
2 Act 10, is repealed and recreated to read:

3           40.05 (1) (a) 2. For each participating employee whose formula rate is  
4 determined under s. 40.23 (2m) (e) 2., a percentage of each payment of earnings equal  
5 to one-half of the total actuarially required contribution rate, as approved by the  
6 board under s. 40.03 (1) (e).

7           **SECTION 1145j.** 40.05 (1) (a) 3. of the statutes, as affected by 2011 Wisconsin  
8 Act 10, is repealed and recreated to read:

9           40.05 (1) (a) 3. For each participating employee whose formula rate is  
10 determined under s. 40.23 (2m) (e) 3., the percentage of earnings paid by a  
11 participating employee under subd. 1.

12           **SECTION 1145L.** 40.05 (1) (a) 4. of the statutes, as affected by 2011 Wisconsin  
13 Act 10, is repealed and recreated to read:

14           40.05 (1) (a) 4. For each participating employee whose formula rate is  
15 determined under s. 40.23 (2m) (e) 4., the percentage of earnings paid by a  
16 participating employee under subd. 1.

17           **SECTION 1145n.** 40.05 (1) (b) of the statutes, as affected by 2011 Wisconsin Act  
18 10, is repealed and recreated to read:

19           40.05 (1) (b) 1. Except as otherwise provided in a collective bargaining  
20 agreement entered into under subch. IV or V of ch. 111 and except as provided in  
21 subd. 2., an employer may not pay, on behalf of a participating employee, any of the  
22 contributions required by par. (a). The contributions required by par. (a) shall be  
23 made by a reduction in salary and, for tax purposes, shall be considered employer  
24 contributions under section 414 (h) (2) of the Internal Revenue Code. A participating



1 employee may not elect to have contributions required by par. (a) paid directly to the  
2 employee or make a cash or deferred election with respect to the contributions.

3 2. a. A municipal employer shall pay, on behalf of a nonrepresented law  
4 enforcement or fire fighting managerial employee or a nonrepresented managerial  
5 employee described in s. 111.70 (1) (mm) 2., who was initially employed by the  
6 municipal employer before the effective date of this subd. 2. a. .... [LRB inserts date],  
7 the same contributions required by par. (a) that are paid by the municipal employer  
8 for represented law enforcement or fire fighting personnel or personnel described in  
9 s. 111.70 (1) (mm) 2. who were initially employed by the municipal employer before  
10 the effective date of this subd. 2. a. .... [LRB inserts date].

11 b. An employer shall pay, on behalf of a nonrepresented managerial employee  
12 in a position described under s. 40.02 (48) (am) 7. or 8., who was initially employed  
13 by the state before the effective date of this subd. 2. b. .... [LRB inserts date], in a  
14 position described under s. 40.02 (48) (am) 7. or 8. the same contributions required  
15 by par. (a) that are paid by the employer for represented employees in positions  
16 described under s. 40.02 (48) (am) 7. or 8. who were initially employed by the state  
17 before the effective date of this subd. 2. b. .... [LRB inserts date].

18 c. A municipal employer shall pay, on behalf of a represented law enforcement  
19 or fire fighting employee or employee described in s. 111.70 (1) (mm) 2., who was  
20 initially employed by the municipal employer before the effective date of this subd.  
21 2. c. .... [LRB inserts date], and who on or after the effective date of this subd. 2. c.  
22 .... [LRB inserts date], became employed in a nonrepresented law enforcement or fire  
23 fighting managerial position or nonrepresented managerial position described in s.  
24 111.70 (1) (mm) 2. with the same municipal employer, or a successor municipal  
25 employer in the event of a combined department that is created on or after the

1 effective date of this subd. 2. c. .... [LRB inserts date], the same contributions  
2 required by par. (a) that are paid by the employer for represented law enforcement  
3 or fire fighting personnel or personnel described in s. 111.70 (1) (mm) 2. who were  
4 initially employed by a municipal employer before the effective date of this subd. 2.  
5 c. .... [LRB inserts date].

6 **SECTION 1145rh.** 40.05 (4) (ag) of the statutes, as affected by 2011 Wisconsin  
7 Act 10, is repealed and recreated to read:

8 40.05 (4) (ag) Except as otherwise provided in a collective bargaining  
9 agreement under subch. V of ch. 111, the employer shall pay for its currently  
10 employed insured employees:

11 1. For insured part-time employees other than employees specified in s. 40.02  
12 (25) (b) 2., including those in project positions as defined in s. 230.27 (1), who are  
13 appointed to work less than 1,044 hours per year, an amount determined annually  
14 by the director of the office of state employment relations under par. (ah).

15 2. For eligible employees not specified in subd. 1. and s. 40.02 (25) (b) 2., an  
16 amount not more than 88 percent of the average premium cost of plans offered in the  
17 tier with the lowest employee premium cost under s. 40.51 (6), as determined  
18 annually by the director of the office of state employment relations under par. (ah).

19 **SECTION 1145rm.** 40.05 (4) (ah) of the statutes is created to read:

20 40.05 (4) (ah) Annually, the director of the office of state employment relations  
21 shall establish the amount that employees are required to pay for health insurance  
22 premiums in accordance with the maximum employer payments under par. (ag).

23 **SECTION 1145s.** 40.05 (4) (at) of the statutes is created to read:

24 40.05 (4) (at) An employer shall pay, on behalf of a nonrepresented managerial  
25 employee in a position described under s. 40.02 (48) (am) 7. or 8., who was initially

1 employed by the state before the effective date of this paragraph .... [LRB inserts  
2 date], the same premium contribution rates required by par. (ag) that are paid by the  
3 employer for represented employees in positions described under s. 40.02 (48) (am)  
4 7. or 8. who were initially employed by the state before the effective date of this  
5 paragraph .... [LRB inserts date].

6 **SECTION 1146.** 40.05 (4) (b) of the statutes is amended to read:

7 40.05 (4) (b) Except as provided under pars. (bc) and (bp), accumulated unused  
8 sick leave under ss. 13.121 (4), 36.30, 230.35 (2), 233.10, 238.04 (8), and 757.02 (5)  
9 and subch. I, V, or VI of ch. 111 of any eligible employee shall, at the time of death,  
10 upon qualifying for an immediate annuity or for a lump sum payment under s. 40.25  
11 (1) or upon termination of creditable service and qualifying as an eligible employee  
12 under s. 40.02 (25) (b) 6. or 10., be converted, at the employee's highest basic pay rate  
13 he or she received while employed by the state, to credits for payment of health  
14 insurance premiums on behalf of the employee or the employee's surviving insured  
15 dependents. Any supplemental compensation that is paid to a state employee who  
16 is classified under the state classified civil service as a teacher, teacher supervisor,  
17 or education director for the employee's completion of educational courses that have  
18 been approved by the employee's employer is considered as part of the employee's  
19 basic pay for purposes of this paragraph. The full premium for any eligible employee  
20 who is insured at the time of retirement, or for the surviving insured dependents of  
21 an eligible employee who is deceased, shall be deducted from the credits until the  
22 credits are exhausted and paid from the account under s. 40.04 (10), and then  
23 deducted from annuity payments, if the annuity is sufficient. The department shall  
24 provide for the direct payment of premiums by the insured to the insurer if the  
25 premium to be withheld exceeds the annuity payment. Upon conversion of an

1 employee's unused sick leave to credits under this paragraph or par. (bf), the  
2 employee or, if the employee is deceased, the employee's surviving insured  
3 dependents may initiate deductions from those credits or may elect to delay  
4 initiation of deductions from those credits, but only if the employee or surviving  
5 insured dependents are covered by a comparable health insurance plan or policy  
6 during the period beginning on the date of the conversion and ending on the date on  
7 which the employee or surviving insured dependents later elect to initiate  
8 deductions from those credits. If an employee or an employee's surviving insured  
9 dependents elect to delay initiation of deductions from those credits, an employee or  
10 the employee's surviving insured dependents may only later elect to initiate  
11 deductions from those credits during the annual enrollment period under par. (be).  
12 A health insurance plan or policy is considered comparable if it provides hospital and  
13 medical benefits that are substantially equivalent to the standard health insurance  
14 plan established under s. 40.52 (1).

15 **SECTION 1147.** 40.05 (4) (bm) of the statutes is amended to read:

16 40.05 (4) (bm) Except as provided under par. (bp), accumulated unused sick  
17 leave under ss. 36.30 and 230.35 (2) ~~or~~, 233.10, or 238.04 (8) of any eligible employee  
18 shall, upon request of the employee at the time the employee is subject to layoff under  
19 s. 40.02 (40), be converted at the employee's highest basic pay rate he or she received  
20 while employed by the state to credits for payment of health insurance premiums on  
21 behalf of the employee. Any supplemental compensation that is paid to a state  
22 employee who is classified under the state classified civil service as a teacher, teacher  
23 supervisor or education director for the employee's completion of educational courses  
24 that have been approved by the employee's employer is considered as part of the  
25 employee's basic pay for purposes of this paragraph. The full amount of the required

1 employee contribution for any eligible employee who is insured at the time of the  
2 layoff shall be deducted from the credits until the credits are exhausted, the  
3 employee is reemployed, or 5 years have elapsed from the date of layoff, whichever  
4 occurs first.

5 **SECTION 1153.** 40.05 (5) (b) 4. of the statutes is amended to read:

6 40.05 (5) (b) 4. The accrual and crediting of sick leave shall be determined in  
7 accordance with ss. 13.121 (4), 36.30, 230.35 (2), 233.10, 238.04 (8), and 757.02 (5)  
8 and subch. I, V, or VI of ch. 111.

9 **SECTION 1153d.** 40.22 (2) (a) of the statutes is amended to read:

10 40.22 (2) (a) Except as provided in sub. (2m), the employee was initially  
11 employed by a participating employer before the effective date of this paragraph ....  
12 [LRB inserts date], and is not expected to work at least one-third of what is  
13 considered full-time employment by the department, as determined by rule.

14 **SECTION 1153h.** 40.22 (2) (am) of the statutes is created to read:

15 40.22 (2) (am) Except as provided in sub. (2r), the employee was initially  
16 employed by a participating employer on or after the effective date of this paragraph  
17 .... [LRB inserts date], and is not expected to work at least two-thirds of what is  
18 considered full-time employment by the department, as determined by rule.

19 **SECTION 1156.** 40.22 (2) (m) of the statutes is amended to read:

20 40.22 (2) (m) Notwithstanding sub. (3m), the employee was formerly employed  
21 by Milwaukee County, is a state employee described in s. 49.825 (4) or (5) or 49.826  
22 (4), and ~~elects to remain~~ is a covered employee under the retirement system  
23 established under chapter 201, laws of 1937, pursuant to s. 49.825 (4) (c) or (5) (c) or  
24 49.826 (4) (c). ~~This paragraph shall not apply if the employee remains a state~~

1 ~~employee, but is no longer performing services for the Milwaukee County enrollment~~  
2 ~~services unit under s. 49.825 or the child care provider services unit under s. 49.826.~~

3 **SECTION 1156c.** 40.22 (2m) (intro.) of the statutes is amended to read:

4 40.22 **(2m)** (intro.) An employee who was initially employed by a participating  
5 employer before the effective date of this subsection ... [LRB inserts date], who is not  
6 expected to work at least one-third of what is considered full-time employment by  
7 the department, as determined by rule, and who is not otherwise excluded under sub.  
8 (2) from becoming a participating employee shall become a participating employee  
9 if he or she is subsequently employed by the state agency or other participating  
10 employer for either of the following periods:

11 **SECTION 1156e.** 40.22 (2r) of the statutes is created to read:

12 40.22 **(2r)** An employee who was initially employed by a participating employer  
13 on or after the effective date of this subsection ... [LRB inserts date], who is not  
14 expected to work at least two-thirds of what is considered full-time employment by  
15 the department, as determined by rule, and who is not otherwise excluded under sub.  
16 (2) from becoming a participating employee shall become a participating employee  
17 if he or she is subsequently employed by the state agency or other participating  
18 employer for either of the following periods:

19 (a) At least one year for at least two-thirds of what is considered full-time  
20 employment by the department, as determined by rule, or, for an educational support  
21 personnel employee, at least one year for at least two-thirds of what is considered  
22 full-time employment for a teacher.

23 (b) At least 1,200 hours in the immediately preceding 12-month period.

24 **SECTION 1156f.** 40.22 (3) (b) of the statutes is renumbered 40.22 (3) (b) 1.

25 **SECTION 1156g.** 40.22 (3) (b) 2. of the statutes is created to read:

1           40.22 **(3)** (b) 2. The first day after completion of one year of employment for at  
2           least two-thirds of what is considered full-time employment by the department, as  
3           determined by rule, if the person becomes a participating employee under sub. (2r)  
4           after the employer's effective date of participation.

5           **SECTION 1156k.** 40.23 (2m) (er) of the statutes is created to read:

6           40.23 **(2m)** (er) For a participant who initially becomes a participating  
7           employee on or after the effective date of this paragraph .... [LRB inserts date], all  
8           of the following shall apply:

9           1. If the participant has less than 1 year of creditable service, the annuity  
10          amount under par. (e) shall be reduced by 50 percent.

11          2. If the participant has at least 1 year of creditable service, but less than 2  
12          years of creditable service, the annuity amount under par. (e) shall be reduced by 40  
13          percent.

14          3. If the participant has at least 2 years of creditable service, but less than 3  
15          years of creditable service, the annuity amount under par. (e) shall be reduced by 30  
16          percent.

17          4. If the participant has at least 3 years of creditable service, but less than 4  
18          years of creditable service, the annuity amount under par. (e) shall be reduced by 20  
19          percent.

20          5. If the participant has at least 4 years of creditable service, but less than 5  
21          years of creditable service, the annuity amount under par. (e) shall be reduced by 10  
22          percent.

23          **SECTION 1156p.** 40.23 (3) of the statutes is renumbered 40.23 (3) (a) and  
24          amended to read:

1           40.23 (3) (a) The Except as provided in par. (b), the initial monthly amount of  
2 any retirement annuity in the normal form shall not be less than the money purchase  
3 annuity which can be provided by applying the sum of the participant's accumulated  
4 additional and required contributions, including interest credited to the  
5 accumulations, plus an amount from the employer accumulation reserve equal to the  
6 participant's accumulated required contributions, less any accumulated  
7 contributions to purchase other governmental service under s. 40.25 (7), 2001 stats.,  
8 or s. 40.285 (2) (b) to fund the annuity in accordance with the actuarial tables in effect  
9 on the annuity effective date.

10           **SECTION 1156t.** 40.23 (3) (b) of the statutes is created to read:

11           40.23 (3) (b) For a participant who initially becomes a participating employee  
12 on or after the effective date of this paragraph .... [LRB inserts date], all of the  
13 following shall apply for purposes of calculating a money purchase annuity under  
14 par. (a):

15           1. If the participant has less than 1 year of creditable service, there shall be no  
16 amount from the employer accumulation reserve.

17           2. If the participant has at least 1 year of creditable service, but less than 2  
18 years of creditable service, the amount from the employer accumulation reserve shall  
19 equal 20 percent of the participant's accumulated required contributions.

20           3. If the participant has at least 2 years of creditable service, but less than 3  
21 years of creditable service, the amount from the employer accumulation reserve shall  
22 equal 40 percent of the participant's accumulated required contributions.

23           4. If the participant has at least 3 years of creditable service, but less than 4  
24 years of creditable service, the amount from the employer accumulation reserve shall  
25 equal 60 percent of the participant's accumulated required contributions.



1           5. If the participant has at least 4 years of creditable service, but less than 5  
2 years of creditable service, the amount from the employer accumulation reserve shall  
3 equal 80 percent of the participant's accumulated required contributions.

4           **SECTION 1156ym.** 40.51 (7) of the statutes, as affected by 2011 Wisconsin Act  
5 10, is repealed and recreated to read:

6           40.51 (7) (a) Any employer, other than the state, may offer to all of its employees  
7 a health care coverage plan through a program offered by the group insurance board.  
8 Notwithstanding sub. (2) and ss. 40.05 (4) and 40.52 (1), the department may by rule  
9 establish different eligibility standards or contribution requirements for such  
10 employees and employers and may by rule limit the categories of employers, other  
11 than the state, which may be included as participating employers under this  
12 subchapter. Beginning on January 1, 2012, except as otherwise provided in a  
13 collective bargaining agreement under subch. IV of ch. 111 and except as provided  
14 in par. (b), an employer may not offer a health care coverage plan to its employees  
15 under this subsection if the employer pays more than 88 percent of the average  
16 premium cost of plans offered in any tier with the lowest employee premium cost  
17 under this subsection.

18           (b) 1. A municipal employer shall pay, on behalf of a nonrepresented law  
19 enforcement or fire fighting managerial employee or a nonrepresented managerial  
20 employee described in s. 111.70 (1) (mm) 2., who was initially employed by the  
21 municipal employer before the effective date of this subdivision .... [LRB inserts  
22 date], the same percentage under par. (a) that is paid by the municipal employer for  
23 represented law enforcement or fire fighting personnel or personnel described in s.  
24 111.70 (1) (mm) 2. who were initially employed by the municipal employer before the  
25 effective date of this subdivision .... [LRB inserts date].

1           2. A municipal employer shall pay, on behalf of a represented law enforcement  
2 or fire fighting employee, who was initially employed by the municipal employer  
3 before the effective date of this subdivision .... [LRB inserts date], and who on or after  
4 the effective date of this subdivision .... [LRB inserts date], became employed in a  
5 nonrepresented law enforcement or fire fighting managerial position with the same  
6 municipal employer, or a successor municipal employer in the event of a combined  
7 department that is created on or after the effective date of this subdivision .... [LRB  
8 inserts date], the same percentage under par. (a) that is paid by the municipal  
9 employer for represented law enforcement or fire fighting personnel who were  
10 initially employed by the municipal employer before the effective date of this  
11 subdivision .... [LRB inserts date].

12           **SECTION 1160.** 40.55 (1) of the statutes is amended to read:

13           40.55 (1) Except as provided in sub. (5), the state shall offer, through the group  
14 insurance board, to eligible employees under s. 40.02 (25) (bm) and to state  
15 annuitants long-term care insurance policies which have been filed with the office  
16 of the commissioner of insurance and which have been approved for offering under  
17 contracts established by the group insurance board ~~if the insurer requests that the~~  
18 ~~policy be offered and the.~~ The state shall also allow an eligible employee or a state  
19 annuitant to purchase those policies for his or her spouse, domestic partner, or  
20 parent.

21           **SECTION 1161.** 40.62 (2) of the statutes is amended to read:

22           40.62 (2) Sick leave accumulation shall be determined in accordance with rules  
23 of the department, any collective bargaining agreement under subch. I, V, or VI of  
24 ch. 111, and ss. 13.121 (4), 36.30, 49.825 (4) (d) and (5) (d), 49.826 (4) (d), 230.35 (2),  
25 233.10, 238.04 (8), 757.02 (5) and 978.12 (3).

1           **SECTION 1163.** 40.95 (1) (a) 1. of the statutes is amended to read:

2           40.95 (1) (a) 1. The employee accrues accumulated unused sick leave under s.  
3 13.121 (4), 36.30, 230.35 (2), 233.10, 238.04 (8), or 757.02 (5).

4           **SECTION 1164.** 41.11 (1g) (b) (intro.) of the statutes is amended to read:

5           41.11 (1g) (b) (intro.) The department, in consultation with the department of  
6 commerce Wisconsin Economic Development Corporation, shall do all of the  
7 following for each economic development program administered by the department:

8           **SECTION 1165.** 41.11 (1r) (title) of the statutes is amended to read:

9           41.11 (1r) (title) ECONOMIC DEVELOPMENT ASSISTANCE COORDINATION AND  
10 REPORTING.

11           **SECTION 1166.** 41.11 (1r) of the statutes is renumbered 41.11 (1r) (b) and  
12 amended to read:

13           41.11 (1r) (b) Annually, no later than October 1, the department shall submit  
14 to the joint legislative audit committee and to the appropriate standing committees  
15 of the legislature under s. 13.172 (3) a comprehensive report assessing economic  
16 development programs, as defined in sub. (1g) (a), administered by the department.  
17 The report shall include all of the information required under s. ~~560.01 (2) (am)~~  
18 238.07 (2). The department shall collaborate with the ~~department of commerce~~  
19 Wisconsin Economic Development Corporation to make readily accessible to the  
20 public on an Internet-based system the information required under this subsection.

21           **SECTION 1167.** 41.11 (1r) (a) of the statutes is created to read:

22           41.11 (1r) (a) The department shall coordinate any economic development  
23 assistance with the Wisconsin Economic Development Corporation.

24           **SECTION 1167g.** 41.11 (6) (c) of the statutes is amended to read:

1           41.11 (6) (c) In each biennium, at least \$50,000 for grants to America's Black  
2 Holocaust Museum in the city of Milwaukee to conduct or contract for marketing to  
3 promote multicultural events taking place in Wisconsin.

4           **SECTION 1167h.** 41.11 (6) (d) of the statutes is amended to read:

5           41.11 (6) (d) In each biennium, at least \$200,000 for grants to the Milwaukee  
6 Public Museum for Native American to promote exhibits and activities at the  
7 Milwaukee Public Museum.

8           **SECTION 1168.** 41.41 (4) (c) of the statutes is amended to read:

9           41.41 (4) (c) The department of agriculture, trade and consumer protection, the  
10 department of natural resources, the department of transportation, ~~the department~~  
11 ~~of commerce~~, the department of administration, the state historical society, and the  
12 University of Wisconsin–Extension shall cooperate with and assist the board in  
13 matters related to its functions.

14           **SECTION 1169.** 41.41 (5) (e) of the statutes is amended to read:

15           41.41 (5) (e) Consult and cooperate with the department of agriculture, trade  
16 and consumer protection, the department of natural resources, the department of  
17 transportation, ~~the department of commerce~~, the department of administration, the  
18 state historical society, the University of Wisconsin–Extension, any federally  
19 recognized American Indian tribe or band in this state that appoints a liaison  
20 representative to the board regarding the management of the Kickapoo valley  
21 reserve.

22           **SECTION 1170.** 42.09 (3) (b) of the statutes is amended to read:

23           42.09 (3) (b) The board shall develop policies encouraging each private person  
24 entering into an agreement with the board under this subsection to agree that his  
25 or her goal shall be to ensure that at least 25% of the employees hired to perform

1 construction work in connection with state fair park facilities or to perform  
2 professional services in connection with the construction or development of those  
3 facilities will be minority group members, as defined in s. ~~560.036~~ 16.287 (1) (f), and  
4 that at least 5% of the employees hired to perform construction work in connection  
5 with state fair park facilities or to perform professional services in connection with  
6 the construction or development of those facilities will be women.

7 **SECTION 1171.** 43.15 (2) (a) of the statutes is renumbered 43.15 (2).

8 **SECTION 1172.** 43.15 (2) (b) to (e) of the statutes are repealed.

9 **SECTION 1173.** 43.15 (4) (c) 5. of the statutes is repealed.

10 **SECTION 1174.** 43.15 (4) (e) of the statutes is repealed.

11 **SECTION 1175.** 43.15 (5) of the statutes is amended to read:

12 43.15 (5) CAPITAL COSTS EXCLUDED. For the purpose of determining the amount  
13 of financial support required under ~~subs. (2) (b) and sub. (4) (b) 2. and (c) 5.~~, amounts  
14 spent for capital projects shall be excluded.

15 **SECTION 1176.** 43.53 (2) (a) of the statutes is amended to read:

16 43.53 (2) (a) Name one of the participants as the library's fiscal agent, who is  
17 responsible for the payroll, benefit administration, insurance, and financial record  
18 keeping and auditing for the library. The participant's costs of providing the services  
19 under this paragraph count toward the financial support required of the participant  
20 under s. 43.15 (2) ~~(b) or (4) (b) 2. or (c) 5.~~

21 **SECTION 1177.** Chapter 44 (title) of the statutes is amended to read:

## 22 **CHAPTER 44**

### 23 **HISTORICAL SOCIETIES AND ARTS**

#### 24 **BOARD HISTORICAL PRESERVATION**

25 **SECTION 1179.** 44.02 (12) of the statutes is amended to read:

1           44.02 (12) Be the custodian of the official series of the portraits of the governors  
2 of Wisconsin under s. 44.53 41.53 (1) (g) and maintain the portraits in proper  
3 condition. The society may permit any or all of the portraits to be exhibited in such  
4 state buildings for such periods of time as it deems feasible.

5           **SECTION 1182.** Subchapter III (title) of chapter 44 [precedes 44.51] of the  
6 statutes is renumbered subchapter IV (title) of chapter 41 [precedes 41.51].

7           **SECTION 1183.** 44.51 (intro.) and (1) of the statutes are consolidated,  
8 renumbered 41.51 and amended to read:

9           **41.51 Definitions.** In this subchapter, unless the context requires otherwise:  
10 ~~(1) “Board” otherwise, “board” means the arts board.~~

11           **SECTION 1184.** 44.51 (1m) of the statutes is repealed.

12           **SECTION 1185.** 44.51 (2) of the statutes is repealed.

13           **SECTION 1186.** 44.51 (3) of the statutes is repealed.

14           **SECTION 1187.** 44.53 (title) of the statutes is renumbered 41.53 (title).

15           **SECTION 1188.** 44.53 (1) (intro.) of the statutes is renumbered 41.53 (1) (intro.).

16           **SECTION 1189.** 44.53 (1) (a) of the statutes is renumbered 41.53 (1) (a).

17           **SECTION 1190.** 44.53 (1) (b) of the statutes is renumbered 41.53 (1) (b).

18           **SECTION 1191.** 44.53 (1) (c) of the statutes is renumbered 41.53 (1) (c).

19           **SECTION 1192.** 44.53 (1) (d) of the statutes is renumbered 41.53 (1) (d).

20           **SECTION 1193.** 44.53 (1) (e) of the statutes is renumbered 41.53 (1) (e).

21           **SECTION 1194.** 44.53 (1) (f) of the statutes is renumbered 41.53 (1) (f) and  
22 amended to read:

23           41.53 (1) (f) Plan and implement, when funds are available in the  
24 appropriations under s. 20.215 ~~(1)~~ 20.380 (3) (b) and (o), a program of contracts with  
25 or grants-in-aid to groups or, in appropriate cases, individuals of exceptional talent

1 engaged in or concerned with the arts. No grantee may receive any funds distributed  
2 as grants-in-aid under this paragraph unless the grantee provides at least 50% of  
3 the estimated total cost of the project, either in the form of moneys or in-kind  
4 contributions of equivalent value, to be funded under this paragraph.

5 **SECTION 1195.** 44.53 (1) (fm) of the statutes is renumbered 41.53 (1) (fm) and  
6 amended to read:

7 41.53 (1) (fm) Conduct a program identical to that described in par. (f), but only  
8 for American Indian individuals and groups. The program shall be funded from the  
9 appropriation under s. ~~20.215 (1)~~ 20.380 (3) (km).

10 **SECTION 1196.** 44.53 (1) (g) of the statutes is renumbered 41.53 (1) (g) and  
11 amended to read:

12 41.53 (1) (g) Arrange and schedule the portrait of the governor or any former  
13 governor. Costs incurred under this paragraph shall be charged to the appropriation  
14 under s. ~~20.215 (1)~~ 20.380 (3) (c) up to a limit of \$10,000 per portrait. Costs in excess  
15 of \$10,000 per portrait may be charged to the appropriation under s. ~~20.215 (1)~~  
16 20.380 (3) (c) only with the prior approval of the joint committee on finance.

17 **SECTION 1197.** 44.53 (1) (h) of the statutes is renumbered 41.53 (1) (h) and is  
18 amended to read:

19 41.53 (1) (h) Annually, award an amount equal to at least 5% of all state and  
20 federal funds received by the board in that year for grants to artists and arts  
21 organizations to artists who are minority group members and arts groups composed  
22 principally of minority group members. In this paragraph, “minority group member”  
23 has the meaning specified in s. ~~560.036~~ 16.287 (1) (f).

24 **SECTION 1198.** 44.53 (1) (i) of the statutes is renumbered 41.53 (1) (i).

1           **SECTION 1199.** 44.53 (1) (j) of the statutes is renumbered 41.53 (1) (j) and  
2 amended to read:

3           41.53 (1) (j) Annually pay to the Milwaukee Foundation, Inc., for deposit in the  
4 High Point fund, the amount appropriated under s. ~~20.215 (1)~~ 20.380 (3) (e).

5           **SECTION 1200.** 44.53 (2) (intro.) of the statutes is renumbered 41.53 (2) (intro.).

6           **SECTION 1201.** 44.53 (2) (a) of the statutes is renumbered 41.53 (2) (a).

7           **SECTION 1202.** 44.53 (2) (am) of the statutes is renumbered 41.53 (2) (am).

8           **SECTION 1203.** 44.53 (2) (b) of the statutes is renumbered 41.53 (2) (b).

9           **SECTION 1204.** 44.53 (2) (c) of the statutes is renumbered 41.53 (2) (c) and  
10 amended to read:

11           41.53 (2) (c) Award an operational grant to an organization if the sum of all  
12 operational grants awarded in the current year does not exceed 50% of the sum of all  
13 grants awarded to organizations from the appropriations under s. ~~20.215 (1)~~ 20.380  
14 (3) (b) and (o) in the current year. In this paragraph, “operational grant” means a  
15 grant awarded by the board to support those administrative costs of an organization  
16 that are not directly related to the development of an artistic performance or product.

17           **SECTION 1205d.** 44.55 of the statutes is renumbered 41.55.

18           **SECTION 1206.** 44.56 (title) of the statutes is renumbered 41.56 (title).

19           **SECTION 1207.** 44.56 (1) of the statutes is renumbered 41.56 (1).

20           **SECTION 1208.** 44.56 (2) of the statutes is renumbered 41.56 (2) and amended  
21 to read:

22           41.56 (2) Every recipient of a grant awarded by the board under the board’s  
23 general grants program or community arts program from the appropriation under  
24 s. ~~20.215 (1)~~ 20.380 (3) (b) shall perform a public service which that shall be mutually  
25 agreed upon by the board and the grant recipient at the time the grant is awarded.



1           **SECTION 1209.** 44.565 (title) of the statutes is renumbered 41.565 (title).

2           **SECTION 1210.** 44.565 (1) of the statutes is renumbered 41.565 (1).

3           **SECTION 1211.** 44.565 (2) (a) of the statutes is renumbered 41.565 (2) (a) and  
4 amended to read:

5           41.565 **(2)** (a) From the appropriation under s. ~~20.215 (1)~~ 20.380 (3) (d), the  
6 board shall award arts challenge initiative grants to arts organizations and local arts  
7 agencies.

8           **SECTION 1212.** 44.565 (2) (b) (intro.) of the statutes is renumbered 41.565 (2)  
9 (b) (intro.) and amended to read:

10           41.565 **(2)** (b) (intro.) The board shall award grants from the appropriation  
11 under s. ~~20.215 (1)~~ 20.380 (3) (d) to match up to 25% of an arts organization's or a local  
12 arts agency's income from contributions for the fiscal year in which a grant may be  
13 awarded ~~which~~ that exceeds the amount of income from contributions in the previous  
14 fiscal year and income from earned income ~~which~~ that exceeds the amount of earned  
15 income from the previous fiscal year in that fiscal year subject to the following  
16 requirements:

17           **SECTION 1213.** 44.565 (2) (b) 1. of the statutes is renumbered 41.565 (2) (b) 1.

18           **SECTION 1214.** 44.565 (2) (b) 2. of the statutes is renumbered 41.565 (2) (b) 2.

19           **SECTION 1215.** 44.565 (2) (c) of the statutes is renumbered 41.565 (2) (c).

20           **SECTION 1216.** 44.565 (2) (d) of the statutes is renumbered 41.565 (2) (d).

21           **SECTION 1217.** 44.565 (2) (e) of the statutes is renumbered 41.565 (2) (e).

22           **SECTION 1218.** 44.565 (3) of the statutes is renumbered 41.565 (3) and amended  
23 to read:

24           41.565 **(3)** If the amount in the appropriation under s. ~~20.215 (1)~~ 20.380 (3) (d)  
25 in any fiscal year is insufficient to fund all grants under this section, the board shall

1 award grants, including the minimum and maximum grants under sub. (2) (e), on  
2 a prorated basis.

3 **SECTION 1219.** 44.565 (4) of the statutes is renumbered 41.565 (4).

4 **SECTION 1220.** 44.57 (1) of the statutes is repealed.

5 **SECTION 1221.** 44.57 (2) of the statutes is repealed.

6 **SECTION 1222.** 44.57 (3) of the statutes is repealed.

7 **SECTION 1223.** 44.57 (4) of the statutes is repealed.

8 **SECTION 1224.** 44.57 (5) (intro.) of the statutes is renumbered 41.57 (5) (intro.)  
9 and amended to read:

10 41.57 (5) BOARD RESPONSIBILITIES. (intro.) After acquisition of the work of art  
11 under ~~sub. (4) s. 44.57 (4), 2009 stats.,~~ the board shall:

12 **SECTION 1225.** 44.57 (5) (a) of the statutes is repealed.

13 **SECTION 1226.** 44.57 (5) (b) of the statutes is repealed.

14 **SECTION 1227.** 44.57 (5) (c) of the statutes is renumbered 41.57 (5) (c) and  
15 amended to read:

16 41.57 (5) (c) Cooperate with the bureau of facilities management and consult  
17 with the artist or the artist's representative to ensure that each work of art acquired  
18 under ~~this section s. 44.57 (4), 2009 stats.,~~ is properly maintained and is not  
19 artistically altered without the consent of the artist or the artist's representative.

20 **SECTION 1228.** 44.57 (5) (d) of the statutes is renumbered 41.57 (5) (d) and  
21 amended to read:

22 41.57 (5) (d) Ensure that any work of art acquired under ~~this section s. 44.57~~  
23 ~~(4), 2009 stats.,~~ is maintained and displayed on the grounds of the state building for  
24 at least 25 years, unless the board finds that earlier removal is in the public interest.  
25 When the board, in consultation with the agency making principal use of the building

1 to which the work of art is appurtenant, determines that the work of art should be  
2 removed, the board shall loan the work of art to an accredited museum in the state  
3 or to an educational or other appropriate public institution capable of maintaining  
4 and exhibiting the work of art.

5 **SECTION 1229.** 44.60 of the statutes is renumbered 41.60.

6 **SECTION 1230.** 44.62 (title) of the statutes is renumbered 41.62 (title).

7 **SECTION 1231.** 44.62 (1) (intro.) of the statutes is renumbered 41.62 (1) (intro.).

8 **SECTION 1232.** 44.62 (1) (a) of the statutes is renumbered 41.62 (1) (a) and  
9 amended to read:

10 41.62 (1) (a) “Local arts agency” has the meaning given in s. ~~44.565~~ 41.565 (1).

11 **SECTION 1233.** 44.62 (1) (b) of the statutes is renumbered 41.62 (1) (b).

12 **SECTION 1234.** 44.62 (2) of the statutes is renumbered 41.62 (2) and amended  
13 to read:

14 41.62 (2) Subject to sub. (3), the board shall award grants under the Wisconsin  
15 regranting program to local arts agencies and municipalities. Grants shall be  
16 awarded from the appropriations under s. ~~20.215 (1)~~ 20.380 (3) (f) and (j).

17 **SECTION 1235.** 44.62 (3) of the statutes is renumbered 41.62 (3).

18 **SECTION 1236.** 44.62 (4) of the statutes is renumbered 41.62 (4).

19 **SECTION 1239x.** 45.03 (13) (L) of the statutes is amended to read:

20 45.03 (13) (L) Provide verification to the educational institution of the  
21 information required under s. 36.27 (3p) (a) 1r. or 38.24 (8) (a) 1r.

22 **SECTION 1240x.** 45.03 (13) (m) of the statutes is amended to read:

23 45.03 (13) (m) Provide verification to the educational institution of the  
24 information required under s. 36.27 (3n) (a) 1m. or 38.24 (7) (a) 1m.

25 **SECTION 1242.** 45.03 (20) of the statutes is repealed.

1           **SECTION 1245.** 45.20 (2) (a) 1. of the statutes is amended to read:

2           45.20 **(2)** (a) 1. The department shall administer a tuition reimbursement  
3 program for eligible veterans enrolling as undergraduates in any institution of  
4 higher education in this state, enrolling in a school that is approved under s. 45.03  
5 (11), enrolling in a proprietary school that is approved under s. 38.50, enrolling in a  
6 public or private high school, enrolling in a tribal school, as defined in s. 115.011  
7 115.001 (15m), in any grade from 9 to 12, or receiving a waiver of nonresident tuition  
8 under s. 39.47.

9           **SECTION 1248m.** 45.41 (3m) of the statutes is created to read:

10          45.41 **(3m)** If the total amount of payments to be paid under sub. (2) (a) to (c)  
11 exceeds the amount available for the payments from the appropriation under s.  
12 20.485 (2) (vw), the department shall prorate the reimbursement payments among  
13 the state veterans organizations receiving the payments.

14          **SECTION 1249.** 45.50 (1) (a) of the statutes is renumbered 45.50 (1) and  
15 amended to read:

16          45.50 **(1)** VETERANS HOME AT KING. The department shall operate the Wisconsin  
17 Veterans Home at King and employ a commandant for the home. ~~The department~~  
18 ~~shall employ a commandant for the Wisconsin Veterans Home at Union Grove and~~  
19 ~~may employ a commandant for the Wisconsin Veterans Home at Chippewa Falls.~~  
20 ~~The department may employ any personnel that are necessary for the proper~~  
21 ~~management and operation of veterans homes. In compliance with the~~  
22 ~~compensation plan established pursuant to s. 230.12 (3), a commandant may~~  
23 ~~recommend to the director of personnel charges for meals, living quarters, laundry,~~  
24 ~~and other services furnished to employees and members of the employees' family~~  
25 ~~maintained at veterans homes. The department shall provide complete personal~~

1 ~~maintenance and medical care, including programs and facilities that promote~~  
2 ~~comfort, recreation, well-being, or rehabilitation, to all members of veterans homes.~~

3 **SECTION 1250.** 45.50 (1) (b) of the statutes is renumbered 45.50 (2m) (e) and  
4 amended to read:

5 45.50 (2m) (e) All moneys received as reimbursement for services to veterans  
6 homes employees or as payment for meals served to guests at veterans homes shall  
7 be accumulated in an account named “employee maintenance credits” and shall be  
8 paid into the general fund within one week after receipt and credited to the  
9 appropriation account under s. 20.485 (1) (gk). This paragraph does not apply to any  
10 agreement entered into pursuant to par. (c).

11 **SECTION 1251.** 45.50 (1) (c) of the statutes is renumbered 45.50 (2m) (d) and  
12 amended to read:

13 45.50 (2m) (d) Veterans homes with a skilled nursing facility shall include a  
14 geriatric evaluation, research, and education program. The program staff shall be  
15 funded from the appropriations under s. 20.485 (1) (hm), ~~(j)~~, and (mj).

16 **SECTION 1252.** 45.50 (2) (a) of the statutes is renumbered 45.50 (2b) and  
17 amended to read:

18 45.50 (2b) Subject to authorization under ss. 13.48 (10) and 20.924 (1), the  
19 department may construct or renovate and operate residential, treatment, and  
20 nursing care facilities, including a community-based residential facility, to be known  
21 as the Wisconsin Veterans Home at Union Grove. The department shall employ a  
22 commandant for the Wisconsin Veterans Home at Union Grove.

23 **SECTION 1253.** 45.50 (2) (b) of the statutes is renumbered 45.50 (2d) and  
24 amended to read:

1           45.50 **(2d)** Subject to authorization under ss. 13.48 (10) and 20.924 (1), the  
2 department may develop, construct or renovate, and operate residential, treatment,  
3 and nursing care facilities and programs for veterans in northwestern Wisconsin, on  
4 the property of the Northern Wisconsin Center for the Developmentally Disabled in  
5 Chippewa Falls to be known as the Wisconsin Veterans Home at Chippewa Falls.  
6 The programs and facilities may include an assisted living facility, a skilled nursing  
7 facility, a medical clinic, an adult day health care center, an activities center, and a  
8 veterans assistance program. The department may employ a commandant for the  
9 Wisconsin Veterans Home at Chippewa Falls.

10           **SECTION 1254.** 45.50 (2b) (title) of the statutes is created to read:

11           45.50 **(2b)** (title) VETERANS HOME AT UNION GROVE.

12           **SECTION 1255.** 45.50 (2d) (title) of the statutes is created to read:

13           45.50 **(2d)** (title) VETERANS HOME AT CHIPPEWA FALLS.

14           **SECTION 1256.** 45.50 (2m) (title) of the statutes is created to read:

15           45.50 **(2m)** (title) SERVICES; STAFFING OF HOMES.

16           **SECTION 1257.** 45.50 (2m) (a) of the statutes is created to read:

17           45.50 **(2m)** (a) The department shall provide complete personal maintenance  
18 and medical care, including programs and facilities that promote comfort,  
19 recreation, well-being, or rehabilitation, to all members of veterans homes.

20           **SECTION 1258.** 45.50 (2m) (b) of the statutes is created to read:

21           45.50 **(2m)** (b) The department may employ any personnel that are necessary  
22 for the proper management and operation of veterans homes. In compliance with the  
23 compensation plan established pursuant to s. 230.12 (3), a commandant may  
24 recommend to the director of personnel charges for meals, living quarters, laundry,

1 and other services furnished to employees and members of the employees' family  
2 maintained at veterans homes.

3 **SECTION 1259.** 45.50 (2m) (c) of the statutes is created to read:

4 45.50 (2m) (c) For the Wisconsin Veterans Home at Chippewa Falls, in lieu of  
5 the department employing personnel as authorized under par. (b) and providing the  
6 maintenance and medical care as specified in par. (a), the department may enter into  
7 an agreement with a private entity to operate the home and perform such  
8 management and care using personnel employed by the private entity.

9 **SECTION 1260.** 45.50 (3) (title) of the statutes is created to read:

10 45.50 (3) (title) LAND ACQUISITION.

11 **SECTION 1261.** 45.50 (4) (title) of the statutes is created to read:

12 45.50 (4) (title) GIFTS AND GRANTS.

13 **SECTION 1262.** 45.50 (4) of the statutes is renumbered 45.50 (4) (a).

14 **SECTION 1263.** 45.50 (5) of the statutes is renumbered 45.50 (4) (b).

15 **SECTION 1264.** 45.50 (6) (title) of the statutes is created to read:

16 45.50 (6) (title) WATER AND SEWER SERVICES.

17 **SECTION 1265.** 45.50 (6) (b) of the statutes is amended to read:

18 45.50 (6) (b) Agreements under this section subsection shall be drafted to hold  
19 harmless the department, to require all expense to be paid by the applicant, and to  
20 be terminable by the department when other water and sewer services become  
21 available to the applicant.

22 **SECTION 1266.** 45.50 (7) (title) of the statutes is created to read:

23 45.50 (7) (title) ENFORCEMENT AUTHORITY.

24 **SECTION 1267.** 45.50 (8) (title) of the statutes is created to read:

25 45.50 (8) (title) FIRE FIGHTING SERVICES.

1           **SECTION 1268.** 45.50 (9) of the statutes is renumbered 45.50 (2m) (f) and  
2 amended to read:

3           45.50 **(2m)** (f) The department may develop a program to provide stipends to  
4 individuals to attend school and receive the necessary credentials to become  
5 employed at veterans homes. If the department develops a stipend program under  
6 this subsection paragraph, the department shall promulgate rules related to the  
7 program, including the application process, eligibility criteria, stipend amount,  
8 repayment provisions, and other provisions that the department determines are  
9 necessary to administer the program.

10           **SECTION 1269.** 45.50 (10) of the statutes is amended to read:

11           45.50 **(10)** HOSPITALS AUTHORIZED. The department may establish a hospital at  
12 the a veterans homes home. All hospitals established under this subsection may not  
13 have a total approved bed capacity, as defined in s. 150.01 (4m), greater than 16 beds.  
14 The approved bed capacity of a skilled nursing facility operated at a veterans home  
15 is reduced by one bed for each approved bed at the hospital established under this  
16 subsection at that home.

17           **SECTION 1271.** 46.03 (18) (ar) of the statutes is amended to read:

18           46.03 **(18)** (ar) ~~A~~ Subject to s. 46.995, a county may retain fees that it collects  
19 under this subsection for services the county provides without state funding under  
20 the disabled children’s long-term support program.

21           **SECTION 1273.** 46.057 (2) of the statutes is amended to read:

22           46.057 **(2)** From the appropriation account under s. 20.410 (3) (ba), the  
23 department of corrections shall transfer to the appropriation account under s. 20.435  
24 (2) (kx) \$1,365,500 in each fiscal year and, from the appropriation account under s.  
25 20.410 (3) (hm), the department of corrections shall transfer to the appropriation



1 account under s. 20.435 (2) (kx) ~~\$2,872,300~~ \$2,890,700 in fiscal year 2009–10  
2 2011–12 and ~~\$2,896,100~~ \$2,964,000 in fiscal year 2010–11 2012–13, for services for  
3 juveniles placed at the Mendota juvenile treatment center. The department of health  
4 services may charge the department of corrections not more than the actual cost of  
5 providing those services.

6 **SECTION 1276.** 46.21 (2m) (am) of the statutes is created to read:

7 46.21 **(2m)** (am) *Multicounty department.* A county board of supervisors may  
8 establish with one or more other counties a county department of human services on  
9 a multicounty basis. A multicounty department of human services established  
10 under this paragraph shall meet the requirements for a county department of human  
11 services under this section.

12 **SECTION 1277.** 46.215 (1) (intro.) of the statutes is amended to read:

13 46.215 **(1)** CREATION; POWERS AND DUTIES. (intro.) In a county with a population  
14 of 500,000 or more the administration of welfare services, other than child welfare  
15 services under s. 48.48 (17) administered by the department and except as provided  
16 in ss. 49.155 (3g), 49.78 (1r), 49.825, and 49.826, is vested in a county department of  
17 social services under the jurisdiction of the county board of supervisors under s. 46.21  
18 (2m) (b) 1. a. Any reference in any law to a county department of social services under  
19 this section applies to a county department under s. 46.21 (2m) in its administration  
20 under s. 46.21 (2m) of the powers and duties of the county department of social  
21 services. Except as provided in ss. 49.155 (3g), 49.78 (1r), 49.825, and 49.826, the  
22 county department of social services shall have the following functions, duties, and  
23 powers, and such other welfare functions as may be delegated to it:

24 **SECTION 1281.** 46.215 (1) (t) of the statutes is created to read:

1           46.215 (1) (t) At the discretion of the county board of supervisors, to combine  
2 with one or more other counties to establish a county department of social services  
3 on a multicounty basis. A multicounty department of social services established  
4 under this paragraph shall meet the requirements for a county department of social  
5 services under this section.

6           **SECTION 1282.** 46.215 (2) (c) 3. of the statutes is amended to read:

7           46.215 (2) (c) 3. A county department of social services shall develop, under the  
8 requirements of s. 301.08 (2), plans and contracts for juvenile delinquency–related  
9 care and services to be purchased. The department of corrections may review the  
10 contracts and approve them if they are consistent with s. 301.08 (2) and if state or  
11 federal funds are available for such purposes. The joint committee on finance may  
12 require the department of corrections to submit the contracts to the committee for  
13 review and approval. The department of corrections may not make any payments  
14 to a county for programs included in a contract under review by the committee. The  
15 department of corrections shall reimburse each county for the contracts from the  
16 appropriations under s. 20.410 (3) (cd), ~~(ko)~~, and ~~(o)~~ and (ko) as appropriate.

17           **SECTION 1283.** 46.22 (1) (a) of the statutes is amended to read:

18           46.22 (1) (a) *Creation.* Except as provided under s. 46.23 (3) (b), the county  
19 board of supervisors of any county with a population of less than 500,000, or the  
20 county boards of 2 or more contiguous counties each with a population of less than  
21 500,000, shall establish a county department of social services on a single–county or  
22 multicounty basis. The county department of social services shall consist of a county  
23 social services board, a county social services director and necessary personnel.

24           **SECTION 1286m.** 46.22 (1) (b) 2. d. of the statutes is amended to read:

1           46.22 (1) (b) 2. d. To certify eligibility for and issue food coupons to needy  
2 households in conformity with 7 USC 2011 to ~~2029~~ 2036, subject to s. 49.78.

3           **SECTION 1288.** 46.22 (1) (e) 3. c. of the statutes is amended to read:

4           46.22 (1) (e) 3. c. A county department of social services shall develop, under  
5 the requirements of s. 301.08 (2), plans and contracts for juvenile  
6 delinquency-related care and services to be purchased. The department of  
7 corrections may review the contracts and approve them if they are consistent with  
8 s. 301.08 (2) and to the extent that state or federal funds are available for such  
9 purposes. The joint committee on finance may require the department of corrections  
10 to submit the contracts to the committee for review and approval. The department  
11 of corrections may not make any payments to a county for programs included in the  
12 contract that is under review by the committee. The department of corrections shall  
13 reimburse each county for the contracts from the appropriations under s. 20.410 (3)  
14 (cd), ~~(ke)~~, and ~~(o)~~ and (ko) as appropriate.

15           **SECTION 1291.** 46.23 (3) (a) of the statutes is amended to read:

16           46.23 (3) (a) *Creation.* Upon approval by the secretary of health services, by  
17 the secretary of corrections, and by the secretary of children and families of a  
18 feasibility study and a program implementation plan, the county board of  
19 supervisors of any county with a population of less than 500,000, or the county boards  
20 of supervisors of 2 or more contiguous counties, each of which has a population of less  
21 than 500,000, may establish by resolution a county department of human services  
22 on a single-county or multicounty basis to provide the services required under this  
23 section. The county department of human services shall consist of the county human  
24 services board, the county human services director and necessary personnel.

25           **SECTION 1292.** 46.27 (7) (am) of the statutes is amended to read:

1           46.27 (7) (am) From the appropriation under s. 20.435 (7) (bd), the department  
2 shall allocate funds to each county or private nonprofit agency with which the  
3 department contracts to pay assessment and case plan costs under sub. (6) not  
4 otherwise paid by fee or under s. 49.45 or 49.78 (2). The department shall reimburse  
5 ~~counties~~ multicounty consortia for the cost of assessing persons eligible for medical  
6 assistance under s. 49.46, 49.468, 49.47, or 49.471 (4) (a) as part of the administrative  
7 services of medical assistance, payable under s. 49.45 (3) (a). Counties may use  
8 unspent funds allocated under this paragraph to pay the cost of long-term  
9 community support services and for a risk reserve under par. (fr).

10           **SECTION 1293.** 46.27 (9) (a) of the statutes is amended to read:

11           46.27 (9) (a) The department may select up to 5 counties that volunteer to  
12 participate in a pilot project under which they will receive certain funds allocated for  
13 long-term care. The department shall allocate a level of funds to these counties  
14 equal to the amount that would otherwise be paid under s. 20.435 (4) (b), (gm), or (w)  
15 to nursing homes for providing care because of increased utilization of nursing home  
16 services, as estimated by the department. In estimating these levels, the department  
17 shall exclude any increased utilization of services provided by state centers for the  
18 developmentally disabled. The department shall calculate these amounts on a  
19 calendar year basis under sub. (10).

20           **SECTION 1294.** 46.27 (10) (a) 1. of the statutes is amended to read:

21           46.27 (10) (a) 1. The department shall determine for each county participating  
22 in the pilot project under sub. (9) a funding level of state medical assistance  
23 expenditures to be received by the county. This level shall equal the amount that the  
24 department determines would otherwise be paid under s. 20.435 (4) (b), (gm), or (w)

1 because of increased utilization of nursing home services, as estimated by the  
2 department.

3 **SECTION 1295.** 46.275 (5) (a) of the statutes is amended to read:

4 46.275 (5) (a) Medical Assistance reimbursement for services a county, or the  
5 department under sub. (3r), provides under this program is available from the  
6 appropriation accounts under s. 20.435 (4) (b), (gm), (o), and (w). If 2 or more counties  
7 jointly contract to provide services under this program and the department approves  
8 the contract, Medical Assistance reimbursement is also available for services  
9 provided jointly by these counties.

10 **SECTION 1296.** 46.275 (5) (c) of the statutes is amended to read:

11 46.275 (5) (c) The total allocation under s. 20.435 (4) (b), (gm), (o), and (w) to  
12 counties and to the department under sub. (3r) for services provided under this  
13 section may not exceed the amount approved by the federal department of health and  
14 human services. A county may use funds received under this section only to provide  
15 services to persons who meet the requirements under sub. (4) and may not use  
16 unexpended funds received under this section to serve other developmentally  
17 disabled persons residing in the county.

18 **SECTION 1297.** 46.278 (6) (d) of the statutes is amended to read:

19 46.278 (6) (d) If a county makes available nonfederal funds equal to the state  
20 share of service costs under a waiver received under sub. (3), the department may,  
21 from the appropriation under s. 20.435 (4) (o), provide reimbursement for services  
22 that the county provides under this section to persons who are in addition to those  
23 who may be served under this section with funds from the appropriation accounts  
24 under s. 20.435 (4) (b), (gm), or (w).

25 **SECTION 1298.** 46.2785 (5) (a) of the statutes is amended to read:

1           46.2785 (5) (a) Medical assistance reimbursement for services a county or  
2 private agency contracts for or provides under the waiver program shall be made  
3 from the appropriation accounts under s. 20.435 (4) (b), (gm), and (o).

4           **SECTION 1299.** 46.281 (3) of the statutes is amended to read:

5           46.281 (3) DUTY OF THE SECRETARY. The secretary shall certify to each county,  
6 hospital, nursing home, community–based residential facility, adult family home, as  
7 ~~defined in s. 50.01 (1) (a) or (b)~~, and residential care apartment complex the date on  
8 which a resource center that serves the area of the county, hospital, nursing home,  
9 community–based residential facility, adult family home, or residential care  
10 apartment complex is first available to perform functional screenings and financial  
11 and cost–sharing screenings. To facilitate phase–in of services of resource centers,  
12 the secretary may certify that the resource center is available for specified groups of  
13 eligible individuals or for specified facilities in the county.

14           **SECTION 1302.** 46.283 (4) (e) of the statutes is amended to read:

15           46.283 (4) (e) Provide information about the services of the resource center,  
16 including the services specified in sub. (3) (d), about assessments under s. 46.284 (4)  
17 (b) and care plans under s. 46.284 (4) (c), and about the family care benefit and the  
18 self–directed services option to all older persons and adults with a physical or  
19 developmental disability who are residents of nursing homes, community–based  
20 residential facilities, adult family homes, ~~as defined in s. 50.01 (1) (a) or (b)~~, and  
21 residential care apartment complexes in the area of the resource center when the  
22 benefit under s. 46.286 first becomes available in the county where the nursing home,  
23 community–based residential facility, adult family home, or residential care  
24 apartment complex is located.

25           **SECTION 1303.** 46.283 (4) (g) of the statutes is amended to read:

1           46.283 (4) (g) Perform a functional screening and a financial and cost-sharing  
2 screening for any person seeking admission to a nursing home, community-based  
3 residential facility, residential care apartment complex, or adult family home, as  
4 ~~defined in s. 50.01 (1) (a) or (b)~~, if the secretary has certified that the resource center  
5 is available to the person and the facility and the person is determined by the  
6 resource center to have a condition that is expected to last at least 90 days that would  
7 require care, assistance, or supervision. A resource center may not require a  
8 financial and cost-sharing screening for a person seeking admission or about to be  
9 admitted on a private pay basis who waives the requirement for a financial and  
10 cost-sharing screening under this paragraph, unless the person is expected to  
11 become eligible for medical assistance within 6 months. A resource center need not  
12 perform a functional screening for a person seeking admission or about to be  
13 admitted for whom a functional screening was performed within the previous 6  
14 months.

15           **SECTION 1304.** 46.283 (5) of the statutes is amended to read:

16           46.283 (5) FUNDING. From the appropriation accounts under s. 20.435 (4) (b),  
17 (bm), (gm), (pa), and (w) and (7) (b), (bd), and (md), the department may contract with  
18 organizations that meet standards under sub. (3) for performance of the duties under  
19 sub. (4) and shall distribute funds for services provided by resource centers.

20           **SECTION 1304m.** 46.284 (2) (d) of the statutes is created to read:

21           46.284 (2) (d) As a term of a contract with a care management organization  
22 under this section, the department shall prohibit a care management organization  
23 from including a provision that requires a provider to return any funding for  
24 residential services, prevocational services, or supported employment services that

1 exceeds the cost of those services to the care management organization in a contract  
2 for services covered by the family care benefit.

3 **SECTION 1305.** 46.284 (5) (a) of the statutes is amended to read:

4 46.284 (5) (a) From the appropriation accounts under s. 20.435 (4) (b), (g), (gm),  
5 (im), (o), and (w) and (7) (b), (bd), and (g), the department shall provide funding on  
6 a capitated payment basis for the provision of services under this section.  
7 Notwithstanding s. 46.036 (3) and (5m), a care management organization that is  
8 under contract with the department may expend the funds, consistent with this  
9 section, including providing payment, on a capitated basis, to providers of services  
10 under the family care benefit.

11 **SECTION 1306.** 46.29 (3) (e) of the statutes is amended to read:

12 46.29 (3) (e) The secretary of commerce safety and professional services.

13 **SECTION 1307.** 46.40 (9) (d) of the statutes is amended to read:

14 46.40 (9) (d) *Payment adjustments for certain Medical Assistance services.* The  
15 department may decrease a county's allocation under sub. (2) by the amount of any  
16 payment adjustments under s. 49.45 (52) (a) made for that county from the  
17 appropriation account under s. 20.435 (7) (b) for services described under s. 49.45 (52)  
18 (a) 1. The total amount of the decrease for a county under this paragraph during any  
19 fiscal year may not exceed that part of the county's allocation under sub. (2) that  
20 derives from the appropriation account under s. 20.435 (7) (b) for that fiscal year.

21 **SECTION 1308.** 46.40 (9) (e) of the statutes is created to read:

22 46.40 (9) (e) *County income maintenance administration.* Beginning in  
23 calendar year 2012, the department shall decrease the allocation under sub. (2) for  
24 a county with a population of 750,000 or more from the appropriation under s. 20.435  
25 (7) (b) by \$2,700,000.



1           **SECTION 1311.** 46.90 (1) (gr) 3. of the statutes is amended to read:

2           46.90 **(1)** (gr) 3. The department of ~~regulation and licensing~~ safety and  
3 professional services.

4           **SECTION 1312.** 46.90 (5m) (br) 5. of the statutes is amended to read:

5           46.90 **(5m)** (br) 5. Refer the case to the department of ~~regulation and licensing~~  
6 safety and professional services if the financial exploitation, neglect, self-neglect, or  
7 abuse involves an individual who is required to hold a credential, as defined in s.  
8 440.01 (2) (a), under chs. 440 to 460.

9           **SECTION 1313.** 46.99 (3) of the statutes is amended to read:

10          46.99 **(3)** If the waiver requested under sub. (2) is granted, counties shall  
11 provide to the department the nonfederal share of costs for medical assistance  
12 services provided under the waiver. Counties may use moneys appropriated under  
13 s. 20.435 (7) (bt) and distributed to counties under s. 51.44 (3) (a) to provide the  
14 nonfederal share of medical assistance costs.

15          **SECTION 1314.** 46.99 (3m) of the statutes is created to read:

16          46.99 **(3m)** If the waiver requested under sub. (2) is granted, counties shall  
17 provide to the department the nonfederal share of the cost incurred by an entity to  
18 administer the waiver program under this section.

19          **SECTION 1315.** 46.99 (4) of the statutes is amended to read:

20          46.99 **(4)** From the appropriation account under s. 20.435 (4) (o), the  
21 department shall may distribute to counties that provide services under this section  
22 the amount of federal moneys received by the state as the federal share of medical  
23 assistance for those services, minus the amount transferred to the appropriation  
24 account under s. 20.435 (7) (im) for the department's costs of administering this

1 section. Counties shall use moneys distributed under this section to provide services  
2 under this section or s. 51.44.

3 **SECTION 1316.** 46.995 of the statutes is created to read:

4 **46.995 Disabled children’s long-term support program; local funding.**

5 **(1)** A county shall provide to the department the nonfederal share of the cost  
6 incurred by an entity to administer services provided without state funding under  
7 the disabled children’s long-term support program for a child enrolled in the  
8 program after December 31, 2010.

9 **(2)** A county shall provide to the department the nonfederal share of the cost  
10 of services provided without state funding under the disabled children’s long-term  
11 support program.

12 **SECTION 1317.** 47.03 (11) (a) of the statutes is amended to read:

13 47.03 **(11)** (a) The department shall provide services, including vocational  
14 training, ~~craft instruction~~ and a supervised business initiatives program for persons  
15 with severe disabilities who are eligible for vocational rehabilitation services. Under  
16 this subsection, the department may own, lease, manage, supervise or operate  
17 businesses for the benefit of persons with severe disabilities, ~~including home-based~~  
18 ~~employment and craft work,~~ with the ultimate objective of enabling persons with  
19 severe disabilities to operate their own businesses. ~~The department shall assist~~  
20 ~~persons with severe disabilities who receive these services in marketing the finished~~  
21 ~~products.~~

22 **SECTION 1318.** 47.03 (11) (c) of the statutes is repealed.

23 **SECTION 1319.** 47.03 (11) (d) of the statutes is repealed.

24 **SECTION 1320.** 47.03 (11) (e) of the statutes is repealed.

25 **SECTION 1321j.** 48.38 (2) (f) of the statutes is amended to read:

1           48.38 (2) (f) The child’s care would be paid for under s. 49.19 but for s. 49.19  
2           (20), except that this paragraph does not apply to a child whose care is being paid for  
3           under s. 48.623 (1).

4           **SECTION 1321k.** 48.38 (4) (j) of the statutes is created to read:

5           48.38 (4) (j) If the child is placed in the home of a relative or other person  
6           described in s. 48.623 (1) (b) 1. who will be receiving subsidized guardianship  
7           payments, a description of all of the following:

8           1. The steps the agency has taken to determine that it is not appropriate for  
9           the child to be returned to his or her home or to be adopted.

10          2. If a decision has been made not to place the child and his or her siblings, as  
11          defined in par. (br) 1., in a joint placement, the reasons for separating the child and  
12          his or her siblings during the placement.

13          3. The reasons why a permanent placement with a fit and willing relative or  
14          other person described in s. 48.623 (1) (b) 1. through a subsidized guardianship  
15          arrangement is in the best interests of the child. In the case of an Indian child, the  
16          best interests of the Indian child shall be determined in accordance with s. 48.01 (2).

17          4. The ways in which the child and the relative or other person described in s.  
18          48.623 (1) (b) 1. meet the eligibility requirements specified in s. 48.623 (1) for the  
19          receipt of subsidized guardianship payments.

20          5. The efforts the agency has made to discuss adoption of the child by the  
21          relative or other person described in s. 48.623 (1) (b) 1. as a more permanent  
22          alternative to guardianship and, if that relative or other person has chosen not to  
23          pursue adoption, documentation of the reasons for not pursuing adoption.

1           6. The efforts the agency has made to discuss the subsidized guardianship  
2 arrangement with the child's parents or, if those efforts were not made,  
3 documentation of the reasons for not making those efforts.

4           **SECTION 1321n.** 48.385 of the statutes is amended to read:

5           **48.385 Plan for transition to independent living.** During the 90 days  
6 immediately before a child who is placed in a foster home, group home, subsidized  
7 guardianship home under s. 48.62 (5), group home, or residential care center for  
8 children and youth or in the home of a relative other than a parent attains 18 years  
9 of age or, if the child is placed in such a placement under an order under s. 48.355,  
10 48.357, 48.365, 938.355, 938.357, or 938.365 that terminates under s. 48.355 (4) or  
11 938.355 (4) after the child attains 18 years of age, during the 90 days immediately  
12 before the termination of the order, the agency primarily responsible for providing  
13 services to the child under the order shall provide the child with assistance and  
14 support in developing a plan for making the transition from out-of-home care to  
15 independent living. The transition plan shall be personalized at the direction of the  
16 child, shall be as detailed as the child directs, and shall include specific options for  
17 obtaining housing, health care, education, mentoring and continuing support  
18 services, and workforce support and employment services.

19           **SECTION 1323.** 48.545 (2) (a) (intro.) of the statutes is amended to read:

20           48.545 (2) (a) (intro.) From the appropriations under s. 20.437 (1) (eg), (kb), and  
21 (nL), the department shall distribute \$2,097,700 in each fiscal year to applying  
22 nonprofit corporations and public agencies operating in a county having a population  
23 of 500,000 or more, \$1,171,800 in each fiscal year to applying county departments  
24 under s. 46.22, 46.23, 51.42, or 51.437 operating in counties other than a county

1 having a population of 500,000 or more, and \$55,000 in each fiscal year to Diverse  
2 and Resilient, Inc. to provide programs to accomplish all of the following:

3 **SECTION 1323d.** 48.561 (3) (a) 3. of the statutes is amended to read:

4 48.561 (3) (a) 3. Through a deduction of \$20,101,300 from any state payment  
5 due that county under s. ~~79.03~~ 79.035, 79.04, ~~79.058~~, ~~79.06~~, or 79.08 as provided in  
6 par. (b).

7 **SECTION 1323g.** 48.561 (3) (b) of the statutes is amended to read:

8 48.561 (3) (b) The department of administration shall collect the amount  
9 specified in par. (a) 3. from a county having a population of 500,000 or more by  
10 deducting all or part of that amount from any state payment due that county under  
11 s. ~~79.03~~ 79.035, 79.04, ~~79.058~~, ~~79.06~~, or 79.08. The department of administration  
12 shall notify the department of revenue, by September 15 of each year, of the amount  
13 to be deducted from the state payments due under s. ~~79.03~~ 79.035, 79.04, ~~79.058~~,  
14 ~~79.06~~, or 79.08. The department of administration shall credit all amounts collected  
15 under this paragraph to the appropriation account under s. 20.437 (1) (kw) and shall  
16 notify the county from which those amounts are collected of that collection. The  
17 department may not expend any moneys from the appropriation account under s.  
18 20.437 (1) (cx) for providing services to children and families under s. 48.48 (17) until  
19 the amounts in the appropriation account under s. 20.437 (1) (kw) are exhausted.

20 **SECTION 1324.** 48.563 (1) (a) of the statutes is amended to read:

21 48.563 (1) (a) Within the limits of available federal funds and of the  
22 appropriations under s. 20.437 (1) (b), ~~(km)~~, and (o), the department shall distribute  
23 funds for children and family services to county departments as provided in subs. (2),  
24 (3), and (7m) and s. 48.986.

25 **SECTION 1324f.** 48.563 (2) of the statutes is amended to read:

1           48.563 (2) BASIC COUNTY ALLOCATION. For children and family services under  
2 s. 48.569 (1) (d), the department shall distribute not more than \$51,577,400 in fiscal  
3 year ~~2009–10 and not more than \$63,264,700 in fiscal year 2010–11 and \$66,475,500~~  
4 in each fiscal year thereafter.

5           **SECTION 1325.** 48.565 (2) (c) of the statutes is amended to read:

6           48.565 (2) (c) The department shall credit to the appropriation account under  
7 s. 20.437 (3) ~~(mp)~~ (kp) any moneys carried forward under par. (a), but not distributed  
8 to counties, and may expend those moneys as provided in s. 48.567.

9           **SECTION 1326.** 48.567 (1) of the statutes is amended to read:

10          48.567 (1) From the appropriation account under s. 20.437 (3) ~~(mp)~~ (kp), the  
11 department shall support costs that are exclusively related to the ongoing and  
12 recurring operational costs of augmenting the amount of moneys received under 42  
13 USC 670 to 679a and to any other purpose provided for by the legislature by law or  
14 in budget determinations. In addition, the department may expend moneys from the  
15 that appropriation account under s. 20.437 (3) ~~(mp)~~ as provided in subs. (1m) and (2).

16          **SECTION 1327.** 48.567 (1m) of the statutes is amended to read:

17          48.567 (1m) In addition to expending moneys from the appropriation account  
18 under s. 20.437 (3) ~~(mp)~~ (kp) for the augmentation activities specified in sub. (1), the  
19 department may expend moneys received under ~~42 USC 1396 to 1396v in~~  
20 ~~reimbursement of the cost of providing targeted case management services to~~  
21 ~~children whose care is not eligible for reimbursement under 42 USC 670 to 679a and~~  
22 ~~credited to the~~ from that appropriation account under s. 20.437 (3) ~~(mp)~~ to support  
23 the counties' share of implementing the statewide automated child welfare  
24 information system under s. 46.22 (1) (c) 8. f. and to provide services to children and  
25 families under s. 48.48 (17).

1           **SECTION 1328.** 48.567 (2) of the statutes is amended to read:

2           48.567 **(2)** If the department proposes to use any moneys from the  
3 appropriation account under s. 20.437 (3) ~~(mp)~~ (kp) for any purpose other than the  
4 purposes specified in subs. (1) and (1m), the department shall submit a plan for the  
5 proposed use of those moneys to the secretary of administration by September 1 of  
6 the fiscal year after the fiscal year in which those moneys were received. If the  
7 secretary of administration approves the plan, he or she shall submit the plan to the  
8 joint committee on finance by October 1 of the fiscal year after the fiscal year in which  
9 those moneys were received. If the cochairpersons of the committee do not notify the  
10 secretary of administration within 14 working days after the date of submittal of the  
11 plan that the committee has scheduled a meeting for the purpose of reviewing the  
12 plan, the department may implement the plan. If within 14 working days after the  
13 date of the submittal by the secretary of administration the cochairpersons of the  
14 committee notify him or her that the committee has scheduled a meeting for the  
15 purpose of reviewing the plan, the department may implement the plan only with the  
16 approval of the committee.

17           **SECTION 1329.** 48.569 (1) (am) of the statutes is amended to read:

18           48.569 **(1)** (am) The department shall reimburse each county from the  
19 appropriations under s. 20.437 (1) (b), (km), and (o) for children and family services  
20 as approved by the department under ss. 46.22 (1) (b) 2. f. and (e) 3. b.

21           **SECTION 1330.** 48.569 (1) (d) of the statutes is amended to read:

22           48.569 **(1)** (d) From the appropriations under s. 20.437 (1) (b), (km), and (o), the  
23 department shall distribute the funding for children and family services, including  
24 funding for foster care or subsidized guardianship care of a child on whose behalf aid  
25 is received under s. 48.645 to county departments as provided under s. 48.563.

1 County matching funds are required for the distribution under s. 48.563 (2). Each  
2 county's required match for the distribution under s. 48.563 (2) shall be specified in  
3 a schedule established annually by the department. Matching funds may be from  
4 county tax levies, federal and state revenue sharing funds, or private donations to  
5 the county that meet the requirements specified in sub. (1m). Private donations may  
6 not exceed 25 percent of the total county match. If the county match is less than the  
7 amount required to generate the full amount of state and federal funds distributed  
8 for this period, the decrease in the amount of state and federal funds equals the  
9 difference between the required and the actual amount of county matching funds.

10 **SECTION 1330s.** 48.57 (3) (a) 4. of the statutes is amended to read:

11 48.57 (3) (a) 4. Is living in a foster home, group home, residential care center  
12 for children and youth, or subsidized guardianship home ~~under s. 48.62 (5).~~

13 **SECTION 1331h.** 48.57 (3m) (cm) of the statutes is amended to read:

14 48.57 (3m) (cm) A kinship care relative who receives a payment under par. (am)  
15 for providing care and maintenance for a child is not eligible to receive a payment  
16 under sub. (3n) or s. 48.62 (4) or ~~(5)~~ 48.623 (1) or (6) for that child.

17 **SECTION 1332b.** 48.57 (3n) (cm) of the statutes is amended to read:

18 48.57 (3n) (cm) A long-term kinship care relative who receives a payment  
19 under par. (am) for providing care and maintenance for a child is not eligible to  
20 receive a payment under sub. (3m) or s. 48.62 (4) or ~~(5)~~ 48.623 (1) or (6) for that child.

21 **SECTION 1332c.** 48.57 (3p) (a) of the statutes is amended to read:

22 48.57 (3p) (a) In this subsection, "adult resident" means a person 18 years of  
23 age or over who lives at the home of a person who has applied for or is receiving  
24 payments under sub. (3m) or (3n) ~~or s. 48.62 (5) (a) or (b)~~ with the intent of making  
25 that home his or her home or who lives for more than 30 days cumulative in any



1 6-month period at the home of a person who has applied for or is receiving payments  
2 under sub. (3m) or (3n) ~~or s. 48.62 (5) (a) or (b)~~.

3 **SECTION 1332d.** 48.57 (3p) (b) 1. of the statutes is amended to read:

4 48.57 **(3p)** (b) 1. After receipt of an application for payments under sub. (3m)  
5 or (3n) ~~or s. 48.62 (5) (a) or (b)~~, the county department or, in a county having a  
6 population of 500,000 or more, the department, with the assistance of the  
7 department of justice, shall conduct a background investigation of the applicant.

8 **SECTION 1332e.** 48.57 (3p) (b) 3. of the statutes is amended to read:

9 48.57 **(3p)** (b) 3. The county department or, in a county having a population of  
10 500,000 or more, the department, with the assistance of the department of justice,  
11 may conduct a background investigation of any person who is receiving payments  
12 under sub. (3n) ~~or s. 48.62 (5) (a) or (b)~~ at any time that the county department or  
13 department considers to be appropriate.

14 **SECTION 1332f.** 48.57 (3p) (c) 1. of the statutes is amended to read:

15 48.57 **(3p)** (c) 1. After receipt of an application for payments under sub. (3m)  
16 or (3n) ~~or s. 48.62 (5) (a) or (b)~~, the county department or, in a county having a  
17 population of 500,000 or more, the department, with the assistance of the  
18 department of justice, shall, in addition to the investigation under par. (b) 1., conduct  
19 a background investigation of all employees and prospective employees of the  
20 applicant who have or would have regular contact with the child for whom those  
21 payments are being made and of each adult resident.

22 **SECTION 1332g.** 48.57 (3p) (c) 2m. of the statutes is amended to read:

23 48.57 **(3p)** (c) 2m. The county department or, in a county having a population  
24 of 500,000 or more, the department, with the assistance of the department of justice,  
25 may conduct a background investigation of any of the employees or prospective

1 employees of any person who is receiving payments under sub. (3n) ~~or s. 48.62 (5) (a)~~  
2 ~~or (b)~~ who have or would have regular contact with the child for whom payments are  
3 being made and of each adult resident at any time that the county department or  
4 department considers to be appropriate.

5 **SECTION 1332h.** 48.57 (3p) (c) 3. of the statutes is amended to read:

6 48.57 **(3p)** (c) 3. Before a person who is receiving payments under sub. (3m) or  
7 (3n) ~~or s. 48.62 (5) (a) or (b)~~ may employ any person in a position in which that person  
8 would have regular contact with the child for whom those payments are being made  
9 or permit any person to be an adult resident, the county department or, in a county  
10 having a population of 500,000 or more, the department, with the assistance of the  
11 department of justice, shall conduct a background investigation of the prospective  
12 employee or prospective adult resident unless that person has already been  
13 investigated under subd. 1., 2. or 2m.

14 **SECTION 1332i.** 48.57 (3p) (fm) 1m. of the statutes is amended to read:

15 48.57 **(3p)** (fm) 1m. The county department or, in a county having a population  
16 of 500,000 or more, the department may not enter into the agreement under sub. (3n)  
17 (am) 6. ~~or make payments under s. 48.62 (5) (a) or (b)~~ unless the county department  
18 or department receives information from the department of justice relating to the  
19 conviction record of the applicant under the law of this state and that record indicates  
20 either that the applicant has not been arrested or convicted or that the applicant has  
21 been arrested or convicted but the director of the county department or, in a county  
22 having a population of 500,000 or more, the person designated by the secretary to  
23 review conviction records under this subdivision determines that the conviction  
24 record is satisfactory because it does not include any arrest or conviction that the  
25 director or person designated by the secretary determines is likely to adversely affect

1 the child or the applicant's ability to care for the child. The county department or,  
2 in a county having a population of 500,000 or more, the department may make  
3 payments under sub. (3n) ~~or s. 48.62 (5) (a) or (b)~~ conditioned on the receipt of  
4 information from the federal bureau of investigation indicating that the person's  
5 conviction record under the law of any other state or under federal law is satisfactory  
6 because the conviction record does not include any arrest or conviction that the  
7 director of the county department or, in a county having a population of 500,000 or  
8 more, the person designated by the secretary to review conviction records under this  
9 subdivision determines is likely to adversely affect the child or the applicant's ability  
10 to care for the child.

11 **SECTION 1332j.** 48.57 (3p) (fm) 2m. of the statutes is amended to read:

12 48.57 **(3p)** (fm) 2m. A person receiving payments under sub. (3n) ~~or s. 48.62 (5)~~  
13 ~~(a) or (b)~~ may provisionally employ a person in a position in which that person would  
14 have regular contact with the child for whom those payments are being made or  
15 provisionally permit a person to be an adult resident if the person receiving those  
16 payments states to the county department or, in a county having a population of  
17 500,000 or more, the department that, to the best of his or her knowledge, the  
18 employee or adult resident does not have any arrests or convictions that could  
19 adversely affect the child or the ability of the person receiving payments to care for  
20 the child. A person receiving payment under sub. (3n) ~~or s. 48.62 (5) (a) or (b)~~ may  
21 not finally employ a person in a position in which that person would have regular  
22 contact with the child for whom those payments are being made or finally permit a  
23 person to be an adult resident until the county department or, in a county having a  
24 population of 500,000 or more, the department receives information from the  
25 department of justice relating to the person's conviction record under the law of this

1 state and that record indicates either that the person has not been arrested or  
2 convicted or that the person has been arrested or convicted but the director of the  
3 county department or, in a county having a population of 500,000 or more, the person  
4 designated by the secretary to review conviction records under this subdivision  
5 determines that the conviction record is satisfactory because it does not include any  
6 arrest or conviction that is likely to adversely affect the child or the ability of the  
7 person receiving payments to care for the child and the county department or  
8 department so advises the person receiving payments under sub. (3n) ~~or s. 48.62 (5)~~  
9 ~~(a) or (b)~~. A person receiving payments under sub. (3n) ~~or s. 48.62 (5) (a) or (b)~~ may  
10 finally employ a person in a position in which that person would have regular contact  
11 with the child for whom those payments are being made or finally permit a person  
12 to be an adult resident conditioned on the receipt of information from the county  
13 department or, in a county having a population of 500,000 or more, the department  
14 that the federal bureau of investigation indicates that the person's conviction record  
15 under the law of any other state or under federal law is satisfactory because the  
16 conviction record does not include any arrest or conviction that the director of the  
17 county department or, in a county having a population of 500,000 or more, the person  
18 designated by the secretary to review conviction records under this subdivision  
19 determines is likely to adversely affect the child or the ability of the person receiving  
20 payments to care for the child.

21 **SECTION 1332k.** 48.57 (3p) (hm) of the statutes is amended to read:

22 48.57 **(3p)** (hm) A county department or, in a county having a population of  
23 500,000 or more, the department may not make payments to a person under sub. (3n)  
24 ~~or s. 48.62 (5) (a) or (b)~~ and a person receiving payments under sub. (3n) ~~or s. 48.62~~  
25 ~~(5) (a) or (b)~~ may not employ a person in a position in which that person would have

1 regular contact with the child for whom payments are being made or permit a person  
2 to be an adult resident if the director of the county department or, in a county having  
3 a population of 500,000 or more, the person designated by the secretary to review  
4 conviction records under this paragraph determines that the person has any arrest  
5 or conviction that is likely to adversely affect the child or the person's ability to care  
6 for the child.

7 **SECTION 1332m.** 48.62 (5) (a) of the statutes is repealed.

8 **SECTION 1332n.** 48.62 (5) (b) of the statutes is renumbered 48.623 (6) (intro.)  
9 and amended to read:

10 48.623 **(6)** INTERIM CARETAKER. (intro.) ~~Subject to par. (d), on~~ On the death,  
11 incapacity, resignation, or removal of a guardian receiving payments under ~~par. (a),~~  
12 ~~a sub. (1), the county department or, in a county having a population of 500,000 or~~  
13 ~~more, the department~~ providing those payments shall provide monthly subsidized  
14 guardianship payments in the amount specified in ~~par. (e) sub. (3) (b)~~ for a period of  
15 up to 12 months to an interim caretaker ~~who meets~~ if all of the following conditions  
16 ~~specified in par. (c). are met:~~

17 **SECTION 1332p.** 48.62 (5) (c) (intro.) of the statutes is repealed.

18 **SECTION 1332q.** 48.62 (5) (c) 1. of the statutes is renumbered 48.623 (6) (a) and  
19 amended to read:

20 48.623 **(6)** (a) The county department or department inspects the home of the  
21 ~~guardian or~~ interim caretaker, interviews the ~~guardian or~~ interim caretaker, and  
22 determines that placement of the child with the ~~guardian or~~ interim caretaker is in  
23 the best interests of the child. In the case of an Indian child, the best interests of the  
24 Indian child shall be determined in accordance with s. 48.01 (2).

1           **SECTION 1332r.** 48.62 (5) (c) 2. of the statutes is renumbered 48.623 (6) (b) and  
2 amended to read:

3           48.623 **(6)** (b) The county department or department conducts a background  
4 investigation under s. ~~48.57 (3p)~~ 48.685 of the ~~guardian or interim caretaker, the~~  
5 ~~employees and prospective employees of the guardian or interim caretaker who have~~  
6 ~~or would have regular contact with the child for whom the payments would be made,~~  
7 ~~and any other adult resident, as defined in s. 48.57 (3p) (a), and any nonclient~~  
8 ~~resident, as defined in s. 48.685 (1) (bm), of the home of the guardian or interim~~  
9 ~~caretaker and determines that those individuals do not have any arrests or~~  
10 ~~convictions that are likely to adversely affect the child or the ability of the guardian~~  
11 ~~or interim caretaker to care for the child~~ meet the requirements specified in s. 48.685.  
12 The county department or department shall provide the department of health  
13 services with information about each person who is denied monthly subsidized  
14 guardianship payments or permission to reside in the home of an interim caretaker  
15 for a reason specified in s. 48.685 (4m) (a) 1. to 5. or (b) 1. to 5.

16           **SECTION 1332s.** 48.62 (5) (c) 3. of the statutes is renumbered 48.623 (6) (c) and  
17 amended to read:

18           48.623 **(6)** (c) ~~In the case of an interim caretaker, the~~ The interim caretaker  
19 cooperates with the county department or department in finding a permanent  
20 placement for the child.

21           **SECTION 1332t.** 48.62 (5) (d) of the statutes is renumbered 48.623 (3) (a) and  
22 amended to read:

23           48.623 **(3)** (a) ~~The department shall request from the secretary of the federal~~  
24 ~~department of health and human services a waiver of the requirements under 42~~  
25 ~~USC 670 to 679a that would authorize the state to receive federal foster care and~~

1 ~~adoption assistance reimbursement under 42 USC 670 to 679a for the costs of~~  
2 ~~providing care for a child who is in the care of a guardian who was licensed as the~~  
3 ~~child's foster parent before the guardianship appointment and who has entered into~~  
4 ~~a subsidized guardianship agreement with the county department or department.~~  
5 ~~If the waiver is approved for~~ In a county having a population of 500,000 ~~750,000~~ or  
6 more, the department shall provide the monthly payments under ~~par. (a)~~ sub. (1) or  
7 (6) from the appropriations under s. 20.437 (1) (dd) and (pd). ~~If the waiver is~~  
8 ~~approved for~~ In any other county, the department shall determine which counties are  
9 authorized to provide monthly payments under ~~par. (a) or (b)~~, and the county  
10 departments of those counties department shall provide those payments from  
11 moneys received under s. 48.569 (1) (d).

12 **SECTION 1332u.** 48.62 (5) (e) of the statutes is renumbered 48.623 (3) (b) and  
13 amended to read:

14 48.623 (3) (b) The amount of a monthly payment under ~~par. (a) or (b)~~ sub. (1)  
15 or (6) for the care of a child shall equal the amount received under ~~sub. s. 48.62 (4)~~  
16 by the guardian of the child for the month immediately preceding the month in which  
17 the guardianship order was granted or a lesser amount if agreed to by the guardian  
18 and specified in the agreement under sub. (2) (b). A guardian or an interim caretaker  
19 who receives a monthly payment under ~~par. (a) or (b)~~ sub. (1) or (6) for the care of a  
20 child is not eligible to receive a payment under ~~sub. (4) or s. 48.57 (3m) or (3n) or 48.62~~  
21 (4) for the care of that child.

22 **SECTION 1332v.** 48.62 (6) of the statutes is amended to read:

23 48.62 (6) The department or a county department may recover an overpayment  
24 made under sub. (4) ~~or (5)~~ from a foster parent, ~~guardian, or interim caretaker~~ who  
25 continues to receive those payments by reducing the amount of the person's foster

1 parent's monthly payment. The department may by rule specify other methods for  
2 recovering those overpayments. A county department that recovers an overpayment  
3 under this subsection due to the efforts of its officers and employees may retain a  
4 portion of the amount recovered, as provided by the department by rule.

5 **SECTION 1332w.** 48.623 of the statutes is created to read:

6 **48.623 Subsidized guardianships. (1) ELIGIBILITY.** A county department  
7 or, in a county having a population of 750,000 or more, the department shall provide  
8 monthly subsidized guardianship payments in the amount specified in sub. (3) (b)  
9 to a guardian of a child under s. 48.977 (2) or under a substantially similar tribal law  
10 if the county department or department determines that the conditions specified in  
11 pars. (a) to (d) have been met. A county department or, in a county having a  
12 population of 750,000 or more, the department shall also provide those payments for  
13 the care of a sibling of such a child, regardless of whether the sibling meets the  
14 conditions specified in par. (a), if the county department or department and the  
15 guardian agree on the appropriateness of placing the sibling in the home of the  
16 guardian. A guardian of a child under s. 48.977 (2) or under a substantially similar  
17 tribal law is eligible for monthly subsidized guardianship payments under this  
18 subsection if the county department or, in a county having a population of 750,000  
19 or more, the department determines that all of the following apply:

20 (a) The child meets all of the following conditions:

21 1. The child has been removed from his or her home under a voluntary  
22 agreement under s. 48.63 or under a substantially similar tribal law or under a court  
23 order containing a finding that continued placement of the child in his or her home  
24 would be contrary to the welfare of the child.



1           2. The child has been residing in the home of the guardian for not less than 6  
2 consecutive months.

3           3. The child’s situation precludes return of the child to his or her home or  
4 adoption as appropriate permanency options for the child.

5           4. The child demonstrates a strong attachment to the guardian.

6           5. If the child is 14 years of age or over, the child has been consulted with  
7 regarding the guardianship arrangement.

8           (b) The guardian meets all of the following conditions:

9           1. The guardian is a relative of the child or is a person who has a significant  
10 emotional relationship with the child and who, prior to the child’s placement in  
11 out-of-home care, had an existing relationship with the child that is similar to a  
12 familial relationship.

13           2. The guardian has a strong commitment to caring permanently for the child.

14           3. The guardian is licensed as the child’s foster parent and the guardian and  
15 all adults residing in the guardian’s home meet the requirements specified in s.  
16 48.685.

17           5. Prior to being named as the guardian of the child, the guardian entered into  
18 a subsidized guardianship agreement under sub. (2) with the county department or  
19 department.

20           (c) An order under s. 48.345, 48.357, 48.363, 48.365, 938.345, 938.357, 938.363,  
21 or 938.365 placing the child, or continuing the placement of the child, outside of the  
22 child’s home has been terminated, or any proceeding in which the child has been  
23 adjudged to be in need of protection or services specified in s. 48.977 (2) (a) has been  
24 dismissed, as provided in s. 48.977 (3r).

1 (d) If the county department or department knows or has reason to know that  
2 the child is an Indian child, the Indian child's parent, Indian custodian, and tribe  
3 have been provided with notice of the child's placement in the home of the guardian  
4 under s. 48.977 (4) (c) 2m. and the court has found under s. 48.977 (4) (g) 4. that the  
5 home of the guardian is in compliance with the order of placement preference under  
6 s. 48.028 (7) (b) or, if applicable, s. 48.028 (7) (c), unless the court found good cause,  
7 as described in s. 48.028 (7) (e), for departing from that order.

8 **(2) SUBSIDIZED GUARDIANSHIP AGREEMENT.** Before a county department or the  
9 department may approve the provision of subsidized guardianship payments under  
10 sub. (1) to a proposed guardian, the county department or department shall negotiate  
11 and enter into a written, binding subsidized guardianship agreement with the  
12 proposed guardian and provide the proposed guardian with a copy of the agreement.  
13 A subsidized guardianship agreement shall specify all of the following:

14 (a) The amount of the monthly subsidized guardianship payments that will be  
15 provided under the agreement and the manner in which those payments may be  
16 adjusted periodically, in consultation with the guardian, based on the circumstances  
17 of the guardian and the needs of the child.

18 (b) Any additional services and assistance for which the child or guardian will  
19 be eligible under the agreement, a description of those additional services and that  
20 additional assistance, and the procedures by which the guardian may apply for those  
21 additional services and that additional assistance.

22 (c) That the county department or department will pay the total cost of the  
23 nonrecurring expenses that are associated with obtaining guardianship of the child,  
24 not to exceed \$2,000.

1 (d) That the agreement shall remain in effect without regard to the state of  
2 residence of the guardian.

3 (e) That, in determining eligibility for adoption assistance under s. 48.975 and  
4 42 USC 673 for the care of the child, the placement of the child in the home of the  
5 guardian and any payments made under sub. (1) shall be considered never to have  
6 been made.

7 **(3) PAYMENTS.** (c) 1. If a person who is receiving monthly subsidized  
8 guardianship payments under an agreement under sub. (2) believes that there has  
9 been a substantial change in circumstances, as defined by the department by rule  
10 promulgated under sub. (7) (a), he or she may request that the agreement be  
11 amended to increase the amount of those payments. If a request is received under  
12 this subdivision, the county department or department shall determine whether  
13 there has been a substantial change in circumstances and whether there has been  
14 a substantiated report of abuse or neglect of the child by the person receiving those  
15 payments. If there has been a substantial change in circumstances and if there has  
16 been no substantiated report of abuse or neglect of the child by that person, the  
17 county department or department shall offer to increase the amount of those  
18 payments based on criteria established by the department by rule promulgated  
19 under sub. (7) (b). If an increased monthly subsidized guardianship payment is  
20 agreed to by the person receiving those payments, the county department or  
21 department shall amend the agreement in writing to specify the increased amount  
22 of those payments.

23 2. Annually, a county department or the department shall review an agreement  
24 that has been amended under subd. 1. to determine whether the substantial change  
25 in circumstances that was the basis for amending the agreement continues to exist.

1 If that substantial change in circumstances continues to exist, the agreement, as  
2 amended, shall remain in effect. If that substantial change in circumstances no  
3 longer exists, the county department or department shall offer to decrease the  
4 amount of the monthly subsidized guardianship payments provided under sub. (1)  
5 based on criteria established by the department under sub. (7) (c). If the decreased  
6 amount of those payments is agreed to by the person receiving those payments, the  
7 county department or department shall amend the agreement in writing to specify  
8 the decreased amount of those payments. If the decreased amount of those payments  
9 is not agreed to by the person receiving those payments, that person may appeal the  
10 decision of the county department or department regarding the decrease under sub.  
11 (5).

12 3. A county department or the department may propose to a person receiving  
13 monthly subsidized guardianship payments that the agreement under sub. (2) (b) be  
14 amended to adjust the amount of those payments. If an adjustment in the amount  
15 of those payments is agreed to by the person receiving those payments, the  
16 agreement shall be amended in writing to specify the adjusted amount of those  
17 payments.

18 4. An agreement under sub. (2) may be amended more than once under subd.  
19 1. or 3.

20 (d) The department or a county department may recover an overpayment made  
21 under sub. (1) or (6) from a guardian or interim caretaker who continues to receive  
22 those payments by reducing the amount of the person's monthly payment. The  
23 department may by rule specify other methods for recovering those overpayments.  
24 A county department that recovers an overpayment under this paragraph due to the

1 efforts of its officers and employees may retain a portion of the amount recovered, as  
2 provided by the department by rule.

3 **(4) ANNUAL REVIEW.** A county department or the department shall review a  
4 placement of a child for which the county department or department makes  
5 payments under sub. (1) not less than every 12 months after the county department  
6 or department begins making those payments to determine whether the child and  
7 the guardian remain eligible for those payments. If the child or the guardian is no  
8 longer eligible for those payments, the county department or department shall  
9 discontinue making those payments.

10 **(5) APPEAL.** (a) Any person whose application for payments under sub. (1) is  
11 not acted on promptly or is denied on the grounds that a condition specified in sub.  
12 (1) has not been met and any person whose payments under sub. (1) are decreased  
13 under sub. (3) (c) 2. or discontinued under sub. (4) may petition the department under  
14 par. (b) for a review of that action or failure to act. Review is unavailable if the action  
15 or failure to act arose more than 45 days before submission of the petition for review.

16 (b) 1. Upon receipt of a timely petition described in par. (a) the department shall  
17 give the applicant or recipient reasonable notice and an opportunity for a fair  
18 hearing. The department may make such additional investigation as it considers  
19 necessary. Notice of the hearing shall be given to the applicant or recipient and to  
20 the county department or subunit of the department whose action or failure to act  
21 is the subject of the petition. That county department or subunit of the department  
22 may be represented at the hearing. The department shall render its decision as soon  
23 as possible after the hearing and shall send a certified copy of its decision to the  
24 applicant or recipient and to the county department or subunit of the department  
25 whose action or failure to act is the subject of the petition. The decision of the

1 department shall have the same effect as an order of the county department or  
2 subunit of the department whose action or failure to act is the subject of the petition.  
3 The decision shall be final, but may be revoked or modified as altered conditions may  
4 require. The department shall deny a petition for review or shall refuse to grant  
5 relief if any of the following applies:

6 a. The petitioner withdraws the petition in writing.

7 b. The sole issue in the petition concerns an automatic payment adjustment or  
8 change that affects an entire class of recipients and is the result of a change in state  
9 law.

10 c. The petitioner abandons the petition. Abandonment occurs if the petitioner  
11 fails to appear in person or by a representative at a scheduled hearing without good  
12 cause, as determined by the department.

13 2. If a recipient requests a hearing within 10 days after the date of notice that  
14 his or her payments under sub. (1) are being decreased or discontinued, those  
15 payments may not be decreased or discontinued until a decision is rendered after the  
16 hearing but payments made pending the hearing decision may be recovered by the  
17 department if the contested action or failure to act is upheld. The department shall  
18 promptly notify the county department or the subunit of the department whose  
19 action is the subject of the hearing that the recipient has requested a hearing.  
20 Payments under sub. (1) shall be decreased or discontinued if the recipient is  
21 contesting a state law or a change in state law and not the determination of the  
22 payment made on the recipient's behalf.

23 3. The recipient shall be promptly informed in writing if his or her payments  
24 under sub. (1) are to be decreased or discontinued pending the hearing decision.

1           **(6)** (d) If the county department or department knows or has reason to know  
2           that the child is an Indian child, the county department or department provides  
3           notice of the Indian child’s placement in the home of the interim caretaker to the  
4           Indian child’s parent, Indian custodian, and tribe and determines that the home of  
5           the interim caretaker complies with the order of placement preference under s.  
6           48.028 (7) (b) or, if applicable, s. 48.028 (7) (c), unless the county department or  
7           department finds good cause, as described in s. 48.028 (7) (e), for departing from that  
8           order.

9           **(7) RULES.** The department shall promulgate rules to implement this section.  
10          Those rules shall include all of the following:

11           (a) A rule defining the substantial change in circumstances under which a  
12           person receiving monthly subsidized guardianship payments under sub. (1) may  
13           request that an agreement made under sub. (2) be amended to increase the amount  
14           of those payments.

15           (b) Rules establishing requirements for submitting a request under sub. (3) (c)  
16           1. and criteria for determining the amount of the increase in monthly subsidized  
17           guardianship payments that a county department or the department shall offer if  
18           there has been a substantial change in circumstances and if there has been no  
19           substantiated report of abuse or neglect of the child by the person receiving those  
20           payments.

21           (c) Rules establishing the criteria for determining the amount of the decrease  
22           in monthly subsidized guardianship payments that the department shall offer under  
23           sub. (3) (c) 2. if a substantial change in circumstances no longer exists. The criteria  
24           shall provide that the amount of the decrease offered by the department under sub.  
25           (3) (c) 2. may not result in a monthly subsidized guardianship payment that is less

1 than the initial monthly subsidized guardianship payment provided for the child  
2 under sub. (1).

3 **SECTION 1332x.** 48.645 (1) (a) of the statutes is amended to read:

4 48.645 (1) (a) The child is living in a foster home licensed under s. 48.62 if a  
5 license is required under that section, in a foster home located within the boundaries  
6 of a reservation in this state and licensed by the tribal governing body of the  
7 reservation, in a group home licensed under s. 48.625, in a subsidized guardianship  
8 home under s. ~~48.62 (5)~~ 48.623, or in a residential care center for children and youth  
9 licensed under s. 48.60, and has been placed in the foster home, group home,  
10 subsidized guardianship home, or center by a county department under s. 46.215,  
11 46.22, or 46.23, by the department, or by a governing body of an Indian tribe in this  
12 state under an agreement with a county department under s. 46.215, 46.22, or 46.23.

13 **SECTION 1332y.** 48.645 (2) (a) 1. of the statutes is amended to read:

14 48.645 (2) (a) 1. A nonrelative who cares for the dependent child in a foster  
15 home having a license under s. 48.62, in a foster home located within the boundaries  
16 of a reservation in this state and licensed by the tribal governing body of the  
17 reservation or in a group home licensed under s. 48.625, a subsidized guardian or  
18 interim caretaker under s. ~~48.62 (5)~~ 48.623 who cares for the dependent child, or a  
19 minor custodial parent who cares for the dependent child, regardless of the cause or  
20 prospective period of dependency. The state shall reimburse counties pursuant to the  
21 procedure under s. 48.569 (2) and the percentage rate of participation set forth in s.  
22 48.569 (1) (d) for aid granted under this section except that if the child does not have  
23 legal settlement in the granting county, state reimbursement shall be at 100%. The  
24 county department under s. 46.215, 46.22, or 46.23 or the department under s. 48.48  
25 (17) shall determine the legal settlement of the child. A child under one year of age



1 shall be eligible for aid under this subsection irrespective of any other residence  
2 requirement for eligibility within this section.

3 **SECTION 1333.** 48.67 (intro.) of the statutes is amended to read:

4 **48.67 Rules governing child welfare agencies, child care centers,**  
5 **foster homes, group homes, shelter care facilities, and county departments.**

6 (intro.) The department shall promulgate rules establishing minimum  
7 requirements for the issuance of licenses to, and establishing standards for the  
8 operation of, child welfare agencies, child care centers, foster homes, group homes,  
9 shelter care facilities, and county departments. Those rules shall be designed to  
10 protect and promote the health, safety, and welfare of the children in the care of all  
11 licensees. The department shall consult with the department of ~~commerce~~ safety  
12 and professional services, the department of public instruction, and the child abuse  
13 and neglect prevention board before promulgating those rules. For foster homes,  
14 those rules shall include the rules promulgated under s. 48.62 (8). Those rules shall  
15 include rules that require all of the following:

16 **SECTION 1333n.** 48.685 (1) (ag) 1. b. of the statutes is amended to read:

17 48.685 (1) (ag) 1. b. A person who has, or is seeking, a license, certification or  
18 contract to operate an entity or who is receiving, or is seeking, payment under s.  
19 48.623 (6) for operating an entity.

20 **SECTION 1333p.** 48.685 (1) (b) of the statutes is amended to read:

21 48.685 (1) (b) “Entity” means a child welfare agency that is licensed under s.  
22 48.60 to provide care and maintenance for children, to place children for adoption,  
23 or to license foster homes; a foster home that is licensed under s. 48.62; an interim  
24 caretaker to whom subsidized guardianship payments are made under s. 48.623 (6);  
25 a group home that is licensed under s. 48.625; a shelter care facility that is licensed

1 under s. 938.22; a child care center that is licensed under s. 48.65 or established or  
2 contracted for under s. 120.13 (14); a child care provider that is certified under s.  
3 48.651; or a temporary employment agency that provides caregivers to another  
4 entity.

5 **SECTION 1334.** 48.685 (2) (am) 3. of the statutes is amended to read:

6 48.685 (2) (am) 3. Information maintained by the department of ~~regulation and~~  
7 licensing safety and professional services regarding the status of the person's  
8 credentials, if applicable.

9 **SECTION 1334c.** 48.685 (2) (am) 5. of the statutes is amended to read:

10 48.685 (2) (am) 5. Information maintained by the department of health services  
11 under this section and under ss. 48.623 (6) (b), 48.651 (2m), 48.75 (1m), and 120.13  
12 (14) regarding any denial to the person of a license, continuation or renewal of a  
13 license, certification, or a contract to operate an entity, or of payments under s. 48.623  
14 (6) for operating an entity, for a reason specified in sub. (4m) (a) 1. to 5. and regarding  
15 any denial to the person of employment at, a contract with, or permission to reside  
16 at an entity for a reason specified in sub. (4m) (b) 1. to 5. If the information obtained  
17 under this subdivision indicates that the person has been denied a license,  
18 continuation or renewal of a license, certification, a contract, payments,  
19 employment, or permission to reside as described in this subdivision, the  
20 department, a county department, an agency contracted with under s. 48.651 (2), a  
21 child welfare agency, or a school board need not obtain the information specified in  
22 subds. 1. to 4.

23 **SECTION 1335.** 48.685 (2) (b) 1. c. of the statutes is amended to read:

1           48.685 (2) (b) 1. c. Information maintained by the department of ~~regulation and~~  
2           licensing safety and professional services regarding the status of the person's  
3           credentials, if applicable.

4           **SECTION 1335c.** 48.685 (2) (b) 1. e. of the statutes is amended to read:

5           48.685 (2) (b) 1. e. Information maintained by the department of health  
6           services under this section and under ss. 48.623 (6) (b), 48.651 (2m), 48.75 (1m), and  
7           120.13 (14) regarding any denial to the person of a license, continuation or renewal  
8           of a license, certification, or a contract to operate an entity, or of payments under s.  
9           48.623 (6) for operating an entity, for a reason specified in sub. (4m) (a) 1. to 5. and  
10          regarding any denial to the person of employment at, a contract with, or permission  
11          to reside at an entity for a reason specified in sub. (4m) (b) 1. to 5. If the information  
12          obtained under this subd. 1. e. indicates that the person has been denied a license,  
13          continuation or renewal of a license, certification, a contract, payments,  
14          employment, or permission to reside as described in this subd. 1. e., the entity need  
15          not obtain the information specified in subd. 1. a. to d.

16          **SECTION 1335d.** 48.685 (2) (br) of the statutes is created to read:

17          48.685 (2) (br) If the person who is the subject of a search under par. (am) is  
18          seeking a license to operate a child care center under s. 48.65, certification as a child  
19          care provider under s. 48.651, or a contract under s. 120.13 (14) to operate a child care  
20          program, the department, county department, agency contracted with under s.  
21          48.651 (2), or school board shall require the person to be fingerprinted on 2  
22          fingerprint cards, each bearing a complete set of the person's fingerprints. The  
23          department of justice may provide for the submission of the fingerprint cards to the  
24          federal bureau of investigation for the purposes of verifying the identity of the person  
25          fingerprinted and obtaining records of his or her criminal arrests and convictions.

1           **SECTION 1335e.** 48.685 (2) (c) 1. of the statutes is amended to read:

2           48.685 **(2)** (c) 1. If the person who is the subject of the search under par. (am)  
3 is seeking an initial license to operate a foster home or is seeking relicensure after  
4 a break in licensure, the department, county department, or child welfare agency  
5 shall request under 42 USC 16962 (b) a fingerprint–based check of the national crime  
6 information databases, as defined in 28 USC 534 (f) (3) (A). If that person is seeking  
7 subsidized guardianship payments under s. 48.623 (6), the department in a county  
8 having a population of 750,000 or more or county department shall request that  
9 fingerprint–based check. The department, county department, or child welfare  
10 agency may release any information obtained under this subdivision only as  
11 permitted under 42 USC 16962 (e).

12           **SECTION 1335f.** 48.685 (2) (c) 2. of the statutes is amended to read:

13           48.685 **(2)** (c) 2. If the person who is the subject of the search under par. (am)  
14 is seeking a license to operate a foster home or is an adult nonclient resident of the  
15 foster home and if the person or adult nonclient resident is not, or at any time within  
16 the 5 years preceding the date of the search has not been, a resident of this state, the  
17 department, county department, or child welfare agency shall check any child abuse  
18 or neglect registry maintained by any state or other U.S. jurisdiction in which the  
19 person or adult nonclient resident is a resident or was a resident within those 5 years  
20 for information that is equivalent to the information specified in par. (am) 4. If that  
21 person is seeking subsidized guardianship payments under s. 48.623 (6) or is an  
22 adult nonclient resident of the home of that person and if the person or adult  
23 nonclient resident is not, or at any time within the 5 years preceding the date of the  
24 search has not been, a resident of this state, the department in a county having a  
25 population of 750,000 or more or county department shall conduct that child abuse

1 or neglect registry check. The department, county department, or child welfare  
2 agency may not use any information obtained under this subdivision for any purpose  
3 other than a search of the person's background under par. (am).

4 **SECTION 1335h.** 48.685 (3) (a) of the statutes is amended to read:

5 48.685 (3) (a) Subject to par. (am), every 4 years or at any time within that  
6 period that the department, a county department, or a child welfare agency considers  
7 appropriate, the department, county department, or child welfare agency shall  
8 request the information specified in sub. (2) (am) 1. to 5. for all caregivers specified  
9 in sub. (1) (ag) 1. b. who are licensed, certified, or contracted to operate an entity, or  
10 who are receiving payments under s. 48.623 (6) for operating an entity. and for all  
11 persons who are nonclient residents of such a caregiver. ~~child child~~

12 **SECTION 1335k.** 48.685 (4m) (a) (intro.) of the statutes is amended to read:

13 48.685 (4m) (a) (intro.) Notwithstanding s. 111.335, and except as provided in  
14 par. (ad) and sub. (5), the department may not license, or continue or renew the  
15 license of, a person to operate an entity, the department in a county having a  
16 population of 500,000 or more, a county department, or an agency contracted with  
17 under s. 48.651 (2) may not certify a child care provider under s. 48.651, a county  
18 department or a child welfare agency may not license, or renew the license of, a foster  
19 home under s. 48.62, the department in a county having a population of 750,000 or  
20 more or a county department may not provide subsidized guardianship payments to  
21 an interim caretaker under s. 48.623 (6). and a school board may not contract with  
22 a person under s. 120.13 (14), if the department, county department, contracted  
23 agency, child welfare agency, or school board knows or should have known any of the  
24 following:

25 **SECTION 1336.** 48.685 (4m) (a) 5. of the statutes is amended to read:

1           48.685 (4m) (a) 5. That, in the case of a position for which the person must be  
2           credentialed by the department of ~~regulation and licensing~~ safety and professional  
3           services, the person's credential is not current or is limited so as to restrict the person  
4           from providing adequate care to a client.

5           **SECTION 1336c.** 48.685 (4m) (ad) of the statutes is amended to read:

6           48.685 (4m) (ad) The department, a county department, or a child welfare  
7           agency may license a foster home under s. 48.62; the department may license a child  
8           care center under s. 48.65; the department in a county having a population of 500,000  
9           or more, a county department, or an agency contracted with under s. 48.651 (2) may  
10          certify a child care provider under s. 48.651; the department in a county having a  
11          population of 750,000 or more or a county department may provide subsidized  
12          guardianship payments to an interim caretaker under s. 48.623 (6); and a school  
13          board may contract with a person under s. 120.13 (14), conditioned on the receipt of  
14          the information specified in sub. (2) (am) and (ar) indicating that the person is not  
15          ineligible to be licensed, certified, provided payments, or contracted with for a reason  
16          specified in par. (a) 1. to 5.

17          **SECTION 1337.** 48.685 (4m) (b) 5. of the statutes is amended to read:

18          48.685 (4m) (b) 5. That, in the case of a position for which the person must be  
19          credentialed by the department of ~~regulation and licensing~~ safety and professional  
20          services, the person's credential is not current or is limited so as to restrict the person  
21          from providing adequate care to a client.

22          **SECTION 1337c.** 48.685 (5) (a) of the statutes is amended to read:

23          48.685 (5) (a) Subject to pars. (bm) and (br), the department may license to  
24          operate an entity, the department in a county having a population of 500,000 or more,  
25          a county department, or an agency contracted with under s. 48.651 (2) may certify

1 under s. 48.651, a county department or a child welfare agency may license under  
2 s. 48.62, the department in a county having a population of 750,000 or more or a  
3 county department may provide subsidized guardianship payments under s. 48.623  
4 (6), and a school board may contract with under s. 120.13 (14) a person who otherwise  
5 may not be licensed, certified, or contracted with for a reason specified in sub. (4m)  
6 (a) 1. to 5., and an entity may employ, contract with, or permit to reside at the entity  
7 a person who otherwise may not be employed, provided payments, contracted with,  
8 or permitted to reside at the entity for a reason specified in sub. (4m) (b) 1. to 5., if  
9 the person demonstrates to the department, the county department, the contracted  
10 agency, the child welfare agency, or the school board or, in the case of an entity that  
11 is located within the boundaries of a reservation, to the person or body designated  
12 by the Indian tribe under sub. (5d) (a) 3., by clear and convincing evidence and in  
13 accordance with procedures established by the department by rule or by the tribe  
14 that he or she has been rehabilitated.

15 **SECTION 1337e.** 48.685 (5) (bm) (intro.) of the statutes is amended to read:

16 48.685 (5) (bm) (intro.) For purposes of licensing a foster home for the  
17 placement of a child on whose behalf foster care maintenance payments under s.  
18 48.62 (4) will be provided or of providing subsidized guardianship payments to an  
19 interim caretaker under s. 48.623 (6), no person who has been convicted of any of the  
20 following offenses may be permitted to demonstrate that he or she has been  
21 rehabilitated:

22 **SECTION 1339e.** 48.685 (5m) of the statutes is amended to read:

23 48.685 (5m) Notwithstanding s. 111.335, the department may refuse to license  
24 a person to operate an entity, a county department or a child welfare agency may  
25 refuse to license a foster home under s. 48.62, the department in a county having a

1 population of 750,000 or more or a county department may refuse to provide  
2 subsidized guardianship payments to a person under s. 48.623 (6), and an entity may  
3 refuse to employ or contract with a caregiver or permit a nonclient resident to reside  
4 at the entity if the person has been convicted of an offense that is not a serious crime,  
5 but that is, in the estimation of the department, county department, child welfare  
6 agency, or entity, substantially related to the care of a client. Notwithstanding s.  
7 111.335, the department may refuse to license a person to operate a child care center,  
8 the department in a county having a population of 500,000 or more, a county  
9 department, or an agency contracted with under s. 48.651 (2) may refuse to certify  
10 a child care provider under s. 48.651, a school board may refuse to contract with a  
11 person under s. 120.13 (14), and a child care center that is licensed under s. 48.65 or  
12 established or contracted for under s. 120.13 (14) or a child care provider that is  
13 certified under s. 48.651 may refuse to employ or contract with a caregiver or permit  
14 a nonclient resident to reside at the child care center or child care provider if the  
15 person has been convicted of or adjudicated delinquent on or after his or her 12th  
16 birthday for an offense that is not a serious crime, but that is, in the estimation of  
17 the department, county department, contracted agency, school board, child care  
18 center, or child care provider, substantially related to the care of a client.

19 **SECTION 1339f.** 48.685 (6) (a) of the statutes is amended to read:

20 48.685 (6) (a) The department shall require any person who applies for  
21 issuance, continuation, or renewal of a license to operate an entity, the department  
22 in a county having a population of 500,000 or more, a county department, or an  
23 agency contracted with under s. 48.651 (2) shall require any child care provider who  
24 applies for initial certification under s. 48.651 or for renewal of that certification, a  
25 county department or a child welfare agency shall require any person who applies



1 for issuance or renewal of a license to operate a foster home under s. 48.62, the  
2 department in a county having a population of 750,000 or more or a county  
3 department shall require any person who applies for subsidized guardianship  
4 payments under s. 48.623 (6), and a school board shall require any person who  
5 proposes to contract with the school board under s. 120.13 (14) or to renew a contract  
6 under that subsection, to complete a background information form that is provided  
7 by the department.

8 **SECTION 1340.** 48.78 (2) (g) of the statutes is amended to read:

9 48.78 (2) (g) Paragraph (a) does not prohibit an agency from disclosing  
10 information about an individual in its care or legal custody on the written request  
11 of the department of ~~regulation and licensing~~ safety and professional services or of  
12 any interested examining board or affiliated credentialing board in that department  
13 for use in any investigation or proceeding relating to any alleged misconduct by any  
14 person who is credentialed or who is seeking credentialing under ch. 448, 455 or 457.  
15 Unless authorized by an order of the court, the department of ~~regulation and~~  
16 ~~licensing~~ safety and professional services and any examining board or affiliated  
17 credentialing board in that department shall keep confidential any information  
18 obtained under this paragraph and may not disclose the name of or any other  
19 identifying information about the individual who is the subject of the information  
20 disclosed, except to the extent that redisclosure of that information is necessary for  
21 the conduct of the investigation or proceeding for which that information was  
22 obtained.

23 **SECTION 1341r.** 48.975 (4) (a) of the statutes is amended to read:

24 48.975 (4) (a) Except in extenuating circumstances, as defined by the  
25 department by rule promulgated under sub. (5) (a), a written agreement to provide

1 adoption assistance shall be made prior to adoption. An agreement to provide  
2 adoption assistance may be made only for a child who, at the time of placement for  
3 adoption, is in the guardianship of the department or other agency authorized to  
4 place children for adoption, in the guardianship of an American Indian tribal agency  
5 in this state, or in a subsidized guardianship under s. ~~48.62 (5)~~ 48.623.

6 **SECTION 1341v.** 48.977 (3r) of the statutes is amended to read:

7 48.977 **(3r)** SUBSIDIZED GUARDIANSHIP. ~~Subject to s. 48.62 (5) (d), if a county~~  
8 ~~department or, in a county having a population of 500,000 or more, the department~~  
9 ~~has determined under s. 48.62 (5) (a) 2. that appointing a guardian under sub. (2) for~~  
10 ~~a child who does not meet the conditions specified under s. 48.62 (5) (a) 1. and~~  
11 ~~providing Subsidized guardianship payments under s. 48.623 (1) may not be made~~  
12 ~~to a guardian of a child unless a subsidized guardianship agreement under s. 48.623~~  
13 ~~(2) is entered into before the guardianship order is granted and the court either~~  
14 ~~terminates any order specified in sub. (2) (a) or dismisses any proceeding in which~~  
15 ~~the child has been adjudicated in need of protection or services as specified in sub.~~  
16 ~~(2) (a). If a child's permanency plan calls for placement of the child in the home of~~  
17 ~~a guardian and the provision of monthly subsidized guardianship payments to the~~  
18 ~~guardian are in the best interests of the child, the petitioner under sub. (4) (a) shall~~  
19 ~~include in the petition under sub. (4) (b) a statement of that determination the~~  
20 ~~determinations made under s. 48.623 (1) and a request for the court to include in the~~  
21 ~~court's findings under sub. (4) (d) a finding confirming that determination those~~  
22 ~~determinations. If the court confirms that determination and those determinations,~~  
23 ~~appoints a guardian for the child under sub. (2), and either terminates any order~~  
24 ~~specified in sub. (2) (a) or dismisses any proceeding in which the child is adjudicated~~  
25 ~~to be in need of protection or services as specified in sub. (2) (a), the county~~

1 department or, in a county having a population of 750,000 or more, department shall  
2 provide monthly subsidized guardianship payments to the guardian under s. ~~48.62~~  
3 ~~(5) 48.623 (1)~~.

4 **SECTION 1341w.** 48.977 (4) (g) 4. of the statutes is amended to read:

5 48.977 **(4)** (g) 4. If the child is an Indian child, the order of placement preference  
6 under s. 48.028 (7) (b) or, if applicable, s. 48.028 (7) (c), unless the court finds good  
7 cause, as described in s. 48.028 (7) (e), for departing from that order. A strong  
8 attachment of the child to the person or a strong commitment of the person to caring  
9 permanently for the child does not, in itself, constitute good cause for departing from  
10 that order.

11 **SECTION 1342.** 48.981 (3m) (b) (intro.) of the statutes is amended to read:

12 48.981 **(3m)** (b) (intro.) The department shall establish a pilot program under  
13 which an agency in a county having a population of 500,000 or more or a county  
14 department that is selected to participate in the pilot program may employ  
15 alternative responses to a report of abuse or neglect or of threatened abuse or neglect.  
16 The department shall select ~~an agency in a county having a population of 500,000~~  
17 ~~or more and not more than 4~~ agencies and county departments to participate in the  
18 pilot program in accordance with the department's request-for-proposal procedures  
19 and according to criteria developed by the department. Those criteria shall include  
20 an assessment of the plan of an agency or county department for involving the  
21 community in providing services for a family that is participating in the pilot  
22 program and a determination of whether an agency or a county department has an  
23 agreement with local law enforcement agencies and the representative of the public  
24 under s. 48.09 to ensure interagency cooperation in implementing the pilot program.  
25 To implement the pilot program, the department shall provide all of the following:

1           **SECTION 1342e.** 48.983 (2) of the statutes is amended to read:

2           48.983 **(2)** FUNDS PROVIDED. (a) If a county, private agency, or Indian tribe  
3 applies and is selected by the department under sub. (5) to participate in the program  
4 under this section, the department shall award, from the appropriation under s.  
5 20.437 (1) (ab), a grant annually to be used only for the purposes specified in sub. (4)  
6 (a) and (am). The minimum amount of a grant is \$10,000. The county, private agency,  
7 or Indian tribe shall agree to match at least 25 percent of the grant amount annually  
8 in funds or in-kind contributions.

9           (b) The department shall determine the amount of a grant awarded to a county,  
10 private agency, or Indian tribe under this section in excess of the minimum amount  
11 based on the need of the county, private agency, or Indian tribe for a grant, as  
12 determined by a formula that the department shall promulgate by rule. That  
13 formula shall determine that need based on the number of births that are funded by  
14 Medical Assistance under subch. IV of ch. 49 in that county, the area in which that  
15 private agency is providing services, or the reservation of that Indian tribe and on  
16 the rate of poor birth outcomes, including infant mortality, premature births, low  
17 birth weights, and racial or ethnic disproportionality in the rates of those outcomes,  
18 in that county, the area in which that private agency is providing services, or the  
19 reservation of that Indian tribe.

20           **SECTION 1342f.** 48.983 (2) (c) of the statutes is created to read:

21           48.983 **(2)** (c) The department shall allocate 10 percent of the funds available  
22 from the appropriation account under s. 20.437 (1) (ab) in each fiscal year for grants  
23 under this section to counties, private agencies, or Indian tribes that have not  
24 previously received those grants.

25           **SECTION 1346.** 49.143 (2r) of the statutes is amended to read:

1           49.143 **(2r)** JOB PROGRAMS. A Wisconsin Works agency shall collaborate with  
2 the local workforce development board to connect individuals seeking employment  
3 with employment opportunities, including the trial job program under s. 49.147 (3)  
4 and, ~~if operating in the geographical area in which the Wisconsin Works agency~~  
5 ~~administers Wisconsin Works, the transitional jobs demonstration project under s.~~  
6 ~~49.162.~~

7           **SECTION 1347c.** 49.147 (2) (a) 1. of the statutes is amended to read:

8           49.147 **(2)** (a) 1. An individual who applies for a Wisconsin ~~works~~ Works  
9 employment position may be required by the Wisconsin ~~works~~ Works agency to  
10 search for unsubsidized employment during the period that his or her application is  
11 being processed as a condition of eligibility. A participant in a Wisconsin ~~works~~  
12 Works employment position or who is receiving case management services under par.  
13 (am) shall search for unsubsidized employment throughout his or her participation.  
14 The department shall define by rule satisfactory search efforts for unsubsidized  
15 employment.

16           **SECTION 1347d.** 49.147 (2) (a) 2. of the statutes is amended to read:

17           49.147 **(2)** (a) 2. A Wisconsin ~~works~~ Works agency may require an applicant for  
18 a Wisconsin ~~works~~ Works employment position to participate in job orientation  
19 during the period that his or her application is being processed as a condition of  
20 eligibility. A Wisconsin ~~works~~ Works agency may require a participant in a  
21 Wisconsin ~~works~~ Works employment position or who is receiving case management  
22 services under par. (am) to engage in training activities in accordance with rules  
23 promulgated by the department as part of the participant's participation  
24 requirements.

25           **SECTION 1347e.** 49.147 (2) (am) of the statutes is created to read:

1           49.147 (2) (am) *Case management services.* 1. In lieu of placing the individual  
2 in a Wisconsin Works employment position under subs. (3) to (5), a Wisconsin Works  
3 agency may provide case management services, which may include those services  
4 specified in s. 49.1475, to an individual who applies for a Wisconsin Works  
5 employment position if the Wisconsin Works agency determines all of the following:

6           a. The individual meets the eligibility requirements under s. 49.145 (2) and (3).

7           b. The individual is willing to work and has no barriers to employment that  
8 cannot be addressed with Wisconsin Works services.

9           c. The individual is job-ready, based on the individual's employment history or  
10 education.

11           d. The most appropriate placement for the individual is in unsubsidized  
12 employment.

13           2. A Wisconsin Works agency shall, every 30 days, review the provision of case  
14 management services to an individual under this paragraph, if the individual is not  
15 successful in obtaining unsubsidized employment after legitimate efforts to secure  
16 employment, to determine whether the individual should be placed in a trial job,  
17 community service job, or transitional placement. The department shall promulgate  
18 rules that specify the criteria for the review process under this subdivision.

19           **SECTION 1347f.** 49.147 (2) (b) of the statutes is amended to read:

20           49.147 (2) (b) *Job search assistance.* A Wisconsin ~~works~~ Works agency shall  
21 assist a participant in his or her search for unsubsidized employment. In  
22 determining an appropriate placement for a participant, a Wisconsin ~~works~~ Works  
23 agency shall give priority to placement in unsubsidized employment and providing  
24 case management services under par. (am) over placements under subs. (3) to (5).

25           **SECTION 1348.** 49.147 (3) (c) of the statutes is created to read:

1           49.147 (3) (c) *Time-limited participation.* A participant under this subsection  
2 may participate in a trial job for a maximum of 3 months, with an opportunity for a  
3 3-month extension under circumstances determined by the Wisconsin Works  
4 agency. A participant may participate in more than one trial job, but may not exceed  
5 a total of 24 months of participation under this subsection. The months need not be  
6 consecutive. The department or, with the approval of the department, the Wisconsin  
7 Works agency may grant an extension of the 24-month limit on a case-by-case basis  
8 if the participant has made all appropriate efforts to find unsubsidized employment  
9 and has been unable to find unsubsidized employment because local labor market  
10 conditions preclude a reasonable job opportunity for that participant, as determined  
11 by a Wisconsin Works agency and approved by the department.

12           **SECTION 1349.** 49.147 (4) (as) of the statutes is amended to read:

13           49.147 (4) (as) *Required hours.* Except as provided in pars. (at) and (av) and  
14 sub. (5m), a Wisconsin Works agency shall require a participant placed in a  
15 community service job program to work in a community service job for the number  
16 of hours determined by the Wisconsin Works agency to be appropriate for the  
17 participant at the time of application or review and may require a participant to  
18 participate in education or training activities for not more than 10 hours per week,  
19 except that the Wisconsin Works agency may not require a participant under this  
20 subsection to spend more than 40 hours per week in combined activities under this  
21 subsection.

22           **SECTION 1350.** 49.147 (4) (b) of the statutes is created to read:

23           49.147 (4) (b) *Time-limited participation.* An individual may participate in a  
24 community service job for a maximum of 6 months, with an opportunity for a  
25 3-month extension under circumstances approved by the department. An individual

1 may participate in more than one community service job, but may not exceed a total  
2 of 24 months of participation under this subsection. The months need not be  
3 consecutive. The department or, with the approval of the department, the Wisconsin  
4 Works agency may grant an extension to the 24-month limit on a case-by-case basis  
5 if the Wisconsin Works agency determines that the individual has made all  
6 appropriate efforts to find unsubsidized employment and has been unable to find  
7 unsubsidized employment because local labor market conditions preclude a  
8 reasonable employment opportunity in unsubsidized employment for that  
9 participant, as determined by a Wisconsin Works agency and approved by the  
10 department, and if the Wisconsin Works agency determines, and the department  
11 agrees, that no trial job opportunities are available in the specified local labor  
12 market.

13 **SECTION 1351.** 49.147 (5) (b) (intro.) of the statutes is renumbered 49.147 (5)  
14 (b) 1. (intro.) and amended to read:

15 49.147 (5) (b) 1. (intro.) The Wisconsin ~~works~~ Works agency shall assign a  
16 participant under this subsection to work activities such as a community  
17 rehabilitation program, as defined by the department, a job similar to a community  
18 service job, or a volunteer activity. A Wisconsin ~~works~~ Works agency may require a  
19 participant under this subsection to participate in any of the following:

20 **SECTION 1352.** 49.147 (5) (b) 1m. of the statutes is renumbered 49.147 (5) (b)  
21 1. a. and amended to read:

22 49.147 (5) (b) 1. a. An alcohol and other drug abuse evaluation, assessment, and  
23 treatment program.

24 **SECTION 1353.** 49.147 (5) (b) 2. of the statutes is created to read:



1           49.147 (5) (b) 2. An individual may participate in a transitional placement for  
2 a maximum of 24 months. The months need not be consecutive. This period may be  
3 extended on a case-by-case basis by the department or by the Wisconsin Works  
4 agency with the approval of the department.

5           **SECTION 1354.** 49.147 (5) (b) 2m. of the statutes is renumbered 49.147 (5) (b)  
6 1. b.

7           **SECTION 1355.** 49.147 (5) (b) 3. of the statutes is renumbered 49.147 (5) (b) 1.  
8 c.

9           **SECTION 1356.** 49.147 (5) (b) 4. of the statutes is renumbered 49.147 (5) (b) 1.  
10 d. and amended to read:

11           49.147 (5) (b) 1. d. Other activities that the Wisconsin works Works agency  
12 determines are consistent with the capabilities of the individual.

13           **SECTION 1357.** 49.147 (5) (bs) of the statutes is amended to read:

14           49.147 (5) (bs) *Required hours.* Except as provided in par. (bt) and sub. (5m),  
15 a Wisconsin Works agency may require a participant placed in a transitional  
16 placement to participate in education or training activities for not more than 12  
17 hours per week and to engage in activities under par. (b) 1m. to 4. ~~The Wisconsin~~  
18 ~~Works agency, but~~ may not require a participant under this subsection to spend more  
19 than 40 hours per week in combined activities under this subsection.

20           **SECTION 1357f.** 49.147 (5) (bs) of the statutes, as affected by 2011 Wisconsin  
21 Act .... (this act), is amended to read:

22           49.147 (5) (bs) *Required hours.* Except as provided in par. (bt) and sub. (5m),  
23 a Wisconsin Works agency may require a participant placed in a transitional  
24 placement to participate in education or training activities for not more than 12  
25 hours per week and to engage in activities under par. (b) ~~1m. to 4.~~ 1., but may not

1 require a participant under this subsection to spend more than 40 hours per week  
2 in combined activities under this subsection.

3 **SECTION 1358.** 49.148 (1) (b) 1. of the statutes is amended to read:

4 49.148 (1) (b) 1. Except as provided in subd. 1m., for a participant in a  
5 community service job under s. 49.147 (4), a monthly grant of ~~\$673~~ \$653, paid by the  
6 Wisconsin ~~works~~ Works agency. For every hour that the participant misses work or  
7 education or training activities without good cause, the grant amount shall be  
8 reduced by ~~\$5.15~~ \$5. Good cause shall be determined by the financial and  
9 employment planner in accordance with rules promulgated by the department. Good  
10 cause shall include required court appearances for a victim of domestic abuse. If a  
11 participant in a community service job under s. 49.147 (4) is required to work fewer  
12 than 30 hours per week because the participant has unsubsidized employment, as  
13 defined in s. 49.147 (1) (c), the grant amount under this paragraph shall equal the  
14 amount specified under subd. 1m. minus ~~\$5.15~~ \$5 for each hour that the participant  
15 misses work or education or training activities without good cause.

16 **SECTION 1359.** 49.148 (1) (b) 1m. d. of the statutes is amended to read:

17 49.148 (1) (b) 1m. d. For a participant placed in a community service job for  
18 more than 20 hours per week, ~~\$673~~ \$653.

19 **SECTION 1360.** 49.148 (1) (b) 3. of the statutes is amended to read:

20 49.148 (1) (b) 3. For a participant in a community service job who participates  
21 in technical college education under s. 49.147 (5m), a monthly grant of ~~\$673~~ \$653,  
22 paid by the Wisconsin ~~works~~ Works agency. For every hour that the participant  
23 misses work or other required activities without good cause, the grant amount shall  
24 be reduced by ~~\$5.15~~ \$5. Good cause shall be determined by the financial and

1 employment planner in accordance with rules promulgated by the department. Good  
2 cause shall include required court appearances for a victim of domestic abuse.

3 **SECTION 1361.** 49.148 (1) (c) of the statutes is amended to read:

4 49.148 (1) (c) *Transitional placements.* For a participant in a transitional  
5 placement under s. 49.147 (5) or in a transitional placement and in technical college  
6 education under s. 49.147 (5m), a grant of ~~\$628~~ \$608, paid monthly by the Wisconsin  
7 Works agency. For every hour that the participant fails to participate in any required  
8 activity without good cause, including any activity under s. 49.147 (5) (b) 1m. to 4.,  
9 the grant amount shall be reduced by ~~\$5.15~~ \$5. Good cause shall be determined by  
10 the financial and employment planner in accordance with rules promulgated by the  
11 department. Good cause shall include required court appearances for a victim of  
12 domestic abuse.

13 **SECTION 1361f.** 49.148 (1) (c) of the statutes, as affected by 2011 Wisconsin Act  
14 .... (this act), is amended to read:

15 49.148 (1) (c) *Transitional placements.* For a participant in a transitional  
16 placement under s. 49.147 (5) or in a transitional placement and in technical college  
17 education under s. 49.147 (5m), a grant of \$608, paid monthly by the Wisconsin  
18 Works agency. For every hour that the participant fails to participate in any required  
19 activity without good cause, including any activity under s. 49.147 (5) (b) ~~1m. to 4.~~  
20 1. a. to d., the grant amount shall be reduced by \$5. Good cause shall be determined  
21 by the financial and employment planner in accordance with rules promulgated by  
22 the department. Good cause shall include required court appearances for a victim  
23 of domestic abuse.

24 **SECTION 1361s.** 49.148 (1m) (a) 1. of the statutes is amended to read:

1           49.148 (1m) (a) 1. A custodial parent of a child ~~12~~ 8 weeks old or less who meets  
2 the eligibility requirements under s. 49.145 (2) and (3), unless another adult member  
3 of the custodial parent's Wisconsin Works group is participating in, or is eligible to  
4 participate in, a Wisconsin Works employment position or is employed in  
5 unsubsidized employment, as defined in s. 49.147 (1) (c).

6           **SECTION 1362.** 49.148 (1m) (c) (intro.) of the statutes is amended to read:

7           49.148 (1m) (c) (intro.) For purposes of the time ~~limit~~ limits under s. ~~ss.~~ 49.145  
8 (2) (n) and 49.147 (3) (c), (4) (b), and (5) (b) 2., all of the following apply:

9           **SECTION 1363.** 49.148 (4) (b) of the statutes is amended to read:

10          49.148 (4) (b) The Wisconsin Works agency may require an individual who tests  
11 positive for use of a controlled substance under par. (a) to participate in a drug abuse  
12 evaluation, assessment, and treatment program as part of the participation  
13 requirement under s. 49.147 (4) ~~(a) and (am)~~ (as) or (5) ~~(b) and (bm)~~ (bs).

14          **SECTION 1364.** 49.151 (1) (b) of the statutes is amended to read:

15          49.151 (1) (b) The participant, or an individual who is in the participant's  
16 Wisconsin Works group and who is subject to the work requirement under s. 49.15  
17 (2), fails, without good cause, as determined by the Wisconsin Works agency, to  
18 appear for an interview with a prospective employer or, if the participant is in a  
19 Wisconsin Works transitional placement, the participant fails to appear for an  
20 assigned activity, including an activity under s. 49.147 (5) (b) ~~1m. to 4.~~ 1. a. to d.,  
21 without good cause, as determined by the Wisconsin Works agency.

22          **SECTION 1365.** 49.1515 (title) of the statutes is amended to read:

23          **49.1515 (title) Determining nonparticipation without good cause.**

24          **SECTION 1366.** 49.1515 (2) of the statutes is repealed.

25          **SECTION 1367.** 49.1515 (3) of the statutes is repealed.

1           **SECTION 1367c.** 49.152 (1) of the statutes is amended to read:

2           49.152 **(1)** PETITION FOR REVIEW. Any individual whose application for any  
3 component of Wisconsin ~~works~~ Works is not acted upon by the Wisconsin ~~works~~  
4 Works agency with reasonable promptness after the filing of the application, as  
5 defined by the department by rule, or is denied in whole or in part, whose benefit is  
6 modified or canceled, or who believes that the benefit was calculated incorrectly ~~or~~,  
7 that the employment position in which the individual was placed is inappropriate,  
8 or that providing case management services under s. 49.147 (2) (am) in lieu of  
9 placement in a Wisconsin Works employment position is inappropriate, may petition  
10 the Wisconsin ~~works~~ Works agency for a review of such action. Review is unavailable  
11 if the action by the Wisconsin ~~works~~ Works agency occurred more than 45 days prior  
12 to submission of the petition for review.

13           **SECTION 1367e.** 49.152 (3) (a) of the statutes is amended to read:

14           49.152 **(3)** (a) If, following review under sub. (2), the Wisconsin ~~works~~ Works  
15 agency or the department determines that an individual, whose application for a  
16 Wisconsin ~~works~~ Works employment position was denied based on eligibility, was in  
17 fact eligible, or that the individual was placed in an inappropriate Wisconsin ~~works~~  
18 Works employment position or inappropriately provided case management services  
19 under s. 49.147 (2) (am) in lieu of placement in a Wisconsin Works employment  
20 position, the Wisconsin ~~works~~ Works agency shall place the individual in the first  
21 available Wisconsin ~~works~~ Works employment position that is appropriate for that  
22 individual, as determined by the Wisconsin ~~works~~ Works agency or the department.  
23 An individual who is placed in a Wisconsin ~~works~~ Works employment position under  
24 this paragraph is eligible for the benefit for that position under s. 49.148 beginning  
25 on the date on which the individual begins participation under s. 49.147.

1           **SECTION 1368.** 49.153 (1) (am) of the statutes is repealed.

2           **SECTION 1369.** 49.153 (1) (bm) of the statutes is renumbered 49.153 (1) (a) and  
3 amended to read:

4           49.153 (1) (a) ~~After providing the explanation under par. (am), provide~~ Provide  
5 to the participant written notice of the proposed action and of the reasons for the  
6 proposed action.

7           **SECTION 1370.** 49.153 (1) (c) of the statutes is amended to read:

8           49.153 (1) (c) ~~After providing the explanation or the attempts to provide an~~  
9 ~~explanation under par. (am) and the notice under par. (bm), if the participant has not~~  
10 ~~already been afforded a conciliation period under s. 49.1515 (3) (a),~~ allow the  
11 participant a reasonable time to rectify the deficiency, failure, or other behavior to  
12 avoid the proposed action.

13           **SECTION 1371.** 49.153 (2) of the statutes is amended to read:

14           49.153 (2) RULES. The department shall promulgate rules that establish  
15 procedures for the notice ~~and explanation~~ under sub. (1) (a) and that define  
16 “~~reasonable attempts~~” for the purpose of sub. (1) (am) and “reasonable time” for the  
17 purpose of sub. (1) (c).

18           **SECTION 1373.** 49.155 (1g) (ac) of the statutes is amended to read:

19           49.155 (1g) (ac) A child care scholarship and bonus program, in the amount of  
20 at least \$3,475,000 \$3,975,000 per fiscal year.

21           **SECTION 1374.** 49.155 (1g) (c) of the statutes is amended to read:

22           49.155 (1g) (c) Child care licensing activities, in the amount of at least  
23 \$5,763,900 \$8,767,000 per fiscal year.

24           **SECTION 1375.** 49.155 (1g) (g) of the statutes is created to read:

1           49.155 **(1g)** (g) Contracts and grants to implement the child care quality rating  
2 system under s. 48.659.

3           **SECTION 1376.** 49.155 (1h) of the statutes is repealed.

4           **SECTION 1376n.** 49.155 (1m) (a) 1m. b. of the statutes is amended to read:

5           49.155 **(1m)** (a) 1m. b. The individual has not yet attained the age of 18 years  
6 and the individual resides with his or her custodial parent or with a kinship care  
7 relative under s. 48.57 (3m) or with a long–term kinship care relative under s. 48.57  
8 (3n) or is in a foster home licensed under s. 48.62, a subsidized guardianship home  
9 under s. ~~48.62 (5)~~ 48.623, a group home, or an independent living arrangement  
10 supervised by an adult.

11           **SECTION 1377e.** 49.155 (1m) (bm) of the statutes is amended to read:

12           49.155 **(1m)** (bm) If the individual is providing care for a child under a court  
13 order and is receiving payments on behalf of the child under s. 48.57 (3m) or (3n) or  
14 ~~48.62 (5)~~ 48.623, or if the individual is a foster parent, and child care is needed for  
15 that child, the child meets the requirement under s. 49.145 (2) (c).

16           **SECTION 1377f.** 49.155 (1m) (c) 1g. of the statutes is amended to read:

17           49.155 **(1m)** (c) 1g. If the individual is a foster parent of the child or a subsidized  
18 guardian or interim caretaker of the child under s. ~~48.62 (5)~~ 48.623, the child's  
19 biological or adoptive family has a gross income that is at or below 200% of the  
20 poverty line. In calculating the gross income of the child's biological or adoptive  
21 family, the department or county department or agency determining eligibility shall  
22 include court–ordered child or family support payments received by the individual,  
23 if those support payments exceed \$1,250 per month, and income described under s.  
24 49.145 (3) (b) 1. and 3.

1           **SECTION 1378c.** 49.155 (3m) (d) of the statutes is renumbered 49.155 (3m) (d)

2           1. and amended to read:

3           49.155 **(3m)** (d) 1. No funds distributed under par. (a) may be used for child care  
4           services that are provided for a child by a child care provider who is the parent of the  
5           child or who resides with the child, ~~unless the county determines that the care is~~  
6           ~~necessary because of a special health condition of the child.~~

7           **SECTION 1378d.** 49.155 (3m) (d) 2., 3. and 4. of the statutes are created to read:

8           49.155 **(3m)** (d) 2. If a child's parent is a child care provider, no funds  
9           distributed under par. (a) may be used for child care services that are provided for  
10          the child by another child care provider who is not the child's parent.

11          3. Subdivision 1. or 2. does not apply if the child's parent has applied for, and  
12          been granted, a waiver of the prohibition under subd. 1. or 2. by the county  
13          department or agency or by the department.

14          4. The department shall by rule specify the circumstances, or standards for  
15          determining the circumstances, under which the department will grant a waiver  
16          under subd. 3.

17          **SECTION 1378g.** 49.155 (4) of the statutes is renumbered 49.155 (4) (a).

18          **SECTION 1378h.** 49.155 (4) (b) of the statutes is created to read:

19          49.155 **(4)** (b) 1. Except as provided in subd. 2., no eligible individual may  
20          benefit personally from any marketing or promotional offerings made by a child care  
21          provider to attract clients or increase business.

22          2. Subdivision 1. does not apply to marketing or promotional offerings that  
23          directly benefit an eligible individual's child for whom the child care provider is  
24          providing child care services.



1           **SECTION 1379.** 49.155 (6) (e) of the statutes is renumbered 49.155 (6) (e) 2. and  
2 amended to read:

3           49.155 **(6)** (e) 2. ~~The Except as provided in subd. 3., the department may not~~  
4 increase the maximum reimbursement rates for child care providers ~~in 2009, in~~  
5 ~~2010, or before June 30 in 2011, 2013.~~

6           **SECTION 1380.** 49.155 (6) (e) 1. of the statutes is created to read:

7           49.155 **(6)** (e) 1. In this paragraph, “quality rating plan” means the plan for  
8 implementing the child care quality rating system under s. 48.659 submitted by the  
9 department under 2009 Wisconsin Act 28, section 9108 (7f).

10          **SECTION 1381.** 49.155 (6) (e) 3. of the statutes is created to read:

11          49.155 **(6)** (e) 3. Beginning on July 1, 2012, the department may modify a child  
12 care provider’s reimbursement rate under subd. 2. on the basis of the provider’s  
13 quality rating, as described in the quality rating plan, in the following manner:

14           a. For a child care provider who receives a 1–star rating, the department shall  
15 deny reimbursement.

16           b. For a child care provider who receives a 2–star rating, the department may  
17 reduce the maximum reimbursement rate by up to 5 percent.

18           c. For a child care provider who receives a 3–star rating, the department may  
19 pay up to the maximum reimbursement rate.

20           d. For a child care provider who receives a 4–star rating, the department may  
21 increase the maximum reimbursement rate by up to 5 percent.

22           e. For a child care provider who receives a 5–star rating, the department may  
23 increase the maximum reimbursement rate by up to 10 percent, except that  
24 beginning on January 1, 2013, the department may increase the maximum  
25 reimbursement rate for such a child care provider by up to 25 percent.

1           **SECTION 1382.** 49.155 (6) (e) 4. of the statutes is created to read:

2           49.155 **(6)** (e) 4. The department may use a severity–index tool, as described  
3 in the quality rating plan, to disqualify child care providers who receive a low quality  
4 rating, as described in the quality rating plan, from receiving payment under this  
5 section.

6           **SECTION 1382g.** 49.155 (6) (e) 5. of the statutes is created to read:

7           49.155 **(6)** (e) 5. For purposes of modifying reimbursement rates under subd.  
8 3., the department shall assign a child care provider that is accredited from the  
9 Council on Accreditation a 4–star rating or 5–star rating, whichever the department  
10 determines is appropriate.

11           **SECTION 1383.** 49.155 (6d) of the statutes is created to read:

12           49.155 **(6d)** COST–SAVING MEASURES. (a) To reduce costs under the program  
13 under this section, the department may do any of the following:

14           1. Notwithstanding sub. (1m), implement a waiting list for receipt of a child  
15 care subsidy under this section, except that a Wisconsin Works program participant  
16 may not be placed on any waiting list implemented under this subdivision.

17           2. Notwithstanding sub. (5), increase the copayment amount that an individual  
18 must pay toward the cost of child care received under this section.

19           3. Notwithstanding sub. (6), adjust the amount of reimbursement paid to child  
20 care providers providing child care services under this section.

21           4. Notwithstanding sub. (1m), adjust the gross income levels for eligibility for  
22 receipt of a child care subsidy under this section.

23           (b) If the department intends to take any of the actions under par. (a), the  
24 department shall submit to the joint committee on finance a report that sets out its  
25 plan for implementing the cost–saving measures.

1           **SECTION 1384c.** 49.159 (3) of the statutes is amended to read:

2           49.159 (3) OTHER CUSTODIAL PARENTS. A custodial parent in a Wisconsin ~~works~~  
3           Works group in which the other custodial parent is a participant in a Wisconsin  
4           ~~works~~ Works employment position or is receiving case management services under  
5           s. 49.147 (2) (am) is eligible for employment training and job search assistance  
6           services provided by the Wisconsin ~~works~~ Works agency.

7           **SECTION 1385.** 49.162 of the statutes, as affected by 2009 Wisconsin Act 333  
8           and 2011 Wisconsin Act .... (this act), is repealed.

9           **SECTION 1385c.** 49.162 (3) (am) 5. of the statutes is created to read:

10           49.162 (3) (am) 5. Host sites for employing individuals or placing work crews  
11           under this section must be businesses that are operated for profit, except that in the  
12           case of a natural disaster for which the governor has declared a state of emergency  
13           under s. 323.10, the department shall give a preference to any work crew placement  
14           or host site involved in natural disaster recovery.

15           **SECTION 1386.** 49.165 (2) (c) (intro.) of the statutes is amended to read:

16           49.165 (2) (c) (intro.) No grant may be made to an organization which provides  
17           or will provide shelter facilities unless the department of ~~commerce~~ safety and  
18           professional services determines that the physical plant of the facility will not be  
19           dangerous to the health or safety of the residents when the facility is in operation.  
20           No grant may be given to an organization which provides or will provide shelter  
21           facilities or private home shelter care unless the organization ensures that the  
22           following services will be provided either by that organization or by another  
23           organization, person or agency:

24           **SECTION 1388.** 49.175 (1) (intro.) of the statutes, as affected by 2009 Wisconsin  
25           Act 28, section 1227, is amended to read:

1           49.175 (1) ALLOCATION OF FUNDS. (intro.) Except as provided in sub. (2), within  
2 the limits of the appropriations under s. 20.437 (2) (a), (cm), (dz), (k), (kx), (L), (mc),  
3 (md), (me), (~~mf~~), and (s), the department shall allocate the following amounts for the  
4 following purposes:

5           **SECTION 1389.** 49.175 (1) (a) of the statutes is amended to read:

6           49.175 (1) (a) *Wisconsin Works benefits.* For Wisconsin Works benefits,  
7 \$49,139,400 \$74,650,100 in fiscal year 2009–10 2011–12 and \$51,229,600  
8 \$72,131,500 in fiscal year 2010–11 2012–13.

9           **SECTION 1390.** 49.175 (1) (b) of the statutes is amended to read:

10          49.175 (1) (b) *Wisconsin Works administration.* For administration of  
11 Wisconsin Works performed under contracts under s. 49.143, \$8,247,000  
12 \$10,107,200 in fiscal year 2009–10 2011–12 and \$8,247,000 \$10,107,200 in fiscal  
13 year 2010–11 2012–13.

14          **SECTION 1391.** 49.175 (1) (f) of the statutes is amended to read:

15          49.175 (1) (f) *Wisconsin Works ancillary services.* For program services under  
16 Wisconsin Works provided under contracts under s. 49.143, ~~\$38,471,500~~ \$47,229,300  
17 in fiscal year 2009–10 2011–12 and ~~\$35,471,500~~ \$47,229,300 in fiscal year 2010–11  
18 2012–13.

19          **SECTION 1392.** 49.175 (1) (g) of the statutes is amended to read:

20          49.175 (1) (g) *State administration of public assistance programs and costs of*  
21 *overpayment collections.* For state administration of public assistance programs and  
22 ~~costs associated with the collection of public assistance overpayments,~~ \$16,985,900  
23 ~~in fiscal year 2009–10 and \$17,091,700~~ \$12,918,900 in each fiscal year 2010–11.

24          **SECTION 1393.** 49.175 (1) (i) of the statutes is amended to read:

1           49.175 (1) (i) *Emergency assistance*. For emergency assistance under s. 49.138,  
2           \$6,500,000 and for transfer to the department of administration for low-income  
3           energy or weatherization assistance programs, \$6,200,000 in fiscal year 2009–10  
4           2011–12 and \$6,000,000 in fiscal year 2010–11 2012–13.

5           **SECTION 1393L.** 49.175 (1) (L) of the statutes is created to read:

6           49.175 (1) (L) *Transitional jobs demonstration project*. For the transitional jobs  
7           demonstration project under s. 49.162, \$12,000,000 in fiscal year 2011–12.

8           **SECTION 1394.** 49.175 (1) (p) of the statutes is amended to read:

9           49.175 (1) (p) *Direct child care services*. For direct child care services under s.  
10           49.155, ~~\$384,987,600~~ \$301,631,000 in fiscal year 2009–10 2011–12 and ~~\$402,496,800~~  
11           \$298,523,500 in fiscal year 2010–11 2012–13.

12           **SECTION 1395.** 49.175 (1) (q) of the statutes is amended to read:

13           49.175 (1) (q) *Child care state administration and child care licensing*  
14           *activities*. For administration of child care programs under s. 49.155 and the  
15           allocation under s. 49.155 (1g) (c) for child care licensing activities, ~~\$8,534,700~~  
16           \$19,702,100 in fiscal year 2009–10 2011–12 and ~~\$8,889,700~~ \$19,783,800 in fiscal  
17           year 2010–11 2012–13.

18           **SECTION 1396.** 49.175 (1) (qm) of the statutes is amended to read:

19           49.175 (1) (qm) *Quality care for quality kids*. For the child care quality  
20           improvement activities specified in s. 49.155 (1g), ~~\$5,384,600~~ \$13,486,700 in fiscal  
21           year 2009–10 2011–12 and ~~\$5,384,600~~ \$13,169,400 in fiscal year 2010–11 2012–13.

22           **SECTION 1397.** 49.175 (1) (r) of the statutes is amended to read:

23           49.175 (1) (r) *Children of recipients of supplemental security income*. For  
24           payments made under s. 49.775 for the support of the dependent children of

1 recipients of supplemental security income, ~~\$29,899,800 in fiscal year 2009–10 and~~  
2 ~~\$29,933,200~~ \$31,232,200 in each fiscal year thereafter.

3 **SECTION 1398.** 49.175 (1) (s) of the statutes is amended to read:

4 49.175 (1) (s) *Kinship care, long-term kinship care, and foster care assistance.*

5 For the kinship care and long-term kinship care programs under s. 48.57 (3m), (3n),  
6 and (3p) and for foster care for relatives under s. 48.62, ~~\$24,435,000 in fiscal year~~  
7 ~~2009–10 and \$24,435,000~~ \$21,375,800 in each fiscal year 2010–11.

8 **SECTION 1399.** 49.175 (1) (v) of the statutes is created to read:

9 49.175 (1) (v) *Program improvement plan.* For services provided under the  
10 child welfare program improvement plan developed under 45 CFR 1355.35, \$680,400  
11 in fiscal year 2011–12 and \$1,360,800 in each fiscal year thereafter.

12 **SECTION 1400.** 49.175 (1) (zh) of the statutes, as affected by 2011 Wisconsin Act  
13 13, is amended to read:

14 49.175 (1) (zh) *Earned income tax credit supplement.* For the transfer of  
15 moneys from the appropriation account under s. 20.437 (2) (md) to the appropriation  
16 account under s. 20.835 (2) (kf) for the earned income tax credit, ~~\$6,664,200 in fiscal~~  
17 ~~year 2009–10 and \$43,664,200~~ in each fiscal year 2010–11.

18 **SECTION 1402m.** 49.197 (1m) of the statutes is amended to read:

19 49.197 (1m) FRAUD INVESTIGATION. From the appropriations under s. 20.437 (2)  
20 (dz), (kx), (L), (mc), (md), (me), and (nL), the department shall establish a program  
21 to investigate suspected fraudulent activity on the part of recipients of aid to families  
22 with dependent children under s. 49.19, on the part of participants in the Wisconsin  
23 Works program under ss. 49.141 to 49.161, and, if the department of health services  
24 contracts with the department under sub. (5), on the part of recipients of medical  
25 assistance under subch. IV, food stamp benefits under the food stamp program under

1 7 USC 2011 to 2036, supplemental security income payments under s. 49.77,  
2 payments for the support of children of supplemental security income recipients  
3 under s. 49.775, and health care benefits under the Badger Care health care program  
4 under s. 49.665. The department's activities under this subsection may include, but  
5 are not limited to, comparisons of information provided to the department by an  
6 applicant and information provided by the applicant to other federal, state, and local  
7 agencies, development of an advisory welfare investigation prosecution standard,  
8 and provision of funds to county departments under ss. 46.215, 46.22, and 46.23 or  
9 multicounty consortia, as defined in s. 49.78 (1) (br). and to Wisconsin Works  
10 agencies to encourage activities to detect fraud. The department shall cooperate  
11 with district attorneys regarding fraud prosecutions.

12 **SECTION 1405g.** 49.197 (2) of the statutes is repealed and recreated to read:

13 49.197 (2) INCENTIVE PROGRAM FOR LOCAL FRAUD DETECTION. (a) In this  
14 subsection:

- 15 1. "County department" means a county department under s. 46.22 or 46.23.
- 16 2. "Subsidy program" means the child care subsidy program under s. 49.155.
- 17 3. "Tribal governing body" means an elected governing body of a federally  
18 recognized American Indian tribe.

19 (b) 1. Subject to subd. 2., the department shall by rule establish an incentive  
20 program that, using moneys from the allocation under s. 49.175 (1) (p), rewards  
21 county departments, Wisconsin Works agencies, and tribal governing bodies that  
22 administer the subsidy program for identifying fraud in the subsidy program. The  
23 rules shall specify that a county department, Wisconsin Works agency, or tribal  
24 governing body shall receive, for identifying fraudulent activity under the subsidy  
25 program on the part of a child care provider, an amount equal to the average monthly

1 subsidy payment per child during the prior fiscal year, multiplied by the number of  
2 children participating in the subsidy program for whom the provider provides care,  
3 multiplied by 1.5 months. A county department, Wisconsin Works agency, or tribal  
4 governing body may use payments received under this subsection for any purpose for  
5 which moneys under the Temporary Assistance for Needy Families block grant  
6 program may be used under federal law.

7 2. No later than January 1, 2012, the department shall submit its plan for the  
8 incentive program to the cochairpersons of the joint committee on finance for review  
9 by the committee. If the cochairpersons of the committee do not notify the  
10 department that the committee has scheduled a meeting for the purpose of reviewing  
11 the proposed plan within 14 working days after the date of the department's  
12 submittal, the department shall promulgate the rules for the incentive program in  
13 accordance with its proposed plan. If, within 14 working days after the date of the  
14 department's submittal, the cochairpersons of the committee notify the department  
15 that the committee has scheduled a meeting for the purpose of reviewing the  
16 proposed plan, the department may not promulgate the rules for the incentive  
17 program unless the committee approves the proposed plan. If the committee  
18 modifies and approves the proposed plan, the department may promulgate the rules  
19 for the incentive program only as modified by the committee.

20 **SECTION 1408m.** 49.197 (4) of the statutes is amended to read:

21 49.197 (4) COUNTY AND TRIBAL ERROR REDUCTION. If the department of health  
22 services contracts with the department under sub. (5), the department shall provide  
23 funds from the appropriation under s. 20.437 (2) (kx) to counties, multicounty  
24 consortia, as defined in s. 49.78 (1) (br), and governing bodies of federally recognized  
25 American Indian tribes administering Medical Assistance under subch. IV, the food



1 stamp program under 7 USC 2011 to 2036, the supplemental security income  
2 payments program under s. 49.77, the program providing payments for the support  
3 of children of supplemental security income recipients under s. 49.775, and the  
4 Badger Care health care program under s. 49.665 to offset administrative costs of  
5 reducing payment errors in those programs.

6 **SECTION 1415.** 49.265 (4) (a) of the statutes is amended to read:

7 49.265 (4) (a) The department shall distribute the federal community services  
8 block grant funds received under 42 USC 9903 and ~~deposited in~~ credited to the  
9 ~~appropriations~~ appropriation account under s. 20.437 (1) ~~(me) and (md)~~ (2) (mg).

10 **SECTION 1420m.** 49.43 (2r) of the statutes is created to read:

11 49.43 (2r) “County,” “county department,” and “county department under s.  
12 46.215, 46.22, or 46.23” includes a multicounty consortium in accordance with a  
13 contract under s. 49.78 (2).

14 **SECTION 1422m.** 49.43 (8m) of the statutes is created to read:

15 49.43 (8m) “Multicounty consortium” has the meaning given in s. 49.78 (1) (br).

16 **SECTION 1423k.** 49.45 (2m) of the statutes, as created by 2011 Wisconsin Act  
17 10, is repealed and recreated to read:

18 49.45 (2m) AUTHORIZATION FOR MODIFICATIONS TO PROGRAMS; STUDY. (a) In this  
19 subsection, “Medical Assistance program” includes any program operated under this  
20 subchapter, demonstration program operated under 42 USC 1315, and program  
21 operated under a waiver of federal law relating to medical assistance that is granted  
22 by the federal department of health and human services.

23 (b) The department shall study potential changes to the Medical Assistance  
24 state plan and to waivers of federal law relating to medical assistance obtained from

1 the federal department of health and human services for all of the following  
2 purposes:

3 1. Increasing the cost effectiveness and efficiency of care and the care delivery  
4 system for Medical Assistance programs.

5 2. Limiting switching from private health insurance to Medical Assistance  
6 programs.

7 3. Ensuring the long-term viability and sustainability of Medical Assistance  
8 programs.

9 4. Advancing the accuracy and reliability of eligibility for Medical Assistance  
10 programs and claims determinations and payments.

11 5. Improving the health status of individuals who receive benefits under a  
12 Medical Assistance program.

13 6. Aligning Medical Assistance program benefit recipient and service provider  
14 incentives with health care outcomes.

15 7. Supporting responsibility and choice of medical assistance recipients.

16 (c) Subject to par. (d), if the department determines, as a result of the study  
17 under par. (b), that revision of existing statutes or rules would be necessary to  
18 advance a purpose described in par. (b) 1. to 7., the department may propose a policy  
19 that makes any of the following changes related to Medical Assistance programs:

20 1. Requires cost sharing from program benefit recipients up to the maximum  
21 allowed by federal law or a waiver of federal law.

22 2. Authorizes providers to deny care or services if a program benefit recipient  
23 is unable to share costs, to the extent allowed by federal law or waiver.

24 3. Modifies existing benefits or establishes various benefit packages and offers  
25 different packages to different groups of recipients.

- 1           4. Revises provider reimbursement models for particular services.
- 2           5. Mandates that program benefit recipients enroll in managed care.
- 3           6. Restricts or eliminates presumptive eligibility.
- 4           7. To the extent permitted by federal law, imposes restrictions on providing  
5 benefits to individuals who are not citizens of the United States.
- 6           8. Sets standards for establishing and verifying eligibility requirements.
- 7           9. Develops standards and methodologies to assure accurate eligibility  
8 determinations and redetermines continuing eligibility.
- 9           10. Reduces income levels for purposes of determining eligibility to the extent  
10 allowed by federal law or waiver and subject to the limitations under par. (e) 2.
- 11           (d) Before implementing a policy proposed under par. (c) that conflicts with a  
12 statute, and before submitting any amendment or waiver request under par. (e) that  
13 is necessary to implement any such policy, the department shall submit to the joint  
14 committee on finance the proposed amendment or waiver request and estimates of  
15 the projected cost savings associated with that amendment or waiver request. If the  
16 cochairpersons of the committee do not notify the department within 14 working  
17 days after the date of the department's submittal that the committee has scheduled  
18 a meeting for the purpose of reviewing the proposed amendment or waiver request,  
19 the proposed amendment or waiver request may be submitted to the federal  
20 department of health and human services. If, within 14 working days after the date  
21 of the department's submittal, the cochairpersons of the committee notify the  
22 department that the committee has scheduled a meeting for the purpose of reviewing  
23 the proposed amendment or waiver request, the proposed amendment or waiver  
24 requested may be submitted only on approval of the committee.

1           (e) 1. Subject to par. (d), the department shall submit an amendment to the  
2 state Medical Assistance plan or request a waiver of federal laws related to medical  
3 assistance, if necessary, to the extent necessary to implement any policy created  
4 under par. (c). If the federal department of health and human services does not allow  
5 the amendment or does not grant the waiver, the department may not implement the  
6 policy.

7           2. The department shall request a waiver from the secretary of the federal  
8 department of health and human services to permit the department to have in effect  
9 eligibility standards, methodologies, and procedures under the state Medical  
10 Assistance plan or waivers of federal laws related to medical assistance that are more  
11 restrictive than those in place on March 23, 2010. If the waiver request does not  
12 receive federal approval before December 31, 2011, the department shall reduce  
13 income levels on July 1, 2012, for the purposes of determining eligibility to 133  
14 percent of the federal poverty line for adults who are not pregnant and not disabled,  
15 to the extent permitted under 42 USC 1396a (gg), if the department follows the  
16 procedures under 42 USC 1396a (gg) (3).

17           (f) Within 90 days after the effective date of this paragraph .... [LRB inserts  
18 date], and every 90 days thereafter, the department shall submit to the joint  
19 committee on finance a report that contains all of the following information:

20           1. An updated description of any Medical Assistance program changes  
21 implemented by the department, including any amendments to the Medical  
22 Assistance state plan.

23           2. An updated estimate of the projected savings associated with any changes  
24 described under subd. 1.

1           3. An updated projection of the total Medical Assistance program benefit  
2 expenditures during the fiscal biennium and an analysis of how these projected  
3 expenditures compare to the funding provided in the 2011–13 biennial budget act.

4           **SECTION 1423m.** 49.45 (2m) of the statutes, as affected by 2011 Wisconsin Act  
5 .... (this act), is repealed.

6           **SECTION 1424p.** 49.45 (3) (n) of the statutes, as created by 2011 Wisconsin Act  
7 10, is repealed and recreated to read:

8           49.45 (3) (n) This subsection does not apply if the department creates a policy  
9 under sub. (2m) (c) 4., to the extent that the policy conflicts with this subsection.

10          **SECTION 1424q.** 49.45 (3) (n) of the statutes, as affected by 2011 Wisconsin Act  
11 .... (this act), is repealed.

12          **SECTION 1427.** 49.45 (5m) (am) of the statutes is amended to read:

13          49.45 (5m) (am) Notwithstanding sub. (3) (e), from the appropriation accounts  
14 under s. 20.435 (4) (b), (gm), (o), (w) and (xc), the department shall distribute not  
15 more than \$5,000,000 in each fiscal year, to provide supplemental funds to rural  
16 hospitals that, as determined by the department, have high utilization of inpatient  
17 services by patients whose care is provided from governmental sources, except that  
18 the department may not distribute funds to a rural hospital to the extent that the  
19 distribution would exceed any limitation under 42 USC 1396b (i) (3).

20          **SECTION 1428.** 49.45 (6m) (a) 6. of the statutes is amended to read:

21          49.45 (6m) (a) 6. “Resource Utilization Groupings III” means a comparative  
22 resource utilization grouping that classifies each facility resident based on  
23 information obtained from performing, for the resident, a minimum data set  
24 assessment developed by the federal Centers for Medicare and Medicaid Services.

25          **SECTION 1429.** 49.45 (6m) (ag) (intro.) of the statutes is amended to read:

1           49.45 **(6m)** (ag) (intro.) Payment for care provided in a facility under this  
2 subsection made under s. 20.435 (4) (b), (gm), (o), (pa), or (w) shall, except as provided  
3 in pars. (bg), (bm), and (br), be determined according to a prospective payment  
4 system updated annually by the department. The payment system shall implement  
5 standards that are necessary and proper for providing patient care and that meet  
6 quality and safety standards established under subch. II of ch. 50 and ch. 150. The  
7 payment system shall reflect all of the following:

8           **SECTION 1430.** 49.45 (6m) (ag) 3p. a. of the statutes is amended to read:

9           49.45 **(6m)** (ag) 3p. a. The system shall may incorporate acuity measurements  
10 under the most recent Resource Utilization Groupings ~~III~~ methodology to determine  
11 factors for case–mix adjustment.

12           **SECTION 1430c.** 49.45 (6m) (ar) 1. a. of the statutes is amended to read:

13           49.45 **(6m)** (ar) 1. a. The department shall establish standards for payment of  
14 allowable direct care costs under par. (am) 1. bm., for facilities that do not primarily  
15 serve the developmentally disabled, that take into account direct care costs for a  
16 sample of all of those facilities in this state and separate standards for payment of  
17 allowable direct care costs, for facilities that primarily serve the developmentally  
18 disabled, that take into account direct care costs for a sample of all of those facilities  
19 in this state. The standards shall be adjusted by the department for regional labor  
20 cost variations. The department shall treat as a single labor region the counties of  
21 Dane, Dodge, Iowa, Columbia, Sauk, and Rock and shall adjust payment so that the  
22 direct care cost targets of facilities in Dane, Iowa, Columbia, and Sauk counties are  
23 not reduced as a result of including facilities in Dodge and Rock County Counties in  
24 this labor region. For facilities in Douglas, Dunn, Pierce, and St. Croix counties, the  
25 department shall perform the adjustment by use of the wage index that is used by

1 the federal department of health and human services for hospital reimbursement  
2 under 42 USC 1395 to 1395ggg.

3 **SECTION 1430d.** 49.45 (6m) (n) of the statutes, as created by 2011 Wisconsin  
4 Act 10, is repealed and recreated to read:

5 49.45 **(6m)** (n) This subsection does not apply if the department creates a policy  
6 under sub. (2m) (c) 4., to the extent that the policy conflicts with this subsection.

7 **SECTION 1430e.** 49.45 (6m) (n) of the statutes, as affected by 2011 Wisconsin  
8 Act .... (this act), is repealed.

9 **SECTION 1431.** 49.45 (6tw) of the statutes is amended to read:

10 49.45 **(6tw)** PAYMENTS TO CITY HEALTH DEPARTMENTS. From the appropriation  
11 account under s. 20.435 (7) (b), if the department selects the payment procedure  
12 under s. 49.45 (52) (a), the department may make payments to local health  
13 departments, as defined under s. 250.01 (4) (a) 3. Payment under this subsection to  
14 such a local health department may not exceed on an annualized basis payment  
15 made by the department to the local health department under s. 49.45 (6t), 2003  
16 stats., for services provided by the local health department in 2002.

17 **SECTION 1432.** 49.45 (6v) (b) of the statutes is amended to read:

18 49.45 **(6v)** (b) The department shall, each year, submit to the joint committee  
19 on finance a report for the previous fiscal year, except for the 1997–98 fiscal year, that  
20 provides information on the utilization of beds by recipients of medical assistance in  
21 facilities and a discussion and detailed projection of the likely balances,  
22 expenditures, encumbrances and carry over of currently appropriated amounts in  
23 the appropriation accounts under s. 20.435 (4) (b), (gm), and (o).

24 **SECTION 1433d.** 49.45 (6x) (a) of the statutes is renumbered 49.45 (6x) (a)  
25 (intro.) and amended to read:

1           49.45 (6x) (a) (intro.) Notwithstanding sub. (3) (e), from the appropriation  
2 accounts under s. 20.435 (4) (b), (gm), (o), and (w), the department shall distribute  
3 ~~not more than \$4,748,000 in each fiscal year, to provide funds to an essential access~~  
4 ~~city hospital~~ all of the following, except that the department may not allocate funds  
5 to an essential access city a hospital to the extent that the allocation would exceed  
6 any limitation under 42 USC 1396b (i) (3);:

7           **SECTION 1433f.** 49.45 (6x) (a) 1. to 3. of the statutes are created to read:

8           49.45 (6x) (a) 1. Not more than \$2,997,700 in fiscal year 2011–12 and not more  
9 than \$2,988,700 in each fiscal year after fiscal year 2011–12 to an essential access  
10 city hospital that has previously received the supplemental payment for being an  
11 essential access city hospital.

12           2. Not more than \$999,200 in fiscal year 2011–12 and not more than \$996,200  
13 in each fiscal year after fiscal year 2011–12 to a hospital that would qualify for an  
14 essential access city hospital supplemental payment, under the criteria described in  
15 the 2010–11 inpatient hospital state plan, except that the hospital did not meet the  
16 criteria to be an essential access city hospital during fiscal year 1995–96.

17           3. If the federal department of health and human services allows the payment,  
18 \$300,000 from the appropriation account under s. 20.435 (4) (b) annually to a  
19 hospital that meets all of the following criteria:

20           a. The hospital is located in a city that has a municipal border that is also a state  
21 border.

22           b. The hospital has a Medical Assistance recipient patient mix that consists of  
23 at least 25 percent of residents from a state that borders this state.

24           c. The hospital is located in a city with a poverty level, as determined from the  
25 2000 U.S. census, that is greater than 5 percent.



1 d. The hospital is located in a city with a population of less than 15,000 people.

2 **SECTION 1434.** 49.45 (6y) (a) of the statutes is amended to read:

3 49.45 **(6y)** (a) Notwithstanding sub. (3) (e), from the appropriation accounts  
4 under s. 20.435 (4) (b), (gm), (o), and (w), the department may distribute funding in  
5 each fiscal year to provide supplemental payment to hospitals that enter into a  
6 contract under s. 49.02 (2) to provide health care services funded by a relief block  
7 grant, as determined by the department, for hospital services that are not in excess  
8 of the hospitals' customary charges for the services, as limited under 42 USC 1396b  
9 (i) (3). If no relief block grant is awarded under this chapter or if the allocation of  
10 funds to such hospitals would exceed any limitation under 42 USC 1396b (i) (3), the  
11 department may distribute funds to hospitals that have not entered into a contract  
12 under s. 49.02 (2).

13 **SECTION 1435.** 49.45 (6z) (a) (intro.) of the statutes is amended to read:

14 49.45 **(6z)** (a) (intro.) Notwithstanding sub. (3) (e), from the appropriation  
15 accounts under s. 20.435 (4) (b), (gm), (o), and (w), the department may distribute  
16 funding in each fiscal year to supplement payment for services to hospitals that enter  
17 into indigent care agreements, in accordance with the approved state plan for  
18 services under 42 USC 1396a, with relief agencies that administer the medical relief  
19 block grant under this chapter, if the department determines that the hospitals serve  
20 a disproportionate number of low-income patients with special needs. If no medical  
21 relief block grant under this chapter is awarded or if the allocation of funds to such  
22 hospitals would exceed any limitation under 42 USC 1396b (i) (3), the department  
23 may distribute funds to hospitals that have not entered into indigent care  
24 agreements. The department may not distribute funds under this subsection to the  
25 extent that the distribution would do any of the following:

1           **SECTION 1435y.** 49.45 (8) (b) of the statutes, as affected by 2011 Wisconsin Act  
2 10, is repealed and recreated to read:

3           49.45 **(8)** (b) Unless otherwise provided by the department by a policy created  
4 under sub. (2m) (c), reimbursement under s. 20.435 (4) (b), (gm), (o), and (w) for home  
5 health services provided by a certified home health agency or independent nurse  
6 shall be made at the home health agency's or nurse's usual and customary fee per  
7 patient care visit, subject to a maximum allowable fee per patient care visit that is  
8 established under par. (c).

9           **SECTION 1436b.** 49.45 (8) (b) of the statutes, as affected by 2011 Wisconsin Act  
10 .... (this act), is amended to read:

11           49.45 **(8)** (b) ~~Unless otherwise provided by the department by a policy created~~  
12 ~~under sub. (2m) (c), reimbursement~~ Reimbursement under s. 20.435 (4) (b), (gm), (o),  
13 and (w) for home health services provided by a certified home health agency or  
14 independent nurse shall be made at the home health agency's or nurse's usual and  
15 customary fee per patient care visit, subject to a maximum allowable fee per patient  
16 care visit that is established under par. (c).

17           **SECTION 1436h.** 49.45 (8) (c) of the statutes, as affected by 2011 Wisconsin Act  
18 10, is repealed and recreated to read:

19           49.45 **(8)** (c) The department shall establish a maximum statewide allowable  
20 fee per patient care visit, for each type of visit with respect to provider, that may be  
21 no greater than the cost per patient care visit, as determined by the department from  
22 cost reports of home health agencies, adjusted for costs related to case management,  
23 care coordination, travel, record keeping and supervision, unless otherwise provided  
24 by the department by a policy created under sub. (2m) (c).

1           **SECTION 1436i.** 49.45 (8) (c) of the statutes, as affected by 2011 Wisconsin Act  
2 .... (this act), is amended to read:

3           49.45 **(8)** (c) The department shall establish a maximum statewide allowable  
4 fee per patient care visit, for each type of visit with respect to provider, that may be  
5 no greater than the cost per patient care visit, as determined by the department from  
6 cost reports of home health agencies, adjusted for costs related to case management,  
7 care coordination, travel, record keeping and supervision, ~~unless otherwise provided~~  
8 ~~by the department by a policy created under sub. (2m) (c).~~

9           **SECTION 1436y.** 49.45 (8r) of the statutes, as affected by 2011 Wisconsin Act 10,  
10 is repealed and recreated to read:

11           49.45 **(8r)** PAYMENT FOR CERTAIN OBSTETRIC AND GYNECOLOGICAL CARE. Unless  
12 otherwise provided by the department by a policy created under sub. (2m) (c), the rate  
13 of payment for obstetric and gynecological care provided in primary care shortage  
14 areas, as defined in s. 36.60 (1) (cm), or provided to recipients of medical assistance  
15 who reside in primary care shortage areas, that is equal to 125% of the rates paid  
16 under this section to primary care physicians in primary care shortage areas, shall  
17 be paid to all certified primary care providers who provide obstetric or gynecological  
18 care to those recipients.

19           **SECTION 1437b.** 49.45 (8r) of the statutes, as affected by 2011 Wisconsin Act  
20 .... (this act), is amended to read:

21           49.45 **(8r)** PAYMENT FOR CERTAIN OBSTETRIC AND GYNECOLOGICAL CARE. Unless  
22 ~~otherwise provided by the department by a policy created under sub. (2m) (c), the~~ The  
23 rate of payment for obstetric and gynecological care provided in primary care  
24 shortage areas, as defined in s. 36.60 (1) (cm), or provided to recipients of medical  
25 assistance who reside in primary care shortage areas, that is equal to 125% of the

1 rates paid under this section to primary care physicians in primary care shortage  
2 areas, shall be paid to all certified primary care providers who provide obstetric or  
3 gynecological care to those recipients.

4 **SECTION 1437e.** 49.45 (8v) of the statutes, as affected by 2011 Wisconsin Act  
5 10, is repealed and recreated to read:

6 49.45 (8v) INCENTIVE-BASED PHARMACY PAYMENT SYSTEM. The department shall  
7 establish a system of payment to pharmacies for legend and over-the-counter drugs  
8 provided to recipients of medical assistance that has financial incentives for  
9 pharmacists who perform services that result in savings to the medical assistance  
10 program. Under this system, the department shall establish a schedule of fees that  
11 is designed to ensure that any incentive payments made are equal to or less than the  
12 documented savings unless otherwise provided by the department by a policy  
13 created under sub. (2m) (c). The department may discontinue the system established  
14 under this subsection if the department determines, after performance of a study,  
15 that payments to pharmacists under the system exceed the documented savings  
16 under the system.

17 **SECTION 1437f.** 49.45 (8v) of the statutes, as affected by 2011 Wisconsin Act ....  
18 (this act), is amended to read:

19 49.45 (8v) INCENTIVE-BASED PHARMACY PAYMENT SYSTEM. The department shall  
20 establish a system of payment to pharmacies for legend and over-the-counter drugs  
21 provided to recipients of medical assistance that has financial incentives for  
22 pharmacists who perform services that result in savings to the medical assistance  
23 program. Under this system, the department shall establish a schedule of fees that  
24 is designed to ensure that any incentive payments made are equal to or less than the  
25 documented savings ~~unless otherwise provided by the department by a policy~~

1 ~~created under sub. (2m) (c).~~ The department may discontinue the system established  
2 under this subsection if the department determines, after performance of a study,  
3 that payments to pharmacists under the system exceed the documented savings  
4 under the system.

5 **SECTION 1437h.** 49.45 (9p) of the statutes is created to read:

6 49.45 **(9p)** PRIOR AUTHORIZATION PROHIBITED FOR WHEELCHAIR REPAIRS. (a) In this  
7 subsection, “recipient of medical assistance” means an individual who receives  
8 medical assistance under any of the following:

9 1. A program operated under this subchapter.

10 2. A demonstration program operated under 42 USC 1315.

11 3. A program operated under a waiver of federal law relating to medical  
12 assistance that is granted by the federal department of health and human services.

13 (b) The department may not require any person to obtain prior authorization  
14 from the department for a repair to a wheelchair used by a recipient of medical  
15 assistance that satisfies the following criteria:

16 1. If the repair is to a power wheelchair, the cost of the repair is less than \$300.

17 2. If the repair is to a manual wheelchair, the cost of the repair is less than \$150.

18 3. The cost of the repair is a covered benefit under the program of which the  
19 individual is a recipient.

20 **SECTION 1437j.** 49.45 (18) (ac) of the statutes, as affected by 2011 Wisconsin  
21 Act 10, is repealed and recreated to read:

22 49.45 **(18)** (ac) Except as provided in pars. (am) to (d), and subject to par. (ag),  
23 any person eligible for medical assistance under s. 49.46, 49.468, or 49.47, or for the  
24 benefits under s. 49.46 (2) (a) and (b) under s. 49.471 shall pay up to the maximum  
25 amounts allowable under 42 CFR 447.53 to 447.58 for purchases of services provided

1 under s. 49.46 (2). The service provider shall collect the specified or allowable  
2 copayment, coinsurance, or deductible, unless the service provider determines that  
3 the cost of collecting the copayment, coinsurance, or deductible exceeds the amount  
4 to be collected. The department shall reduce payments to each provider by the  
5 amount of the specified or allowable copayment, coinsurance, or deductible. Unless  
6 otherwise provided by the department by a policy created under sub. (2m) (c), no  
7 provider may deny care or services because the recipient is unable to share costs, but  
8 an inability to share costs specified in this subsection does not relieve the recipient  
9 of liability for these costs.

10 **SECTION 1437k.** 49.45 (18) (ac) of the statutes, as affected by 2011 Wisconsin  
11 Act .... (this act), is amended to read:

12 49.45 (18) (ac) Except as provided in pars. (am) to (d), and subject to par. (ag),  
13 any person eligible for medical assistance under s. 49.46, 49.468, or 49.47, or for the  
14 benefits under s. 49.46 (2) (a) and (b) under s. 49.471 shall pay up to the maximum  
15 amounts allowable under 42 CFR 447.53 to 447.58 for purchases of services provided  
16 under s. 49.46 (2). The service provider shall collect the specified or allowable  
17 copayment, coinsurance, or deductible, unless the service provider determines that  
18 the cost of collecting the copayment, coinsurance, or deductible exceeds the amount  
19 to be collected. The department shall reduce payments to each provider by the  
20 amount of the specified or allowable copayment, coinsurance, or deductible. ~~Unless~~  
21 ~~otherwise provided by the department by a policy created under sub. (2m) (c), no~~ No  
22 provider may deny care or services because the recipient is unable to share costs, but  
23 an inability to share costs specified in this subsection does not relieve the recipient  
24 of liability for these costs.

1           **SECTION 1437n.** 49.45 (18) (ag) (intro.) of the statutes, as affected by 2011  
2 Wisconsin Act 10, is repealed and recreated to read:

3           49.45 **(18)** (ag) (intro.) Except as provided in pars. (am), (b), and (c), and subject  
4 to par. (d), a recipient specified in par. (ac) shall pay all of the following, unless  
5 otherwise provided by the department by a policy created under sub. (2m) (c):

6           **SECTION 1437o.** 49.45 (18) (ag) (intro.) of the statutes, as affected by 2011  
7 Wisconsin Act .... (this act), is amended to read:

8           49.45 **(18)** (ag) (intro.) Except as provided in pars. (am), (b), and (c), and subject  
9 to par. (d), a recipient specified in par. (ac) shall pay all of the following, ~~unless~~  
10 ~~otherwise provided by the department by a policy created under sub. (2m) (c):~~

11           **SECTION 1437q.** 49.45 (18) (b) (intro.) of the statutes, as affected by 2011  
12 Wisconsin Act 10, is repealed and recreated to read:

13           49.45 **(18)** (b) (intro.) Unless otherwise provided by the department by a policy  
14 created under sub. (2m) (c), the following services are not subject to recipient cost  
15 sharing under this subsection:

16           **SECTION 1437r.** 49.45 (18) (b) (intro.) of the statutes, as affected by 2011  
17 Wisconsin Act .... (this act), is amended to read:

18           49.45 **(18)** (b) (intro.) ~~Unless otherwise provided by the department by a policy~~  
19 ~~created under sub. (2m) (c), the~~ The following services are not subject to recipient cost  
20 sharing under this subsection:

21           **SECTION 1437t.** 49.45 (18) (d) of the statutes, as affected by 2011 Wisconsin Act  
22 10, is repealed and recreated to read:

23           49.45 **(18)** (d) No person who designates a pharmacy or pharmacist as his or  
24 her sole provider of prescription drugs and who so uses that pharmacy or pharmacist  
25 is liable under this subsection for more than \$12 per month for prescription drugs

1 received, unless otherwise provided by the department by a policy created under sub.  
2 (2m) (c).

3 **SECTION 1437u.** 49.45 (18) (d) of the statutes, as affected by 2011 Wisconsin Act  
4 .... (this act), is amended to read:

5 49.45 **(18)** (d) No person who designates a pharmacy or pharmacist as his or  
6 her sole provider of prescription drugs and who so uses that pharmacy or pharmacist  
7 is liable under this subsection for more than \$12 per month for prescription drugs  
8 received, ~~unless otherwise provided by the department by a policy created under sub.~~  
9 ~~(2m) (c).~~

10 **SECTION 1438d.** 49.45 (23) (a) of the statutes, as affected by 2011 Wisconsin Act  
11 10, is repealed and recreated to read:

12 49.45 **(23)** (a) The department shall request a waiver from the secretary of the  
13 federal department of health and human services to permit the department to  
14 conduct a demonstration project to provide health care coverage for basic primary  
15 and preventive care to adults who are under the age of 65, who have family incomes  
16 not to exceed 200 percent of the poverty line, and who are not otherwise eligible for  
17 medical assistance under this subchapter, the Badger Care health care program  
18 under s. 49.665, or Medicare under 42 USC 1395 et seq. If the department creates  
19 a policy under sub. (2m) (c) 10., this paragraph does not apply to the extent that it  
20 conflicts with the policy.

21 **SECTION 1438e.** 49.45 (23) (a) of the statutes, as affected by 2011 Wisconsin Act  
22 .... (this act), is amended to read:

23 49.45 **(23)** (a) The department shall request a waiver from the secretary of the  
24 federal department of health and human services to permit the department to  
25 conduct a demonstration project to provide health care coverage for basic primary



1 and preventive care to adults who are under the age of 65, who have family incomes  
2 not to exceed 200 percent of the poverty line, and who are not otherwise eligible for  
3 medical assistance under this subchapter, the Badger Care health care program  
4 under s. 49.665, or Medicare under 42 USC 1395 et seq. ~~If the department creates~~  
5 ~~a policy under sub. (2m) (c) 10., this paragraph does not apply to the extent that it~~  
6 ~~conflicts with the policy.~~

7 **SECTION 1438h.** 49.45 (23) (b) of the statutes, as affected by 2011 Wisconsin Act  
8 10, is repealed and recreated to read:

9 49.45 (23) (b) If the waiver is granted and in effect, the department may  
10 promulgate rules defining the health care benefit plan, including more specific  
11 eligibility requirements and cost-sharing requirements. Unless otherwise provided  
12 by the department by a policy created under sub. (2m) (c), cost sharing may include  
13 an annual enrollment fee, which may not exceed \$75 per year. Notwithstanding s.  
14 227.24 (3), the plan details under this subsection may be promulgated as an  
15 emergency rule under s. 227.24 without a finding of emergency. If the waiver is  
16 granted and in effect, the demonstration project under this subsection shall begin on  
17 January 1, 2009, or on the effective date of the waiver, whichever is later.

18 **SECTION 1438i.** 49.45 (23) (b) of the statutes, as affected by 2011 Wisconsin Act  
19 .... (this act), is amended to read:

20 49.45 (23) (b) If the waiver is granted and in effect, the department may  
21 promulgate rules defining the health care benefit plan, including more specific  
22 eligibility requirements and cost-sharing requirements. ~~Unless otherwise provided~~  
23 ~~by the department by a policy created under sub. (2m) (c), cost~~ Cost sharing may  
24 include an annual enrollment fee, which may not exceed \$75 per year.  
25 Notwithstanding s. 227.24 (3), the plan details under this subsection may be

1 promulgated as an emergency rule under s. 227.24 without a finding of emergency.  
2 If the waiver is granted and in effect, the demonstration project under this subsection  
3 shall begin on January 1, 2009, or on the effective date of the waiver, whichever is  
4 later.

5 **SECTION 1438L.** 49.45 (24g) (c) of the statutes, as affected by 2011 Wisconsin  
6 Act 10, is repealed and recreated to read:

7 49.45 (24g) (c) The department's proposal under par. (a) shall specify increases  
8 in reimbursement rates for providers that satisfy the conditions under par. (a) 1. or  
9 2., and shall provide for payment of a monthly per-patient care coordination fee to  
10 those providers. The department shall set the increases in reimbursement rates and  
11 the monthly per-patient care coordination fee so that together they provide  
12 sufficient incentive for providers to satisfy a condition under par. (a) 1. or 2. The  
13 proposal shall specify effective dates for the increases in reimbursement rates and  
14 the monthly per-patient care coordination fee that are no sooner than July 1, 2011.  
15 If the department creates a policy under sub. (2m) (c) 4., this paragraph does not  
16 apply to the extent that it conflicts with the policy.

17 **SECTION 1438m.** 49.45 (24g) (c) of the statutes, as affected by 2011 Wisconsin  
18 Act .... (this act), is amended to read:

19 49.45 (24g) (c) The department's proposal under par. (a) shall specify increases  
20 in reimbursement rates for providers that satisfy the conditions under par. (a) 1. or  
21 2., and shall provide for payment of a monthly per-patient care coordination fee to  
22 those providers. The department shall set the increases in reimbursement rates and  
23 the monthly per-patient care coordination fee so that together they provide  
24 sufficient incentive for providers to satisfy a condition under par. (a) 1. or 2. The  
25 proposal shall specify effective dates for the increases in reimbursement rates and

1 the monthly per-patient care coordination fee that are no sooner than July 1, 2011.  
2 ~~If the department creates a policy under sub. (2m) (c) 4., this paragraph does not~~  
3 ~~apply to the extent that it conflicts with the policy.~~

4 **SECTION 1439.** 49.45 (24m) (intro.) of the statutes is amended to read:

5 49.45 **(24m)** (intro.) From the appropriation accounts under s. 20.435 (4) (b),  
6 (gm), (o), and (w), in order to test the feasibility of instituting a system of  
7 reimbursement for providers of home health care and personal care services for  
8 medical assistance recipients that is based on competitive bidding, the department  
9 shall:

10 **SECTION 1439n.** 49.45 (24r) of the statutes, as affected by 2011 Wisconsin Act  
11 .... (this act), is repealed.

12 **SECTION 1439w.** 49.45 (24r) (a) of the statutes is amended to read:

13 49.45 **(24r)** (a) The department shall implement any waiver granted by the  
14 secretary of the federal department of health and human services to permit the  
15 department to conduct a demonstration project to provide family planning, as  
16 defined in s. 253.07 (1) (a), under medical assistance to any woman between the ages  
17 of 15 and 44 whose family income does not exceed 200% of the poverty line for a family  
18 the size of the woman's family. If the department creates a policy under sub. (2m)  
19 (c) 10., this paragraph does not apply to the extent that it conflicts with the policy.

20 **SECTION 1439x.** 49.45 (24r) (b) of the statutes is amended to read:

21 49.45 **(24r)** (b) The department may request an amended waiver from the  
22 secretary to permit the department to conduct a demonstration project to provide  
23 family planning to any man between the ages of 15 and 44 whose family income does  
24 not exceed 200 percent of the poverty line for a family the size of the man's family.  
25 If the amended waiver is granted, the department may implement the waiver. If the

1 department creates a policy under sub. (2m) (c) 10., this paragraph does not apply  
2 to the extent that it conflicts with the policy.

3 **SECTION 1441b.** 49.45 (24s) of the statutes is created to read:

4 49.45 **(24s)** FAMILY PLANNING PROJECT. (a) The department shall request a  
5 waiver from the secretary of the federal department of health and human services  
6 to permit the department to provide optional services for family planning, as defined  
7 in s. 253.07 (1) (a), under medical assistance to any female between the ages of 15  
8 and 44 whose family income does not exceed 200 percent of the poverty line for a  
9 family the size of the female's family, unless otherwise provided by the department  
10 by a policy created under sub. (2m) (c) 10. The department shall implement any  
11 waiver granted.

12 (b) The department shall request a waiver, or an amendment to the waiver  
13 requested under par. (a), from the secretary of the federal department of health and  
14 human services to require all of the following:

15 1. As a condition of receiving services under par. (a), parental notification for  
16 family planning services for any female under 18 years of age.

17 2. The department to determine eligibility to receive family planning services  
18 under par. (a) for a female under 18 years of age using the family income of the  
19 female's parent or guardian instead of only the female's income.

20 **SECTION 1441bg.** 49.45 (24s) (a) of the statutes, as created by 2011 Wisconsin  
21 Act .... (this act), is amended to read:

22 49.45 **(24s)** (a) The department shall request a waiver from the secretary of the  
23 federal department of health and human services to permit the department to  
24 provide optional services for family planning, as defined in s. 253.07 (1) (a), under  
25 medical assistance to any female between the ages of 15 and 44 whose family income

1 does not exceed 200 percent of the poverty line for a family the size of the female's  
2 family, ~~unless otherwise provided by the department by a policy created under sub.~~  
3 ~~(2m)(c) 10.~~ The department shall implement any waiver granted.

4 **SECTION 1441c.** 49.45 (25g) (c) of the statutes, as affected by 2011 Wisconsin  
5 Act 10, is repealed and recreated to read:

6 49.45 **(25g)** (c) The department's proposal under par. (b) shall specify increases  
7 in reimbursement rates for providers that satisfy the conditions under par. (b), and  
8 shall provide for payment of a monthly per-patient care coordination fee to those  
9 providers. The department shall set the increases in reimbursement rates and the  
10 monthly per-patient care coordination fee so that together they provide sufficient  
11 incentive for providers to satisfy a condition under par. (b) 1. or 2. The proposal shall  
12 specify effective dates for the increases in reimbursement rates and the monthly  
13 per-patient care coordination fee that are no sooner than January 1, 2011. The  
14 increases in reimbursement rates and monthly per-patient care coordination fees  
15 that are not provided by the federal government shall be paid from the appropriation  
16 under s. 20.435 (1) (am). If the department creates a policy under sub. (2m) (c) 4.,  
17 this paragraph does not apply to the extent it conflicts with the policy.

18 **SECTION 1441d.** 49.45 (25g) (c) of the statutes, as affected by 2011 Wisconsin  
19 Act .... (this act), is amended to read:

20 49.45 **(25g)** (c) The department's proposal under par. (b) shall specify increases  
21 in reimbursement rates for providers that satisfy the conditions under par. (b), and  
22 shall provide for payment of a monthly per-patient care coordination fee to those  
23 providers. The department shall set the increases in reimbursement rates and the  
24 monthly per-patient care coordination fee so that together they provide sufficient  
25 incentive for providers to satisfy a condition under par. (b) 1. or 2. The proposal shall

1 specify effective dates for the increases in reimbursement rates and the monthly  
2 per-patient care coordination fee that are no sooner than January 1, 2011. The  
3 increases in reimbursement rates and monthly per-patient care coordination fees  
4 that are not provided by the federal government shall be paid from the appropriation  
5 under s. 20.435 (1) (am). ~~If the department creates a policy under sub. (2m) (c) 4.,~~  
6 ~~this paragraph does not apply to the extent it conflicts with the policy.~~

7 **SECTION 1441f.** 49.45 (27) of the statutes, as affected by 2011 Wisconsin Act 10,  
8 is repealed and recreated to read:

9 49.45 (27) ELIGIBILITY OF ALIENS. A person who is not a U.S. citizen or an alien  
10 lawfully admitted for permanent residence or otherwise permanently residing in the  
11 United States under color of law may not receive medical assistance benefits except  
12 as provided under 8 USC 1255a (h) (3) or 42 USC 1396b (v), unless otherwise  
13 provided by the department by a policy created under sub. (2m) (c).

14 **SECTION 1441g.** 49.45 (27) of the statutes, as affected by 2011 Wisconsin Act  
15 .... (this act), is amended to read:

16 49.45 (27) ELIGIBILITY OF ALIENS. A person who is not a U.S. citizen or an alien  
17 lawfully admitted for permanent residence or otherwise permanently residing in the  
18 United States under color of law may not receive medical assistance benefits except  
19 as provided under 8 USC 1255a (h) (3) or 42 USC 1396b (v), ~~unless otherwise~~  
20 ~~provided by the department by a policy created under sub. (2m) (c).~~

21 **SECTION 1442g.** 49.45 (39) (b) 1. of the statutes, as affected by 2011 Wisconsin  
22 Act 10, is repealed and recreated to read:

23 49.45 (39) (b) 1. 'Payment for school medical services.' If a school district or a  
24 cooperative educational service agency elects to provide school medical services and  
25 meets all requirements under par. (c), the department shall reimburse the school

1 district or the cooperative educational service agency for 60% of the federal share of  
2 allowable charges for the school medical services that it provides, unless otherwise  
3 provided by the department by a policy created under sub. (2m) (c), and, as specified  
4 in subd. 2., for allowable administrative costs. If the Wisconsin Center for the Blind  
5 and Visually Impaired or the Wisconsin Educational Services Program for the Deaf  
6 and Hard of Hearing elects to provide school medical services and meets all  
7 requirements under par. (c), the department shall reimburse the department of  
8 public instruction for 60% of the federal share of allowable charges for the school  
9 medical services that the Wisconsin Center for the Blind and Visually Impaired or  
10 the Wisconsin Educational Services Program for the Deaf and Hard of Hearing  
11 provides, unless otherwise provided by the department by a policy created under sub.  
12 (2m) (c), and, as specified in subd. 2., for allowable administrative costs. A school  
13 district, cooperative educational service agency, the Wisconsin Center for the Blind  
14 and Visually Impaired or the Wisconsin Educational Services Program for the Deaf  
15 and Hard of Hearing may submit, and the department shall allow, claims for common  
16 carrier transportation costs as a school medical service unless the department  
17 receives notice from the federal health care financing administration that, under a  
18 change in federal policy, the claims are not allowed. If the department receives the  
19 notice, a school district, cooperative educational service agency, the Wisconsin  
20 Center for the Blind and Visually Impaired, or the Wisconsin Educational Services  
21 Program for the Deaf and Hard of Hearing may submit, and the department shall  
22 allow, unreimbursed claims for common carrier transportation costs incurred before  
23 the date of the change in federal policy. The department shall promulgate rules  
24 establishing a methodology for making reimbursements under this paragraph. All  
25 other expenses for the school medical services provided by a school district or a

1 cooperative educational service agency shall be paid for by the school district or the  
2 cooperative educational service agency with funds received from state or local taxes.  
3 The school district, the Wisconsin Center for the Blind and Visually Impaired, the  
4 Wisconsin Educational Services Program for the Deaf and Hard of Hearing, or the  
5 cooperative educational service agency shall comply with all requirements of the  
6 federal department of health and human services for receiving federal financial  
7 participation.

8 **SECTION 1442h.** 49.45 (39) (b) 1. of the statutes, as affected by 2011 Wisconsin  
9 Act .... (this act), is amended to read:

10 49.45 (39) (b) 1. ‘Payment for school medical services.’ If a school district or a  
11 cooperative educational service agency elects to provide school medical services and  
12 meets all requirements under par. (c), the department shall reimburse the school  
13 district or the cooperative educational service agency for 60% of the federal share of  
14 allowable charges for the school medical services that it provides, ~~unless otherwise~~  
15 ~~provided by the department by a policy created under sub. (2m) (c), and, as specified~~  
16 in subd. 2., for allowable administrative costs. If the Wisconsin Center for the Blind  
17 and Visually Impaired or the Wisconsin Educational Services Program for the Deaf  
18 and Hard of Hearing elects to provide school medical services and meets all  
19 requirements under par. (c), the department shall reimburse the department of  
20 public instruction for 60% of the federal share of allowable charges for the school  
21 medical services that the Wisconsin Center for the Blind and Visually Impaired or  
22 the Wisconsin Educational Services Program for the Deaf and Hard of Hearing  
23 provides, ~~unless otherwise provided by the department by a policy created under sub.~~  
24 ~~(2m) (c), and, as specified in subd. 2., for allowable administrative costs.~~ A school  
25 district, cooperative educational service agency, the Wisconsin Center for the Blind



1 and Visually Impaired or the Wisconsin Educational Services Program for the Deaf  
2 and Hard of Hearing may submit, and the department shall allow, claims for common  
3 carrier transportation costs as a school medical service unless the department  
4 receives notice from the federal health care financing administration that, under a  
5 change in federal policy, the claims are not allowed. If the department receives the  
6 notice, a school district, cooperative educational service agency, the Wisconsin  
7 Center for the Blind and Visually Impaired, or the Wisconsin Educational Services  
8 Program for the Deaf and Hard of Hearing may submit, and the department shall  
9 allow, unreimbursed claims for common carrier transportation costs incurred before  
10 the date of the change in federal policy. The department shall promulgate rules  
11 establishing a methodology for making reimbursements under this paragraph. All  
12 other expenses for the school medical services provided by a school district or a  
13 cooperative educational service agency shall be paid for by the school district or the  
14 cooperative educational service agency with funds received from state or local taxes.  
15 The school district, the Wisconsin Center for the Blind and Visually Impaired, the  
16 Wisconsin Educational Services Program for the Deaf and Hard of Hearing, or the  
17 cooperative educational service agency shall comply with all requirements of the  
18 federal department of health and human services for receiving federal financial  
19 participation.

20 **SECTION 1443.** 49.45 (51) (a) of the statutes is amended to read:

21 49.45 (51) (a) By November 1 annually, the department shall provide to the  
22 department of revenue information concerning the estimated amounts of  
23 supplements payable from the appropriation accounts under s. 20.435 (4) (b) and  
24 (gm) to specific local governmental units for the provision of transportation for  
25 medical care, as specified under s. 49.46 (2) (b) 3., during the fiscal year. Beginning

1 November 1, 2004, the information that the department provides under this  
2 paragraph shall include any adjustments necessary to reflect actual claims  
3 submitted by service providers in the previous fiscal year.

4 **SECTION 1444.** 49.45 (52) (title) of the statutes is amended to read:

5 49.45 (52) (title) PAYMENT ADJUSTMENTS; FEDERAL FUNDING FOR CERTAIN SERVICES.

6 **SECTION 1445.** 49.45 (52) of the statutes is renumbered 49.45 (52) (a) 1. and  
7 amended to read:

8 49.45 (52) (a) 1. Beginning on January 1, 2003 If the department provides the  
9 notice under par. (c) selecting the payment procedure in this paragraph, the  
10 department may, from the appropriation account under s. 20.435 (7) (b), make  
11 Medical Assistance payment adjustments to county departments under s. 46.215,  
12 46.22, 46.23, ~~or~~ 51.42, or 51.437 or to local health departments, as defined in s. 250.01  
13 (4), as appropriate, for covered services under s. 49.46 (2) (a) 2. and 4. d. and f. and  
14 (b) 6. b., c., f., fm., g., j., k., L., Lm., and m., 9., 12., 12m., 13., 15., and 16., except for  
15 services specified under s. 49.46 (2) (b) 6. b. and c. provided to children participating  
16 in the early intervention program under s. 51.44. Payment adjustments under this  
17 subsection paragraph shall include the state share of the payments. The total of any  
18 payment adjustments under this subsection paragraph and Medical Assistance  
19 payments made from appropriation accounts under s. 20.435 (4) (b), (gm), (o), and  
20 (w), may not exceed applicable limitations on payments under 42 USC 1396a (a) (30)  
21 (A).

22 **SECTION 1446.** 49.45 (52) (a) 2. of the statutes is created to read:

23 49.45 (52) (a) 2. The department may require a county department or local  
24 health department to submit a certified cost report that meets the requirements of

1 the federal department of health and human services for covered services described  
2 in subd. 1.

3 **SECTION 1447.** 49.45 (52) (b) of the statutes is created to read:

4 49.45 (52) (b) If the department provides the notice under par. (c) selecting the  
5 payment procedure in this paragraph, all of the following apply:

6 1. Annually, a county department under s. 46.215, 46.22, 46.23, 51.42, or 51.437  
7 shall submit a certified cost report that meets the requirements of the federal  
8 department of health and human services for covered services under s. 49.46 (2) (a)  
9 2. and 4. d. and f. and (b) 6. b., c., f., fm., g., j., k., L., Lm., and m., 9., 12., 12m., 13.,  
10 15., and 16., except for services specified under s. 49.46 (2) (b) 6. b. and c. provided  
11 to children participating in the early intervention program under s. 51.44.

12 2. For services described under subd. 1., the department shall base the amount  
13 of a claim for federal medical assistance funds on certified cost reports submitted by  
14 county departments under subd. 1. to the extent the reports comply with federal  
15 requirements.

16 3. The department shall pay county departments a percentage of the federal  
17 funds claimed under subd. 2. for services described under subd. 1., which percentage  
18 is established in the most recent biennial budget.

19 4. The department may pay a local health department, as defined in s. 250.01  
20 (4), that submits certified cost reports for services described under subd. 1. a  
21 percentage of the federal funds claimed for those services, which percentage is  
22 established in the most recent biennial budget.

23 **SECTION 1448.** 49.45 (52) (c) of the statutes is created to read:

24 49.45 (52) (c) The department shall select a payment procedure under either  
25 par. (a) or (b) and may change which procedure under par. (a) or (b) is selected. The

1 department shall notify each county department and local health department, as  
2 applicable, of the selected payment procedure before the date on which payment for  
3 services is made under that selected or newly selected procedure.

4 **SECTION 1449.** 49.45 (53) of the statutes is amended to read:

5 49.45 (53) PAYMENTS FOR CERTAIN SERVICES. Beginning on January 1, 2003, the  
6 department may, from the appropriation account under s. 20.435 (7) (b), make  
7 Medical Assistance payments to providers for covered services under ss. 49.46 (2) (a)  
8 4. d. and (b) 6. j. and m. and 49.471 (11) (f) that are provided before January 1, 2012.

9 **SECTION 1453e.** 49.46 (1) (n) of the statutes, as created by 2011 Wisconsin Act  
10 10, is repealed and recreated to read:

11 49.46 (1) (n) If the department creates a policy under s. 49.45 (2m) (c) 8., 9., or  
12 10., this subsection does not apply to the extent that it conflicts with the policy.

13 **SECTION 1453f.** 49.46 (1) (n) of the statutes, as created by 2011 Wisconsin Act  
14 .... (this act), is repealed.

15 **SECTION 1453h.** 49.46 (2) (a) (intro.) of the statutes, as affected by 2011  
16 Wisconsin Act 10, is repealed and recreated to read:

17 49.46 (2) (a) (intro.) Except as provided in par. (be) and unless otherwise  
18 provided by the department by a policy created under s. 49.45 (2m) (c), the  
19 department shall audit and pay allowable charges to certified providers for medical  
20 assistance on behalf of recipients for the following federally mandated benefits:

21 **SECTION 1453i.** 49.46 (2) (a) (intro.) of the statutes, as affected by 2011  
22 Wisconsin Act .... (this act), is amended to read:

23 49.46 (2) (a) (intro.) Except as provided in par. (be) ~~and unless otherwise~~  
24 ~~provided by the department by a policy created under s. 49.45 (2m) (c), the~~

1 department shall audit and pay allowable charges to certified providers for medical  
2 assistance on behalf of recipients for the following federally mandated benefits:

3 **SECTION 1453k.** 49.46 (2) (b) (intro.) of the statutes, as affected by 2011  
4 Wisconsin Act 10, is repealed and recreated to read:

5 49.46 (2) (b) (intro.) Except as provided in pars. (be) and (dc) and unless  
6 otherwise provided by the department by a policy created under s. 49.45 (2m) (c), the  
7 department shall audit and pay allowable charges to certified providers for medical  
8 assistance on behalf of recipients for the following services:

9 **SECTION 1453L.** 49.46 (2) (b) (intro.) of the statutes, as affected by 2011  
10 Wisconsin Act .... (this act), is amended to read:

11 49.46 (2) (b) (intro.) Except as provided in pars. (be) and (dc) ~~and unless~~  
12 ~~otherwise provided by the department by a policy created under s. 49.45 (2m) (c), the~~  
13 department shall audit and pay allowable charges to certified providers for medical  
14 assistance on behalf of recipients for the following services:

15 **SECTION 1453m.** 49.46 (2) (c) 2. of the statutes is amended to read:

16 49.46 (2) (c) 2. For an individual who is entitled to coverage under ~~part~~ Part  
17 ~~A of medicare~~ Medicare, entitled to coverage under ~~part~~ Part B of ~~medicare~~ Medicare,  
18 meets the eligibility criteria under sub. (1), and meets the limitation on income under  
19 subd. 6., ~~medical assistance~~ Medical Assistance shall include payment of the  
20 deductible and coinsurance portions of ~~medicare~~ Medicare services under 42 USC  
21 1395 to 1395zz ~~which~~ that are not paid under 42 USC 1395 to 1395zz, including those  
22 ~~medicare~~ Medicare services that are not included in the approved state plan for  
23 services under 42 USC 1396; the monthly premiums payable under 42 USC 1395v;  
24 the monthly premiums, if applicable, under 42 USC 1395i-2 (d); and the late  
25 enrollment penalty, if applicable, for premiums under ~~part~~ Part A of ~~medicare~~

1 Medicare. Payment of coinsurance for a service under ~~part~~ Part B of medicare  
2 Medicare under 42 USC 1395j to 1395w, ~~other than payment of coinsurance for~~  
3 ~~outpatient hospital services,~~ and payment of deductibles and coinsurance for  
4 inpatient hospital services under Part A of Medicare may not exceed the allowable  
5 charge for the service under ~~medical assistance~~ Medical Assistance minus the  
6 ~~medicare~~ Medicare payment.

7 **SECTION 1453n.** 49.46 (2) (c) 3. of the statutes is amended to read:

8 49.46 **(2)** (c) 3. For an individual who is only entitled to coverage under ~~part~~  
9 Part A of medicare Medicare, meets the eligibility criteria under sub. (1), and meets  
10 the limitation on income under subd. 6., ~~medical assistance~~ Medical Assistance shall  
11 include payment of the deductible and coinsurance portions of ~~medicare~~ Medicare  
12 services under 42 USC 1395 to 1395i which that are not paid under 42 USC 1395 to  
13 1395i, including those ~~medicare~~ Medicare services that are not included in the  
14 approved state plan for services under 42 USC 1396; the monthly premiums, if  
15 applicable, under 42 USC 1395i–2 (d); and the late enrollment penalty, if applicable,  
16 for premiums under ~~part~~ Part A of medicare Medicare. Payment of deductibles and  
17 coinsurance for inpatient hospital services under Part A of Medicare may not exceed  
18 the allowable charge for the service under Medical Assistance minus the Medicare  
19 payment.

20 **SECTION 1453o.** 49.46 (2) (c) 4. of the statutes is amended to read:

21 49.46 **(2)** (c) 4. For an individual who is entitled to coverage under ~~part~~ Part  
22 A of medicare Medicare, entitled to coverage under ~~part~~ Part B of medicare Medicare,  
23 and meets the eligibility criteria for ~~medical assistance~~ Medical Assistance under  
24 sub. (1), but does not meet the limitation on income under subd. 6., ~~medical~~  
25 ~~assistance~~ Medical Assistance shall include payment of the deductible and

1 coinsurance portions of ~~medicare~~ Medicare services under 42 USC 1395 to 1395zz  
2 which that are not paid under 42 USC 1395 to 1395zz, including those ~~medicare~~  
3 Medicare services that are not included in the approved state plan for services under  
4 42 USC 1396. Payment of coinsurance for a service under part Part B of ~~medicare~~  
5 Medicare under 42 USC 1395j to 1395w, ~~other than payment of coinsurance for~~  
6 ~~outpatient hospital services, and payment of deductibles and coinsurance for~~  
7 inpatient hospital services under Part A of Medicare may not exceed the allowable  
8 charge for the service under ~~medical assistance~~ Medical Assistance minus the  
9 ~~medicare~~ Medicare payment.

10 **SECTION 1453p.** 49.46 (2) (c) 5. of the statutes is amended to read:

11 49.46 (2) (c) 5. For an individual who is only entitled to coverage under part  
12 Part A of ~~medicare~~ Medicare and meets the eligibility criteria for ~~medical assistance~~  
13 Medical Assistance under sub. (1), but does not meet the limitation on income under  
14 subd. 6., ~~medical assistance~~ Medical Assistance shall include payment of the  
15 deductible and coinsurance portions of ~~medicare~~ Medicare services under 42 USC  
16 1395 to 1395i which that are not paid under 42 USC 1395 to 1395i, including those  
17 ~~medicare~~ Medicare services that are not included in the approved state plan for  
18 services under 42 USC 1396. Payment of deductibles and coinsurance for inpatient  
19 hospital services under Part A of Medicare may not exceed the allowable charge for  
20 the service under Medical Assistance minus the Medicare payment.

21 **SECTION 1453q.** 49.46 (2) (c) 5m. of the statutes is amended to read:

22 49.46 (2) (c) 5m. For an individual who is only entitled to coverage under part  
23 Part B of ~~medicare~~ Medicare and meets the eligibility criteria under sub. (1), but does  
24 not meet the limitation on income under subd. 6., ~~medical assistance~~ Medical  
25 Assistance shall include payment of the deductible and coinsurance portions of

1 ~~medicare~~ Medicare services under 42 USC 1395j to 1395w, including those ~~medicare~~  
2 Medicare services that are not included in the approved state plan for services under  
3 42 USC 1396. Payment of coinsurance for a service under ~~part~~ Part B of ~~medicare,~~  
4 ~~other than payment of coinsurance for outpatient hospital services,~~ Medicare may  
5 not exceed the allowable charge for the service under ~~medical assistance~~ Medical  
6 Assistance minus the ~~medicare~~ Medicare payment.

7 **SECTION 1453r.** 49.465 (2) (intro.) of the statutes, as affected by 2011 Wisconsin  
8 Act 10, is repealed and recreated to read:

9 49.465 (2) (intro.) Unless otherwise provided by the department by a policy  
10 created under s. 49.45 (2m) (c), a pregnant woman is eligible for medical assistance  
11 benefits, as provided under sub. (3), during the period beginning on the day on which  
12 a qualified provider determines, on the basis of preliminary information, that the  
13 woman's family income does not exceed the highest level for eligibility for benefits  
14 under s. 49.46 (1) or 49.47 (4) (am) or (c) 1. and ending as follows:

15 **SECTION 1453s.** 49.465 (2) (intro.) of the statutes, as affected by 2011 Wisconsin  
16 Act .... (this act), is amended to read:

17 49.465 (2) (intro.) ~~Unless otherwise provided by the department by a policy~~  
18 ~~created under s. 49.45 (2m) (c), a~~ A pregnant woman is eligible for medical assistance  
19 benefits, as provided under sub. (3), during the period beginning on the day on which  
20 a qualified provider determines, on the basis of preliminary information, that the  
21 woman's family income does not exceed the highest level for eligibility for benefits  
22 under s. 49.46 (1) or 49.47 (4) (am) or (c) 1. and ending as follows:

23 **SECTION 1455.** 49.468 (1) (b) of the statutes is amended to read:

24 49.468 (1) (b) For an elderly or disabled individual who is entitled to coverage  
25 under ~~part~~ Part A of ~~medicare~~ Medicare, entitled to coverage under ~~part~~ Part B of



1     ~~medicare~~ Medicare, and who does not meet the eligibility criteria for ~~medical~~  
2     ~~assistance~~ Medical Assistance under s. 49.46 (1), 49.465, 49.47 (4), or 49.471 but  
3     meets the limitations on income and resources under par. (d), ~~medical assistance~~  
4     Medical Assistance shall pay the deductible and coinsurance portions of ~~medicare~~  
5     Medicare services under 42 USC 1395 to 1395zz ~~which that~~ are not paid under 42  
6     USC 1395 to 1395zz, including those ~~medicare~~ Medicare services that are not  
7     included in the approved state plan for services under 42 USC 1396; the monthly  
8     premiums payable under 42 USC 1395v; the monthly premiums, if applicable, under  
9     42 USC 1395i–2 (d); and the late enrollment penalty, if applicable, for premiums  
10    under ~~part~~ Part A of ~~medicare~~ Medicare. Payment of coinsurance for a service under  
11    ~~part~~ Part B of ~~medicare~~ Medicare under 42 USC 1395j to 1395w, ~~other than payment~~  
12    ~~of coinsurance for outpatient hospital services, and payment of deductibles and~~  
13    coinsurance for inpatient hospital services under Part A of Medicare may not exceed  
14    the allowable charge for the service under ~~medical assistance~~ Medical Assistance  
15    minus the ~~medicare~~ Medicare payment.

16           **SECTION 1456.** 49.468 (1) (c) of the statutes is amended to read:

17           49.468 (1) (c) For an elderly or disabled individual who is only entitled to  
18    coverage under ~~part~~ Part A of ~~medicare~~ Medicare and who does not meet the  
19    eligibility criteria for ~~medical assistance~~ Medical Assistance under s. 49.46 (1),  
20    49.465, 49.47 (4), or 49.471 but meets the limitations on income and resources under  
21    par. (d), ~~medical assistance~~ Medical Assistance shall pay the deductible and  
22    coinsurance portions of ~~medicare~~ Medicare services under 42 USC 1395 to 1395i  
23    ~~which that~~ are not paid under 42 USC 1395 to 1395i, including those ~~medicare~~  
24    Medicare services that are not included in the approved state plan for services under  
25    42 USC 1396; the monthly premiums, if applicable, under 42 USC 1395i–2 (d); and

1 the late enrollment penalty for premiums under part Part A of medicare Medicare,  
2 if applicable. Payment of deductibles and coinsurance for inpatient hospital services  
3 under Part A of Medicare may not exceed the allowable charge for the service under  
4 Medical Assistance minus the Medicare payment.

5 **SECTION 1457p.** 49.47 (4) (a) (intro.) of the statutes, as affected by 2011  
6 Wisconsin Act 10, is repealed and recreated to read:

7 49.47 (4) (a) (intro.) Unless otherwise provided by the department by a policy  
8 created under s. 49.45 (2m) (c), any individual who meets the limitations on income  
9 and resources under pars. (b) to (c) and who complies with pars. (cm) and (cr) shall  
10 be eligible for medical assistance under this section if such individual is:

11 **SECTION 1457q.** 49.47 (4) (a) (intro.) of the statutes, as affected by 2011  
12 Wisconsin Act .... (this act), is amended to read:

13 49.47 (4) (a) (intro.) ~~Unless otherwise provided by the department by a policy~~  
14 ~~created under s. 49.45 (2m) (c), any~~ Any individual who meets the limitations on  
15 income and resources under pars. (b) to (c) and who complies with pars. (cm) and (cr)  
16 shall be eligible for medical assistance under this section if such individual is:

17 **SECTION 1459.** 49.47 (4) (i) 1. of the statutes is amended to read:

18 49.47 (4) (i) 1. The department shall request a waiver from the secretary of the  
19 federal department of health and human services to permit the application of subd.  
20 2. The waiver shall request approval to implement the waiver on a statewide basis,  
21 unless the department of health services determines that statewide implementation  
22 of the waiver would present an obstacle to the approval of the waiver by the secretary  
23 of the federal department of health and human services, in which case the waiver  
24 shall request approval to implement the waiver in 48 pilot counties to be selected by  
25 the department of health services. Within 30 days after August 12, 1993, the

1 department of ~~regulation and licensing~~ safety and professional services shall notify  
2 funeral directors licensed under ch. 445, cemetery associations, as defined in s.  
3 157.061 (1r), and cemetery authorities, as defined in s. 157.061 (2), of the terms of  
4 the waiver required to be requested under this subdivision. If the waiver is approved  
5 by the secretary of the federal department of health and human services and if the  
6 waiver remains in effect, subd. 2. shall apply.

7 **SECTION 1459bn.** 49.47 (4) (k) of the statutes is created to read:

8 49.47 (4) (k) Notwithstanding par. (b) 3. and s. 445.125 (1) (a), no later than 60  
9 days after the effective date of this paragraph .... [LRB inserts date], the department  
10 shall seek approval from the federal Centers for Medicare and Medicaid Services to  
11 permit friends and family members of any individual receiving medical assistance  
12 under this section to contribute funds to an irrevocable burial trust for the  
13 individual, up to a total irrevocable trust amount of \$4,500, without the individual  
14 losing eligibility for medical assistance under this section. If the federal Centers for  
15 Medicare and Medicaid Services approves the request, the department shall  
16 implement the change under this section within 60 days after receiving approval.

17 **SECTION 1459e.** 49.47 (5) (intro.) of the statutes, as affected by 2011 Wisconsin  
18 Act 10, is repealed and recreated to read:

19 49.47 (5) INVESTIGATION BY DEPARTMENT. (intro.) The department may make  
20 additional investigation of eligibility at any of the following times:

21 **SECTION 1459g.** 49.47 (5) (a) of the statutes, as affected by 2011 Wisconsin Act  
22 10, is repealed and recreated to read:

23 49.47 (5) (a) When there is reasonable ground for belief that an applicant may  
24 not be eligible or that the beneficiary may have received benefits to which the  
25 beneficiary is not entitled.

1           **SECTION 1459i.** 49.47 (5) (c) of the statutes, as affected by 2011 Wisconsin Act  
2 10, is repealed and recreated to read:

3           49.47 (5) (c) Any time determined by the department by a policy created under  
4 s. 49.45 (2m) (c) to determine eligibility or to reevaluate continuing eligibility, except  
5 that if federal law allows a reevaluation of eligibility more frequently than every 12  
6 months and if there is no conflicting provision of state law, the department is not  
7 required to create a policy to reevaluate eligibility under this section.

8           **SECTION 1459j.** 49.47 (5) (c) of the statutes, as created by 2011 Wisconsin Act  
9 .... (this act), is repealed.

10           **SECTION 1459n.** 49.47 (6) (a) (intro.) of the statutes, as affected by 2011  
11 Wisconsin Act 10, is repealed and recreated to read:

12           49.47 (6) (a) (intro.) Unless otherwise provided by the department by a policy  
13 created under s. 49.45 (2m) (c), the department shall audit and pay charges to  
14 certified providers for medical assistance on behalf of the following:

15           **SECTION 1459o.** 49.47 (6) (a) (intro.) of the statutes, as affected by 2011  
16 Wisconsin Act .... (this act), is amended to read:

17           49.47 (6) (a) (intro.) ~~Unless otherwise provided by the department by a policy~~  
18 ~~created under s. 49.45 (2m) (c), the~~ The department shall audit and pay charges to  
19 certified providers for medical assistance on behalf of the following:

20           **SECTION 1459p.** 49.47 (6) (a) 6. b. of the statutes is amended to read:

21           49.47 (6) (a) 6. b. An individual who is entitled to coverage under ~~part~~ Part A  
22 ~~of medicare~~ Medicare, entitled to coverage under ~~part~~ Part B of ~~medicare~~ Medicare,  
23 meets the eligibility criteria under sub. (4) (a), and meets the income limitation, the  
24 deductible and coinsurance portions of ~~medicare~~ Medicare services under 42 USC  
25 1395 to 1395zz ~~which~~ that are not paid under 42 USC 1395 to 1395zz, including those

1 ~~medicare~~ Medicare services that are not included in the approved state plan for  
2 services under 42 USC 1396; the monthly premiums payable under 42 USC 1395v;  
3 the monthly premiums, if applicable, under 42 USC 1395i–2 (d); and the late  
4 enrollment penalty, if applicable, for premiums under ~~part~~ Part A of ~~medicare~~  
5 Medicare. Payment of coinsurance for a service under ~~part~~ Part B of ~~medicare~~  
6 Medicare under 42 USC 1395j to 1395w, ~~other than payment of coinsurance for~~  
7 ~~outpatient hospital services, and payment of deductibles and coinsurance for~~  
8 ~~inpatient hospital services under Part A of Medicare~~ may not exceed the allowable  
9 charge for the service under ~~medical assistance~~ Medical Assistance minus the  
10 ~~medicare~~ Medicare payment.

11 **SECTION 1459q.** 49.47 (6) (a) 6. c. of the statutes is amended to read:

12 49.47 **(6)** (a) 6. c. An individual who is only entitled to coverage under ~~part~~ Part  
13 A of ~~medicare~~ Medicare, meets the eligibility criteria under sub. (4) (a), and meets  
14 the income limitation, the deductible and coinsurance portions of ~~medicare~~ Medicare  
15 services under 42 USC 1395 to 1395i which that are not paid under 42 USC 1395 to  
16 1395i, including those ~~medicare~~ Medicare services that are not included in the  
17 approved state plan for services under 42 USC 1396; the monthly premiums, if  
18 applicable, under 42 USC 1395i–2 (d); and the late enrollment penalty, if applicable,  
19 for premiums under ~~part~~ Part A of ~~medicare~~ Medicare. Payment of deductibles and  
20 coinsurance for inpatient hospital services under Part A of Medicare may not exceed  
21 the allowable charge for the service under Medical Assistance minus the Medicare  
22 payment.

23 **SECTION 1459r.** 49.47 (6) (a) 6. d. of the statutes is amended to read:

24 49.47 **(6)** (a) 6. d. An individual who is entitled to coverage under ~~part~~ Part A  
25 of ~~medicare~~ Medicare, entitled to coverage under ~~part~~ Part B of ~~medicare~~ Medicare,

1 and meets the eligibility criteria for ~~medical assistance~~ Medical Assistance under  
2 sub. (4) (a), but does not meet the income limitation, the deductible and coinsurance  
3 portions of ~~medicare~~ Medicare services under 42 USC 1395 to 1395zz which ~~that~~ are  
4 not paid under 42 USC 1395 to 1395zz, including those ~~medicare~~ Medicare services  
5 that are not included in the approved state plan for services under 42 USC 1396.  
6 Payment of coinsurance for a service under ~~part~~ Part B of ~~medicare~~ Medicare under  
7 42 USC 1395j to 1395w, ~~other than payment of coinsurance for outpatient hospital~~  
8 ~~services, and payment of deductibles and coinsurance for inpatient hospital services~~  
9 under Part A of Medicare may not exceed the allowable charge for the service under  
10 ~~medical assistance~~ Medical Assistance minus the ~~medicare~~ Medicare payment.

11 **SECTION 1459s.** 49.47 (6) (a) 6. e. of the statutes is amended to read:

12 49.47 **(6)** (a) 6. e. An individual who is only entitled to coverage under ~~part~~ Part  
13 A of ~~medicare~~ Medicare and meets the eligibility criteria for ~~medical assistance~~  
14 Medical Assistance under sub. (4) (a), but does not meet the income limitation, the  
15 deductible and coinsurance portions of ~~medicare~~ Medicare services under 42 USC  
16 1395 to 1395i, including those services that are not included in the approved state  
17 plan for services under 42 USC 1396. Payment of deductibles and coinsurance for  
18 inpatient hospital services under Part A of Medicare may not exceed the allowable  
19 charge for the service under Medical Assistance minus the Medicare payment.

20 **SECTION 1459t.** 49.47 (6) (a) 6. f. of the statutes is amended to read:

21 49.47 **(6)** (a) 6. f. For an individual who is only entitled to coverage under ~~part~~  
22 Part B of ~~medicare~~ Medicare and meets the eligibility criteria under sub. (4), but does  
23 not meet the income limitation, ~~medical assistance~~ Medical Assistance shall include  
24 payment of the deductible and coinsurance portions of ~~medicare~~ Medicare services  
25 under 42 USC 1395j to 1395w, including those ~~medicare~~ Medicare services that are

1 not included in the approved state plan for services under 42 USC 1396. Payment  
2 of coinsurance for a service under part Part B of medicare, ~~other than payment of~~  
3 ~~coinsurance for outpatient hospital services,~~ Medicare may not exceed the allowable  
4 charge for the service under ~~medical assistance~~ Medical Assistance minus the  
5 ~~medicare~~ Medicare payment.

6 **SECTION 1461g.** 49.471 (13) of the statutes, as created by 2011 Wisconsin Act  
7 10, is repealed and recreated to read:

8 49.471 (13) APPLICABILITY. If the department creates a policy under s. 49.45  
9 (2m) (c), subs. (4), (5), (6), (7), (8), (10), and (11) do not apply to the extent that those  
10 subsections conflict with the policy.

11 **SECTION 1461h.** 49.471 (13) of the statutes, as created by 2011 Wisconsin Act  
12 .... (this act), is repealed.

13 **SECTION 1461p.** 49.472 (3) (intro.) of the statutes, as affected by 2011  
14 Wisconsin Act 10, is repealed and recreated to read:

15 49.472 (3) ELIGIBILITY. (intro.) Except as provided in sub. (6) (a) and unless  
16 otherwise provided by the department by a policy created under s. 49.45 (2m) (c), an  
17 individual is eligible for and shall receive medical assistance under this section if all  
18 of the following conditions are met:

19 **SECTION 1461q.** 49.472 (3) (intro.) of the statutes, as affected by 2011 Wisconsin  
20 Act .... (this act), is amended to read:

21 49.472 (3) ELIGIBILITY. (intro.) Except as provided in sub. (6) (a) ~~and unless~~  
22 ~~otherwise provided by the department by a policy created under s. 49.45 (2m) (c),~~ an  
23 individual is eligible for and shall receive medical assistance under this section if all  
24 of the following conditions are met:

1           **SECTION 1462g.** 49.472 (4) (b) (intro.) of the statutes, as affected by 2011  
2 Wisconsin Act 10, is repealed and recreated to read:

3           49.472 (4) (b) (intro.) The department may waive monthly premiums that are  
4 calculated to be below \$10 per month. Unless otherwise provided by the department  
5 by a policy created under s. 49.45 (2m) (c), the department may not assess a monthly  
6 premium for any individual whose income level, after adding the individual's earned  
7 income and unearned income, is below 150% of the poverty line.

8           **SECTION 1462h.** 49.472 (4) (b) (intro.) of the statutes, as affected by 2011  
9 Wisconsin Act .... (this act), is amended to read:

10           49.472 (4) (b) (intro.) The department may waive monthly premiums that are  
11 calculated to be below \$10 per month. ~~Unless otherwise provided by the department~~  
12 ~~by a policy created under s. 49.45 (2m) (c), the~~ The department may not assess a  
13 monthly premium for any individual whose income level, after adding the  
14 individual's earned income and unearned income, is below 150% of the poverty line.

15           **SECTION 1463.** 49.472 (6) (a) of the statutes is amended to read:

16           49.472 (6) (a) Notwithstanding sub. (4) (a) 3., from the appropriation ~~account~~  
17 accounts under s. 20.435 (4) (b), (gm), or (w), the department shall, on the part of an  
18 individual who is eligible for medical assistance under sub. (3), pay premiums for or  
19 purchase individual coverage offered by the individual's employer if the department  
20 determines that paying the premiums for or purchasing the coverage will not be more  
21 costly than providing medical assistance.

22           **SECTION 1464.** 49.472 (6) (b) of the statutes is amended to read:

23           49.472 (6) (b) If federal financial participation is available, from the  
24 appropriation ~~account~~ accounts under s. 20.435 (4) (b), (gm), or (w), the department



1 may pay medicare Part A and Part B premiums for individuals who are eligible for  
2 medicare and for medical assistance under sub. (3).

3 **SECTION 1465n.** 49.473 (2) (intro.) of the statutes, as affected by 2011  
4 Wisconsin Act 10, is repealed and recreated to read:

5 49.473 (2) (intro.) Unless otherwise provided by the department by a policy  
6 created under s. 49.45 (2m) (c), a woman is eligible for medical assistance as provided  
7 under sub. (5) if, after applying to the department or a county department, the  
8 department or a county department determines that she meets all of the following  
9 requirements:

10 **SECTION 1465p.** 49.473 (2) (intro.) of the statutes, as affected by 2011  
11 Wisconsin Act .... (this act), is amended to read:

12 49.473 (2) (intro.) ~~Unless otherwise provided by the department by a policy~~  
13 ~~created under s. 49.45 (2m) (c), a~~ A woman is eligible for medical assistance as  
14 provided under sub. (5) if, after applying to the department or a county department,  
15 the department or a county department determines that she meets all of the  
16 following requirements:

17 **SECTION 1469y.** 49.473 (5) of the statutes, as affected by 2011 Wisconsin Act  
18 10, is repealed and recreated to read:

19 49.473 (5) The department shall audit and pay, from the appropriation  
20 accounts under s. 20.435 (4) (b), (gm), and (o), allowable charges to a provider who  
21 is certified under s. 49.45 (2) (a) 11. for medical assistance on behalf of a woman who  
22 meets the requirements under sub. (2) for all benefits and services specified under  
23 s. 49.46 (2), unless otherwise provided by the department by a policy created under  
24 s. 49.45 (2m) (c).

1           **SECTION 1470b.** 49.473 (5) of the statutes, as affected by 2011 Wisconsin Act  
2 .... (this act), is amended to read:

3           49.473 **(5)** The department shall audit and pay, from the appropriation  
4 accounts under s. 20.435 (4) (b), (gm), and (o), allowable charges to a provider who  
5 is certified under s. 49.45 (2) (a) 11. for medical assistance on behalf of a woman who  
6 meets the requirements under sub. (2) for all benefits and services specified under  
7 s. 49.46 (2), ~~unless otherwise provided by the department by a policy created under~~  
8 ~~s. 49.45 (2m) (c).~~

9           **SECTION 1477r.** 49.67 (3) (am) 2. b. of the statutes is amended to read:

10           49.67 **(3)** (am) 2. b. If the applicant is under ~~27~~ 26 years of age, notice that he  
11 or she may be eligible for coverage as a dependent under his or her parent's health  
12 care plan in accordance with s. 632.885, and that his or her parent's plan must  
13 include coverage for services that are not covered under the plan under this section.

14           **SECTION 1478.** 49.68 (3) (b) of the statutes is amended to read:

15           49.68 **(3)** (b) From the appropriation accounts under ss. 20.435 (4) (e) and (je),  
16 the state shall pay ~~the cost of, at a rate determined by the department under par. (e),~~  
17 for medical treatment that is required as a direct result of chronic renal disease of  
18 certified patients from the date of certification, including ~~the cost of~~ administering  
19 recombinant human erythropoietin to appropriate patients, whether the treatment  
20 is rendered in an approved facility in the state or in a dialysis or transplantation  
21 center ~~which~~ that is approved as such by a contiguous state, subject to the conditions  
22 specified under par. (d). Approved facilities may include a hospital in-center dialysis  
23 unit or a nonhospital dialysis center ~~which~~ that is closely affiliated with a home  
24 dialysis program supervised by an approved facility. Aid shall also be provided for  
25 all reasonable expenses incurred by a potential living-related donor, including

1 evaluation, hospitalization, surgical costs, and postoperative follow-up to the extent  
2 that these costs are not reimbursable under the federal medicare program or other  
3 insurance. In addition, all expenses incurred in the procurement, transportation,  
4 and preservation of cadaveric donor kidneys shall be covered to the extent that these  
5 costs are not otherwise reimbursable. All donor-related costs are chargeable to the  
6 recipient and reimbursable under this subsection.

7 **SECTION 1479.** 49.68 (3) (e) of the statutes is amended to read:

8 49.68 (3) (e) State aids Payment for services provided under this section shall  
9 be equal to at a rate determined by the department that does not exceed the allowable  
10 charges under the federal Medicare program. In no case shall state rates for  
11 individual service elements exceed the federally defined allowable costs. The rate  
12 of charges for services not covered by public and private insurance shall not exceed  
13 the reasonable charges as established by medicare Medicare fee determination  
14 procedures. A person that provides to a patient a service for which aid is provided  
15 under this section shall accept the amount paid under this section for the service as  
16 payment in full and may not bill the patient for any amount by which the charge for  
17 the service exceeds the amount paid for the service under this section. The state may  
18 not pay for the cost of travel, lodging, or meals for persons who must travel to receive  
19 inpatient and outpatient dialysis treatment for kidney disease. This paragraph shall  
20 not apply to donor related costs as defined in par. (b).

21 **SECTION 1486m.** 49.78 (1) (br) of the statutes is created to read:

22 49.78 (1) (br) “Multicounty consortium” means a group of counties that is  
23 approved by the department under sub. (1m) to administer income maintenance  
24 programs.

25 **SECTION 1487m.** 49.78 (1m) of the statutes is created to read:

1           **49.78 (1m) MULTICOUNTY CONSORTIA.** (a) Except as provided in par. (c), each  
2 county with a population of less than 750,000 shall participate in a multicounty  
3 consortium that is approved by the department under par. (b).

4           (b) By October 31, 2011, the department shall approve multicounty consortia.  
5 The department may not approve more than 10 multicounty consortia.

6           (c) If a county with a population of less than 750,000 does not participate in a  
7 multicounty consortium or the department determines that a multicounty  
8 consortium does not satisfy the department's performance requirements, the  
9 department shall assume responsibility for administering income maintenance  
10 programs in that county or in the geographical area of the multicounty consortium.  
11 The department may provide income maintenance program administration under  
12 this paragraph by contracting with another multicounty consortium or by providing  
13 the administrative services with state resources and employees.

14           (d) If the department assumes responsibility for administering income  
15 maintenance programs in a county or in the geographical area of the multicounty  
16 consortium under par. (c), any county for which the department administers income  
17 maintenance programs shall pay to the department the amount that the county  
18 expended for the administration of income maintenance programs in calendar year  
19 2009. For the purposes of this paragraph, Kenosha County expended \$673,000 for  
20 the administration of income maintenance programs in calendar year 2009.

21           **SECTION 1488m.** 49.78 (1r) of the statutes is created to read:

22           **49.78 (1r) SINGLE COUNTY CONSORTIA.** The department shall administer income  
23 maintenance programs in a county with a population of 750,000 or more as a  
24 single-county consortium, including the administrative functions specified in sub.

25           (2) (b) 1.

1           **SECTION 1489m.** 49.78 (2) (title) of the statutes is amended to read:

2           49.78 (2) (title) CONTRACTS WITH MULTICOUNTY CONSORTIA.

3           **SECTION 1490m.** 49.78 (2) of the statutes is renumbered 49.78 (2) (a) and  
4 amended to read:

5           49.78 (2) (a) ~~Annually, for the income maintenance program functions, if any,~~  
6 ~~that the department delegates to a county or tribal governing body~~ beginning with  
7 contracts for 2012, the department and county department under s. 46.215, 46.22,  
8 ~~or 46.23 shall enter into a contract, and the department and tribal governing body~~  
9 ~~may enter into a contract, for reimbursement of the county department or tribal~~  
10 ~~governing body for the reasonable cost of administering~~ with each multicounty  
11 consortium to administer income maintenance programs in the multicounty  
12 consortium's geographical area.

13           **SECTION 1491m.** 49.78 (2) (b) of the statutes is created to read:

14           49.78 (2) (b) A contract under par. (a) shall provide all of the following:

15           1. That the multicounty consortia shall be responsible for all of the following  
16 administrative functions related to income maintenance programs:

- 17           a. Operating and maintaining a call center.  
18           b. Conducting application processing and eligibility determinations.  
19           c. Conducting ongoing case management.  
20           d. Providing lobby services.

21           2. That the department and multicounty consortia shall cooperate to provide  
22 the following administrative functions related to the income maintenance programs:

- 23           a. Conducting subrogation and benefit recovery efforts.  
24           b. Participating in fair hearings.  
25           c. Conducting fraud prevention and identification activities.

1           3. That the department will reimburse a multicounty consortium for services  
2 provided under the contract on a risk-adjusted case load basis.

3           **SECTION 1492m.** 49.78 (2m) of the statutes is created to read:

4           **49.78 (2m) ADMINISTRATION BY A TRIBAL GOVERNING BODY.** (a) A tribal governing  
5 body may administer income maintenance programs by electing to have the  
6 department administer the tribe's income maintenance programs or by providing the  
7 required administrative services and entering into a contract with the department  
8 for reimbursement under par. (b).

9           (b) Annually, for the income maintenance administrative program functions,  
10 if any, that the department delegates to a tribal governing body, the department and  
11 tribal governing body may enter into a contract, for reimbursement of the tribal  
12 governing body for the reasonable cost of administering income maintenance  
13 programs.

14           (c) The amount of each reimbursement paid under a contract entered into par.  
15 (b) shall be calculated using a formula based on workload within the limits of state  
16 and federal funds. The department may adjust reimbursement amounts determined  
17 under the contract for workload changes and computer network activities performed  
18 by a tribal governing body.

19           **SECTION 1493m.** 49.78 (2r) of the statutes is created to read:

20           **49.78 (2r) DEPARTMENTAL ADMINISTRATIVE FUNCTIONS.** The department shall  
21 perform all of the following administrative functions related to income maintenance  
22 programs:

23           (a) Providing income maintenance worker training.

24           (b) Performing 2nd-party reviews.

25           (c) Administering the funeral expenses program under s. 49.785.

1 (d) Providing information technology and licenses for call centers that are  
2 operated by multicounty consortia.

3 (e) Maintaining the client assistance reemployment and economic support  
4 system.

5 (f) Contracting with multicounty consortia under sub. (2), including  
6 establishing performance requirements.

7 (g) Contracting with tribal governing bodies under sub. (2m), including  
8 establishing performance requirements.

9 (h) Monitoring contracts with multicounty consortia and tribal governing  
10 bodies, including compliance with performance standards and federal and other  
11 reporting requirements.

12 (i) Operating a centralized document processing unit.

13 **SECTION 1494m.** 49.78 (8) (a) of the statutes is amended to read:

14 49.78 **(8)** (a) From the ~~appropriation accounts~~ appropriations under s. 20.435  
15 (4) (bn) and (nn) and subject to par. (b), the department shall provide funding to  
16 reimburse each county multicounty consortium that contracts with the department  
17 under sub. (2) and each tribal governing body that contracts with the department  
18 under sub. (2) (2m) for reasonable the costs of administering the income maintenance  
19 programs, including conducting fraud prevention activities. ~~The amount of each~~  
20 ~~reimbursement paid under this paragraph shall be calculated using a formula based~~  
21 ~~on workload within the limits of available state and federal funds under s. 20.435 (4)~~  
22 ~~(bn) and (nn) by contract under sub. (2), in accordance with the terms of the~~  
23 applicable contract. The amount of reimbursement calculated under this paragraph  
24 and par. (b) is in addition to any reimbursement provided to a county, multicounty

1 consortium, or tribal governing body for fraud and error reduction under s. 49.197  
2 or 49.845.

3 **SECTION 1495m.** 49.78 (8) (b) of the statutes is amended to read:

4 49.78 (8) (b) The department ~~may adjust the amounts determined under par.~~  
5 ~~(a) for workload changes and computer network activities performed by a county or~~  
6 ~~tribal governing body and~~ may reduce the amount of any reimbursement if federal  
7 reimbursement is withheld due to audits, quality control samples, or program  
8 reviews.

9 **SECTION 1496m.** 49.78 (10) (title) of the statutes is amended to read:

10 49.78 (10) (title) COUNTY REIMBURSEMENT CERTIFICATION.

11 **SECTION 1497m.** 49.78 (10) (a) of the statutes is amended to read:

12 49.78 (10) (a) ~~Each county treasurer and director of a county department under~~  
13 ~~s. 46.215, 46.22, or 46.23~~ An authorized representative from each multicounty  
14 consortium that contracts with the department under sub. (2) and each tribal  
15 governing body that contracts with the department under sub. (2) (2m) shall certify  
16 monthly under oath to the department in such manner as the department prescribes  
17 the claim of the ~~county~~ multicounty consortium or tribal governing body for state  
18 reimbursement under sub. (8) (a). The department shall review each claim of  
19 reimbursement and, if the department approves the claim, the department shall  
20 certify to the department of administration for reimbursement to the ~~county~~  
21 multicounty consortium or tribal governing body for amounts due under sub. (8) (a)  
22 and payment claimed to be made to the ~~counties~~ multicounty consortia or tribal  
23 governing bodies monthly. The department may make advance payments prior to  
24 the beginning of each month equal to one-twelfth of the contracted amount.

25 **SECTION 1498m.** 49.78 (10) (b) of the statutes is amended to read:



1           49.78 (10) (b) To facilitate prompt reimbursement the certificate of the  
2 department may be based on the certified statements of the ~~county officers~~  
3 authorized representatives of multicounty consortia or tribal governing body  
4 executives filed under par. (a). Funds recovered from audit adjustments from a prior  
5 fiscal year may be included in subsequent certifications only to pay counties or  
6 multicounty consortia owed funds as a result of any audit adjustment. By September  
7 30 annually, the department shall submit a report to the appropriate standing  
8 committees under s. 13.172 (3) on funds recovered and paid out during the previous  
9 calendar year as a result of audit adjustments.

10           **SECTION 1499m.** 49.78 (11) (a) of the statutes is amended to read:

11           49.78 (11) (a) 1. The department, a county department under s. 46.215, 46.22,  
12 or 46.23, a multicounty consortium, or a tribal governing body may request from any  
13 person in this state information it determines appropriate and necessary for  
14 determining or verifying eligibility or benefits for a recipient under any income  
15 maintenance program. Unless access to the information is prohibited or restricted  
16 by law, or unless the person has good cause, as determined by the department in  
17 accordance with federal law and regulations, for refusing to cooperate, the person  
18 shall make a good faith effort to provide the information within 7 days after receiving  
19 a request under this paragraph. The department, county department, multicounty  
20 consortium, or tribal governing body, or employees of any of them, may not disclose  
21 information obtained under this subdivision for any purpose not connected with the  
22 administration of the income maintenance program for which the information was  
23 requested.

24           2. In conjunction with any request for information under subd. 1., including a  
25 request made by subpoena under par. (b), the department, county department,

1 multicounty consortium, or tribal governing body shall advise the person of the time  
2 by which the information must be provided.

3 **SECTION 1500m.** 49.78 (11) (b) of the statutes is amended to read:

4 49.78 (11) (b) The department, a county department, a multicounty  
5 consortium, or a tribal governing body may issue a subpoena, in substantially the  
6 form authorized under s. 885.02, to compel the production of financial information  
7 or other documentary evidence for determining or verifying eligibility or benefits for  
8 a recipient under any income maintenance program.

9 **SECTION 1501m.** 49.78 (11) (c) 1. of the statutes is amended to read:

10 49.78 (11) (c) 1. Allowing access to financial or other records by the department,  
11 a county department, a multicounty consortium, or a tribal governing body in  
12 response to a request under par. (a) or a subpoena described in par. (b).

13 **SECTION 1502m.** 49.78 (11) (c) 2. of the statutes is amended to read:

14 49.78 (11) (c) 2. Disclosing information from financial or other records to the  
15 department, a county department, a multicounty consortium, or a tribal governing  
16 body in response to a request under par. (a) or a subpoena described in par. (b).

17 **SECTION 1503m.** 49.78 (11) (c) 3. of the statutes is amended to read:

18 49.78 (11) (c) 3. Any other action taken in good faith to comply with this  
19 subsection or a subpoena described in par. (b) or to comply with a request for  
20 information or access to records from the department, a county department, a  
21 multicounty consortium, or a tribal governing body for determining or verifying  
22 eligibility or benefits for a recipient under any income maintenance program.

23 **SECTION 1504m.** 49.785 (2) of the statutes is amended to read:

24 49.785 (2) From the appropriation under s. 20.435 (4) ~~(bn)~~ (br), the department  
25 shall reimburse a county or applicable tribal governing body or organization for any

1 amount that the county or applicable tribal governing body or organization is  
2 required to pay under sub. (1) if the county or applicable tribal governing body or  
3 organization complies with sub. (3). From the appropriation under s. 20.435 (4) ~~(br)~~  
4 (br), the department shall reimburse a county or applicable tribal governing body or  
5 organization for cemetery expenses or for funeral and burial expenses for a person  
6 described under sub. (1) that the county or applicable tribal governing body or  
7 organization is not required to pay under subs. (1) and (1m) only if the department  
8 approves the reimbursement due to unusual circumstances and if the county or  
9 applicable tribal governing body or organization complies with sub. (3).

10 **SECTION 1505m.** 49.79 (1) (e) of the statutes is created to read:

11 49.79 (1) (e) “Multicounty consortium” has the meaning given in s. 49.78 (1)  
12 (br).

13 **SECTION 1506m.** 49.79 (3) of the statutes is amended to read:

14 49.79 (3) LIABILITY FOR LOST FOOD COUPONS. (a) A county, multicounty  
15 consortium, or federally recognized American Indian tribe is liable for all food stamp  
16 coupons lost, misappropriated, or destroyed while under the county’s, consortium’s,  
17 or tribe’s direct control, except as provided in par. (b).

18 (b) A county, multicounty consortium, or federally recognized American Indian  
19 tribe is not liable for food stamp coupons lost in natural disasters if it provides  
20 evidence acceptable to the department that the coupons were destroyed and not  
21 redeemed.

22 (c) A county, multicounty consortium, or federally recognized American Indian  
23 tribe is liable for food stamp coupons mailed to residents of the county or counties  
24 that are in the multicounty consortium or members of the tribe and lost in the mail  
25 due to incorrect information submitted to the department by the county or tribe.

1           **SECTION 1507m.** 49.79 (4) of the statutes is amended to read:

2           **49.79 (4) DEDUCTIONS FROM COUNTY INCOME MAINTENANCE PAYMENTS.** The  
3 department shall withhold the value of food stamp losses for which a county,  
4 multicounty consortium, or federally recognized American Indian tribe is liable  
5 under sub. (3) from the payment to the county, multicounty consortium, or tribe  
6 under income maintenance contracts under s. 49.78 and reimburse the federal  
7 government from the funds withheld.

8           **SECTION 1534.** 49.79 (8) of the statutes is amended to read:

9           **49.79 (8) BENEFITS FOR QUALIFIED ALIENS.** The department shall not provide  
10 benefits under this section to a qualified alien ~~who is ineligible for benefits under this~~  
11 ~~section solely because of the application of 9 USC 1612 or 1613 according to a plan~~  
12 ~~approved by the federal department of agriculture. This subsection does not apply,~~  
13 except to the extent that federal food stamp benefits for qualified aliens are ~~restored~~  
14 required by the federal government.

15           **SECTION 1535m.** 49.79 (9) (a) 1. of the statutes is amended to read:

16           **49.79 (9) (a) 1.** The department shall administer an employment and training  
17 program for recipients under the food stamp program and may contract ~~under s.~~  
18 ~~49.78~~ with county departments under ss. 46.215, 46.22, and 46.23, multicounty  
19 consortia, and with tribal governing bodies to carry out the administrative functions.  
20 The department may contract, or a county department, multicounty consortium, or  
21 tribal governing body may subcontract, with a Wisconsin Works agency or another  
22 provider to administer the employment and training program under this subsection.  
23 Except as provided in subds. 2. and 3., the department may require able individuals  
24 who are 18 to 60 years of age who are not participants in a Wisconsin Works

1 employment position to participate in the employment and training program under  
2 this subsection.

3 **SECTION 1536g.** 49.793 (1) of the statutes is amended to read:

4 49.793 (1) The department or a county ~~or~~ a multicounty consortium, as defined  
5 in s. 49.78 (1) (br), or an elected governing body of a federally recognized American  
6 Indian tribe or band acting on behalf of the department, may recover overpayments  
7 that arise from an overissuance of food coupons under the food stamp program  
8 administered under s. 46.215 (1) (k) or 46.22 (1) (b) 2. d. Recovery shall be made in  
9 accordance with 7 USC 2022.

10 **SECTION 1536m.** 49.793 (2) (a) of the statutes is amended to read:

11 49.793 (2) (a) Except as provided in par. (b), a county, multicounty consortium,  
12 as defined in s. 49.78 (1) (br), or governing body of a federally recognized American  
13 Indian tribe may retain a portion of the amount of an overpayment the state is  
14 authorized to retain under 7 USC 2025 that is recovered under sub. (1) due to the  
15 efforts of an employee or officer of the county, multicounty consortium, or tribe. The  
16 department shall promulgate a rule establishing the portion of the amount of the  
17 overpayment that the county, multicounty consortium, or governing body may  
18 retain. This paragraph does not apply to recovery of an overpayment that was made  
19 as a result of state, county, multicounty consortium, or tribal governing body error.

20 **SECTION 1537m.** 49.795 (1) (cm) of the statutes is created to read:

21 49.795 (1) (cm) “Multicounty consortium” has the meaning given in s. 49.78 (1)  
22 (br).

23 **SECTION 1538m.** 49.795 (1) (e) 1. of the statutes is amended to read:

1           49.795 (1) (e) 1. An employee or officer of the federal government, the state, a  
2 county, a multicounty consortium, or a federally recognized American Indian tribe  
3 acting in the course of official duties in connection with the food stamp program.

4           **SECTION 1539m.** 49.795 (1) (e) 2. of the statutes is amended to read:

5           49.795 (1) (e) 2. A person acting in the course of duties under a contract with  
6 the federal government, the state, a county, a multicounty consortium, or a federally  
7 recognized American Indian tribe in connection with the food stamp program.

8           **SECTION 1540m.** 49.795 (8) (d) 2. of the statutes is amended to read:

9           49.795 (8) (d) 2. The person may apply to the ~~county department under s.~~  
10 ~~46.215, 46.22 or 46.23~~ multicounty consortium or the federally recognized American  
11 Indian tribal governing body or, if the person is a supplier, to the federal department  
12 of agriculture for reinstatement following the period of suspension, if the suspension  
13 is not permanent.

14           **SECTION 1541m.** 49.797 (8) of the statutes is amended to read:

15           49.797 (8) COUNTY PARTICIPATION; EXCEPTION. The department may not require  
16 a ~~county~~ multicounty consortium, as defined in s. 49.78 (1) (br), or tribal governing  
17 body to participate in an electronic benefit transfer system under this section if the  
18 costs to the ~~county~~ multicounty consortium or tribal governing body would be greater  
19 than the costs that the ~~county~~ multicounty consortium or tribal governing body  
20 would incur in delivering the benefits through a system that is not an electronic  
21 benefit transfer system.

22           **SECTION 1544m.** 49.825 (2) (d) 1. of the statutes is renumbered 49.825 (2) (d)  
23 and amended to read:

24           49.825 (2) (d) The department shall reimburse the county for all approved,  
25 allowable costs ~~that exceed the amounts specified in subd. 2. and that are incurred~~

1 by the county under a contract with the department for the operation of the public  
2 assistance programs under par. (a) in the county.

3 **SECTION 1545m.** 49.825 (2) (d) 2. of the statutes is repealed.

4 **SECTION 1545n.** 49.825 (3) (a) of the statutes is amended to read:

5 49.825 (3) (a) Supervisory personnel in the unit shall be state employees.  
6 Nonsupervisory staff performing services under this section for the unit may be a  
7 combination of state employees and employees of Milwaukee County. ~~For the~~  
8 ~~performance of services under this section for the unit, the county shall maintain no~~  
9 ~~fewer represented authorized full-time employee positions than the number of~~  
10 ~~represented full-time employee positions that were authorized on February 1, 2009,~~  
11 ~~for performance of the same types of services.~~

12 **SECTION 1545p.** 49.825 (4) (intro.) of the statutes is amended to read:

13 49.825 (4) TREATMENT OF FORMER COUNTY EMPLOYEES APPOINTED TO STATE  
14 EMPLOYEE POSITIONS IN THE UNIT BEFORE THE EFFECTIVE DATE OF THIS SUBSECTION (TITLE)  
15 .... [LRB INSERTS DATE]. (intro.) All of the following shall apply to an employee who  
16 is appointed to a state employee position in the unit after May 29, 2009, and before  
17 the effective date of this subsection .... [LRB inserts date]. and who, immediately  
18 prior to his or her appointment, was a county employee:

19 **SECTION 1545r.** 49.825 (4) (e) of the statutes is created to read:

20 49.825 (4) (e) Notwithstanding par. (c), beginning on the effective date of this  
21 paragraph .... [LRB inserts date], an employee who has opted under par. (c) to remain  
22 a participating employee in the retirement system established under chapter 201,  
23 laws of 1937, shall remain a participating employee in the retirement system until  
24 the employee has vested in all retirement contributions paid by, or on behalf of, the  
25 employee. When the employee becomes vested in all of the contributions paid by, or

1 on behalf of, the employee in the retirement system established under chapter 201,  
2 laws of 1937, the employee may no longer be a participating employee in that  
3 retirement system and shall immediately become a participating employee in the  
4 Wisconsin retirement system.

5 **SECTION 1545t.** 49.825 (5) of the statutes is created to read:

6 **49.825 (5)** TREATMENT OF FORMER COUNTY EMPLOYEES APPOINTED TO STATE  
7 EMPLOYEE POSITIONS IN THE UNIT ON OR AFTER THE EFFECTIVE DATE OF THIS SUBSECTION  
8 (TITLE) ... [LRB INSERTS DATE]. (intro.) All of the following shall apply to an employee  
9 who is appointed to a state employee position in the unit on or after the effective date  
10 of this subsection .... [LRB inserts date], and who, immediately prior to his or her  
11 appointment, was a county employee performing services for the unit:

12 (a) The employee shall serve any applicable probationary period under s.  
13 230.28, but shall have his or her seniority with the state computed by treating the  
14 employee's total service with the county as state service.

15 (b) Annual leave for the employee shall accrue at the rate provided in s. 230.35  
16 using the employee's state service computed under par. (a).

17 (c) 1. The employee shall remain a participating employee in the retirement  
18 system established under chapter 201, laws of 1937, until the employee becomes  
19 vested in all of the contributions paid by, or on behalf of, the employee in the  
20 retirement system. When the employee becomes vested in all of the contributions  
21 paid by, or on behalf of, the employee in the retirement system established under  
22 chapter 201, laws of 1937, the employee may no longer be a participating employee  
23 in that retirement system and shall immediately become a participating employee  
24 in the Wisconsin retirement system.



1           2. The secretary shall pay, on behalf of the employee, all required employer  
2 contributions under the retirement system established under chapter 201, laws of  
3 1937.

4           (d) The employee shall have his or her sick leave accrued with the state  
5 computed by treating the employee's unused balance of sick leave accrued with the  
6 county as sick leave accrued in state service, but not to exceed the amount of sick  
7 leave the employee would have accrued in state service for the same period, if the  
8 employee is able to provide adequate documentation in accounting for sick leave used  
9 during the accrual period with the county. Sick leave that transfers under this  
10 paragraph is not subject to a right of conversion, under s. 40.05 (4) or otherwise, upon  
11 death or termination of creditable service for payment of health insurance benefits  
12 on behalf of the employee or the employee's dependents.

13           (e) The employee shall not be subject to s. 40.23 (2m) (er) and (3) (b).

14           **SECTION 1555m.** 49.847 (1) of the statutes is amended to read:

15           49.847 (1) Subject to ss. 49.497 (1) and 49.793 (1), the department of health  
16 services, or a county, multicounty consortium, as defined in s. 49.78 (1) (br), or elected  
17 governing body of a federally recognized American Indian tribe or band acting on  
18 behalf of the department, may recover benefits incorrectly paid under any of the  
19 programs administered by the department under this chapter.

20           **SECTION 1556m.** 49.847 (2) of the statutes is amended to read:

21           49.847 (2) The department, county, multicounty consortium, as defined in s.  
22 49.78 (1) (br), or elected governing body may recover an overpayment from a family  
23 or individual who continues to receive benefits under any program administered by  
24 the department under this chapter by reducing the family's or individual's benefit

1 amount. Subject to s. 49.793 (1), the department may by rule specify other methods  
2 for recovering incorrectly paid benefits.

3 **SECTION 1628.** 49.857 (1) (c) of the statutes is amended to read:

4 49.857 (1) (c) “Credentialing board” means a board, examining board or  
5 affiliated credentialing board in the department of ~~regulation and licensing~~ safety  
6 and professional services that grants a credential.

7 **SECTION 1629.** 49.857 (2) (b) 1. of the statutes is amended to read:

8 49.857 (2) (b) 1. The circumstances under which the licensing authority or the  
9 licensing agency must restrict, limit, suspend, withhold, deny, refuse to grant or  
10 issue or refuse to renew or revalidate a license and guidelines for determining the  
11 appropriate action to take. The memorandum of understanding with the  
12 department of ~~regulation and licensing~~ safety and professional services shall include  
13 the circumstances under which the department of ~~regulation and licensing~~ safety  
14 and professional services shall direct a credentialing board to restrict, limit,  
15 suspend, withhold, deny or refuse to grant a credential and guidelines for  
16 determining the appropriate action to take. The guidelines under this subdivision  
17 for determining the appropriate action to take shall require the consideration of  
18 whether the action is likely to have an adverse effect on public health, safety or  
19 welfare or on the environment, and of whether the action is likely to adversely affect  
20 individuals other than the individual holding or applying for the license, such as  
21 employees of that individual.

22 **SECTION 1630.** 49.857 (2) (b) 2. a. of the statutes is amended to read:

23 49.857 (2) (b) 2. a. Certifying to the licensing authority or licensing agency a  
24 delinquency in support or a failure to comply with a subpoena or warrant. The  
25 memorandum of understanding with the department of ~~regulation and licensing~~

1 safety and professional services shall include procedures for the department of  
2 ~~regulation and licensing~~ safety and professional services to notify a credentialing  
3 board that a certification of delinquency in support or failure to comply with a  
4 subpoena or warrant has been made by the department of children and families with  
5 respect to an individual who holds or applied for a credential granted by the  
6 credentialing board.

7 **SECTION 1631.** 49.857 (2) (b) 2. c. of the statutes is amended to read:

8 49.857 **(2)** (b) 2. c. Notifying the licensing authority or licensing agency that an  
9 individual has paid delinquent support or made satisfactory alternative payment  
10 arrangements or satisfied the requirements under a subpoena or warrant. The  
11 memorandum of understanding with the department of ~~regulation and licensing~~  
12 safety and professional services shall include procedures for the department of  
13 ~~regulation and licensing~~ safety and professional services to notify a credentialing  
14 board that an individual who holds or applied for a credential granted by the  
15 credentialing board has paid delinquent support or made satisfactory alternative  
16 payment arrangements or satisfied the requirements under a subpoena or warrant.

17 **SECTION 1632.** 49.857 (2) (b) 3. a. of the statutes is amended to read:

18 49.857 **(2)** (b) 3. a. Restricting, limiting, suspending, withholding, denying,  
19 refusing to grant or issue or refusing to renew or revalidate a license. The  
20 memorandum of understanding with the department of ~~regulation and licensing~~  
21 safety and professional services shall include procedures for the department of  
22 ~~regulation and licensing~~ safety and professional services to direct a credentialing  
23 board to restrict, limit, suspend, withhold, deny or refuse to grant a credential.

24 **SECTION 1633.** 49.857 (2) (b) 3. c. of the statutes is amended to read:

1           49.857 (2) (b) 3. c. Issuing or reinstating a license if the department of children  
2 and families notifies the licensing authority or licensing agency that an individual  
3 who was delinquent in making court–ordered payments of support has paid the  
4 delinquent support or made satisfactory alternative payment arrangements or that  
5 an individual who failed to comply with a subpoena or warrant has satisfied the  
6 requirements under the subpoena or warrant. The memorandum of understanding  
7 with the department of ~~regulation and licensing~~ safety and professional services  
8 shall include procedures for the department of ~~regulation and licensing~~ safety and  
9 professional services to direct a credentialing board to grant or reinstate a credential  
10 if the department of children and families notifies the department of ~~regulation and~~  
11 ~~licensing~~ safety and professional services that an individual who holds or applied for  
12 a credential granted by the credentialing board has paid the delinquent support or  
13 made satisfactory alternative payment arrangements or that an individual who  
14 failed to comply with a subpoena or warrant has satisfied the requirements under  
15 the subpoena or warrant.

16           **SECTION 1634.** 49.857 (3) (a) 1. of the statutes is amended to read:

17           49.857 (3) (a) 1. That a certification of delinquency in paying support will be  
18 made to a licensing authority, a licensing agency or, with respect to a credential  
19 granted by a credentialing board, the department of ~~regulation and licensing~~ safety  
20 and professional services.

21           **SECTION 1635.** 49.857 (3) (am) 1. of the statutes is amended to read:

22           49.857 (3) (am) 1. That the individual's name has been placed on a certification  
23 list, which will be provided to a licensing authority, a licensing agency or, with respect  
24 to a credential granted by a credentialing board, the department of ~~regulation and~~  
25 ~~licensing~~ safety and professional services.

1           **SECTION 1636.** 49.857 (3) (b) 1. of the statutes is amended to read:

2           49.857 (3) (b) 1. That a certification of the failure to comply with a subpoena  
3 or warrant will be made to a licensing authority, a licensing agency or, with respect  
4 to a credential granted by a credentialing board, the department of ~~regulation and~~  
5 licensing safety and professional services.

6           **SECTION 1637.** 49.857 (3) (c) (intro.) of the statutes is amended to read:

7           49.857 (3) (c) (intro.) If the department of children and families provides a  
8 certification list to a licensing authority, a licensing agency or, with respect to a  
9 credential granted by a credentialing board, the department of ~~regulation and~~  
10 licensing safety and professional services, upon receipt of the list the licensing  
11 authority if the licensing authority agrees, the licensing agency or, with respect to  
12 a credential granted by a credentialing board, the department of ~~regulation and~~  
13 licensing safety and professional services shall do all of the following:

14           **SECTION 1638.** 49.857 (3) (d) 1. of the statutes is amended to read:

15           49.857 (3) (d) 1. Subject to sub. (2) (d), if an individual who, on the basis of  
16 delinquent support, is denied a license or whose license, on the basis of delinquent  
17 support, is restricted, limited, suspended, or refused renewal or revalidation under  
18 a memorandum of understanding entered into under sub. (2) (b) pays the delinquent  
19 amount of support in full or makes satisfactory alternative payment arrangements,  
20 the department of children and families shall immediately notify the licensing  
21 authority or licensing agency to issue or reinstate the individual's license as provided  
22 in the memorandum of understanding. If the individual held or applied for a  
23 credential granted by a credentialing board, the department of ~~regulation and~~  
24 licensing safety and professional services shall, upon notice by the department of

1 children and families, notify the credentialing board to grant or reinstate the  
2 individual's credential.

3 **SECTION 1639.** 49.857 (3) (d) 2. of the statutes is amended to read:

4 49.857 (3) (d) 2. Subject to sub. (2) (d), if an individual who, on the basis of a  
5 failure to comply with a subpoena or warrant, is denied a license or whose license,  
6 on the basis of a failure to comply with a subpoena or warrant, is restricted, limited,  
7 suspended, or refused renewal or revalidation under a memorandum of  
8 understanding entered into under sub. (2) (b) satisfies the requirements under the  
9 subpoena or warrant, the department of children and families shall immediately  
10 notify the licensing authority or licensing agency to issue or reinstate the individual's  
11 license as provided in the memorandum of understanding. If the individual held or  
12 applied for a credential granted by a credentialing board, the department of  
13 ~~regulation and licensing~~ safety and professional services shall, upon notice by the  
14 department of children and families, notify the credentialing board to grant or  
15 reinstate the individual's credential.

16 **SECTION 1640.** 49.857 (4) of the statutes is amended to read:

17 49.857 (4) Each licensing agency shall enter into a memorandum of  
18 understanding with the department of children and families under sub. (2) (b) and  
19 shall cooperate with the department of children and families in its administration  
20 of s. 49.22. The department of ~~regulation and licensing~~ safety and professional  
21 services shall enter into a memorandum of understanding with the department of  
22 children and families on behalf of a credentialing board with respect to a credential  
23 granted by the credentialing board.

24 **SECTION 1647.** 50.01 (1) (c) of the statutes is repealed.

25 **SECTION 1648.** 50.01 (1g) (c) of the statutes is amended to read:

1           50.01 **(1g)** (c) A shelter facility as defined under s. ~~560.9808~~ 16.308 (1) (d).

2           **SECTION 1649.** 50.02 (1) of the statutes is amended to read:

3           50.02 **(1)** DEPARTMENTAL AUTHORITY. The department may provide uniform,  
4           statewide licensing, inspection, and regulation of community–based residential  
5           facilities and nursing homes as provided in this subchapter. The department shall  
6           certify, inspect, and otherwise regulate adult family homes, as specified under ~~ss.~~  
7           ~~50.031~~ and s. 50.032 and shall license adult family homes, as specified under s.  
8           50.033. Nothing in this subchapter may be construed to limit the authority of the  
9           department of ~~commerce~~ safety and professional services or of municipalities to set  
10          standards of building safety and hygiene, but any local orders of municipalities shall  
11          be consistent with uniform, statewide regulation of community–based residential  
12          facilities. The department may not prohibit any nursing home from distributing  
13          over–the–counter drugs from bulk supply. The department may consult with  
14          nursing homes as needed and may provide specialized consultations when requested  
15          by any nursing home, separate from its inspection process, to scrutinize any  
16          particular questions the nursing home raises. The department shall, by rule, define  
17          “specialized consultation”.

18          **SECTION 1650.** 50.02 (2) (a) of the statutes is amended to read:

19          50.02 **(2)** (a) The department, by rule, shall develop, establish and enforce  
20          regulations and standards for the care, treatment, health, safety, rights, welfare and  
21          comfort of residents in community–based residential facilities and nursing homes  
22          and for the construction, general hygiene, maintenance and operation of those  
23          facilities which, in the light of advancing knowledge, will promote safe and adequate  
24          accommodation, care and treatment of residents in those facilities; and promulgate  
25          and enforce rules consistent with this section. Such standards and rules shall

1 provide that intermediate care facilities, which have 16 or fewer beds may, if  
2 exempted from meeting certain physical plant, staffing and other requirements of  
3 the federal regulations, be exempted from meeting the corresponding provisions of  
4 the department's standards and rules. The department shall consult with the  
5 department of ~~commerce~~ safety and professional services when developing  
6 exemptions relating to physical plant requirements.

7 **SECTION 1652.** 50.031 of the statutes is repealed.

8 **SECTION 1653.** 50.035 (2) (a) 3. of the statutes is amended to read:

9 50.035 (2) (a) 3. The department or the department of ~~commerce~~ safety and  
10 professional services may waive the requirement under subd. 1. or 2. for a  
11 community-based residential facility that has a smoke detection or sprinkler system  
12 in place that is at least as effective for fire protection as the type of system required  
13 under the relevant subdivision.

14 **SECTION 1654.** 50.035 (2) (b) (intro.) of the statutes is amended to read:

15 50.035 (2) (b) (intro.) No facility may install a smoke detection system that fails  
16 to receive the approval of the department or of the department of ~~commerce~~ safety  
17 and professional services. At least one smoke detector shall be located at each of the  
18 following locations:

19 **SECTION 1656.** 50.065 (2) (am) 3. of the statutes is amended to read:

20 50.065 (2) (am) 3. Information maintained by the department of ~~regulation and~~  
21 ~~licensing~~ safety and professional services regarding the status of the person's  
22 credentials, if applicable.

23 **SECTION 1657.** 50.065 (2) (b) 3. of the statutes is amended to read:



1           50.065 **(2)** (b) 3. Information maintained by the department of ~~regulation and~~  
2           licensing safety and professional services regarding the status of the person's  
3           credentials, if applicable.

4           **SECTION 1658.** 50.065 (4m) (a) 5. of the statutes is amended to read:

5           50.065 **(4m)** (a) 5. That, in the case of a position for which the person must be  
6           credentialed by the department of ~~regulation and licensing~~ safety and professional  
7           services, the person's credential is not current or is limited so as to restrict the person  
8           from providing adequate care to a client.

9           **SECTION 1659.** 50.065 (4m) (b) 5. of the statutes is amended to read:

10          50.065 **(4m)** (b) 5. That, in the case of a position for which the person must be  
11          credentialed by the department of ~~regulation and licensing~~ safety and professional  
12          services, the person's credential is not current or is limited so as to restrict the person  
13          from providing adequate care to a client.

14          **SECTION 1660.** 50.36 (1) of the statutes is amended to read:

15          50.36 **(1)** The department shall promulgate, adopt, amend and enforce such  
16          rules and standards for hospitals for the construction, maintenance and operation  
17          of the hospitals deemed necessary to provide safe and adequate care and treatment  
18          of the patients in the hospitals and to protect the health and safety of the patients  
19          and employees; and nothing contained herein shall pertain to a person licensed to  
20          practice medicine and surgery or dentistry. The building codes and construction  
21          standards of the department of ~~commerce~~ safety and professional services shall  
22          apply to all hospitals and the department may adopt additional construction codes  
23          and standards for hospitals, provided they are not lower than the requirements of  
24          the department of ~~commerce~~ safety and professional services. Except for the  
25          construction codes and standards of the department of ~~commerce~~ safety and

1 professional services and except as provided in s. 50.39 (3), the department shall be  
2 the sole agency to adopt and enforce rules and standards pertaining to hospitals.

3 **SECTION 1661.** 50.36 (6) of the statutes is amended to read:

4 50.36 (6) If the department receives a credible complaint that a pharmacy  
5 located in a hospital has violated its duty to dispense contraceptive drugs and devices  
6 under s. 450.095 (2), the department shall refer the complaint to the department of  
7 ~~regulation and licensing~~ safety and professional services.

8 **SECTION 1663.** 51.03 (6) of the statutes is repealed.

9 **SECTION 1664.** 51.35 (5) of the statutes is amended to read:

10 51.35 (5) RESIDENTIAL LIVING ARRANGEMENTS; TRANSITIONARY SERVICES. The  
11 department and any person, director, or board authorized to discharge or transfer  
12 patients under this section shall ensure that a proper residential living arrangement  
13 and the necessary transitional services are available and provided for the patient  
14 being discharged or transferred. Under this subsection, a proper residential living  
15 arrangement may not include a shelter facility, as defined under s. 560.9808 16.308  
16 (1) (d), unless the discharge or transfer to the shelter facility is made on an  
17 emergency basis for a period not to exceed 10 days.

18 **SECTION 1665.** 51.42 (3) (a) of the statutes is amended to read:

19 51.42 (3) (a) *Creation.* Except as provided under s. 46.23 (3) (b), the county  
20 board of supervisors of any county, or the county boards of supervisors of 2 or more  
21 contiguous counties, shall establish a county department of community programs on  
22 a single-county or multicounty basis to administer a community mental health,  
23 developmental disabilities, alcoholism and drug abuse program, make  
24 appropriations to operate the program and authorize the county department of  
25 community programs to apply for grants-in-aid under s. 51.423. The county

1 department of community programs shall consist of a county community programs  
2 board, a county community programs director and necessary personnel.

3 **SECTION 1666.** 51.42 (7) (a) 7. of the statutes is amended to read:

4 51.42 (7) (a) 7. Develop a program in consultation with the department of  
5 ~~regulation and licensing~~ safety and professional services to use voluntary,  
6 uncompensated services of licensed or certified professionals to assist the  
7 department of health services in evaluating community mental health programs in  
8 exchange for continuing education credits for the professionals under ss. 448.40 (2)  
9 (e) and 455.065 (5).

10 **SECTION 1667.** 51.437 (4g) (a) of the statutes is amended to read:

11 51.437 (4g) (a) Except as provided under par. (b) and ss. 46.21 (2m) (b) and  
12 46.23 (3) (b), every county board of supervisors shall establish a county department  
13 of developmental disabilities services on a single-county or multicounty basis to  
14 furnish services within its county. ~~Adjacent counties,~~ Counties lacking the financial  
15 resources and professional personnel needed to provide or secure such services on a  
16 single-county basis, ~~may and shall be encouraged to~~ combine their energies and  
17 financial resources to provide these joint services and facilities with the approval of  
18 the department of health services. The county department of developmental  
19 disabilities services shall consist of a county developmental disabilities services  
20 board, a county developmental disabilities services director and necessary  
21 personnel.

22 **SECTION 1667g.** 51.61 (1) (o) of the statutes is amended to read:

23 51.61 (1) (o) Except as otherwise provided, have a right not to be filmed or  
24 taped, unless the patient signs an informed and voluntary consent that specifically  
25 authorizes a named individual or group to film or tape the patient for a particular

1 purpose or project during a specified time period. The patient may specify in the  
2 consent periods during which, or situations in which, the patient may not be filmed  
3 or taped. If a patient is adjudicated incompetent, the consent shall be granted on  
4 behalf of the patient by the patient's guardian. A patient in Goodland Hall at the  
5 Mendota Mental Health Institute, ~~or a patient detained or committed under ch. 980~~  
6 ~~and placed in a facility specified under s. 980.065, or a patient who is in the legal~~  
7 ~~custody of or under the supervision of the department of corrections,~~ may be subject  
8 to video surveillance or filmed or taped ~~for security purposes~~ without the patient's  
9 consent, except that such a patient may not be filmed in patient bedrooms or  
10 bathrooms without the patient's consent unless the patient is engaged in dangerous  
11 or disruptive behavior. A treatment activity involving a patient committed or  
12 detained under ch. 980 may be filmed or taped if the purpose of the recording is to  
13 assess the quality of the treatment activity or to facilitate clinical supervision of the  
14 staff involved in the treatment activity.

15 **SECTION 1668.** 55.043 (4) (b) 5. of the statutes is amended to read:

16 55.043 (4) (b) 5. Refer the case to the department of ~~regulation and licensing~~  
17 safety and professional services if the financial exploitation, neglect, self-neglect, or  
18 abuse involves an individual who is required to hold a credential, as defined in s.  
19 440.01 (2) (a), under chs. 440 to 460.

20 **SECTION 1670.** 59.27 (10) of the statutes is amended to read:

21 59.27 (10) To enforce in the county all general orders of the department of  
22 ~~commerce~~ safety and professional services relating to the sale, transportation and  
23 storage of explosives.

24 **SECTION 1675n.** 59.52 (30) of the statutes is created to read:

1           **59.52 (30)** LIMITATION ON PERFORMANCE OF HIGHWAY WORK. Notwithstanding ss.  
2           66.0131, 66.0301, and 83.035, a county may not use its own workforce to perform a  
3           highway improvement project on a highway under the jurisdiction of another county  
4           or a municipality that is located in a different county unless one of the following  
5           applies:

6           (a) A portion of the project lies within the county performing the work and no  
7           portion of the project extends beyond an adjoining county.

8           (b) The project lies, wholly or in part, within a municipality that lies partially  
9           within the county performing the work.

10          **SECTION 1677.** 59.57 (1) (a) of the statutes is amended to read:

11          59.57 (1) (a) Subject to par. (b), the board may appropriate money for and create  
12          a county industrial development agency or to any nonprofit agency organized to  
13          engage or engaging in activities described in this paragraph, appoint an executive  
14          officer and provide a staff and facilities to promote and develop the resources of the  
15          county and of its component municipalities. To this end the agency may, without  
16          limitation because of enumeration, develop data regarding the industrial needs,  
17          advantages and sites in the county, acquaint the purchaser with the products of the  
18          county by promotional activities, coordinate its work with that of the county  
19          planning commission, the ~~department of commerce~~ Wisconsin Economic  
20          Development Corporation, and private credit development corporations, and do all  
21          things necessary to provide for the continued improvement of the industrial climate  
22          of the county.

23          **SECTION 1678.** 59.57 (1) (b) of the statutes is amended to read:

24          59.57 (1) (b) If a county with a population of 500,000 or more appropriates  
25          money under par. (a) to fund nonprofit agencies, the county shall have a goal of

1 expending 20% of the money appropriated for this purpose to fund a nonprofit agency  
2 that is actively managed by minority group members, as defined in s. ~~560.036~~ 16.287  
3 (1) (f), and that principally serves minority group members.

4 **SECTION 1679d.** 59.58 (6) of the statutes is repealed.

5 **SECTION 1679h.** 59.58 (7) of the statutes, as affected by 2011 Wisconsin Act ...  
6 (this act), is repealed.

7 **SECTION 1679p.** 59.58 (7) (e) (intro.) of the statutes is amended to read:

8 59.58 (7) (e) (intro.) The Subject to s. 77.9973 (2), the authority may impose the  
9 fees under subch. XIII of ch. 77. From the fees, the authority may do all of the  
10 following:

11 **SECTION 1679t.** 59.58 (7) (i) and (j) of the statutes are repealed.

12 **SECTION 1680m.** 59.605 (6) of the statutes is created to read:

13 59.605 (6) TEMPORARY SUSPENSION OF THE LIMIT. This section does not apply to  
14 a county's levy that is imposed in December 2011 or December 2012.

15 **SECTION 1681.** 59.69 (4c) of the statutes is amended to read:

16 59.69 (4c) CONSTRUCTION SITE ORDINANCE LIMITS. Except as provided in s. ~~281.33~~  
17 ~~(3m)~~ ~~(f)~~ 101.1206 (5m), an ordinance that is enacted under sub. (4) may only include  
18 provisions that are related to construction site erosion control if those provisions are  
19 limited to sites where the construction activities do not include the construction of  
20 a building.

21 **SECTION 1682.** 59.69 (15) (intro.) of the statutes is amended to read:

22 59.69 (15) COMMUNITY AND OTHER LIVING ARRANGEMENTS. (intro.) For purposes  
23 of this section, the location of a community living arrangement for adults, as defined  
24 in s. 46.03 (22), a community living arrangement for children, as defined in s. 48.743

1 (1), a foster home, as defined in s. 48.02 (6), or an adult family home, as defined in  
2 s. 50.01 (1) ~~(a) or (b)~~, in any municipality, shall be subject to the following criteria:

3 **SECTION 1683.** 59.691 (2) (b) 1. of the statutes is amended to read:

4 59.691 **(2)** (b) 1. A county is not required to give the notice under par. (a) at the  
5 time that it issues a building permit if the county issues the building permit on a  
6 standard building permit form prescribed by the department of ~~commerce~~ safety and  
7 professional services.

8 **SECTION 1684p.** 59.875 of the statutes, as created by 2011 Wisconsin Act 10,  
9 is repealed and recreated to read:

10 **59.875 Payment of contributions in an employee retirement system of**  
11 **populous counties. (1)** In this section, “county” means any county having a  
12 population of 500,000 or more.

13 **(2)** (a) Beginning on the effective date of this subsection .... [LRB inserts date],  
14 in any employee retirement system of a county, except as otherwise provided in a  
15 collective bargaining agreement entered into under subch. IV of ch. 111 and except  
16 as provided in par. (b), employees shall pay half of all actuarially required  
17 contributions for funding benefits under the retirement system. The employer may  
18 not pay on behalf of an employee any of the employee’s share of the actuarially  
19 required contributions.

20 (b) 1. An employer shall pay, on behalf of a nonrepresented law enforcement or  
21 fire fighting managerial employee, who was initially employed by the employer  
22 before the effective date of this subdivision .... [LRB inserts date], the same  
23 contributions required by par. (a) that are paid by the employer for represented law  
24 enforcement or fire fighting personnel who were initially employed by the employer  
25 before the effective date of this subdivision .... [LRB inserts date].

1           2. An employer shall pay, on behalf of a represented law enforcement or fire  
2 fighting employee, who was initially employed by the employer before the effective  
3 date of this subdivision .... [LRB inserts date], and who on or after the effective date  
4 of this subdivision .... [LRB inserts date], became employed in a nonrepresented law  
5 enforcement or fire fighting managerial position with the employer, or a successor  
6 employer in the event of a combined department that is created on or after the  
7 effective date of this subdivision .... [LRB inserts date], the same contributions  
8 required by par. (a) that are paid by the employer for represented law enforcement  
9 or fire fighting personnel who were initially employed by the employer before the  
10 effective date of this subdivision .... [LRB inserts date].

11           **SECTION 1685.** 60.23 (4) (c) of the statutes is amended to read:

12           60.23 (4) (c) Coordinate its activities with the county planning commission, the  
13 ~~department of commerce~~ Wisconsin Economic Development Corporation, and  
14 private credit development organizations.

15           **SECTION 1686.** 60.55 (1) (a) 5. of the statutes is created to read:

16           60.55 (1) (a) 5. Creating a combined protective services department under s.  
17 60.553.

18           **SECTION 1687.** 60.553 of the statutes is created to read:

19           **60.553 Combined protective services. (1)** Any town may provide police and  
20 fire protection services by any of the following:

21           (a) A combined protective services department which is neither a police  
22 department under s. 60.56 (1) (a) nor a fire department under s. 60.55 (1) (a), and in  
23 which the same person may be required to perform police protection and fire  
24 protection duties without being required to perform police protection duties for more



1 than 8 hours in each 24 hours except in emergency situations, as described under s.  
2 62.13 (7n).

3 (b) Persons in a police department or fire department who, alone or in  
4 combination with persons designated as police officers or fire fighters, may be  
5 required to perform police protection and fire protection duties without being  
6 required to perform police protection duties for more than 8 hours in each 24 hours  
7 except in emergency situations, as described under s. 62.13 (7n).

8 (2) The governing body of a town acting under sub. (1) may designate any  
9 person required to perform police protection and fire protection duties under sub. (1)  
10 as primarily a police officer or fire fighter for purposes described in ss. 62.13 (7m),  
11 (7n), (10m), and (11) 891.45, 891.453, and 891.455.

12 **SECTION 1688.** 60.56 (1) (a) 4. of the statutes is created to read:

13 60.56 (1) (a) 4. Creating a combined protective services department under s.  
14 60.553.

15 **SECTION 1689.** 60.56 (1) (am) (intro.) of the statutes is amended to read:

16 60.56 (1) (am) (intro.) If a town board establishes a town police department  
17 under par. (a) 1. or 2. and does not create a board of police commissioners singly or  
18 in combination with another town, village or city, or if a town board establishes a  
19 combined protective services department under s. 60.553 and does not create a board  
20 of police and fire commissioners. the town may not suspend, reduce, suspend and  
21 reduce, or remove any police chief, chief of a combined protective services  
22 department. or other law enforcement officer who is not probationary, and for whom  
23 there is no valid and enforceable contract of employment or collective bargaining  
24 agreement which provides for a fair review prior to that suspension, reduction,

1 suspension and reduction or removal, unless the town board does one of the  
2 following:

3 **SECTION 1690.** 60.57 (1) (c) of the statutes is amended to read:

4 60.57 (1) (c) If the town has both a police and fire department, or a combined  
5 protective services department, establish a board of police and fire commissioners.

6 **SECTION 1691.** 60.625 (2) (b) 1. of the statutes is amended to read:

7 60.625 (2) (b) 1. A town is not required to give the notice under par. (a) at the  
8 time that it issues a building permit if the town issues the building permit on a  
9 standard building permit form prescribed by the department of ~~commerce~~ safety and  
10 professional services.

11 **SECTION 1692.** 60.63 (intro.) of the statutes is amended to read:

12 **60.63 Community and other living arrangements.** (intro.) For purposes  
13 of s. 60.61, the location of a community living arrangement for adults, as defined in  
14 s. 46.03 (22), a community living arrangement for children, as defined in s. 48.743  
15 (1), a foster home, as defined in s. 48.02 (6), or an adult family home, as defined in  
16 s. 50.01 (1) ~~(a) or (b)~~, in any town shall be subject to the following criteria:

17 **SECTION 1693.** 60.71 (4) (b) of the statutes is amended to read:

18 60.71 (4) (b) The town board shall publish a class 2 notice, under ch. 985, of the  
19 hearing. The notice shall contain an announcement of the hearing and a description  
20 of the boundaries of the proposed town sanitary district. The town board shall mail  
21 the notice to the department of ~~commerce~~ safety and professional services and the  
22 department of natural resources at least 10 days prior to the hearing.

23 **SECTION 1694.** 60.71 (4) (c) of the statutes is amended to read:

24 60.71 (4) (c) Any person may file written comments on the formation of the  
25 district with the town clerk. Any owner of property within the boundary of the

1 proposed district may appear at the hearing and offer objections, criticisms or  
2 suggestions as to the necessity of the proposed district and the question of whether  
3 his or her property will be benefited by the establishment of the district. A  
4 representative of the department of ~~commerce~~ safety and professional services and  
5 of the department of natural resources may attend the hearing and advise the town  
6 board.

7 **SECTION 1695.** 60.85 (14) of the statutes is repealed.

8 **SECTION 1696.** 61.352 (2) (b) 1. of the statutes is amended to read:

9 61.352 (2) (b) 1. A village is not required to give the notice under par. (a) at the  
10 time that it issues a building permit if the village issues the building permit on a  
11 standard building permit form prescribed by the department of ~~commerce~~ safety and  
12 professional services.

13 **SECTION 1696m.** 61.54 of the statutes is amended to read:

14 **61.54 Public works.** All contracts for public construction shall be let by a  
15 village board in accordance with s. 62.15. The village board, or a person or body  
16 designated by the village board, shall exercise the powers and duties of the board of  
17 public works under s. 62.15. Section 62.15 applies to a village in the same manner  
18 as to a city.

19 **SECTION 1697.** 61.65 (1) (am) (intro.) of the statutes is amended to read:

20 61.65 (1) (am) (intro.) If a village establishes a police department and does not  
21 create a board of police commissioners singly or in combination with another  
22 municipality, or if a village board establishes a combined protective services  
23 department under s. 61.66 and does not create a board of police and fire  
24 commissioners, the village may not suspend, reduce, suspend and reduce, or remove  
25 any police chief, chief of a combined protective services department, or other law

1 enforcement officer who is not probationary, and for whom there is no valid and  
2 enforceable contract of employment or collective bargaining agreement which  
3 provides for a fair review prior to that suspension, reduction, suspension and  
4 reduction or removal, unless the village does one of the following:

5 **SECTION 1698.** 61.66 (1) (a) and (b) and (2) of the statutes are amended to read:

6 61.66 (1) (a) A combined protective services department which is neither a  
7 police department under s. 61.65 (1) (a) nor a fire department under s. 61.65 (2) (a);  
8 ~~which was created prior to January 1, 1987,~~ and in which the same person may be  
9 required to perform police protection and fire protection duties without being  
10 required to perform police protection duties for more than 8 hours in each 24 hours  
11 except in emergency situations, as ~~specified~~ described under s. 62.13 (7n).

12 (b) Persons in a police department or fire department who, alone or in  
13 combination with persons designated as police officers or fire fighters, may be  
14 required to perform police protection and fire protection duties without being  
15 required to perform police protection duties for more than 8 hours in each 24 hours  
16 except in emergency situations, as ~~specified~~ described under s. 62.13 (7n), ~~if those~~  
17 ~~persons were required to perform those duties prior to January 1, 1987.~~

18 (2) The governing body of a village acting under sub. (1) may designate any  
19 person required to perform police protection and fire protection duties under sub. (1)  
20 as primarily a police officer or fire fighter for purposes of s. described in ss. 62.13  
21 (7m), (7n), (10m), and (11), 891.45, 891.453, or and 891.455.

22 **SECTION 1699.** 62.09 (1) (a) of the statutes is amended to read:

23 62.09 (1) (a) The officers shall be a mayor, treasurer, clerk, comptroller,  
24 attorney, engineer, one or more assessors unless the city is assessed by a county  
25 assessor under s. 70.99, one or more constables as determined by the common

1 council, a local health officer, as defined in s. 250.01 (5), or local board of health, as  
2 defined in s. 250.01 (3), street commissioner, board of police and fire commissioners  
3 except in cities where not applicable, chief of police except in a city that has  
4 contracted for all of its police protective services under s. 62.13 (2g) or has abolished  
5 its police department under s. 62.13 (2s) where it is not applicable, chief of the fire  
6 department except in a city that contracted for all of its fire protective services under  
7 s. 62.13 (8) (b) where it is not applicable, chief of a combined protective services  
8 department except in a city where it is not applicable, board of public works, 2  
9 alderpersons from each aldermanic district, and such other officers or boards as are  
10 created by law or by the council. If one alderperson from each aldermanic district  
11 is provided under s. 66.0211 (1), the council may, by ordinance adopted by a  
12 two-thirds vote of all its members and approved by the electors at a general or special  
13 election, provide that there shall be 2 alderpersons from each aldermanic district.  
14 If a city creates a combined protective services department under s. 62.13 (2e) (a) 1.,  
15 it shall create the office of chief of such a department and shall abolish the offices of  
16 chief of police and chief of the fire department.

17 **SECTION 1700.** 62.09 (13) (a) of the statutes is amended to read:

18 62.09 (13) (a) The chief of police shall have command of the police force of the  
19 city, or the chief of a combined protective services department created under s. 62.13  
20 (2e) (a) 1. shall have command of the combined protective services force, under the  
21 direction of the mayor. The chief shall obey all lawful written orders of the mayor  
22 or common council. The chief and each police officer or combined protective services  
23 officer shall possess the powers, enjoy the privileges and be subject to the liabilities  
24 conferred and imposed by law upon constables, and be taken as included in all writs  
25 and papers addressed to constables; shall arrest with or without process and with

1 reasonable diligence take before the municipal judge or other proper court every  
2 person found in the city engaged in any disturbance of the peace or violating any law  
3 of the state or ordinance of the city and may command all persons present in that case  
4 to assist, and if any person, being so commanded, refuses or neglects to render  
5 assistance the person shall forfeit not exceeding \$10. They shall collect the same fees  
6 prescribed for sheriffs in s. 814.70 for similar services, unless a higher fee is  
7 applicable under s. 814.705 (1) (b).

8 **SECTION 1701.** 62.09 (13) (b) of the statutes is amended to read:

9 62.09 (13) (b) The chief of police, or the chief of a combined protective services  
10 department created under s. 62.13 (2e) (a) 1., shall have charge of all city jails,  
11 including that portion of any jail which is used by the city in a joint city–county  
12 building.

13 **SECTION 1702.** 62.13 (2e) of the statutes is created to read:

14 62.13 (2e) COMBINED PROTECTIVE SERVICES. (a) A city may provide police and  
15 fire protection services by any of the following:

16 1. A combined protective services department which is neither a police  
17 department as otherwise constituted under this section nor a fire department as  
18 otherwise constituted under this section, in which the same person may be required  
19 to perform police protection and fire protection duties without being required to  
20 perform police protection duties for more than 8 hours in each 24 hours except in  
21 emergency situations, as described under sub. (7n).

22 2. Persons in a police department or fire department who, alone or in  
23 combination with persons designated as police officers or fire fighters, may be  
24 required to perform police protection and fire protection duties without being

1 required to perform police protection duties for more than 8 hours in each 24 hours  
2 except in emergency situations, as described under sub. (7n).

3 (b) The governing body of a city acting under par. (a) may designate any person  
4 required to perform police protection and fire protection duties under par. (a) as  
5 primarily a police officer or fire fighter for purposes described in subs. (7m), (7n),  
6 (10m), and (11) and ss. 891.45, 891.453, and 891.455.

7 **SECTION 1703.** 62.13 (2s) (a) of the statutes is amended to read:

8 62.13 (2s) (a) Subject to pars. (b) to (d), a city may abolish its police department  
9 or combined protective services department if it enters into a contract with a county  
10 under s. 59.03 (2) (e) for the county sheriff to provide law enforcement services in all  
11 parts of the city. If the city is located in more than one county, it may not abolish its  
12 police department or combined protective services department under this paragraph  
13 unless the city enters into a contract under this paragraph with the county in which  
14 the greatest amount of the city's equalized value, population or territory is located.  
15 If a city that is located in more than one county enters into a contract with a county  
16 under this paragraph, the jurisdiction of the contracting county's sheriff and  
17 deputies includes the entire territory of the city.

18 **SECTION 1704.** 62.13 (3) of the statutes is amended to read:

19 62.13 (3) CHIEFS. The board shall appoint the chief of police and the chief of the  
20 fire department or, if applicable, the chief of a combined protective services  
21 department, who shall hold their offices during good behavior, subject to suspension  
22 or removal by the board for cause.

23 **SECTION 1705.** 62.13 (6) (a) 1. of the statutes is amended to read:

1           62.13 **(6)** (a) 1. To organize and supervise the fire and police, or combined  
2 protective services, departments and to prescribe rules and regulations for their  
3 control and management.

4           **SECTION 1706.** 62.13 (6) (a) 2. of the statutes is amended to read:

5           62.13 **(6)** (a) 2. To contract for and purchase all necessary apparatus and  
6 supplies for the use of the departments under their supervision, exclusive of the  
7 erection and control of the police ~~and~~ station, fire station, and combined protective  
8 services station buildings.

9           **SECTION 1707.** 62.13 (6) (a) 3. of the statutes is amended to read:

10          62.13 **(6)** (a) 3. To audit all bills, claims and expenses of the fire ~~and~~, police, and  
11 combined protective services departments before the same are paid by the city  
12 treasurer.

13          **SECTION 1708.** 62.13 (6m) (intro.) of the statutes is amended to read:

14          62.13 **(6m)** (intro.) If a city of less than 4,000 population has not by ordinance  
15 applied subs. (1) to (6) to the city, the city may not suspend, reduce, suspend and  
16 reduce, or remove any police chief, combined protective services chief, or other law  
17 enforcement officer who is not probationary, and for whom there is no valid and  
18 enforceable contract of employment or collective bargaining agreement which  
19 provides for a fair review prior to that suspension, reduction, suspension and  
20 reduction or removal, unless the city does one of the following:

21          **SECTION 1709.** 62.13 (7m) of the statutes is amended to read:

22          62.13 **(7m)** REST DAY. (a) The council of every city of the fourth class shall  
23 provide for, and the chief of the police or fire department, or the chief of the combined  
24 protective services department, shall assign to, each subordinate police officer, or  
25 each subordinate designated as primarily a police officer under sub. (2e) (b), in the



1 service of such city one full rest day of 24 consecutive hours during each 192 hours,  
2 except in cases of positive necessity by some sudden and serious emergency, which,  
3 in the judgment of the chief of police, the fire chief, or the chief of the combined  
4 protective services department, demands that such day of rest not be given at such  
5 time. Arrangements shall be made so that each full rest day may be had at such time  
6 or times as will not impair the efficiency of the department.

7 (b) The council of every city of the second or third class shall provide for, and  
8 the chief of the police or fire department, or the chief of the combined protective  
9 services department, shall assign to, each subordinate police officer, or each  
10 subordinate designated as primarily a police officer under sub. (2e) (b), in the service  
11 of such city 2 full rest days of 24 consecutive hours each during each 192 hours, except  
12 in cases of positive necessity by some sudden and serious emergency, which, in the  
13 judgment of the chief of police, the fire chief, or the chief of the combined protective  
14 services department, demands that any such day of rest not be given at such time.  
15 Arrangements shall be made so that each full rest day may be had at such time or  
16 times as will not impair the efficiency of the department. This section shall not apply  
17 to villages to which s. 61.65 is applicable.

18 **SECTION 1710.** 62.13 (7n) of the statutes is amended to read:

19 **62.13 (7n) HOURS OF LABOR.** Except when a labor agreement under subch. IV  
20 of ch. 111 that governs hours of employment exists, the council of every 2nd, 3rd or  
21 4th class city shall provide for a working day of not more than 8 hours in each 24  
22 except in cases of positive necessity by some sudden and serious emergency, which,  
23 in the judgment of the chief of police, the fire chief, or the chief of the combined  
24 protective services department, demands that such workday shall be extended  
25 beyond the 8-hour period at such time; and, when such emergency ceases to exist,

1 all overtime given during such emergency shall be placed to the credit of such  
2 subordinate police officer, or each subordinate designated as primarily a police  
3 officer under sub. (2e) (b). and compensatory time under s. 103.025 given therefor.

4 **SECTION 1711.** 62.13 (10m) of the statutes is amended to read:

5 62.13 (10m) RULES GOVERNING LEAVING CITY. Subject to approval of the common  
6 council the fire chief, police chief, or the chief of the combined protective services  
7 department, may establish rules requiring subordinate fire fighters, or each  
8 subordinate designated as primarily a fire fighter under sub. (2e) (b), to obtain  
9 permission before leaving the city.

10 **SECTION 1712.** 62.13 (11) of the statutes is amended to read:

11 62.13 (11) FIRE FIGHTERS, REST DAY. The common council of every 4th class city,  
12 having a population of 5,000 or more and a fire department, or a combined protective  
13 services department, shall provide for, and the chief of the fire department, police  
14 department, or combined protective services department shall assign to each full  
15 paid subordinate member thereof of the fire department or subordinate designated  
16 as primarily a fire fighter under sub. (2e) (b), a period of 24 consecutive hours off duty  
17 during each 72 hours, except in cases of positive necessity by some sudden and  
18 serious fire, accident or other peril, which, in the judgment of the chief engineer or  
19 other officer in charge demands that the day of rest not be given at that time. The  
20 provisions of this section shall not apply to cities having a 2-platoon or double shift  
21 system. The provisions of this subsection apply to a person designated as primarily  
22 a fire fighter who is employed by a police department, as described in sub. (2e).

23 **SECTION 1713.** 62.13 (12) of the statutes is amended to read:

24 62.13 (12) LEGISLATIVE INTENT. Section 62.13 and chapter 589, laws of 1921,  
25 chapter 423, laws of 1923, and chapter 586, laws of 1911, shall be construed as an

1 enactment of statewide concern for the purpose of providing a uniform regulation of  
2 police and, fire, and combined protective services departments.

3 **SECTION 1713m.** 62.15 (1d) of the statutes is created to read:

4 **62.15 (1d)** LIMITATION ON HIGHWAY WORK PERFORMED BY A COUNTY.  
5 Notwithstanding ss. 66.0131, 66.0301, and 83.035, a city having a population of  
6 5,000 or more may not have a highway improvement project performed by a county  
7 workforce except as provided under s. 86.31 (2) (b).

8 **SECTION 1714.** 62.23 (7) (i) (intro.) of the statutes is amended to read:

9 **62.23 (7) (i)** *Community and other living arrangements.* (intro.) For purposes  
10 of this section, the location of a community living arrangement for adults, as defined  
11 in s. 46.03 (22), a community living arrangement for children, as defined in s. 48.743  
12 (1), a foster home, as defined in s. 48.02 (6), or an adult family home, as defined in  
13 s. 50.01 (1) ~~(a) or (b)~~, in any city shall be subject to the following criteria:

14 **SECTION 1715.** 62.232 (2) (b) 1. of the statutes is amended to read:

15 **62.232 (2) (b) 1.** A city is not required to give the notice under par. (a) at the time  
16 that it issues a building permit if the city issues the building permit on a standard  
17 building permit form prescribed by the department of ~~commerce~~ safety and  
18 professional services.

19 **SECTION 1715h.** 62.50 (18) of the statutes is renumbered 62.50 (18) (a) and  
20 amended to read:

21 **62.50 (18) (a)** No chief officer of either department or member of the fire  
22 department may be deprived of any salary or wages for the period of time suspended  
23 preceding an investigation or trial, unless the charge is sustained. ~~No~~ Except as  
24 provided in par. (b), no member of the police force may be discharged or suspended  
25 under sub. (11) or (13) without pay or benefits until the matter that is the subject of

1 the discharge or suspension is disposed of by the board or the time for appeal under  
2 sub. (13) passes without an appeal being made.

3 **SECTION 1715k.** 62.50 (18) (b) of the statutes is created to read:

4 62.50 (18) (b) Following a discharge or suspension under sub. (11) or (13), no  
5 member of the police force is entitled to any salary or wages from the department  
6 pending an appeal of the discharge or suspension to the board of fire and police  
7 commissioners if charges relating to an offense are also pending against the member  
8 and such charges arose out of the same conduct or incident that serves as the basis  
9 for the discharge or suspension. If the charges against the officer are dismissed, or  
10 if the officer is found not guilty of the charges, the officer shall be reinstated and  
11 entitled to pay as described in sub. (22).

12 **SECTION 1715p.** 62.623 of the statutes, as created by 2011 Wisconsin Act 10,  
13 is repealed and recreated to read:

14 **62.623 Payment of contributions in an employee retirement system of**  
15 **a 1st class city. (1)** Beginning on the effective date of this section .... [LRB inserts  
16 date], in any employee retirement system of a 1st class city, except as otherwise  
17 provided in a collective bargaining agreement entered into under subch. IV of ch. 111  
18 and except as provided in sub. (2), employees shall pay all employee required  
19 contributions for funding benefits under the retirement system. The employer may  
20 not pay on behalf of an employee any of the employee's share of the required  
21 contributions.

22 **(2) (a)** An employer shall pay, on behalf of a nonrepresented law enforcement  
23 or fire fighting managerial employee, who was initially employed by the employer  
24 before the effective date of this paragraph .... [LRB inserts date], the same  
25 contributions required by sub. (1) that are paid by the employer for represented law

1 enforcement or fire fighting personnel who were initially employed by the employer  
2 before the effective date of this paragraph .... [LRB inserts date].

3 (b) An employer shall pay, on behalf of a represented law enforcement or fire  
4 fighting employee, who was initially employed by the employer before the effective  
5 date of this paragraph .... [LRB inserts date], and who on or after the effective date  
6 of this paragraph .... [LRB inserts date], became employed in a nonrepresented law  
7 enforcement or fire fighting managerial position with the employer, or a successor  
8 employer in the event of a combined department that is created on or after the  
9 effective date of this paragraph .... [LRB inserts date], the same contributions  
10 required by sub. (1) that are paid by the employer for represented law enforcement  
11 or fire fighting personnel who were initially employed by the employer before the  
12 effective date of this paragraph .... [LRB inserts date].

13 **SECTION 1717.** 66.0101 (11) of the statutes is amended to read:

14 66.0101 (11) Sections 62.13 and 62.50 and chapter 589, laws of 1921, and  
15 chapter 423, laws of 1923, shall be construed as enactments of statewide concern for  
16 the purpose of providing uniform regulation of police ~~and~~, fire, and combined  
17 protective services departments.

18 **SECTION 1719.** 66.0211 (5) of the statutes is amended to read:

19 66.0211 (5) CERTIFICATION OF INCORPORATION. If a majority of the votes in an  
20 incorporation referendum are cast in favor of a village or city, the clerk of the circuit  
21 court shall certify the fact to the secretary of state and supply the secretary of state  
22 with a copy of a description of the legal boundaries of the village or city and the  
23 associated population and a copy of a plat of the village or city. Within 10 days of  
24 receipt of the description and plat, the secretary of state shall forward 2 copies to the  
25 department of transportation and one copy each to the department of

1 administration, and the department of revenue ~~and the department of commerce.~~  
2 The secretary of state shall issue a certificate of incorporation and record the  
3 certificate.

4 **SECTION 1719d.** 66.0235 (5) of the statutes is amended to read:

5 66.0235 (5) APPORTIONMENT BOARD. The boards or councils of the local  
6 governmental units, or committees selected for that purpose, acting together,  
7 constitute an apportionment board. When a local governmental unit is dissolved  
8 because all of its territory is transferred the board or council of the local  
9 governmental unit existing at the time of dissolution shall, for the purpose of this  
10 section, continue to exist as the governing body of the local governmental unit until  
11 there has been an apportionment of assets by agreement of the interested local  
12 governmental units or by an order of the circuit court. After an agreement for  
13 apportionment of assets has been entered into between the interested local  
14 governmental units, or an order of the circuit court becomes final, a copy of the  
15 apportionment agreement, or of the order, certified to by the clerks of the interested  
16 local governmental units, shall be filed with the department of revenue, the  
17 department of natural resources, the department of transportation, the state  
18 superintendent of public instruction, the department of administration, and with  
19 any other department or agency of the state from which the town may be entitled by  
20 law to receive funds or certifications or orders relating to the distribution or  
21 disbursement of funds, with the county treasurer, with the treasurer of any local  
22 governmental unit, or with any other entity from which payment would have become  
23 due if the dissolved local governmental unit had continued in existence. Subject to  
24 ss. 79.006 and 86.303 (4), ~~payments from the shared revenue account made pursuant~~  
25 ~~to ch. 79,~~ payments of forest crop taxes under s. 77.05, of transportation aids under

1 s. 20.395, of state aids for school purposes under ch. 121, payments for managed  
2 forest land under subch. VI of ch. 77 and all payments due from a department or  
3 agency of the state, from a county, from a local governmental unit, or from any other  
4 entity from which payments would have become due if the dissolved local  
5 governmental unit had continued in existence, shall be paid to the interested local  
6 governmental unit as provided by the agreement for apportionment of assets or by  
7 any order of apportionment by the circuit court and the payments have the same  
8 force and effect as if made to the dissolved local governmental unit.

9 **SECTION 1720b.** 66.0301 (1) (a) of the statutes is amended to read:

10 66.0301 (1) (a) Except as provided in pars. (b) and (c), in this section  
11 “municipality” means the state or any department or agency thereof, or any city,  
12 village, town, county, school district, public library system, public inland lake  
13 protection and rehabilitation district, sanitary district, farm drainage district,  
14 metropolitan sewerage district, sewer utility district, solid waste management  
15 system created under s. 59.70 (2), local exposition district created under subch. II of  
16 ch. 229, local professional baseball park district created under subch. III of ch. 229,  
17 local professional football stadium district created under subch. IV of ch. 229, local  
18 cultural arts district created under subch. V of ch. 229, ~~transit authority created~~  
19 ~~under s. 66.1039~~, long-term care district under s. 46.2895, water utility district,  
20 mosquito control district, municipal electric company, county or city transit  
21 commission, commission created by contract under this section, taxation district,  
22 regional planning commission, housing authority created under s. 66.1201,  
23 redevelopment authority created under s. 66.1333, community development  
24 authority created under s. 66.1335, or city-county health department.

25 **SECTION 1720d.** 66.0304 (1) (b) of the statutes is amended to read:

1           66.0304 (1) (b) “Bond” means any bond, note or other obligation of a commission  
2 issued or entered into under this section, including any refunding bond or certificate  
3 of participation or lease–purchase, installment sale, or other financing agreement.

4           **SECTION 1720e.** 66.0304 (1) (e) of the statutes is amended to read:

5           66.0304 (1) (e) “Participant” means any public or private entity or  
6 unincorporated association, including a federally recognized Indian tribe or band,  
7 that contracts with a commission for the purpose of financing or refinancing a project  
8 that is owned, sponsored, or controlled by the public or private entity or  
9 unincorporated association.

10          **SECTION 1720f.** 66.0304 (1) (f) of the statutes is amended to read:

11          66.0304 (1) (f) “Political subdivision” means any city, village, town, or county  
12 in this state or any city, village, town, county, district, office, department, authority,  
13 agency, commission, or other similar governmental entity in another state or  
14 territory of the United States.

15          **SECTION 1720h.** 66.0304 (4) (i) of the statutes is amended to read:

16          66.0304 (4) (i) Make loans to, lease property from or to, or enter into any other  
17 kind of an agreement with a participant or other entity, in connection with financing  
18 or refinancing a project.

19          **SECTION 1720i.** 66.0304 (4) (k) of the statutes is amended to read:

20          66.0304 (4) (k) Assign or pledge any portion of its interests in projects,  
21 mortgages, deeds of trust, indentures of mortgage or trust, leases, purchase or sale  
22 agreements or other financing agreements, or similar instruments, bonds, notes, and  
23 security interests in property, of a participant, or contracts entered into or acquired  
24 in connection with bonds.

25          **SECTION 1720j.** 66.0304 (4) (p) of the statutes is amended to read:



1           66.0304 (4) (p) Purchase bonds issued by or on behalf of, or held by, any  
2           participant, the state or a department, authority, or agency of the state, or any  
3           political subdivision. Bonds purchased under this paragraph may be held by the  
4           commission or sold, in whole or in part, separately or together with other bonds  
5           issued by the commission.

6           **SECTION 1720L.** 66.0304 (5) (am) of the statutes is created to read:

7           66.0304 (5) (am) Notwithstanding par. (a), as an alternative to specifying the  
8           matters required to be specified in the bond resolution under par. (a), the resolution  
9           may specify members of the board or officers or employees of the commission, by  
10          name or position, to whom the commission delegates authority to determine which  
11          of the matters under specified par. (a), and any other matters that the commission  
12          deems appropriate, for inclusion in the trust agreement, indenture, or other  
13          agreement providing for issuance of the bonds as finally executed. A resolution  
14          under this paragraph shall specify at least all of the following:

- 15           1. The maximum principal amount of bonds to be issued.
- 16           2. The maximum term of the bonds.
- 17           3. The maximum interest rate to be borne by the bonds.

18          **SECTION 1720m.** 66.0304 (5) (d) of the statutes is amended to read:

19          66.0304 (5) (d) The proceeds of a bond issued under this section may be used  
20          for a project in one or more projects located within or outside of this state or any other  
21          state.

22          **SECTION 1720p.** 66.0304 (11) (a) of the statutes is amended to read:

23          66.0304 (11) (a) A commission may not authorize issue bonds to finance a  
24          capital improvement project in any state or territory of the United States unless a  
25          political subdivision within whose boundaries the project is to be located has

1 approved the financing of the project. A commission may not authorize issue bonds  
2 to finance a capital improvement project in this state unless all of the political  
3 subdivisions within whose boundaries the project is to be located has approved the  
4 financing of the project. An approval under this paragraph may be made by the  
5 governing body of the political subdivision or, except for a 1st class city or a county  
6 in which a 1st class city is located, by the highest ranking executive or administrator  
7 of the political subdivision.

8 **SECTION 1720pm.** 66.0304 (11) (c) of the statutes is amended to read:

9 66.0304 (11) (c) Any action brought to challenge the validity of the proposed  
10 issuance of a bond under this section, or the enforceability of a contract entered into  
11 under this section, must be commenced in circuit court within 30 days of the  
12 commission adopting a resolution authorizing the issuance of the bond or the  
13 execution of the contract.

14 **SECTION 1720q.** 66.0304 (11) (e) 1. of the statutes is repealed.

15 **SECTION 1720s.** 66.0304 (11) (e) 2. of the statutes is renumbered 66.0304 (11)  
16 (e).

17 **SECTION 1721.** 66.0309 (3) (a) 3. of the statutes is repealed.

18 **SECTION 1721g.** 66.0506 of the statutes, as created by 2011 Wisconsin Act 10,  
19 is repealed and recreated to read:

20 **66.0506 Referendum; increase in employee wages. (1)** In this section,  
21 “local governmental unit” means any city, village, town, county, metropolitan  
22 sewerage district, long-term care district, transit authority under s. 59.58 (7) or  
23 66.1039, local cultural arts district under subch. V of ch. 229, or any other political  
24 subdivision of the state, or instrumentality of one or more political subdivisions of  
25 the state.

1           **(2)** If any local governmental unit wishes to increase the total base wages of  
2 its general municipal employees, as defined in s. 111.70 (1) (fm), who are part of a  
3 collective bargaining unit under subch. IV of ch. 111, in an amount that exceeds the  
4 limit under s. 111.70 (4) (mb) 2., the governing body of the local governmental unit  
5 shall adopt a resolution to that effect. The resolution shall specify the amount by  
6 which the proposed total base wages increase will exceed the limit under s. 111.70  
7 (4) (mb) 2. The resolution may not take effect unless it is approved in a referendum  
8 called for that purpose. The referendum shall occur in November for collective  
9 bargaining agreements that begin the following January 1. The results of a  
10 referendum apply to the total base wages only in the next collective bargaining  
11 agreement.

12           **(3)** The referendum question shall be substantially as follows: “Shall the ....  
13 [general municipal employees] in the .... [local governmental unit] receive a total  
14 increase in wages from \$....[current total base wages] to \$....[proposed total base  
15 wages], which is a percentage wage increase that is .... [x] percent higher than the  
16 percent of the consumer price index increase, for a total percentage increase in wages  
17 of .... [x]?”

18           **SECTION 1721u.** 66.0602 (1) (au) of the statutes is created to read:

19           66.0602 **(1)** (au) “Municipality” means a city, village, or town.

20           **SECTION 1722b.** 66.0602 (1) (d) of the statutes is renumbered 66.0602 (1) (d)  
21 (intro.) and amended to read:

22           66.0602 **(1)** (d) (intro.) “Valuation factor” means a percentage equal to the  
23 greater of either ~~3 percent or~~ the percentage change in the political subdivision’s  
24 January 1 equalized value due to new construction less improvements removed  
25 between the previous year and the current year: or one of the following:

1           **SECTION 1722c.** 66.0602 (1) (d) 1. of the statutes is created to read:

2           66.0602 (1) (d) 1. For the levy that is imposed in December 2011 and December  
3           2012, zero percent.

4           **SECTION 1722d.** 66.0602 (1) (d) 2. of the statutes is created to read:

5           66.0602 (1) (d) 2. For the levy that is imposed in December 2013 and in every  
6           succeeding December, 1.5 percent.

7           **SECTION 1723.** 66.0602 (2) of the statutes is amended to read:

8           66.0602 (2) LEVY LIMIT. Except as provided in subs. (3), (4), and (5), no political  
9           subdivision may increase its levy in any year by a percentage that exceeds the  
10          political subdivision's valuation factor. The base amount in any year, to which the  
11          limit under this section applies, shall be the ~~maximum allowable~~ actual levy for the  
12          immediately preceding year. In determining its levy in any year, a city, village, or  
13          town shall subtract any tax increment that is calculated under s. 59.57 (3) (a), 60.85  
14          (1) (L), or 66.1105 (2) (i). The base amount in any year, to which the limit under this  
15          section applies, may not include any amount to which sub. (3) (e) 8. applies.

16          **SECTION 1724.** 66.0602 (2m) of the statutes is created to read:

17          66.0602 (2m) NEGATIVE ADJUSTMENT. If a political subdivision's levy for the  
18          payment of any general obligation debt service, including debt service on debt issued  
19          or reissued to fund or refund outstanding obligations of the political subdivision and  
20          interest on outstanding obligations of the political subdivision, on debt originally  
21          issued before July 1, 2005, is less in the current year than it was in the previous year,  
22          the political subdivision shall reduce its levy limit in the current year by an amount  
23          equal to the amount that its levy was reduced as described in this subsection. This  
24          subsection does not apply to any political subdivision that does not increase its levy  
25          increase limit as allowed under sub. (3) (f) 1.

1           **SECTION 1724d.** 66.0602 (3) (cm) of the statutes is repealed.

2           **SECTION 1724h.** 66.0602 (3) (e) 9. of the statutes is created to read:

3           66.0602 (3) (e) 9. The political subdivision's share of any refund or rescission  
4 determined by the department of revenue and certified under s. 74.41 (5).

5           **SECTION 1724k.** 66.0602 (3) (f) of the statutes is created to read:

6           66.0602 (3) (f) 1. Subject to subd. 3., if a political subdivision's allowable levy  
7 under this section in 2010 was greater than its actual levy in 2010, the levy increase  
8 limit otherwise applicable under this section to the political subdivision in 2011 is  
9 increased by the difference between these 2 amounts, as determined by the  
10 department of revenue, up to a maximum increase of 0.5 percent of the actual levy  
11 in 2010.

12           2. Subject to subd. 3., if a political subdivision's allowable levy under this  
13 section in 2011 was greater than its actual levy in 2011, the levy increase limit  
14 otherwise applicable under this section to the political subdivision in 2012 is  
15 increased by the difference between these 2 amounts, as determined by the  
16 department of revenue, up to a maximum increase of 0.5 percent of the actual levy  
17 in 2011.

18           3. The adjustment described in subds. 1. and 2. may occur only if the political  
19 subdivision's governing body approves of the adjustment by one of the following  
20 methods:

21           a. With regard to a city, village, or county, if the governing body consists of at  
22 least 5 members, by a three-quarters majority vote of the governing body.

23           b. With regard to a city, village, or county, if the governing body consists of fewer  
24 than 5 members, by a two-thirds majority vote of the governing body.

1           c. With a regard to a town, by a majority vote of the annual town meeting, or  
2 a special town meeting, if the town board has adopted a resolution approving of the  
3 adjustment by a two-thirds majority vote of the town board.

4           4. If a political subdivision's allowable levy under this section in 2012, or any  
5 year thereafter, was greater than its actual levy in that year, the levy increase limit  
6 otherwise applicable under this section to the political subdivision in the next  
7 succeeding year is increased by the difference between the prior year's allowable levy  
8 and the prior year's actual levy, as determined by the department of revenue, up to  
9 a maximum increase of 0.5 percent of the actual levy in that prior year.

10           **SECTION 1724p.** 66.0602 (3) (j) of the statutes is created to read:

11           66.0602 (3) (j) 1. Subject to subd. 2., if a municipality experiences a shortfall  
12 in its general fund due to a loss of revenue received by the municipality from the sale  
13 of water or another commodity to a manufacturing facility as a result of the  
14 manufacturer discontinuing operations at the facility, the limit otherwise applicable  
15 under this section may be increased by the amount that the municipality levies to  
16 make up for the revenue shortfall.

17           2. The maximum adjustment claimed under subd. 1. shall equal the revenue  
18 received by the municipality from the sale of water or another commodity, as  
19 described in subd. 1., in the year prior to the year in which the manufacturing facility  
20 closed. A municipality may claim the adjustment in more than one year, except that  
21 the sum of all such adjustments may not exceed the revenue loss to the municipality's  
22 general fund in the year that the manufacturer discontinues operations at the  
23 facility.

24           **SECTION 1725c.** 66.0602 (7) of the statutes is repealed.

25           **SECTION 1725e.** 66.0604 of the statutes is created to read:

1           **66.0604 Payment of employer contributions in retirement systems. (1)**

2           In this section, “local governmental unit” has the meaning given in s. 66.0131 (1) (a).

3           **(2)** Annually, no later than December 31, each local governmental unit shall  
4           pay employer contributions into the retirement system in which its employees are  
5           participating employees an amount that is at least equal to all employee required  
6           contributions under that retirement system.

7           **SECTION 1725m.** 66.0615 (1m) (d) 7. of the statutes is created to read:

8           66.0615 **(1m)** (d) 7. Notwithstanding the provisions of subds. 1. and 2., any  
9           amount of room tax revenue that a municipality described under s. 77.994 (3) is  
10          required to spend on tourism promotion and development shall be forwarded to, and  
11          spent by, the municipality’s tourism entity, unless the municipality creates a  
12          commission and forwards the revenue to the commission.

13          **SECTION 1727d.** 66.0901 (1) (bm) of the statutes is created to read:

14          66.0901 **(1)** (bm) “Political subdivision” means a city, village, town, or county.

15          **SECTION 1727e.** 66.0901 (1m) of the statutes is created to read:

16          66.0901 **(1m)** METHOD OF BIDDING. (a) Except when necessary to secure federal  
17          aid, whenever a political subdivision lets a public contract by bidding, the political  
18          subdivision shall comply with all of the following:

- 19               1. The bidding shall be on the basis of sealed competitive bids.  
20               2. The contract shall be awarded to the lowest responsible bidder.

21          (b) Except when necessary to secure federal aid, a political subdivision may not  
22          use a bidding method that gives preference based on the geographic location of the  
23          bidder or that uses criteria other than the lowest responsible bidder in awarding a  
24          contract.

25          **SECTION 1727L.** 66.0901 (11) of the statutes is created to read:

1           **66.0901 (11)** LIMITATION ON PERFORMANCE OF PRIVATE CONSTRUCTION WORK BY  
2 POLITICAL SUBDIVISIONS. (a) In this subsection, “construction project” means a road,  
3 sewer, water, stormwater, wastewater, grading, parking lot, or other  
4 infrastructure–related project or the provision of construction–related services for  
5 such a project.

6           (b) A political subdivision may not use its own workforce to perform a  
7 construction project for which a private person is financially responsible.

8           **SECTION 1727m.** 66.0903 (1) (d) of the statutes is amended to read:

9           66.0903 (1) (d) “Local governmental unit” means a political subdivision of this  
10 state, a special purpose district in this state, an instrumentality or corporation of  
11 such a political subdivision or special purpose district, a combination or subunit of  
12 any of the foregoing or an instrumentality of the state and any of the foregoing.  
13 ~~“Local governmental unit” includes a regional transit authority created under s.~~  
14 ~~66.1039 and the southeastern regional transit authority created under s. 59.58 (7).~~

15           **SECTION 1727mb.** 66.0903 (1) (dr) of the statutes is amended to read:

16           66.0903 (1) (dr) “Minor service or maintenance work” means a project of public  
17 works that is limited to minor crack filling, chip or slurry sealing, or other minor  
18 pavement patching, not including overlays, that has a projected life span of no longer  
19 than 5 years or that is performed for a town and is not funded under s. 86.31,  
20 regardless of projected life span; the depositing of gravel on an existing gravel road  
21 applied solely to maintain the road; road shoulder maintenance; cleaning of drainage  
22 or sewer ditches or structures; or any other limited, minor work on public facilities  
23 or equipment that is routinely performed to prevent breakdown or deterioration.

24           **SECTION 1727mc.** 66.0903 (1) (em) of the statutes is created to read:



1           66.0903 (1) (em) “Multiple–trade project of public works” has the meaning  
2 given in s. 103.49 (1) (br).

3           **SECTION 1727md.** 66.0903 (1) (hm) of the statutes is created to read:

4           66.0903 (1) (hm) “Single–trade project of public works” has the meaning given  
5 in s. 103.49 (1) (em).

6           **SECTION 1727me.** 66.0903 (1m) of the statutes is created to read:

7           66.0903 (1m) STATEWIDE CONCERN; UNIFORMITY. (a) In this subsection, “publicly  
8 funded private construction project” means a construction project in which the  
9 developer, investor, or owner of the project receives direct financial assistance from  
10 a local governmental unit for the erection, construction, repair, remodeling,  
11 demolition, including any alteration, painting, decorating, or grading, of a private  
12 facility, including land, a building, or other infrastructure. “Publicly funded private  
13 construction project” does not include a project of public works or a housing project  
14 involving the erection, construction, repair, remodeling, or demolition of any of the  
15 following:

16           1. A residential property, if the project is supported by affordable housing  
17 grants, home improvement grants, or grants from a local housing trust fund.

18           2. A residential property containing 4 dwelling units or less.

19           3. A residential property that contains retail, office, or commercial components,  
20 if the project is intended to increase the supply of affordable housing in a community.

21           (b) The legislature finds that the enactment of ordinances or other enactments  
22 by local governmental units requiring laborers, workers, mechanics, and truck  
23 drivers employed on projects of public works or on publicly funded private  
24 construction projects to be paid the prevailing wage rate and to be paid at least 1.5  
25 times their hourly basic rate of pay for hours worked in excess of the prevailing hours

1 of labor would be logically inconsistent with, would defeat the purpose of, and would  
2 go against the spirit of this section and the repeal of s. 66.0904, 2009 stats. Therefore,  
3 this section shall be construed as an enactment of statewide concern for the purpose  
4 of providing uniform prevailing wage rate and prevailing hours of labor  
5 requirements throughout the state.

6 (c) A local governmental unit may not enact and administer an ordinance or  
7 other enactment requiring laborers, workers, mechanics, and truck drivers  
8 employed on projects of public works or on publicly funded private construction  
9 projects to be paid the prevailing wage rate and to be paid at least 1.5 times their  
10 hourly basic rate of pay for hours worked in excess of the prevailing hours of labor  
11 or any similar ordinance or enactment. Any such ordinance or other enactment that  
12 is in effect on the day before the effective date of this subsection .... [LRB inserts  
13 date], is void.

14 **SECTION 1727mf.** 66.0903 (2) (c) of the statutes is amended to read:

15 66.0903 (2) (c) A project in which the completed facility is leased, purchased,  
16 lease purchased, or otherwise acquired by, or dedicated to, a local governmental unit  
17 in lieu of the local governmental unit contracting for the erection, construction,  
18 repair, remodeling, or demolition of the facility.

19 **SECTION 1727mi.** 66.0903 (3) (av) of the statutes is amended to read:

20 66.0903 (3) (av) In determining prevailing wage rates under par. (am) or (ar),  
21 the department may not use data from projects that are subject to this section, s.  
22 ~~66.0904~~, 103.49, or 103.50, or 40 USC 3142 unless the department determines that  
23 there is insufficient wage data in the area to determine those prevailing wage rates,  
24 in which case the department may use data from projects that are subject to this  
25 section, s. ~~66.0904~~, 103.49, or 103.50, or 40 USC 3142. In determining prevailing

1 wage rates under par. (am) or (ar), the department may not use data from any  
2 construction work that is performed by a local governmental unit or a state agency.

3 **SECTION 1727mj.** 66.0903 (3) (dm) of the statutes is amended to read:

4 66.0903 (3) (dm) A reference to the prevailing wage rates determined by the  
5 department ~~or a local governmental unit exempted under sub. (6)~~ and to the  
6 prevailing hours of labor shall be published in the notice issued for the purpose of  
7 securing bids for the project of public works. If any contract or subcontract for a  
8 project of public works is entered into, the prevailing wage rates determined by the  
9 department ~~or exempted local governmental unit~~ and the prevailing hours of labor  
10 shall be physically incorporated into and made a part of the contract or subcontract,  
11 except that for a minor subcontract, as determined by the department, the  
12 department shall prescribe by rule the method of notifying the minor subcontractor  
13 of the prevailing wage rates and prevailing hours of labor applicable to the minor  
14 subcontract. The prevailing wage rates and prevailing hours of labor applicable to  
15 a contract or subcontract may not be changed during the time that the contract or  
16 subcontract is in force. No person performing the work described in sub. (4) may be  
17 paid less than the prevailing wage rate in the same or most similar trade or  
18 occupation determined under this subsection; nor may he or she be permitted to work  
19 a greater number of hours per day or per week than the prevailing hours of labor,  
20 unless he or she is paid for all hours worked in excess of the prevailing hours of labor  
21 at a rate of at least 1.5 times his or her hourly basic rate of pay.

22 **SECTION 1727mk.** 66.0903 (4) (b) (intro.) of the statutes is amended to read:

23 66.0903 (4) (b) (intro.) ~~Notwithstanding par. (a) 1., a~~ A laborer, worker,  
24 mechanic, or truck driver who is regularly employed to process, manufacture, pick  
25 up, or deliver materials or products from a commercial establishment that has a fixed

1 place of business from which the establishment regularly supplies processed or  
2 manufactured materials or products or from a facility that is not dedicated  
3 exclusively, or nearly so, to a project of public works that is subject to this section is  
4 not entitled to receive the prevailing wage rate determined under sub. (3) or to  
5 receive at least 1.5 times his or her hourly basic rate of pay for all hours worked in  
6 excess of the prevailing hours of labor unless any of the following applies:

7 **SECTION 1727mL.** 66.0903 (4) (b) 1. of the statutes is amended to read:

8 66.0903 (4) (b) 1. The laborer, worker, mechanic, or truck driver is employed  
9 to go to the source of mineral aggregate such as sand, gravel, or stone ~~that is to be~~  
10 ~~immediately incorporated into the work, and not stockpiled or further transported~~  
11 ~~by truck, pick up that mineral aggregate, and deliver that mineral aggregate to the~~  
12 site of a project of public works that is subject to this section by depositing the  
13 material ~~substantially in place, directly~~ in final place, from the transporting vehicle  
14 or through spreaders from the transporting vehicle.

15 **SECTION 1727n.** 66.0903 (5) (a) of the statutes is amended to read:

16 66.0903 (5) (a) A ~~single-trade~~ project of public works for which the estimated  
17 project cost of completion is ~~below \$25,000 less than \$48,000, a multiple-trade~~  
18 project of public works for which the estimated project cost of completion is less than  
19 \$100,000, or, in the case of a multiple-trade project of public works erected,  
20 constructed, repaired, remodeled, or demolished by a private contractor for a city or  
21 village having a population of less than 2,500 or for a town, a multiple-trade project  
22 of public works for which the estimated project cost of completion is less than  
23 \$234,000.

24 **SECTION 1727p.** 66.0903 (5) (b) of the statutes is amended to read:

1           66.0903 (5) (b) ~~A~~ Work performed on a project of public works in which the  
2 labor for the project is provided by unpaid volunteers for which the local  
3 governmental unit contracting for the project is not required to compensate any  
4 contractor, subcontractor, contractor's or subcontractor's agent, or individual for  
5 performing the work.

6           **SECTION 1727q.** 66.0903 (5) (f) of the statutes is created to read:

7           66.0903 (5) (f) A project of public works involving the erection, construction,  
8 repair, remodeling, or demolition of a residential property containing 2 dwelling  
9 units or less.

10          **SECTION 1727r.** 66.0903 (5) (g) of the statutes is created to read:

11          66.0903 (5) (g) A road, street, bridge, sanitary sewer, or water main project that  
12 is a part of a development in which not less than 90 percent of the lots contain or will  
13 contain 2 dwelling units or less, as determined by the local governmental unit at the  
14 time of approval of the development, and that, on completion, is acquired by, or  
15 dedicated to, a local governmental unit, including under s. 236.13 (2), for ownership  
16 or maintenance by the local governmental unit.

17          **SECTION 1727rm.** 66.0903 (6) of the statutes is repealed.

18          **SECTION 1727s.** 66.0903 (8) of the statutes is amended to read:

19          66.0903 (8) **POSTING.** For the information of the employees working on the  
20 project of public works, the prevailing wage rates determined by the department or  
21 exempted local governmental unit, the prevailing hours of labor, and the provisions  
22 of subs. (10) (a) and (11) (a) shall be kept posted by the local governmental unit in at  
23 least one conspicuous and easily accessible place on the site of the project or, if there  
24 is no common site on the project, at the place normally used by the local  
25 governmental unit to post public notices.

1           **SECTION 1727t.** 66.0903 (10) (am) of the statutes is repealed.

2           **SECTION 1727u.** 66.0903 (10) (c) of the statutes is amended to read:

3           66.0903 **(10)** (c) If requested by any person, the department shall inspect the  
4 payroll records of any contractor, subcontractor, or agent performing work on a  
5 project of public works that is subject to this section as provided in this paragraph  
6 to ensure compliance with this section. ~~In the case of a request made by a person~~  
7 ~~performing the work specified in sub. (4), if the department finds that the contractor,~~  
8 ~~subcontractor, or agent subject to the inspection is in compliance and that the request~~  
9 ~~is frivolous, the department shall charge the person making the request the actual~~  
10 ~~cost of the inspection. In the case of a request made by a person not performing the~~  
11 ~~work specified in sub. (4), if the department finds that the contractor, subcontractor,~~  
12 ~~or agent subject to the inspection is in compliance and that the request is frivolous,~~  
13 ~~the department shall charge the person making the request \$250 or the actual cost~~  
14 ~~of the inspection, whichever is greater. In order to find that a request is frivolous,~~  
15 ~~the department must find that the person making the request made the request in~~  
16 ~~bad faith, solely for the purpose of harassing or maliciously injuring the contractor,~~  
17 ~~subcontractor, or agent subject to the inspection, or that the person making the~~  
18 ~~request knew, or should have known, that there was no reasonable basis for believing~~  
19 ~~that a violation of this section had been committed. On receipt of such a request, the~~  
20 ~~department shall request the contractor, subcontractor, or agent to submit to the~~  
21 ~~department a certified record of the information specified in par. (a), other than~~  
22 ~~personally identifiable information relating to an employee of the contractor,~~  
23 ~~subcontractor, or agent, for no longer than a 4-week period. The department may~~  
24 ~~request a contractor, subcontractor, or agent to submit those records no more than~~  
25 ~~once per calendar quarter for each project of public works on which the contractor,~~

1 subcontractor, or agent is performing work. The department may not charge a  
2 requester a fee for obtaining that information. The department shall make available  
3 for public inspection certified records submitted to the department under this  
4 paragraph.

5 **SECTION 1727x.** 66.0903 (12) (a) of the statutes is amended to read:

6 66.0903 (12) (a) Except as provided under pars. (b) and (c), the department  
7 shall notify any local governmental unit applying for a determination under sub. (3)  
8 ~~and any local governmental unit exempted under sub. (6)~~ of the names of all persons  
9 whom the department has found to have failed to pay the prevailing wage rate  
10 determined under sub. (3) or has found to have paid less than 1.5 times the hourly  
11 basic rate of pay for all hours worked in excess of the prevailing hours of labor at any  
12 time in the preceding 3 years. The department shall include with each name the  
13 address of the person and shall specify when the person failed to pay the prevailing  
14 wage rate and when the person paid less than 1.5 times the hourly basic rate of pay  
15 for all hours worked in excess of the prevailing hours of labor. A local governmental  
16 unit may not award any contract to the person unless otherwise recommended by the  
17 department or unless 3 years have elapsed from the date the department issued its  
18 findings or the date of final determination by a court of competent jurisdiction,  
19 whichever is later.

20 **SECTION 1727y.** 66.0904 of the statutes is repealed.

21 **SECTION 1728.** 66.0925 (14) of the statutes is amended to read:

22 66.0925 (14) CONSTRUCTION. Nothing in this section shall be construed as  
23 relieving, modifying, or interfering with the responsibilities for operating jails which  
24 are vested in sheriffs under s. 59.27 (1) and chiefs of police or chiefs of combined  
25 protective services departments under s. 62.09 (13) (b).

1           **SECTION 1729g.** 66.1039 of the statutes, as affected by 2011 Wisconsin Act ...  
2 (this act), is repealed.

3           **SECTION 1729r.** 66.1039 (4) (s) 1. of the statutes is amended to read:

4           66.1039 **(4)** (s) 1. Impose, by the adoption of a resolution by the board of  
5 directors, the taxes under subch. V of ch. 77 in the authority's jurisdictional area,  
6 except that no taxes may be imposed under this paragraph unless the resolution of  
7 the board of directors is adopted prior to the effective date of this subdivision .... [LRB  
8 inserts date]. If an authority adopts a resolution to impose the taxes, it shall deliver  
9 a certified copy of the resolution to the department of revenue at least 120 days before  
10 its effective date. The authority may, by adoption of a resolution by the board of  
11 directors, repeal the imposition of taxes under subch. V of ch. 77 and shall deliver a  
12 certified copy of the repeal resolution to the department of revenue at least 120 days  
13 before its effective date.

14           **SECTION 1731.** 66.1103 (4m) (a) 1. of the statutes is amended to read:

15           66.1103 **(4m)** (a) 1. The person, at least 30 days prior to entering into the  
16 revenue agreement, has given a notice of intent to enter into the agreement, on a  
17 form prescribed under s. 560.034 238.11 (1), to the ~~department of commerce~~  
18 Wisconsin Economic Development Corporation and to any collective bargaining  
19 agent in this state with whom the person has a collective bargaining agreement.

20           **SECTION 1732.** 66.1103 (4m) (a) 2. of the statutes is amended to read:

21           66.1103 **(4m)** (a) 2. The municipality or county has received an estimate issued  
22 under s. 560.034 238.11 (5) (a), and the ~~department of commerce~~ Wisconsin Economic  
23 Development Corporation has estimated whether the project which the municipality  
24 or county would finance under the revenue agreement is expected to eliminate,  
25 create, or maintain jobs on the project site and elsewhere in this state and the net



1 number of jobs expected to be eliminated, created, or maintained as a result of the  
2 project.

3 **SECTION 1733.** 66.1103 (4m) (b) of the statutes is amended to read:

4 66.1103 (4m) (b) Any revenue agreement which an eligible participant enters  
5 into with a municipality or county to finance a project shall require the eligible  
6 participant to submit to the ~~department of commerce~~ Wisconsin Economic  
7 Development Corporation within 12 months after the project is completed or 2 years  
8 after a revenue bond is issued to finance the project, whichever is sooner, on a form  
9 prescribed under s. ~~560.034~~ 238.11 (1), the net number of jobs eliminated, created,  
10 or maintained on the project site and elsewhere in this state as a result of the project.

11 **SECTION 1734.** 66.1103 (4s) (a) 1. of the statutes is amended to read:

12 66.1103 (4s) (a) 1. “~~Department~~” “Corporation” means the ~~department of~~  
13 ~~commerce~~ Wisconsin Economic Development Corporation.

14 **SECTION 1735.** 66.1103 (4s) (b) 3. of the statutes is amended to read:

15 66.1103 (4s) (b) 3. The employer shall certify compliance with this subsection  
16 to the ~~department~~ corporation, to the governing body of each municipality or county  
17 within which a lost job exists and to any collective bargaining agent in this state with  
18 which the employer has a collective bargaining agreement at the project site or at a  
19 site where a lost job exists.

20 **SECTION 1736.** 66.1103 (4s) (b) 4. of the statutes is amended to read:

21 66.1103 (4s) (b) 4. The employer shall submit a report to the ~~department~~  
22 corporation every 3 months during the first year after the construction of the project  
23 is completed. The reports shall provide information about new jobs, lost jobs, and  
24 offers of employment made to persons who were formerly employed at lost jobs. The

1 4th report shall be the final report. The form and content of the reports shall be  
2 prescribed by the ~~department~~ corporation under par. (d).

3 **SECTION 1737.** 66.1103 (4s) (d) of the statutes is amended to read:

4 66.1103 (4s) (d) The ~~department~~ corporation shall administer this subsection  
5 and shall prescribe forms for certification and reports under par. (b).

6 **SECTION 1738.** 66.1103 (10) (c) of the statutes is amended to read:

7 66.1103 (10) (c) A copy of the initial resolution together with a statement  
8 indicating when the public notice required under par. (b) was published shall be filed  
9 with the ~~secretary of commerce~~ Wisconsin Economic Development Corporation  
10 within 20 days following publication of notice. Prior to the closing of the bond issue,  
11 the ~~secretary~~ corporation may require additional information from the eligible  
12 participant or the municipality or county. After the closing of the bond issue, the  
13 ~~secretary~~ corporation shall be notified of the closing date, any substantive changes  
14 made to documents previously filed with the ~~secretary~~ corporation, and the principal  
15 amount of the financing.

16 **SECTION 1739.** 66.1103 (10) (g) of the statutes is amended to read:

17 66.1103 (10) (g) Bonds may not be issued unless prior to adoption of an initial  
18 resolution a document which provides a good faith estimate of attorney fees which  
19 will be paid from bond proceeds is filed with the clerk of the municipality or county  
20 and the ~~department of commerce~~ Wisconsin Economic Development Corporation.

21 **SECTION 1740.** 66.1104 of the statutes is repealed.

22 **SECTION 1740g.** 66.1105 (4) (gm) 4. c. of the statutes is amended to read:

23 66.1105 (4) (gm) 4. c. Except as provided in subs. (10) (c), ~~(16) (d)~~, and (17), the  
24 equalized value of taxable property of the district plus the value increment of all  
25 existing districts does not exceed 12 percent of the total equalized value of taxable

1 property within the city. In determining the equalized value of taxable property  
2 under this subd. 4. c., the department of revenue shall base its calculations on the  
3 most recent equalized value of taxable property of the district that is reported under  
4 s. 70.57 (1m) before the date on which the resolution under this paragraph is  
5 adopted. If the department of revenue determines that a local legislative body  
6 exceeds the 12 percent limit described in this subd. 4. c., the department shall notify  
7 the city of its noncompliance, in writing, not later than December 31 of the year in  
8 which the department receives the completed application or amendment forms  
9 described in sub. (5) (b).

10 **SECTION 1740i.** 66.1105 (5) (bt) of the statutes is created to read:

11 66.1105 (5) (bt) If the city of New Lisbon amends, or attempts to amend, the  
12 project plan of Tax Incremental District Number 12 on January 1, 2012, based on  
13 actions taken by the common council between July 1, 2011, and December 31, 2011,  
14 the tax incremental base of the district shall be redetermined by the department of  
15 revenue as if the district's project plan had been amended on January 1, 2012, except  
16 that the department of revenue may not certify a value increment under par. (b), that  
17 reflects the amendment to the district's plan, before 2012. In addition, the time limits  
18 specified for the city clerk in par. (b), and the provisions relating to the 12 percent  
19 limit findings requirement under sub. (4) (gm) 4. c., do not apply to an amendment  
20 to the project plan of Tax Incremental District Number 12 in the city of New Lisbon.

21 **SECTION 1740k.** 66.1105 (6) (a) (intro.) of the statutes is amended to read:

22 66.1105 (6) (a) (intro.) If the joint review board approves the creation of the tax  
23 incremental district under sub. (4m), and subject to par. (ae), positive tax increments  
24 with respect to a tax incremental district are allocated to the city which created the  
25 district or, in the case of a city or village that annexes or attaches a district created

1 under sub. (16), to the annexing or attaching city or village. for each year  
2 commencing after the date when a project plan is adopted under sub. (4) (g). The  
3 department of revenue may not authorize allocation of tax increments until it  
4 determines from timely evidence submitted by the city that each of the procedures  
5 and documents required under sub. (4) (d) to (f) has been completed and all related  
6 notices given in a timely manner. The department of revenue may authorize  
7 allocation of tax increments for any tax incremental district only if the city clerk and  
8 assessor annually submit to the department all required information on or before the  
9 2nd Monday in June. The facts supporting any document adopted or action taken  
10 to comply with sub. (4) (d) to (f) are not subject to review by the department of revenue  
11 under this paragraph. After the allocation of tax increments is authorized, the  
12 department of revenue shall annually authorize allocation of the tax increment to  
13 the city that created the district until the soonest of the following events:

14 **SECTION 1741.** 66.1105 (13) of the statutes is repealed.

15 **SECTION 1741e.** 66.1105 (16) (a) 1. of the statutes is amended to read:

16 66.1105 **(16)** (a) 1. The town enters into a cooperative plan with a city or village,  
17 under s. 66.0307, under which part or all of the town will be annexed or attached by  
18 the city or village in the future.

19 **SECTION 1741ec.** 66.1105 (16) (a) 2. of the statutes is amended to read:

20 66.1105 **(16)** (a) 2. The city or village into which the town territory will be  
21 annexed or attached adopts a resolution approving the creation of the tax  
22 incremental district.

23 **SECTION 1741ee.** 66.1105 (16) (a) 3. of the statutes is amended to read:

24 66.1105 **(16)** (a) 3. The tax incremental district is located solely within territory  
25 that is to be annexed or attached by a city or village as described under subd. 1.

1           **SECTION 1741ej.** 66.1105 (16) (c) of the statutes is created to read:

2           66.1105 **(16)** (c) If a district created under this subsection is annexed or  
3 attached by a city or village it shall be administered by that city or village, and all  
4 of the following apply to the district as if it were created by that city or village:

5           1. The lifespan of the district and the allocation of tax increments under sub.  
6 (6).

7           2. Except as provided in par. (e), the date on which the district terminates under  
8 sub. (7).

9           3. The creation date of the district by the town.

10          4. The project plan of the district.

11          5. The procedures to amend the district's project plan under sub. (4) (h).

12          6. The procedures to extend the life of the district under sub. (7) (am).

13           **SECTION 1741em.** 66.1105 (16) (d) of the statutes is created to read:

14           66.1105 **(16)** (d) The department of revenue may not include the equalized  
15 value of taxable property of a district created under this subsection when applying  
16 the 12 percent limit findings requirement under sub. (4) (gm) 4. c. to a city or village  
17 which annexes or attaches such a district.

18           **SECTION 1741ep.** 66.1105 (16) (e) of the statutes is created to read:

19           66.1105 **(16)** (e) If a city or village annexes or attaches a district created under  
20 this subsection before the last day on which the cooperative plan entered into under  
21 s. 66.0307 allows a boundary change, the district shall remain in existence at least  
22 through December 31 of the last calendar year of the period during which a boundary  
23 change could have occurred, notwithstanding sub. (7). The annexing or attaching  
24 city or village is responsible for all contracts, agreements, and obligations of the town  
25 related to the district.

1           **SECTION 1741es.** 66.1105 (16) (f) of the statutes is created to read:

2           66.1105 **(16)** (f) 1. Except as provided in subd. 2., if a city or village is in the  
3 process of annexing or attaching a district created under this subsection, but has not  
4 completed the process, the city or village may enter into a contract or agreement  
5 related to the district, with any person, or may assume an obligation of the district,  
6 and the town would continue to receive any tax increments for which it is eligible  
7 until the annexation or attachment process is complete.

8           2. A contract, agreement, or obligation, as described under subd. 1., does not  
9 apply and may not be enforced until the annexation or attachment process is  
10 complete and the city or village begins to receive tax increments associated with the  
11 district.

12           **SECTION 1742.** 66.1305 (2) (a) 1. of the statutes is amended to read:

13           66.1305 **(2)** (a) 1. “Arts incubator” has the meaning given in s. ~~44.60~~ 41.60 (1)  
14 (a).

15           **SECTION 1743.** 66.1305 (2) (b) 3. of the statutes is amended to read:

16           66.1305 **(2)** (b) 3. Apply for a grant or loan under s. ~~44.60~~ 41.60 in connection  
17 with an arts incubator.

18           **SECTION 1744.** 66.1333 (2m) (am) of the statutes is amended to read:

19           66.1333 **(2m)** (am) “Arts incubator” has the meaning given in s. ~~44.60~~ 41.60 (1)  
20 (a).

21           **SECTION 1745.** 66.1333 (2m) (d) 7. of the statutes is amended to read:

22           66.1333 **(2m)** (d) 7. Studying the feasibility of and initial design for an arts  
23 incubator, developing and operating an arts incubator, and applying for a grant or  
24 loan under s. ~~44.60~~ 41.60 in connection with an arts incubator.

25           **SECTION 1745m.** 67.01 (5) of the statutes is amended to read:

1           67.01 (5) “Municipality” means any of the following which is authorized to levy  
2 a tax: a county, city, village, town, school district, board of park commissioners,  
3 technical college district, metropolitan sewerage district created under ss. 200.01 to  
4 200.15 or 200.21 to 200.65, town sanitary district under subch. IX of ch. 60, ~~transit~~  
5 ~~authority created under s. 66.1039~~, public inland lake protection and rehabilitation  
6 district established under s. 33.23, 33.235, or 33.24, and any other public body  
7 empowered to borrow money and issue obligations to repay the money out of public  
8 funds or revenues. “Municipality” does not include the state.

9           **SECTION 1746.** 67.05 (6a) (bg) 2. of the statutes is amended to read:

10           67.05 (6a) (bg) 2. The department of ~~commerce~~ safety and professional services  
11 shall determine for each grade level in which pupils attended school in a building  
12 described in subd. 1., the average cost per square foot for, and the average number  
13 of square feet per pupil included in, 2 recently constructed school buildings that were  
14 designed to serve pupils of that grade level, as selected by that department.

15           **SECTION 1747.** 67.12 (12) (e) 2r. b. of the statutes is amended to read:

16           67.12 (12) (e) 2r. b. The department of ~~commerce~~ safety and professional  
17 services shall determine, for each grade level in which pupils attended school in a  
18 building described in subd. 2r. a., the average cost per square foot for, and the average  
19 number of square feet per pupil included in, 2 recently constructed school buildings  
20 that were designed to serve pupils of that grade level, as selected by that department.

21           **SECTION 1747n.** 70.11 (intro.) of the statutes is amended to read:

22           **70.11 Property exempted from taxation.** (intro.) The property described  
23 in this section is exempted from general property taxes if the property is exempt  
24 under sub. (1), (2), (18), (21), (27) or (30); if it was exempt for the previous year and  
25 its use, occupancy or ownership did not change in a way that makes it taxable; if the

1 property was taxable for the previous year, the use, occupancy or ownership of the  
2 property changed in a way that makes it exempt and its owner, on or before March 1,  
3 files with the assessor of the taxation district where the property is located a form  
4 that the department of revenue prescribes or if the property did not exist in the  
5 previous year and its owner, on or before March 1, files with the assessor of the  
6 taxation district where the property is located a form that the department of revenue  
7 prescribes. Except as provided in subs. ~~(3m)-(e)~~, (4) (b), (4a) (f), and (4d), leasing a  
8 part of the property described in this section does not render it taxable if the lessor  
9 uses all of the leasehold income for maintenance of the leased property or  
10 construction debt retirement of the leased property, or both, and, except for  
11 residential housing, if the lessee would be exempt from taxation under this chapter  
12 if it owned the property. Any lessor who claims that leased property is exempt from  
13 taxation under this chapter shall, upon request by the tax assessor, provide records  
14 relating to the lessor's use of the income from the leased property. Property exempted  
15 from general property taxes is:

16 **SECTION 1747r.** 70.11 (2) of the statutes is amended to read:

17 70.11 (2) MUNICIPAL PROPERTY AND PROPERTY OF CERTAIN DISTRICTS, EXCEPTION.  
18 Property owned by any county, city, village, town, school district, technical college  
19 district, public inland lake protection and rehabilitation district, metropolitan  
20 sewerage district, municipal water district created under s. 198.22, joint local water  
21 authority created under s. 66.0823, ~~transit authority created under s. 59.58 (7) or~~  
22 ~~66.1039~~, long-term care district under s. 46.2895 or town sanitary district; lands  
23 belonging to cities of any other state used for public parks; land tax-deeded to any  
24 county or city before January 2; but any residence located upon property owned by  
25 the county for park purposes that is rented out by the county for a nonpark purpose



1 shall not be exempt from taxation. Except as to land acquired under s. 59.84 (2) (d),  
2 this exemption shall not apply to land conveyed after August 17, 1961, to any such  
3 governmental unit or for its benefit while the grantor or others for his or her benefit  
4 are permitted to occupy the land or part thereof in consideration for the conveyance.  
5 Leasing the property exempt under this subsection, regardless of the lessee and the  
6 use of the leasehold income, does not render that property taxable.

7 **SECTION 1748d.** 70.11 (3m) of the statutes is repealed.

8 **SECTION 1748de.** 70.114 (1) (b) of the statutes is renumbered 70.114 (1) (b) 1.  
9 and amended to read:

10 70.114 (1) (b) 1. ~~“Estimated value”,~~ For land purchased before the effective date  
11 of this subdivision .... [LRB inserts date], “estimated value.” for the year during  
12 which land is purchased, means the purchase price and, for later years, means the  
13 value that was used for calculating the aid payment under this section for the prior  
14 year increased or decreased to reflect the annual percentage change in the equalized  
15 valuation of all property, excluding improvements, in the taxation district, as  
16 determined by comparing the most recent determination of equalized valuation  
17 under s. 70.57 for that property to the next preceding determination of equalized  
18 valuation under s. 70.57 for that property.

19 **SECTION 1748e.** 70.114 (1) (b) 2. of the statutes is created to read:

20 70.114 (1) (b) 2. For land purchased on or after the effective date of this  
21 subdivision .... [LRB inserts date], “estimated value,” for the year during which land  
22 is purchased, means the lesser of the purchase price or the determination of the  
23 land’s equalized valuation under s. 70.57 in the year before the year during which  
24 the land is purchased, increased or decreased to reflect the annual percentage  
25 change in the equalized valuation of all property, excluding improvements, in the

1 taxation district, as determined by comparing the most recent determination of  
2 equalized valuation under s. 70.57 for that property, except that if the land was  
3 exempt from taxation in the year prior to the year during which the Department  
4 purchased the land “estimated value,” for the year during which the land is  
5 purchased means the lesser of either the purchase price; or the land’s equalized  
6 valuation under s. 70.57 or an amount that would result in a payment under sub. (4)  
7 that is equal to \$10 per acre, whichever is greater. “Estimated value,” for later years,  
8 means the value that was used for calculating the aid payment under this section for  
9 the prior year increased or decreased to reflect the annual percentage change in the  
10 equalized valuation of all property, excluding improvements, in the taxation district,  
11 as determined by comparing the most recent determination of equalized valuation  
12 under s. 70.57 for that property to the next preceding determination of equalized  
13 valuation under s. 70.57 for that property.

14 **SECTION 1752n.** 71.01 (6) (u) of the statutes is amended to read:

15 71.01 **(6)** (u) For taxable years that begin after December 31, 2007, and before  
16 January 1, 2009, for natural persons and fiduciaries, except fiduciaries of nuclear  
17 decommissioning trust or reserve funds, “Internal Revenue Code” means the federal  
18 Internal Revenue Code as amended to December 31, 2007, excluding sections 103,  
19 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203  
20 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
21 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554,  
22 P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147,  
23 sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306,  
24 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 201, 211, 242, 244, 336, 337,  
25 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310,

1 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of  
2 P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to  
3 section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101,  
4 207, 209, 503, 512, and 513 of P.L. 109–222, sections 811 and 844 of P.L. 109–280, P.L.  
5 109–432, P.L. 110–28, P.L. 110–140, P.L. 110–141, P.L. 110–142, P.L. 110–166, and  
6 P.L. 110–172, and as amendeded by P.L. 110–245, excluding sections 110, 113, and 301  
7 of P.L. 110–245, and section 15316 of P.L. 110–246, section 301 of division B and  
8 section 313 of division C of P.L. 110–343, P.L. 110–458, section 1541 of division B of  
9 P.L. 111–5, and P.L. 111–192, and as indirectly affected by P.L. 99–514, P.L. 100–203,  
10 P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280,  
11 P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.  
12 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150  
13 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.  
14 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1123 (b), 1202  
15 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.  
16 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.  
17 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,  
18 P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L.  
19 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L.  
20 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27,  
21 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173,  
22 excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311,  
23 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,  
24 excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.  
25 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections

1 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.  
2 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding  
3 section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it  
4 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L.  
5 109–151, P.L. 109–222, excluding sections 101, 207, 209, 503, 512, and 513 of P.L.  
6 109–222, P.L. 109–227, P.L. 109–280, excluding sections 811 and 844 of P.L. 109–280,  
7 P.L. 110–245, excluding sections 110, 113, and 301 of P.L. 110–245, and section 15316  
8 of P.L. 110–246, section 301 of division B and section 313 of division C of P.L. 110–343,  
9 P.L. 110–458, section 1541 of division B of P.L. 111–5, and P.L. 111–192. The Internal  
10 Revenue Code applies for Wisconsin purposes at the same time as for federal  
11 purposes. Amendments to the federal Internal Revenue Code enacted after  
12 December 31, 2007, do not apply to this paragraph with respect to taxable years  
13 beginning after December 31, 2007, and before January 1, 2009, except that changes  
14 to the Internal Revenue Code made by P.L. 110–245, excluding sections 110, 113, and  
15 301 of P.L. 110–245, and section 15316 of P.L. 110–246, section 301 of division B and  
16 section 313 of division C of P.L. 110–343, P.L. 110–458, section 1541 of division B of  
17 P.L. 111–5, and P.L. 111–192, and changes that indirectly affect the provisions  
18 applicable to this subchapter made by P.L. 110–245, excluding sections 110, 113, and  
19 301 of P.L. 110–245, and section 15316 of P.L. 110–246, section 301 of division B and  
20 section 313 of division C of P.L. 110–343, P.L. 110–458, section 1541 of division B of  
21 P.L. 111–5, and P.L. 111–192, apply for Wisconsin purposes at the same time as for  
22 federal purposes.

23 **SECTION 1753.** 71.01 (6) (um) of the statutes is amended to read:

24 71.01 **(6)** (um) For taxable years that begin after December 31, 2008, and  
25 before January 1, 2011, for natural persons and fiduciaries, except fiduciaries of

1 nuclear decommissioning trust or reserve funds, “Internal Revenue Code” means the  
2 federal Internal Revenue Code as amended to December 31, 2008, excluding sections  
3 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and  
4 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
5 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554,  
6 P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147,  
7 sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306,  
8 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336,  
9 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309,  
10 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section  
11 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates  
12 to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101,  
13 207, 209, 503, and 513 of P.L. 109–222, ~~section 844 of P.L. 109–280~~, P.L. 109–432, P.L.  
14 110–28, P.L. 110–140, P.L. 110–141, P.L. 110–142, P.L. 110–166, P.L. 110–172, P.L.  
15 110–185, P.L. 110–234, sections 110, 113, and 301 of P.L. 110–245, P.L. 110–246,  
16 except section 15316 of P.L. 110–246, P.L. 110–289, except section 3093 of P.L.  
17 110–289, P.L. 110–317, and P.L. 110–343, except section 301 of division B and section  
18 313 of division C of P.L. 110–343, and P.L. 110–351 as amended by sections 1261,  
19 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301  
20 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L.  
21 111–226, section 2112 of P.L. 111–240, and P.L. 111–325, and as indirectly affected  
22 by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,  
23 P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding  
24 sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66,  
25 excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,

1 P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188,  
2 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
3 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.  
4 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections  
5 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.  
6 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections  
7 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L.  
8 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L.  
9 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L.  
10 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L.  
11 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422,  
12 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L.  
13 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
14 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L.  
15 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding  
16 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and  
17 (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207,  
18 209, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, ~~excluding section 844~~  
19 ~~of P.L. 109–280~~, P.L. 110–245, excluding sections 110, 113, and 301 of P.L. 110–245,  
20 and section 15316 of P.L. 110–246, section 3093 of P.L. 110–289, section 301 of  
21 division B and section 313 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458,  
22 sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L.  
23 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section  
24 215 of P.L. 111–226, section 2112 of P.L. 111–240, and P.L. 111–325. The Internal  
25 Revenue Code applies for Wisconsin purposes at the same time as for federal

1 purposes. Amendments to the federal Internal Revenue Code enacted after  
2 December 31, 2008, do not apply to this paragraph with respect to taxable years  
3 beginning after December 31, 2008, and before January 1, 2011, except that changes  
4 to the Internal Revenue Code made by sections 1261, 1262, 1401, 1402, 1521, 1522,  
5 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192,  
6 section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240,  
7 and P.L. 111–325, and changes that indirectly affect the provisions applicable to this  
8 subchapter made by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of  
9 division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L.  
10 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, and P.L. 111–325,  
11 apply for Wisconsin purposes at the same time as for federal purposes.

12 **SECTION 1753d.** 71.01 (6) (un) of the statutes is created to read:

13 71.01 **(6)** (un) For taxable years that begin after December 31, 2010, for  
14 natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust  
15 or reserve funds, “Internal Revenue Code” means the federal Internal Revenue Code  
16 as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L.  
17 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,  
18 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3,  
19 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section  
20 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and  
21 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403  
22 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and  
23 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,  
24 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section  
25 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402

1 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L.  
2 109–222, P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425  
3 of division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except  
4 sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2,  
5 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L.  
6 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246,  
7 except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections  
8 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343,  
9 except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of  
10 division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521,  
11 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L. 111–147, P.L.  
12 111–148, except sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of  
13 P.L. 111–148, P.L. 111–152, except section 1407 of P.L. 111–152, P.L. 111–203, except  
14 section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L.  
15 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L.  
16 111–240, and P.L. 111–312, and as indirectly affected by P.L. 99–514, P.L. 100–203,  
17 P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280,  
18 P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.  
19 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150  
20 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.  
21 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1123 (b), 1202  
22 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.  
23 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.  
24 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,  
25 P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L.



1 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L.  
2 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27,  
3 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173,  
4 excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311,  
5 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,  
6 excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of  
7 P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections  
8 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.  
9 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding  
10 section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it  
11 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L.  
12 109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222,  
13 P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425  
14 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232,  
15 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3,  
16 and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g)  
17 of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4,  
18 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding  
19 sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e)  
20 of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504  
21 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401,  
22 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L.  
23 111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9021,  
24 9022, 10108, 10908, and 10909 of P.L. 111–148, section 1407 of P.L. 111–152, P.L.  
25 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections

1 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–325. The Internal  
2 Revenue Code applies for Wisconsin purposes at the same time as for federal  
3 purposes, except that changes made by section 209 of P.L. 109–222, sections 117, 406,  
4 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L.  
5 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L.  
6 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding  
7 sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, sections 110 and 113 of P.L.  
8 110–245, sections 15312, 15313, 15314, and 15342 of P.L. 110–246, sections 3031,  
9 3032, 3033, 3041, 3051, 3052, 3061, and 3092 of P.L. 110–289, P.L. 110–317,  
10 excluding section 9 (e) of P.L. 110–317, sections 116, 208, and 211 of division B and  
11 section 504 of division C of P.L. 110–343, section 14 of P.L. 111–92, sections 531, 532,  
12 and 533 of P.L. 111–147, sections 10908 and 10909 of P.L. 111–148, and section 2043  
13 of P.L. 111–240 do not apply for taxable years beginning before January 1, 2011.  
14 Amendments to the federal Internal Revenue Code enacted after December 31, 2010,  
15 do not apply to this paragraph with respect to taxable years beginning after  
16 December 31, 2010.

17 **SECTION 1754.** 71.01 (13) of the statutes is amended to read:

18 71.01 (13) “Wisconsin adjusted gross income” means federal adjusted gross  
19 income, with the modifications prescribed in s. 71.05 (6) to (12), (19), (20), and (24),  
20 (25), and (26).

21 **SECTION 1754r.** 71.05 (1) (c) 9. of the statutes is repealed.

22 **SECTION 1755d.** 71.05 (1) (c) 12. of the statutes is created to read:

23 71.05 (1) (c) 12. The Wisconsin Housing and Economic Development Authority,  
24 if the bonds or notes are issued to provide loans to a public affairs network under s.  
25 234.75 (4).

1           **SECTION 1755g.** 71.05 (6) (a) 15. of the statutes is amended to read:

2           71.05 **(6)** (a) 15. The amount of the credits computed under s. 71.07 (2dd), (2de),  
3           (2di), (2dj), (2dL), (2dm), (2dr), (2ds), (2dx), (2dy), (3g), (3h), (3n), (3p), (3q), (3r),  
4           (3rm), (3rn), (3s), (3t), (3w), (5e), (5f), (5h), (5i), (5j), (5k), (5n), (5r), (5rm), and (8r) and  
5           not passed through by a partnership, limited liability company, or tax–option  
6           corporation that has added that amount to the partnership’s, company’s, or  
7           tax–option corporation’s income under s. 71.21 (4) or 71.34 (1k) (g).

8           **SECTION 1756.** 71.05 (6) (b) 23. of the statutes is amended to read:

9           71.05 **(6)** (b) 23. Any increase in value of a tuition unit that is purchased under  
10          a tuition contract under s. ~~14.63~~ 16.64, except that the subtraction under this  
11          subdivision may not be claimed by any individual who received a refund under s.  
12          ~~14.63~~ 16.64 (7) (a) 2., 3. or 4.

13          **SECTION 1757.** 71.05 (6) (b) 28. h. of the statutes is amended to read:

14          71.05 **(6)** (b) 28. h. No modification may be claimed under this subdivision for  
15          an amount paid for tuition expenses and mandatory student fees, as described under  
16          this subdivision, if the source of the payment is an amount withdrawn from a college  
17          savings account, as described in s. ~~14.64~~ 16.641 or from a college tuition and expenses  
18          program, as described in s. ~~14.63~~ 16.64, and if the owner of the account or a parent,  
19          grandparent, great–grandparent, aunt, or uncle of the beneficiary, who contributed  
20          to the account, has claimed a deduction under subd. 32. or 33. that relates to such  
21          an amount.

22          **SECTION 1758.** 71.05 (6) (b) 31. of the statutes is amended to read:

23          71.05 **(6)** (b) 31. Any increase in value of a college savings account, as described  
24          in s. ~~14.64~~ 16.641, except that the subtraction under this subdivision may not be

1 claimed by any individual who has made a nonqualified withdrawal, as described in  
2 s. ~~14.64~~ 16.641 (2) (e).

3 **SECTION 1759.** 71.05 (6) (b) 32. (intro.) of the statutes is amended to read:

4 71.05 **(6)** (b) 32. (intro.) An amount paid into a college savings account, as  
5 described in s. ~~14.64~~ 16.641, ~~by the owner of the account or by a parent, grandparent,~~  
6 great-grandparent, aunt, or uncle of the beneficiary, if the beneficiary of the account  
7 is one of the following: the claimant; the claimant's child; the claimant's grandchild;  
8 the claimant's great-grandchild; or the claimant's niece or nephew; calculated as  
9 follows:

10 **SECTION 1760.** 71.05 (6) (b) 33. (intro.) of the statutes is amended to read:

11 71.05 **(6)** (b) 33. (intro.) An amount paid into a college tuition and expenses  
12 program, as described in s. ~~14.63~~ 16.64, ~~by the owner of the account or by a parent,~~  
13 grandparent, great-grandparent, aunt, or uncle of the beneficiary, if the beneficiary  
14 of the account is one of the following: the claimant; the claimant's child; the  
15 claimant's grandchild; the claimant's great-grandchild; or the claimant's niece or  
16 nephew; calculated as follows:

17 **SECTION 1761.** 71.05 (8) (b) of the statutes is amended to read:

18 71.05 **(8)** (b) A Wisconsin net operating loss may be carried forward against  
19 Wisconsin taxable incomes of the next 15 taxable years, if the taxpayer was subject  
20 to taxation under this chapter in the taxable year in which the loss was sustained,  
21 to the extent not offset against other income of the year of loss and to the extent not  
22 offset against Wisconsin modified taxable income of any year between the loss year  
23 and the taxable year for which the loss carry-forward is claimed. In this paragraph,  
24 "Wisconsin modified taxable income" means Wisconsin taxable income with the  
25 following exceptions: a net operating loss deduction or offset for the loss year or any

1 taxable year thereafter is not allowed, the deduction for long-term capital gains  
2 under ~~sub. subs. (6) (b) 9. and 9m. and (25)~~ is not allowed, the amount deductible for  
3 losses from sales or exchanges of capital assets may not exceed the amount  
4 includable in income for gains from sales or exchanges of capital assets and  
5 “Wisconsin modified taxable income” may not be less than zero.

6 **SECTION 1762.** 71.05 (24) (a) 4. of the statutes is amended to read:

7 71.05 (24) (a) 4. “Qualified new business venture” means a business certified  
8 by the department of commerce under s. 238.20 or s. 560.2085, 2009 stats.

9 **SECTION 1763.** 71.05 (25) of the statutes is created to read:

10 71.05 (25) CAPITAL GAINS EXCLUSION; WISCONSIN-SOURCE ASSETS. (a) In this  
11 subsection:

12 1. “Claimant” means an individual; an individual partner or member of a  
13 partnership, limited liability company, or limited liability partnership; or an  
14 individual shareholder of a tax-option corporation.

15 2. “Qualifying gain” means the gain realized from the sale of any asset which  
16 is a Wisconsin capital asset in the year it is purchased by the claimant and for at least  
17 2 of the subsequent 4 years; that is purchased after December 31, 2010; that is held  
18 for at least 5 uninterrupted years; and that is treated as a long-term gain under the  
19 Internal Revenue Code; except that a qualifying gain may not include any amount  
20 for which the claimant claimed a subtraction under sub. (24) (b) or any gain described  
21 under sub. (26) (b) 1.

22 3. “Wisconsin business” means a business certified by the Wisconsin Economic  
23 Development Corporation under s. 238.145.

24 4. “Wisconsin capital asset” means any of the following:

1           a. Real or tangible personal property that is located in this state and used in  
2 a Wisconsin business.

3           b. Stock or other ownership interest in a Wisconsin business.

4           (b) For taxable years beginning after December 31, 2015, for a Wisconsin  
5 capital asset that is purchased after December 31, 2010, and held for at least 5 years,  
6 a claimant may subtract from federal adjusted gross income the lesser of one of the  
7 following amounts, to the extent that it is not subtracted under sub. (6) (b) 9. or 9m.:

8           1. The amount of the claimant's federal net capital gain as reported on Schedule  
9 D of the claimant's federal income tax return for the taxable year to which the claim  
10 relates, but this subdivision applies only if, in that taxable year, the claimant has a  
11 qualifying gain.

12           2. The amount of the claimant's qualifying gain in the year to which the claim  
13 relates.

14           **SECTION 1764.** 71.05 (26) of the statutes is created to read:

15           71.05 **(26)** INCOME TAX DEFERRAL; LONG-TERM WISCONSIN CAPITAL ASSETS. (a) In  
16 this subsection:

17           1. "Claimant" means an individual; an individual partner or member of a  
18 partnership, limited liability company, or limited liability partnership; or an  
19 individual shareholder of a tax-option corporation.

20           2. "Financial institution" has the meaning given in s. 69.30 (1) (b).

21           3. "Long-term capital gain" means the gain realized from the sale of any capital  
22 asset held more than one year that is treated as a long-term gain under the Internal  
23 Revenue Code.

24           4. "Qualified Wisconsin business" means a business certified by the Wisconsin  
25 Economic Development Corporation under s. 238.146.

1           (b) For taxable years beginning after December 31, 2010, a claimant may  
2 subtract from federal adjusted gross income any amount of a long-term capital gain  
3 if the claimant does all of the following:

4           1. Deposits the gain into a segregated account in a financial institution.

5           2. Within 180 days after the sale of the asset that generated the gain, invests  
6 all of the proceeds in the account described under subd. 1. in a qualified Wisconsin  
7 business.

8           3. After making the investment as described under subd. 2., notifies the  
9 department, on a form prepared by the department, that the claimant will not  
10 declare on the claimant's income tax return the gain described under subd. 1. because  
11 the claimant has reinvested the capital gain as described under subd. 2. The form  
12 shall be sent to the department along with the claimant's income tax return for the  
13 year to which the claim relates.

14           (c) The basis of the investment described in par. (b) 2. shall be calculated by  
15 subtracting the gain described in par. (b) 1. from the amount of the investment  
16 described in par. (b) 2.

17           (d) If a claimant defers the payment of income taxes on a capital gain under this  
18 subsection, the claimant may not use the gain described under par. (b) 1. to net  
19 capital gains and losses, as described under sub. (10) (c).

20           (e) If a claimant claims the subtraction under this subsection, the claimant may  
21 not use the gain described under par. (b) 1. to claim a subtraction under sub. (24).

22           (f) If a claimant claims the subtraction under this subsection, the gain  
23 described under par. (b) 1. may not be used as a qualifying gain under sub. (25).

24           **SECTION 1765.** 71.07 (2dd) (b) of the statutes is amended to read:

1           71.07 **(2dd)** (b) Except as provided in s. 73.03 (35), for any taxable year for  
2 which that person is certified under s. 560.765 (3), 2009 stats., and begins business  
3 operations in a zone under s. 560.71, 2009 stats., after July 29, 1995, or certified  
4 under s. 560.797 (4) (a), 2009 stats., for each zone for which the person is certified  
5 or entitled a person may credit against taxes otherwise due under this subchapter  
6 employment–related day care expenses, up to \$1,200 for each qualifying individual.

7           **SECTION 1766.** 71.07 (2de) (a) (intro.) of the statutes is amended to read:

8           71.07 **(2de)** (a) (intro.) Except as provided in s. 73.03 (35), for any taxable year  
9 for which a person is certified under s. 560.765 (3), 2009 stats., and begins business  
10 operations in a zone under s. 560.71, 2009 stats., after July 29, 1995, or certified  
11 under s. 560.797 (4) (a), 2009 stats., for each zone for which the person is certified  
12 or entitled the person may claim as a credit against taxes otherwise due under this  
13 subchapter an amount equal to 7.5% of the amount that the person expends to  
14 remove or contain environmental pollution, as defined in s. 299.01 (4), in the zone or  
15 to restore soil or groundwater that is affected by environmental pollution, as defined  
16 in s. 299.01 (4), in the zone if the person fulfills all of the following requirements:

17           **SECTION 1767.** 71.07 (2de) (a) 1. of the statutes is amended to read:

18           71.07 **(2de)** (a) 1. Begins the work, other than planning and investigating, for  
19 which the credit is claimed after the area that includes the site where the work is  
20 done is designated a development zone under s. 560.71, 2009 stats., or an enterprise  
21 development zone under s. 560.797, 2009 stats., and after the claimant is certified  
22 under s. 560.765 (3), 2009 stats., or certified under s. 560.797 (4) (a), 2009 stats.

23           **SECTION 1768.** 71.07 (2di) (a) (intro.) of the statutes is amended to read:

24           71.07 **(2di)** (a) (intro.) Except as provided in pars. (dm) and (f) and s. 73.03 (35),  
25 for any taxable year for which the person is entitled under s. 560.795 (3), 2009 stats.



1 to claim tax benefits, any person may claim as a credit against taxes otherwise due  
2 under this chapter 2.5% of the purchase price of depreciable, tangible personal  
3 property, or 1.75% of the purchase price of depreciable, tangible personal property  
4 that is expensed under section 179 of the internal revenue code for purposes of the  
5 taxes under this chapter, except that:

6 **SECTION 1769.** 71.07 (2di) (a) 1. of the statutes is amended to read:

7 71.07 **(2di)** (a) 1. The investment must be in property that is purchased after  
8 the person is entitled under s. 560.795 (3), 2009 stats., to claim tax benefits and that  
9 is used for at least 50% of its use in the conduct of the person's business operations  
10 at a location in a development zone under subch. VI of ch. 560, 2009 stats., or, if the  
11 property is mobile, the base of operations of the property for at least 50% of its use  
12 must be a location in a development zone.

13 **SECTION 1770.** 71.07 (2di) (b) 2. of the statutes is amended to read:

14 71.07 **(2di)** (b) 2. If the claimant is located on an Indian reservation, as defined  
15 in s. 560.86 (5), 2009 stats., and is an American Indian, as defined in s. 560.86 (1),  
16 2009 stats., an Indian business, as defined in s. 560.86 (4), 2009 stats., or a tribal  
17 enterprise, and if the allowable amount of the credit under this subsection exceeds  
18 the taxes otherwise due under this chapter on or measured by the claimant's income,  
19 the amount of the credit not used as an offset against those taxes shall be certified  
20 to the department of administration for payment to the claimant by check, share  
21 draft or other draft. In this subdivision, "tribal enterprise" means a business that  
22 is at least 51% owned and controlled by the governing body of one or more Indian  
23 tribes, is actively managed by the governing body, or by the designee of the governing  
24 body, of one or more Indian tribes and is currently performing a useful business  
25 function.

1           **SECTION 1771.** 71.07 (2di) (b) 3. of the statutes is amended to read:

2           71.07 **(2di)** (b) 3. Partnerships, limited liability companies and tax–option  
3 corporations may not claim the credit under this subsection, but the eligibility for,  
4 and amount of, that credit shall be determined on the basis of their economic activity,  
5 not that of their shareholders, partners or members. The corporation, partnership  
6 or company shall compute the amount of the credit that may be claimed by each of  
7 its shareholders, partners or members and shall provide that information to each of  
8 its shareholders, partners or members. Partners, members of limited liability  
9 companies and shareholders of tax–option corporations may claim the credit based  
10 on the partnership’s, company’s or corporation’s activities in proportion to their  
11 ownership interest and may offset it against the tax attributable to their income from  
12 the partnership’s, company’s or corporation’s business operations in the  
13 development zone; except that partners, members, and shareholders in a  
14 development zone under s. 560.795 (1) (e), 2009 stats., may offset the credit against  
15 the amount of the tax attributable to their income from all of the partnership’s,  
16 company’s, or corporation’s business operations; and against the tax attributable to  
17 their income from the partnership’s, company’s or corporation’s directly related  
18 business operations.

19           **SECTION 1772.** 71.07 (2di) (d) 1. of the statutes is amended to read:

20           71.07 **(2di)** (d) 1. A copy of a verification from the department of commerce that  
21 the claimant may claim tax benefits under s. 560.795 (3), 2009 stats.

22           **SECTION 1773.** 71.07 (2di) (f) of the statutes is amended to read:

23           71.07 **(2di)** (f) If a person who is entitled under s. 560.795 (3), 2009 stats., to  
24 claim tax benefits becomes ineligible for such tax benefits, that person may claim no  
25 credits under this subsection for the taxable year that includes the day on which the

1 person becomes ineligible for tax benefits or succeeding taxable years and that  
2 person may carry over no unused credits from previous years to offset tax under this  
3 chapter for the taxable year that includes the day on which the person becomes  
4 ineligible for tax benefits or succeeding taxable years.

5 **SECTION 1774.** 71.07 (2di) (g) of the statutes is amended to read:

6 71.07 **(2di)** (g) If a person who is entitled under s. 560.795 (3), 2009 stats., to  
7 claim tax benefits ceases business operations in the development zone during any of  
8 the taxable years that that zone exists, that person may not carry over to any taxable  
9 year following the year during which operations cease any unused credits from the  
10 taxable year during which operations cease or from previous taxable years.

11 **SECTION 1775.** 71.07 (2dj) (am) (intro.) of the statutes is amended to read:

12 71.07 **(2dj)** (am) (intro.) Except as provided under par. (f) or s. 73.03 (35), for  
13 any taxable year for which the person is certified under s. 560.765 (3), 2009 stats.,  
14 for tax benefits, any person may claim as a credit against taxes otherwise due under  
15 this chapter an amount calculated as follows:

16 **SECTION 1776.** 71.07 (2dj) (am) 4. a. of the statutes is amended to read:

17 71.07 **(2dj)** (am) 4. a. If certified under s. 560.765 (3), 2009 stats., for tax  
18 benefits before January 1, 1992, modify “qualified wages” as defined in section 51 (b)  
19 of the internal revenue code to exclude wages paid before the claimant is certified for  
20 tax benefits and to exclude wages that are paid to employees for work at any location  
21 that is not in a development zone under subch. VI of ch. 560, 2009 stats. For purposes  
22 of this subd. 4. a., mobile employees work at their base of operations and leased or  
23 rented employees work at the location where they perform services.

24 **SECTION 1777.** 71.07 (2dj) (am) 4. b. of the statutes is amended to read:

1           71.07 **(2dj)** (am) 4. b. If certified under s. 560.765 (3), 2009 stats., for tax  
2 benefits after December 31, 1991, modify “qualified wages” as defined in section 51  
3 (b) of the internal revenue code to exclude wages paid before the claimant is certified  
4 for tax benefits and to exclude wages that are paid to employees for work at any  
5 location that is not in a development zone under subch. VI of ch. 560, 2009 stats. For  
6 purposes of this subd. 4. b., mobile employees and leased or rented employees work  
7 at their base of operations.

8           **SECTION 1778.** 71.07 (2dj) (am) 4c. of the statutes is amended to read:

9           71.07 **(2dj)** (am) 4c. Modify the rule for ineligible individuals under section 51  
10 (i) (1) of the internal revenue code to allow credit for the wages of related individuals  
11 paid by an Indian business, as defined in s. 560.86 (4), 2009 stats., or a tribal  
12 enterprise, as defined in sub. (2di) (b) 2., if the Indian business or tribal enterprise  
13 is located in a development zone designated under s. 560.71 (3) (c) 2., 2009 stats.

14           **SECTION 1779.** 71.07 (2dj) (am) 4t. of the statutes is amended to read:

15           71.07 **(2dj)** (am) 4t. If certified under s. 560.765 (3), 2009 stats., for tax benefits  
16 before January 1, 1992, modify section 51 (i) (3) of the internal revenue code so that  
17 for leased or rented employees, except employees of a leasing agency certified for tax  
18 benefits who perform services directly for the agency in a development zone, the  
19 minimum employment periods apply to the time that they perform services in a  
20 development zone for a single lessee or renter, not to their employment by the leasing  
21 agency.

22           **SECTION 1780.** 71.07 (2dj) (e) 1. of the statutes is amended to read:

23           71.07 **(2dj)** (e) 1. A copy of the claimant’s certification for tax benefits under s.  
24 560.765 (3), 2009 stats.

25           **SECTION 1781.** 71.07 (2dj) (e) 3. a. of the statutes is amended to read:

1           71.07 **(2dj)** (e) 3. a. If certified under s. 560.765 (3), 2009 stats., for tax benefits  
2 before January 1, 1992, a statement from the department of commerce verifying the  
3 amount of qualifying wages and verifying that the employees were hired for work  
4 only in a development zone or are mobile employees whose base of operations is in  
5 a development zone.

6           **SECTION 1782.** 71.07 (2dj) (e) 3. b. of the statutes is amended to read:

7           71.07 **(2dj)** (e) 3. b. If certified under s. 560.765 (3), 2009 stats., for tax benefits  
8 after December 31, 1991, a statement from the department of commerce verifying the  
9 amount of qualifying wages and verifying that the employees were hired for work  
10 only in a development zone or are mobile employees or leased or rented employees  
11 whose base of operations is in a development zone.

12           **SECTION 1783.** 71.07 (2dL) (a) of the statutes is amended to read:

13           71.07 **(2dL)** (a) Except as provided in pars. (ag), (ar), (bm) and (f) and s. 73.03  
14 (35), for any taxable year for which the person is certified under s. 560.765 (3), 2009  
15 stats., for tax benefits, any person may claim as a credit against taxes otherwise due  
16 under this subchapter an amount equal to 2.5% of the amount expended by that  
17 person to acquire, construct, rehabilitate or repair real property in a development  
18 zone under subch. VI of ch. 560, 2009 stats.

19           **SECTION 1784.** 71.07 (2dL) (ag) of the statutes is amended to read:

20           71.07 **(2dL)** (ag) If the credit under par. (a) is claimed for an amount expended  
21 to construct, rehabilitate, remodel or repair property, the claimant must have begun  
22 the physical work of construction, rehabilitation, remodeling or repair, or any  
23 demolition or destruction in preparation for the physical work, after the place where  
24 the property is located was designated a development zone under s. 560.71, 2009  
25 stats., and the completed project must be placed in service after the claimant is

1 certified for tax benefits under s. 560.765 (3), 2009 stats. In this paragraph, “physical  
2 work” does not include preliminary activities such as planning, designing, securing  
3 financing, researching, developing specifications or stabilizing the property to  
4 prevent deterioration.

5 **SECTION 1785.** 71.07 (2dL) (ar) of the statutes is amended to read:

6 71.07 (**2dL**) (ar) If the credit under par. (a) is claimed for an amount expended  
7 to acquire property, the property must have been acquired by the claimant after the  
8 place where the property is located was designated a development zone under s.  
9 560.71, 2009 stats., and the completed project must be placed in service after the  
10 claimant is certified for tax benefits under s. 560.765 (3), 2009 stats., and the  
11 property must not have been previously owned by the claimant or a related person  
12 during the 2 years prior to the designation of the development zone under s. 560.71,  
13 2009 stats. No credit is allowed for an amount expended to acquire property until  
14 the property, either in its original state as acquired by the claimant or as  
15 subsequently constructed, rehabilitated, remodeled or repaired, is placed in service.

16 **SECTION 1786.** 71.07 (2dL) (bm) of the statutes is amended to read:

17 71.07 (**2dL**) (bm) In calculating the credit under par. (a) a claimant shall reduce  
18 the amount expended to acquire property by a percentage equal to the percentage of  
19 the area of the real property not used for the purposes for which the claimant is  
20 certified to claim tax benefits under s. 560.765 (3), 2009 stats., and shall reduce the  
21 amount expended for other purposes by the amount expended on the part of the  
22 property not used for the purposes for which the claimant is certified to claim tax  
23 benefits under s. 560.765 (3), 2009 stats.

24 **SECTION 1787.** 71.07 (2dL) (c) of the statutes is amended to read:

1           71.07 (**2dL**) (c) If the claimant is located on an Indian reservation, as defined  
2 in s. 560.86 (5), 2009 stats., and is an American Indian, as defined in s. 560.86 (1),  
3 2009 stats., an Indian business, as defined in s. 560.86 (4), 2009 stats., or a tribal  
4 enterprise, as defined in sub. (2di) (b) 2., and if the allowable amount of the credit  
5 under par. (a) exceeds the taxes otherwise due under this chapter on or measured by  
6 the claimant's income, the amount of the credit not used as an offset against those  
7 taxes shall be certified to the department of administration for payment to the  
8 claimant by check, share draft or other draft.

9           **SECTION 1788.** 71.07 (2dm) (a) 1. of the statutes is amended to read:

10           71.07 (**2dm**) (a) 1. “Certified” means entitled under s. 238.395 (3) (a) 4. or s.  
11 560.795 (3) (a) 4., 2009 stats., to claim tax benefits or certified under s. 238.395 (5),  
12 238.398 (5), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats.,  
13 or s. 560.7995 (4), 2009 stats.

14           **SECTION 1789.** 71.07 (2dm) (a) 3. of the statutes is amended to read:

15           71.07 (**2dm**) (a) 3. “Development zone” means a development opportunity zone  
16 under s. 238.395 (1) (e) and (f) or 238.398 or s. 560.795 (1) (e) and (f), 2009 stats., or  
17 s. 560.798, 2009 stats., or an airport development zone under s. 238.3995 or s.  
18 560.7995, 2009 stats.

19           **SECTION 1790.** 71.07 (2dm) (a) 4. of the statutes is amended to read:

20           71.07 (**2dm**) (a) 4. “Previously owned property” means real property that the  
21 claimant or a related person owned during the 2 years prior to the department of  
22 commerce or the Wisconsin Economic Development Corporation designating the  
23 place where the property is located as a development zone and for which the claimant  
24 may not deduct a loss from the sale of the property to, or an exchange of the property  
25 with, the related person under section 267 of the Internal Revenue Code, except that

1 section 267 (b) of the Internal Revenue Code is modified so that if the claimant owns  
2 any part of the property, rather than 50% ownership, the claimant is subject to  
3 section 267 (a) (1) of the Internal Revenue Code for purposes of this subsection.

4 **SECTION 1791.** 71.07 (2dm) (f) 1. of the statutes is amended to read:

5 71.07 **(2dm)** (f) 1. A copy of ~~a the verification from the department of commerce~~  
6 that the claimant may claim tax benefits under s. 238.395 (3) (a) 4. or s. 560.795 (3)  
7 (a) 4., 2009 stats., or is certified under s. 238.395 (5), 238.398 (3), or 238.3995 (4) or  
8 s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats.

9 **SECTION 1792.** 71.07 (2dm) (f) 2. of the statutes is amended to read:

10 71.07 **(2dm)** (f) 2. A statement from the department of commerce or the  
11 Wisconsin Economic Development Corporation verifying the purchase price of the  
12 investment and verifying that the investment fulfills the requirements under par.  
13 (b).

14 **SECTION 1793.** 71.07 (2dm) (i) of the statutes is amended to read:

15 71.07 **(2dm)** (i) Partnerships, limited liability companies, and tax–option  
16 corporations may not claim the credit under this subsection, but the eligibility for,  
17 and the amount of, that credit shall be determined on the basis of their economic  
18 activity, not that of their shareholders, partners, or members. The corporation,  
19 partnership, or limited liability company shall compute the amount of credit that  
20 may be claimed by each of its shareholders, partners, or members and provide that  
21 information to its shareholders, partners, or members. Partners, members of limited  
22 liability companies, and shareholders of tax–option corporations may claim the  
23 credit based on the partnership’s, company’s, or corporation’s activities in proportion  
24 to their ownership interest and may offset it against the tax attributable to their  
25 income from the partnership’s, company’s, or corporation’s business operations in the



1 development zone; except that partners, members, and shareholders in a  
2 development zone under s. 238.395 (1) (e) or s. 560.795 (1) (e), 2009 stats., may offset  
3 the credit against the amount of the tax attributable to their income.

4 **SECTION 1794.** 71.07 (2dm) (j) of the statutes is amended to read:

5 71.07 **(2dm)** (j) If a person who is entitled under s. 238.395 (3) (a) 4. or s. 560.795  
6 (3) (a) 4., 2009 stats. to claim tax benefits becomes ineligible for such tax benefits,  
7 or if a person's certification under s. 238.395 (5), 238.398 (3), or 238.3995 (4) or s.  
8 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., is  
9 revoked, that person may claim no credits under this subsection for the taxable year  
10 that includes the day on which the person becomes ineligible for tax benefits, the  
11 taxable year that includes the day on which the certification is revoked, or succeeding  
12 taxable years, and that person may carry over no unused credits from previous years  
13 to offset tax under this chapter for the taxable year that includes the day on which  
14 the person becomes ineligible for tax benefits, the taxable year that includes the day  
15 on which the certification is revoked, or succeeding taxable years.

16 **SECTION 1795.** 71.07 (2dm) (k) of the statutes is amended to read:

17 71.07 **(2dm)** (k) If a person who is entitled under s. 238.395 (3) (a) 4. or s.  
18 560.795 (3) (a) 4., 2009 stats., to claim tax benefits or certified under s. 238.395 (5),  
19 238.398 (3), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats.,  
20 or s. 560.7995 (4), 2009 stats., ceases business operations in the development zone  
21 during any of the taxable years that that zone exists, that person may not carry over  
22 to any taxable year following the year during which operations cease any unused  
23 credits from the taxable year during which operations cease or from previous taxable  
24 years.

25 **SECTION 1796.** 71.07 (2dr) (a) of the statutes is amended to read:

1           71.07 (2dr) (a) *Credit.* Any person may credit against taxes otherwise due  
2 under this chapter an amount equal to 5% of the amount obtained by subtracting  
3 from the person’s qualified research expenses, as defined in section 41 of the internal  
4 revenue code, except that “qualified research expenses” include only expenses  
5 incurred by the claimant in a development zone under subch. VI of ch. 560, 2009  
6 stats., except that a taxpayer may elect the alternative computation under section  
7 41 (c) (4) of the Internal Revenue Code and that election applies until the department  
8 permits its revocation and except that “qualified research expenses” do not include  
9 compensation used in computing the credit under sub. (2dj) nor research expenses  
10 incurred before the claimant is certified for tax benefits under s. 560.765 (3), 2009  
11 stats., the person’s base amount, as defined in section 41 (c) of the internal revenue  
12 code, in a development zone, except that gross receipts used in calculating the base  
13 amount means gross receipts from sales attributable to Wisconsin under s. 71.04 (7)  
14 (b) 1. and 2., (df) 1. and 2., (dh) 1., 2., and 3., (dj) 1. and (dk) 1. and research expenses  
15 used in calculating the base amount include research expenses incurred before the  
16 claimant is certified for tax benefits under s. 560.765 (3), 2009 stats., in a  
17 development zone, if the claimant submits with the claimant’s return a copy of the  
18 claimant’s certification for tax benefits under s. 560.765 (3) 2009 stats., and a  
19 statement from the department of commerce verifying the claimant’s qualified  
20 research expenses for research conducted exclusively in a development zone. The  
21 rules under s. 73.03 (35) apply to the credit under this paragraph. The rules under  
22 sub. (2di) (f) and (g), as they apply to the credit under that subsection, apply to claims  
23 under this paragraph. Section 41 (h) of the internal revenue code does not apply to  
24 the credit under this paragraph.

25           **SECTION 1797.** 71.07 (2dr) (b) of the statutes is amended to read:

1           71.07 **(2dr)** (b) *Development opportunity zones.* The development zones  
2 research credit under par. (a), as it applies to a person certified under s. 560.765 (3),  
3 2009 stats., applies to a person that conducts economic activity in a development  
4 opportunity zone under s. 560.795 (1), 2009 stats., and that is entitled to tax benefits  
5 under s. 560.795 (3), 2009 stats., subject to the limits under s. 560.795 (2), 2009 stats.  
6 A development opportunity zone credit under this paragraph may be calculated  
7 using expenses incurred by a claimant beginning on the effective date under s.  
8 560.795 (2) (a), 2009 stats., of the development opportunity zone designation of the  
9 area in which the claimant conducts economic activity.

10           **SECTION 1798.** 71.07 (2ds) (a) 1. of the statutes is amended to read:

11           71.07 **(2ds)** (a) 1. “Development zone” means a zone designated under s. 560.71,  
12 2009 stats.

13           **SECTION 1799.** 71.07 (2ds) (b) of the statutes is amended to read:

14           71.07 **(2ds)** (b) Except as provided in pars. (dm) and (e) and s. 73.03 (35), for  
15 any taxable year for which the person is certified under s. 560.765 (3), 2009 stats.,  
16 for tax benefits, any person may claim as a credit against taxes otherwise due under  
17 this chapter the taxes paid under subchs. III and V of ch. 77 on their purchases, leases  
18 and rentals of eligible property. Partnerships, limited liability companies and  
19 tax–option corporations may not claim the credit under this subsection, but the  
20 eligibility for, and the amount of, that credit shall be determined on the basis of their  
21 economic activity, not that of their partners, members or shareholders. The  
22 partnership, limited liability company or corporation shall compute the amount of  
23 credit that may be claimed by each of its partners, members or shareholders and  
24 shall provide that information to each of its partners, members or shareholders.  
25 Partners, members of a limited liability company and shareholders of tax–option

1 corporations may claim the credit based on the partnership's, company's or  
2 corporation's activities in proportion to their ownership interest.

3 **SECTION 1800.** 71.07 (2ds) (d) 1. of the statutes is amended to read:

4 71.07 **(2ds)** (d) 1. A copy of the claimant's certification for tax benefits under  
5 s. 560.765 (3), 2009 stats.

6 **SECTION 1801.** 71.07 (2dx) (a) 2. of the statutes is amended to read:

7 71.07 **(2dx)** (a) 2. "Development zone" means a development zone under s.  
8 238.30 or s. 560.70, 2009 stats., a development opportunity zone under s. 238.395 or  
9 s. 560.795, 2009 stats., an enterprise development zone under s. 238.397 or s.  
10 560.797, 2009 stats., an agricultural development zone under s. 238.398 or s.  
11 560.798, 2009 stats., or an airport development zone under s. 238.3995 or s.  
12 560.7995, 2009 stats.

13 **SECTION 1803.** 71.07 (2dx) (b) (intro.) of the statutes is amended to read:

14 71.07 **(2dx)** (b) *Credit.* (intro.) Except as provided in pars. (be) and (bg) and  
15 in s. 73.03 (35), and subject to s. 238.385 or s. 560.785, 2009 stats., for any taxable  
16 year for which the person is entitled under s. 238.395 (3) or s. 560.795 (3), 2009 stats.,  
17 to claim tax benefits or certified under s. 238.365 (3), 238.397 (4), 238.398 (3), or  
18 238.3995 (4) or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3),  
19 2009 stats., or s. 560.7995 (4), 2009 stats., any person may claim as a credit against  
20 the taxes otherwise due under this chapter the following amounts:

21 **SECTION 1804.** 71.07 (2dx) (b) 2. of the statutes is amended to read:

22 71.07 **(2dx)** (b) 2. The amount determined by multiplying the amount  
23 determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number  
24 of full-time jobs created in a development zone and filled by a member of a targeted

1 group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the  
2 subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

3 **SECTION 1805.** 71.07 (2dx) (b) 3. of the statutes is amended to read:

4 71.07 **(2dx)** (b) 3. The amount determined by multiplying the amount  
5 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number  
6 of full-time jobs created in a development zone and not filled by a member of a  
7 targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or  
8 the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

9 **SECTION 1806.** 71.07 (2dx) (b) 4. of the statutes is amended to read:

10 71.07 **(2dx)** (b) 4. The amount determined by multiplying the amount  
11 determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the  
12 number of full-time jobs retained, as provided in the rules under s. 238.385 or s.  
13 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub.  
14 (2dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats.,  
15 and for which significant capital investment was made and by then subtracting the  
16 subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid  
17 under s. 49.147 (3m) (c) for those jobs.

18 **SECTION 1807.** 71.07 (2dx) (b) 5. of the statutes is amended to read:

19 71.07 **(2dx)** (b) 5. The amount determined by multiplying the amount  
20 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number  
21 of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785,  
22 2009 stats., excluding jobs for which a credit has been claimed under sub. (2dj), in  
23 a development zone and not filled by a member of a targeted group and by then  
24 subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and  
25 reimbursements paid under s. 49.147 (3m) (c) for those jobs.

1           **SECTION 1808.** 71.07 (2dx) (be) of the statutes is amended to read:

2           71.07 **(2dx)** (be) *Offset.* A claimant in a development zone under s. 238.395 (1)  
3 (e) or s. 560.795 (1) (e), 2009 stats., may offset any credits claimed under this  
4 subsection, including any credits carried over, against the amount of the tax  
5 otherwise due under this subchapter attributable to all of the claimant's income and  
6 against the tax attributable to income from directly related business operations of  
7 the claimant.

8           **SECTION 1809.** 71.07 (2dx) (bg) of the statutes is amended to read:

9           71.07 **(2dx)** (bg) *Other entities.* For claimants in a development zone under s.  
10 238.395 (1) (e) or s. 560.795 (1) (e), 2009 stats., partnerships, limited liability  
11 companies, and tax–option corporations may not claim the credit under this  
12 subsection, but the eligibility for, and amount of, that credit shall be determined on  
13 the basis of their economic activity, not that of their shareholders, partners, or  
14 members. The corporation, partnership, or company shall compute the amount of  
15 the credit that may be claimed by each of its shareholders, partners, or members and  
16 shall provide that information to each of its shareholders, partners, or members.  
17 Partners, members of limited liability companies, and shareholders of tax–option  
18 corporations may claim the credit based on the partnership's, company's, or  
19 corporation's activities in proportion to their ownership interest and may offset it  
20 against the tax attributable to their income.

21           **SECTION 1810.** 71.07 (2dx) (c) of the statutes is amended to read:

22           71.07 **(2dx)** (c) *Credit precluded.* If the certification of a person for tax benefits  
23 under s. 238.365 (3), 238.397 (4), 238.398 (3), or 238.3995 (4) or s. 560.765 (3), 2009  
24 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009  
25 stats., is revoked, or if the person becomes ineligible for tax benefits under s. 238.395

1 (3) or s. 560.795 (3), 2009 stats., that person may not claim credits under this  
2 subsection for the taxable year that includes the day on which the certification is  
3 revoked; the taxable year that includes the day on which the person becomes  
4 ineligible for tax benefits; or succeeding taxable years and that person may not carry  
5 over unused credits from previous years to offset tax under this chapter for the  
6 taxable year that includes the day on which certification is revoked; the taxable year  
7 that includes the day on which the person becomes ineligible for tax benefits; or  
8 succeeding taxable years.

9 **SECTION 1811.** 71.07 (2dx) (d) of the statutes is amended to read:

10 71.07 (2dx) (d) *Carry-over precluded.* If a person who is entitled under s.  
11 238.395 (3) or s. 560.795 (3), 2009 stats., to claim tax benefits or certified under s.  
12 238.365 (3), 238.397 (4), 238.398 (3), or 238.3995 (4) or s. 560.765 (3), 2009 stats., s.  
13 560.797 (4), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., for  
14 tax benefits ceases business operations in the development zone during any of the  
15 taxable years that that zone exists, that person may not carry over to any taxable  
16 year following the year during which operations cease any unused credits from the  
17 taxable year during which operations cease or from previous taxable years.

18 **SECTION 1812.** 71.07 (2dy) (a) of the statutes is amended to read:

19 71.07 (2dy) (a) *Definition.* In this subsection, “claimant” means a person who  
20 files a claim under this subsection and is certified under s. 238.301 (2) or s. 560.701  
21 (2), 2009 stats., and authorized to claim tax benefits under s. 238.303 or s. 560.703,  
22 2009 stats.

23 **SECTION 1813.** 71.07 (2dy) (b) of the statutes is amended to read:

24 71.07 (2dy) (b) *Filing claims.* Subject to the limitations under this subsection  
25 and ss. 238.301 to 238.306 or ss. 560.701 to 560.706, 2009 stats., for taxable years

1 beginning after December 31, 2008, a claimant may claim as a credit against the tax  
2 imposed under s. 71.02 or 71.08, up to the amount of the tax, the amount authorized  
3 for the claimant under s. 238.303 or s. 560.703, 2009 stats.

4 **SECTION 1814.** 71.07 (2dy) (c) 1. of the statutes is amended to read:

5 71.07 **(2dy)** (c) 1. No credit may be allowed under this subsection unless the  
6 claimant includes with the claimant's return a copy of the claimant's certification  
7 under s. 238.301 (2) or s. 560.701 (2), 2009 stats., and a copy of the claimant's notice  
8 of eligibility to receive tax benefits under s. 238.303 (3) or s. 560.703 (3), 2009 stats.

9 **SECTION 1815.** 71.07 (2dy) (c) 2. of the statutes is amended to read:

10 71.07 **(2dy)** (c) 2. Partnerships, limited liability companies, and tax–option  
11 corporations may not claim the credit under this subsection, but the eligibility for,  
12 and the amount of, the credit are based on their authorization to claim tax benefits  
13 under s. 238.303 or s. 560.703, 2009 stats. A partnership, limited liability company,  
14 or tax–option corporation shall compute the amount of credit that each of its  
15 partners, members, or shareholders may claim and shall provide that information  
16 to each of them. Partners, members of limited liability companies, and shareholders  
17 of tax–option corporations may claim the credit in proportion to their ownership  
18 interests.

19 **SECTION 1816.** 71.07 (2dy) (d) 2. of the statutes is amended to read:

20 71.07 **(2dy)** (d) 2. If a claimant's certification is revoked under s. 238.305 or s.  
21 560.705, 2009 stats., or if a claimant becomes ineligible for tax benefits under s.  
22 238.302 or s. 560.702, 2009 stats., the claimant may not claim credits under this  
23 subsection for the taxable year that includes the day on which the certification is  
24 revoked; the taxable year that includes the day on which the claimant becomes  
25 ineligible for tax benefits; or succeeding taxable years and the claimant may not



1 carry over unused credits from previous years to offset the tax imposed under s. 71.02  
2 or 71.08 for the taxable year that includes the day on which certification is revoked;  
3 the taxable year that includes the day on which the claimant becomes ineligible for  
4 tax benefits; or succeeding taxable years.

5 **SECTION 1817.** 71.07 (3g) (a) (intro.) of the statutes is amended to read:

6 71.07 **(3g)** (a) (intro.) Subject to the limitations under this subsection and ss.  
7 73.03 (35m) and 238.23 and s. 560.96, 2009 stats., a business that is certified under  
8 s. 238.23 (3) or s. 560.96 (3), 2009 stats., may claim as a credit against the taxes  
9 imposed under s. 71.02 an amount equal to the sum of the following, as established  
10 under s. 238.23 (3) (c) or s. 560.96 (3) (c), 2009 stats.:

11 **SECTION 1818.** 71.07 (3g) (b) of the statutes is amended to read:

12 71.07 **(3g)** (b) The department of revenue shall notify the department of  
13 commerce or the Wisconsin Economic Development Corporation of all claims under  
14 this subsection.

15 **SECTION 1819.** 71.07 (3g) (e) 2. of the statutes is amended to read:

16 71.07 **(3g)** (e) 2. The investments that relate to the amount described under par.  
17 (a) 2. for which a claimant makes a claim under this subsection must be retained for  
18 use in the technology zone for the period during which the claimant's business is  
19 certified under s. 238.23 (3) or s. 560.96 (3), 2009 stats.

20 **SECTION 1820.** 71.07 (3g) (f) 1. of the statutes is amended to read:

21 71.07 **(3g)** (f) 1. A copy of ~~a~~ the verification from the department of commerce  
22 that the claimant's business is certified under s. 238.23 (3) or s. 560.96 (3), 2009  
23 stats., and that the business ~~and the department of commerce have~~ has entered into  
24 an agreement under s. 238.23 (3) (d) or s. 560.96 (3) (d), 2009 stats.

25 **SECTION 1821.** 71.07 (3g) (f) 2. of the statutes is amended to read:

1           71.07 (3g) (f) 2. A statement from the department of commerce or the Wisconsin  
2 Economic Development Corporation verifying the purchase price of the investment  
3 described under par. (a) 2. and verifying that the investment fulfills the requirement  
4 under par. (e) 2.

5           **SECTION 1822.** 71.07 (3p) (b) of the statutes is amended to read:

6           71.07 (3p) (b) *Filing claims.* Subject to the limitations provided in this  
7 subsection and s. 93.535 or s. 560.207, 2009 stats., except as provided in par. (c) 5.,  
8 for taxable years beginning after December 31, 2006, and before January 1, 2015, a  
9 claimant may claim as a credit against the taxes imposed under s. 71.02 or 71.08, up  
10 to the amount of the tax, an amount equal to 10 percent of the amount the claimant  
11 paid in the taxable year for dairy manufacturing modernization or expansion related  
12 to the claimant's dairy manufacturing operation.

13           **SECTION 1822d.** 71.07 (3p) (c) 2. of the statutes is amended to read:

14           71.07 (3p) (c) 2. The aggregate amount of credits that a claimant may claim  
15 under this subsection is \$200,000 for each of the claimant's dairy manufacturing  
16 facilities.

17           **SECTION 1823.** 71.07 (3p) (c) 2m. a. of the statutes is amended to read:

18           71.07 (3p) (c) 2m. a. The maximum amount of the credits that may be claimed  
19 under this subsection and ss. 71.28 (3p) and 71.47 (3p) in fiscal year 2007–08 is  
20 \$600,000, as allocated under s. 560.207, 2009 stats.

21           **SECTION 1824.** 71.07 (3p) (c) 2m. b. of the statutes is amended to read:

22           71.07 (3p) (c) 2m. b. The maximum amount of the credits that may be claimed  
23 by all claimants, other than members of dairy cooperatives, under this subsection  
24 and ss. 71.28 (3p) and 71.47 (3p) in fiscal year 2008–09, and in each fiscal year  
25 thereafter, is \$700,000, as allocated under s. 93.535 or s. 560.207, 2009 stats.

1           **SECTION 1825.** 71.07 (3p) (c) 2m. bm. of the statutes is amended to read:

2           71.07 **(3p)** (c) 2m. bm. The maximum amount of the credits that may be claimed  
3 by members of dairy cooperatives under this subsection and ss. 71.28 (3p) and 71.47  
4 (3p) in fiscal year 2009–10 is \$600,000, as allocated under s. 560.207, 2009 stats., and  
5 the maximum amount of the credits that may be claimed by members of dairy  
6 cooperatives under this subsection and ss. 71.28 (3p) and 71.47 (3p) in fiscal year  
7 2010–11, and in each fiscal year thereafter, is \$700,000, as allocated under s. 93.535  
8 or s. 560.207, 2009 stats.

9           **SECTION 1826d.** 71.07 (3p) (c) 4. of the statutes is amended to read:

10           71.07 **(3p)** (c) 4. If 2 or more persons own and operate ~~the a~~ dairy manufacturing  
11 ~~operation~~ facility, each person may claim a credit under par. (b) in proportion to his  
12 or her ownership interest, except that the aggregate amount of the credits claimed  
13 by all persons who own and operate the dairy manufacturing ~~operation~~ facility shall  
14 not exceed \$200,000.

15           **SECTION 1827.** 71.07 (3p) (c) 6. of the statutes is amended to read:

16           71.07 **(3p)** (c) 6. No credit may be allowed under this subsection unless the  
17 claimant submits with the claimant's return a copy of the claimant's credit  
18 certification and allocation under s. 93.535 or s. 560.207, 2009 stats.

19           **SECTION 1828.** 71.07 (3q) (a) 1. of the statutes is amended to read:

20           71.07 **(3q)** (a) 1. "Claimant" means a person certified to receive tax benefits  
21 under s. 238.16 (2) or s. 560.2055 (2), 2009 stats.

22           **SECTION 1829.** 71.07 (3q) (a) 2. of the statutes is amended to read:

23           71.07 **(3q)** (a) 2. "Eligible employee" means, for taxable years beginning before  
24 January 1, 2011, an eligible employee under s. 560.2055 (1) (b), 2009 stats., who  
25 satisfies the wage requirements under s. 560.2055 (3) (a) or (b), 2009 stats., or, for

1 taxable years beginning after December 31, 2010, an eligible employee under s.  
2 238.16 (1) (b) who satisfies the wage requirements under s. 238.16 (3) (a) or (b).

3 **SECTION 1830.** 71.07 (3q) (b) (intro.) of the statutes is amended to read:

4 71.07 **(3q)** (b) *Filing claims.* (intro.) Subject to the limitations provided in this  
5 subsection and s. 238.16 or s. 560.2055, 2009 stats., for taxable years beginning after  
6 December 31, 2009, a claimant may claim as a credit against the taxes imposed under  
7 ss. 71.02 and 71.08 any of the following.

8 **SECTION 1831.** 71.07 (3q) (b) 1. of the statutes is amended to read:

9 71.07 **(3q)** (b) 1. The amount of wages that the claimant paid to an eligible  
10 employee in the taxable year, not to exceed 10 percent of such wages, as determined  
11 by the Wisconsin Economic Development Corporation under s. 238.16 or the  
12 department of commerce under s. 560.2055, 2009 stats.

13 **SECTION 1832.** 71.07 (3q) (b) 2. of the statutes is amended to read:

14 71.07 **(3q)** (b) 2. The amount of the costs incurred by the claimant in the taxable  
15 year, as determined under s. 238.16 or s. 560.2055, 2009 stats., to undertake the  
16 training activities described under s. 238.16 (3) (c) or s. 560.2055 (3) (c), 2009 stats.

17 **SECTION 1833.** 71.07 (3q) (c) 2. of the statutes is amended to read:

18 71.07 **(3q)** (c) 2. No credit may be allowed under this subsection unless the  
19 claimant includes with the claimant's return a copy of the claimant's certification for  
20 tax benefits under s. 238.16 (2) or s. 560.2055 (2), 2009 stats.

21 **SECTION 1834.** 71.07 (3q) (c) 3. of the statutes is amended to read:

22 71.07 **(3q)** (c) 3. The maximum amount of credits that may be awarded under  
23 this subsection and ss. 71.28 (3q) and 71.47 (3q) for the period beginning on January  
24 1, 2010, and ending on June 30, 2013, is \$14,500,000, not including the amount of  
25 any credits reallocated under s. 238.15 (3) (d) or s. 560.205 (3) (d), 2009 stats.

1           **SECTION 1835.** 71.07 (3r) (b) of the statutes is amended to read:

2           71.07 **(3r)** (b) *Filing claims.* Subject to the limitations provided in this  
3 subsection and s. 93.545 or s. 560.208, 2009 stats., for taxable years beginning after  
4 December 31, 2008, and before January 1, 2017, a claimant may claim as a credit  
5 against the taxes imposed under s. 71.02 or 71.08, up to the amount of the tax, an  
6 amount equal to 10 percent of the amount the claimant paid in the taxable year for  
7 meat processing modernization or expansion related to the claimant's meat  
8 processing operation.

9           **SECTION 1836.** 71.07 (3r) (c) 3. a. of the statutes is amended to read:

10           71.07 **(3r)** (c) 3. a. The maximum amount of the credits that may be allocated  
11 under this subsection and ss. 71.28 (3r) and 71.47 (3r) in fiscal year 2009–10 is  
12 \$300,000, as allocated under s. 560.208, 2009 stats.

13           **SECTION 1837.** 71.07 (3r) (c) 3. b. of the statutes is amended to read:

14           71.07 **(3r)** (c) 3. b. The maximum amount of the credits that may be allocated  
15 under this subsection and ss. 71.28 (3r) and 71.47 (3r) in fiscal year 2010–11, and in  
16 each fiscal year thereafter, is \$700,000, as allocated under s. 93.545 or s. 560.208,  
17 2009 stats.

18           **SECTION 1838.** 71.07 (3r) (c) 6. of the statutes is amended to read:

19           71.07 **(3r)** (c) 6. No credit may be allowed under this subsection unless the  
20 claimant submits with the claimant's return a copy of the claimant's credit  
21 certification and allocation under s. 93.545 or s. 560.208, 2009 stats.

22           **SECTION 1839.** 71.07 (3rm) (b) of the statutes is amended to read:

23           71.07 **(3rm)** (b) *Filing claims.* Subject to the limitations provided in this  
24 subsection and s. 93.547 or s. 560.209, 2009 stats., for taxable years beginning after  
25 December 31, 2009, and before January 1, 2016, a claimant may claim as a credit

1 against the taxes imposed under s. 71.02 or 71.08, up to the amount of the tax, an  
2 amount equal to 10 percent of the amount the claimant paid in the taxable year for  
3 equipment that is used primarily to harvest or process woody biomass that is used  
4 as fuel or as a component of fuel.

5 **SECTION 1840.** 71.07 (3rn) (c) 3. of the statutes is amended to read:

6 71.07 **(3rn)** (c) 3. The maximum amount of the credits that may be claimed  
7 under this subsection and ss. 71.28 (3rn) and 71.47 (3rn) is \$900,000, as allocated  
8 under s. 93.547 or s. 560.209, 2009 stats.

9 **SECTION 1841.** 71.07 (3rn) (b) of the statutes is amended to read:

10 71.07 **(3rn)** (b) *Filing claims.* Subject to the limitations provided in this  
11 subsection and s. ~~506.2056~~ 93.54 or s. 560.2056, 2009 stats., for taxable years  
12 beginning after December 31, 2009, and before January 1, 2017, a claimant may  
13 claim as a credit against the tax imposed under ss. 71.02 and 71.08, up to the amount  
14 of the tax, an amount equal to 10 percent of the amount the claimant paid in the  
15 taxable year for food processing or food warehousing modernization or expansion  
16 related to the operation of the claimant's food processing plant or food warehouse.

17 **SECTION 1842.** 71.07 (3rn) (c) 3. a. of the statutes is amended to read:

18 71.07 **(3rn)** (c) 3. a. The maximum amount of the credits that may be allocated  
19 under this subsection and ss. 71.28 (3rn) and 71.47 (3rn) in fiscal year 2009–10 is  
20 \$1,000,000, as allocated under s. 560.2056, 2009 stats.

21 **SECTION 1843.** 71.07 (3rn) (c) 3. b. of the statutes is amended to read:

22 71.07 **(3rn)** (c) 3. b. The maximum amount of the credits that may be allocated  
23 under this subsection and ss. 71.28 (3rn) and 71.47 (3rn) in fiscal year 2010–11 is  
24 \$1,200,000, as allocated under s. 560.2056, 2009 stats.

25 **SECTION 1844.** 71.07 (3rn) (c) 3. c. of the statutes is amended to read:

1           71.07 (3rn) (c) 3. c. The maximum amount of the credits that may be allocated  
2           under this subsection and ss. 71.28 (3rn) and 71.47 (3rn) in fiscal year 2011–12, and  
3           in each year thereafter, is \$700,000, as allocated under s. 93.54 or s. 560.2056, 2009  
4           stats.

5           **SECTION 1845.** 71.07 (3rn) (c) 6. of the statutes is amended to read:

6           71.07 (3rn) (c) 6. No credit may be allowed under this subsection unless the  
7           claimant submits with the claimant’s return a copy of the claimant’s credit  
8           certification and allocation under s. 93.54 or s. 560.2056, 2009 stats.

9           **SECTION 1846.** 71.07 (3t) (b) of the statutes is amended to read:

10          71.07 (3t) (b) *Credit.* Subject to the limitations provided in this subsection and  
11          in s. 560.28, 2009 stats., for taxable years beginning after December 31, 2007, a  
12          claimant may claim as a credit, amortized over 15 taxable years starting with the  
13          taxable year beginning after December 31, 2007, against the tax imposed under s.  
14          71.02 and 71.08, up to the amount of the tax, an amount equal to the claimant’s  
15          unused credits under s. 71.07 (3s).

16          **SECTION 1847.** 71.07 (3t) (c) 1. of the statutes is amended to read:

17          71.07 (3t) (c) 1. No credit may be claimed under this subsection unless the  
18          claimant submits with the claimant’s return a copy of the claimant’s certification by  
19          the department of commerce under s. 560.28, 2009 stats., except that, with regard  
20          to credits claimed by partners of a partnership, members of a limited liability  
21          company, or shareholders of a tax–option corporation, the entity shall provide a copy  
22          of its certification under s. 560.28, 2009 stats., to the partner, member, or shareholder  
23          to submit with his or her return.

24          **SECTION 1848.** 71.07 (3w) (a) 2. of the statutes is amended to read:

1           71.07 (3w) (a) 2. “Claimant” means a person who is certified to claim tax  
2 benefits under s. 238.399 (5) or s. 560.799 (5), 2009 stats., and who files a claim under  
3 this subsection.

4           **SECTION 1849.** 71.07 (3w) (a) 3. of the statutes is amended to read:

5           71.07 (3w) (a) 3. “Full-time employee” means a full-time employee, as defined  
6 in s. 238.399 (1) (am) or s. 560.799 (1) (am), 2009 stats.

7           **SECTION 1850.** 71.07 (3w) (a) 4. of the statutes is amended to read:

8           71.07 (3w) (a) 4. “Enterprise zone” means a zone designated under s. 238.399  
9 or s. 560.799, 2009 stats.

10          **SECTION 1851.** 71.07 (3w) (a) 5d. of the statutes is amended to read:

11          71.07 (3w) (a) 5d. “Tier I county or municipality” means a tier I county or  
12 municipality, as determined by ~~the department of commerce~~ under s. 238.399 or s.  
13 560.799, 2009 stats.

14          **SECTION 1852.** 71.07 (3w) (a) 5e. of the statutes is amended to read:

15          71.07 (3w) (a) 5e. “Tier II county or municipality” means a tier II county or  
16 municipality, as determined by ~~the department of commerce~~ under s. 238.399 or s.  
17 560.799, 2009 stats.

18          **SECTION 1853.** 71.07 (3w) (b) (intro.) of the statutes is amended to read:

19          71.07 (3w) (b) *Filing claims; payroll.* (intro.) Subject to the limitations  
20 provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may  
21 claim as a credit against the tax imposed under s. 71.02 or 71.08 an amount  
22 calculated as follows:

23          **SECTION 1854.** 71.07 (3w) (b) 5. of the statutes is amended to read:



1           71.07 (3w) (b) 5. Multiply the amount determined under subd. 4. by the  
2           percentage determined by ~~the department of commerce~~ under s. 238.399 or s.  
3           560.799, 2009 stats., not to exceed 7 percent.

4           **SECTION 1855.** 71.07 (3w) (bm) 1. of the statutes is amended to read:

5           71.07 (3w) (bm) 1. In addition to the credits under par. (b) and subds. 2., 3., and  
6           4., and subject to the limitations provided in this subsection and s. 238.399 or s.  
7           560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under  
8           s. 71.02 or 71.08 an amount equal to a percentage, as determined ~~by the department~~  
9           ~~of commerce~~ under s. 238.399 or s. 560.799, 2009 stats., not to exceed 100 percent,  
10          of the amount the claimant paid in the taxable year to upgrade or improve the  
11          job-related skills of any of the claimant's full-time employees, to train any of the  
12          claimant's full-time employees on the use of job-related new technologies, or to  
13          provide job-related training to any full-time employee whose employment with the  
14          claimant represents the employee's first full-time job. This subdivision does not  
15          apply to employees who do not work in an enterprise zone.

16          **SECTION 1856.** 71.07 (3w) (bm) 2. of the statutes is amended to read:

17          71.07 (3w) (bm) 2. In addition to the credits under par. (b) and subds. 1., 3., and  
18          4., and subject to the limitations provided in this subsection and s. 238.399 or s.  
19          560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under  
20          s. 71.02 or 71.08 an amount equal to the percentage, as determined ~~by the~~  
21          ~~department of commerce~~ under s. 238.399 or s. 560.799, 2009 stats., not to exceed 7  
22          percent, of the claimant's zone payroll paid in the taxable year to all of the claimant's  
23          full-time employees whose annual wages are greater than \$20,000 in a tier I county  
24          or municipality, not including the wages paid to the employees determined under  
25          par. (b) 1., or greater than \$30,000 in a tier II county or municipality, not including

1 the wages paid to the employees determined under par. (b) 1., and who the claimant  
2 employed in the enterprise zone in the taxable year, if the total number of such  
3 employees is equal to or greater than the total number of such employees in the base  
4 year. A claimant may claim a credit under this subdivision for no more than 5  
5 consecutive taxable years.

6 **SECTION 1857.** 71.07 (3w) (bm) 3. of the statutes is amended to read:

7 71.07 (3w) (bm) 3. In addition to the credits under par. (b) and subds. 1., 2., and  
8 4., and subject to the limitations provided in this subsection and s. 238.399 or s.  
9 560.799, 2009 stats., for taxable years beginning after December 31, 2008, a claimant  
10 may claim as a credit against the tax imposed under s. 71.02 or 71.08 up to 10 percent  
11 of the claimant's significant capital expenditures, as determined by the department  
12 of commerce under s. 238.399 (5m) or s. 560.799 (5m), 2009 stats.

13 **SECTION 1858.** 71.07 (3w) (bm) 4. of the statutes is amended to read:

14 71.07 (3w) (bm) 4. In addition to the credits under par. (b) and subds. 1., 2., and  
15 3., and subject to the limitations provided in this subsection and s. 238.399 or s.  
16 560.799, 2009 stats., for taxable years beginning after December 31, 2009, a claimant  
17 may claim as a credit against the tax imposed under s. 71.02 or 71.08, up to 1 percent  
18 of the amount that the claimant paid in the taxable year to purchase tangible  
19 personal property, items, property, or goods under s. 77.52 (1) (b), (c), or (d), or  
20 services from Wisconsin vendors, as determined by the department of commerce  
21 under s. 238.399 (5) (e) or s. 560.799 (5) (e), 2009 stats., except that the claimant may  
22 not claim the credit under this subdivision and subd. 3. for the same expenditures.

23 **SECTION 1859.** 71.07 (3w) (c) 3. of the statutes is amended to read:

1           71.07 (3w) (c) 3. No credit may be allowed under this subsection unless the  
2 claimant includes with the claimant's return a copy of the claimant's certification for  
3 tax benefits under s. 238.399 (5) or (5m) or s. 560.799 (5) or (5m), 2009 stats.

4           **SECTION 1860.** 71.07 (3w) (d) of the statutes is amended to read:

5           71.07 (3w) (d) *Administration.* Section 71.28 (4) (g) and (h), as it applies to the  
6 credit under s. 71.28 (4), applies to the credit under this subsection. Claimants shall  
7 include with their returns a copy of their certification for tax benefits, and a copy of  
8 the verification of their expenses, from the department of commerce or the Wisconsin  
9 Economic Development Corporation.

10          **SECTION 1861.** 71.07 (5b) (a) 2. of the statutes is amended to read:

11          71.07 (5b) (a) 2. "Fund manager" means an investment fund manager certified  
12 under s. 238.15 (2) or s. 560.205 (2), 2009 stats.

13          **SECTION 1862.** 71.07 (5b) (b) 1. of the statutes is amended to read:

14          71.07 (5b) (b) 1. For taxable years beginning after December 31, 2004, subject  
15 to the limitations provided under this subsection and s. 238.15 or s. 560.205, 2009  
16 stats., and except as provided in subd. 2., a claimant may claim as a credit against  
17 the tax imposed under ss. 71.02 and 71.08, up to the amount of those taxes, 25 percent  
18 of the claimant's investment paid to a fund manager that the fund manager invests  
19 in a business certified under s. 238.15 (1) or s. 560.205 (1), 2009 stats.

20          **SECTION 1863.** 71.07 (5b) (b) 2. of the statutes is amended to read:

21          71.07 (5b) (b) 2. In the case of a partnership, limited liability company, or  
22 tax-option corporation, the computation of the 25 percent limitation under subd. 1.  
23 shall be determined at the entity level rather than the claimant level and may be  
24 allocated among the claimants who make investments in the manner set forth in the  
25 entity's organizational documents. The entity shall provide to the department of

1 revenue and to the department of commerce or the Wisconsin Economic  
2 Development Corporation the names and tax identification numbers of the  
3 claimants, the amounts of the credits allocated to the claimants, and the  
4 computation of the allocations.

5 **SECTION 1864.** 71.07 (5b) (d) 3. of the statutes is amended to read:

6 71.07 **(5b)** (d) 3. For ~~calendar years beginning~~ investments made after  
7 December 31, 2007, if an investment for which a claimant claims a credit under par.  
8 (b) is held by the claimant for less than 3 years, the claimant shall pay to the  
9 department, in the manner prescribed by the department, the amount of the credit  
10 that the claimant received related to the investment.

11 **SECTION 1865.** 71.07 (5d) (a) 1. (intro.) of the statutes is amended to read:

12 71.07 **(5d)** (a) 1. (intro.) “Bona fide angel investment” means a purchase of an  
13 equity interest, or any other expenditure, as determined by rule under s. 238.15 or  
14 s. 560.205, 2009 stats., that is made by any of the following:

15 **SECTION 1866.** 71.07 (5d) (a) 2m. of the statutes is amended to read:

16 71.07 **(5d)** (a) 2m. “Person” means a partnership or limited liability company  
17 that is a nonoperating entity, as determined by the department of commerce or the  
18 Wisconsin Economic Development Corporation, a natural person, or fiduciary.

19 **SECTION 1867.** 71.07 (5d) (a) 3. of the statutes is amended to read:

20 71.07 **(5d)** (a) 3. “Qualified new business venture” means a business that is  
21 certified under s. 238.15 (1) or s. 560.205 (1), 2009 stats.

22 **SECTION 1868.** 71.07 (5d) (b) (intro.) of the statutes is amended to read:

23 71.07 **(5d)** (b) *Filing claims.* (intro.) Subject to the limitations provided in this  
24 subsection and in s. 238.15 or s. 560.205, 2009 stats., a claimant may claim as a credit

1 against the tax imposed under s. 71.02 or 71.08, up to the amount of those taxes, the  
2 following:

3 **SECTION 1869.** 71.07 (5d) (b) 1. of the statutes is amended to read:

4 71.07 (5d) (b) 1. For taxable years beginning before January 1, 2008, in each  
5 taxable year for 2 consecutive years, beginning with the taxable year as certified by  
6 the department of commerce or the Wisconsin Economic Development Corporation,  
7 an amount equal to 12.5 percent of the claimant's bona fide angel investment made  
8 directly in a qualified new business venture.

9 **SECTION 1870.** 71.07 (5d) (b) 2. of the statutes is amended to read:

10 71.07 (5d) (b) 2. For taxable years beginning after December 31, 2007, for the  
11 taxable year certified by the department of commerce or the Wisconsin Economic  
12 Development Corporation, an amount equal to 25 percent of the claimant's bona fide  
13 angel investment made directly in a qualified new business venture.

14 **SECTION 1871.** 71.07 (5d) (c) 2. of the statutes is amended to read:

15 71.07 (5d) (c) 2. For taxable years beginning before January 1, 2008, the  
16 maximum amount of a claimant's investment that may be used as the basis for a  
17 credit under this subsection is \$2,000,000 for each investment made directly in a  
18 business certified under s. 238.15 (1) or s. 560.205 (1), 2009 stats.

19 **SECTION 1873.** 71.07 (5d) (d) 1. of the statutes is amended to read:

20 71.07 (5d) (d) 1. For ~~calendar years beginning~~ investments made after  
21 December 31, 2007, if an investment for which a claimant claims a credit under par.  
22 (b) is held by the claimant for less than 3 years, the claimant shall pay to the  
23 department, in the manner prescribed by the department, the amount of the credit  
24 that the claimant received related to the investment.

25 **SECTION 1874.** 71.07 (5f) (a) 1. (intro.) of the statutes is amended to read:

1           71.07 (5f) (a) 1. (intro.) “Accredited production” means a film, video, broadcast  
2 advertisement, or television production, as approved by the department of commerce  
3 or the department of tourism, for which the aggregate salary and wages included in  
4 the cost of the production for the period ending 12 months after the month in which  
5 the principal filming or taping of the production begins exceeds \$50,000. “Accredited  
6 production” also means an electronic game, as approved by the department of  
7 commerce or the department of tourism, for which the aggregate salary and wages  
8 included in the cost of the production for the period ending 36 months after the month  
9 in which the principal programming, filming, or taping of the production begins  
10 exceeds \$100,000. “Accredited production” does not include any of the following,  
11 regardless of the production costs:

12           **SECTION 1875.** 71.07 (5f) (a) 3. of the statutes is amended to read:

13           71.07 (5f) (a) 3. “Production expenditures” means any expenditures that are  
14 incurred in this state and directly used to produce an accredited production,  
15 including expenditures for set construction and operation, wardrobes, make-up,  
16 clothing accessories, photography, sound recording, sound synchronization, sound  
17 mixing, lighting, editing, film processing, film transferring, special effects, visual  
18 effects, renting or leasing facilities or equipment, renting or leasing motor vehicles,  
19 food, lodging, and any other similar expenditure as determined by the department  
20 of commerce or the department of tourism. “Production expenditures” do not include  
21 salary, wages, or labor-related contract payments.

22           **SECTION 1876.** 71.07 (5f) (c) 6. of the statutes is amended to read:

23           71.07 (5f) (c) 6. No credit may be allowed under this subsection unless the  
24 claimant files an application with the department of commerce or the department of  
25 tourism, at the time and in the manner prescribed by the department of commerce

1 or the department of tourism, and the department of commerce or the department  
2 of tourism approves the application. The claimant shall submit a fee with the  
3 application in an amount equal to 2 percent of the claimant’s budgeted production  
4 expenditures or to \$5,000, whichever is less. The claimant shall submit a copy of the  
5 approved application with the claimant’s return.

6 **SECTION 1877.** 71.07 (5h) (c) 4. of the statutes is amended to read:

7 71.07 (5h) (c) 4. No claim may be allowed under this subsection unless the  
8 department of commerce or the department of tourism certifies, in writing, that the  
9 credits claimed under this subsection are for expenses related to establishing or  
10 operating a film production company in this state and the claimant submits a copy  
11 of the certification with the claimant’s return.

12 **SECTION 1878.** 71.07 (5i) (c) 1. of the statutes is amended to read:

13 71.07 (5i) (c) 1. The maximum amount of the credits that may be claimed under  
14 this subsection and ss. 71.28 (5i) and 71.47 (5i) in a taxable year is \$10,000,000, as  
15 allocated under s. 73.15 or s. 560.204, 2009 stats.

16 **SECTION 1879.** 71.07 (5j) (a) 2d. of the statutes is amended to read:

17 71.07 (5j) (a) 2d. “Diesel replacement renewable fuel” includes biodiesel and  
18 any other fuel derived from a renewable resource that meets all of the applicable  
19 requirements of the American Society for Testing and Materials for that fuel and that  
20 the department of commerce or the department of safety and professional services  
21 designates by rule as a diesel replacement renewable fuel.

22 **SECTION 1880.** 71.07 (5j) (a) 2m. of the statutes is amended to read:

23 71.07 (5j) (a) 2m. “Gasoline replacement renewable fuel” includes ethanol and  
24 any other fuel derived from a renewable resource that meets all of the applicable  
25 requirements of the American Society for Testing and Materials for that fuel and that

1 the department of commerce or the department of safety and professional services  
2 designates by rule as a gasoline replacement renewable fuel.

3 **SECTION 1881.** 71.07 (5j) (c) 3. of the statutes is amended to read:

4 71.07 **(5j)** (c) 3. The department of commerce or the department of safety and  
5 professional services shall establish standards to adequately prevent, in the  
6 distribution of conventional fuel to an end user, the inadvertent distribution of fuel  
7 containing a higher percentage of renewable fuel than the maximum percentage  
8 established by the federal environmental protection agency for use in  
9 conventionally–fueled engines.

10 **SECTION 1881n.** 71.07 (5n) of the statutes is created to read:

11 71.07 **(5n)** QUALIFIED PRODUCTION ACTIVITIES CREDIT. (a) *Definitions.* In this  
12 subsection:2

13 1. “Claimant” means a person who files a claim under this subsection.

14 2. “Eligible qualified production activities income” means qualified production  
15 activities income that derives from property located in this state that is assessed as  
16 manufacturing property under s. 70.995 or as agricultural property under s. 70.32  
17 (2) (a) 4.

18 3. “Qualified production activities income” means qualified production  
19 activities income as defined in 26 USC 199 (c).

20 (b) *Filing claims.* Subject to the limitations provided in this subsection, a  
21 claimant may claim as a credit against the tax imposed under s. 71.02, up to the  
22 amount of the tax, an amount equal to one of the following percentages of the  
23 claimant’s eligible qualified production activities income in the taxable year:

24 1. For taxable years beginning after December 31, 2012, and before January  
25 1, 2014, 1.875 percent.



1           2. For taxable years beginning after December 31, 2013, and before January  
2           1, 2015, 3.75 percent.

3           3. For taxable years beginning after December 31, 2014, and before January  
4           1, 2016, 5.526 percent.

5           4. For taxable years beginning after December 31, 2015, 7.5 percent.

6           (c) *Limitations.* Partnerships, limited liability companies, and tax–option  
7           corporations may not claim the credit under this subsection, but the eligibility for,  
8           and the amount of, the credit are based on their share of the income described under  
9           par. (b). A partnership, limited liability company, or tax–option corporation shall  
10          compute the amount of credit that each of its partners, members, or shareholders  
11          may claim and shall provide that information to each of them. Partners, members  
12          of limited liability companies, and shareholders of tax–option corporations may  
13          claim the credit in proportion to their ownership interests.

14          (d) *Administration.* Section 71.28 (4) (e) to (h), as it applies to the credit under  
15          s. 71.28 (4), applies to the credit under this subsection.

16          **SECTION 1883.** 71.07 (9e) (af) (intro.) of the statutes is amended to read:

17          71.07 (9e) (af) (intro.) For taxable years beginning after December 31, 1995,  
18          and before January 1, 2011, any natural person may credit against the tax imposed  
19          under s. 71.02 an amount equal to one of the following percentages of the federal  
20          basic earned income credit for which the person is eligible for the taxable year under  
21          section 32 (b) (1) (A) to (C) of the ~~internal revenue code~~ Internal Revenue Code:

22          **SECTION 1884.** 71.07 (9e) (aj) of the statutes is created to read:

23          71.07 (9e) (aj) For taxable years beginning after December 31, 2010, an  
24          individual may credit against the tax imposed under s. 71.02 an amount equal to one  
25          of the following percentages of the federal basic earned income credit for which the

1 person is eligible for the taxable year under section 32 (b) (1) (A) to (C) of the Internal  
2 Revenue Code:

3 1. If the person has one qualifying child who has the same principal place of  
4 abode as the person, 4 percent.

5 2. If the person has 2 qualifying children who have the same principal place of  
6 abode as the person, 11 percent.

7 3. If the person has 3 or more qualifying children who have the same principal  
8 place of abode as the person, 34 percent.

9 **SECTION 1887c.** 71.10 (3) of the statutes is repealed.

10 **SECTION 1887d.** 71.10 (4) (cr) of the statutes is created to read:

11 71.10 (4) (cr) Qualified production activities credit under s. 71.07 (5n).

12 **SECTION 1888b.** 71.10 (5f) (i) of the statutes is amended to read:

13 71.10 (5f) (i) *Appropriations.* From the moneys received from designations for  
14 the breast cancer research program, an amount equal to the sum of administrative  
15 expenses, including data processing costs, certified under par. (h) 1. shall be  
16 deposited in the general fund and credited to the appropriation account under s.  
17 20.566 (1) (hp), and, of the net amount remaining that is certified under par. (h) 3.,  
18 an amount equal to 50 percent shall be credited to the appropriation account under  
19 s. 20.250 (2) (g) and an amount equal to 50 percent shall be credited to the  
20 appropriation account under s. 20.285 (1) ~~(gm)~~ (k) for breast cancer research  
21 conducted by the University of Wisconsin Carbone Cancer Center.

22 **SECTION 1889b.** 71.10 (5h) (i) of the statutes is amended to read:

23 71.10 (5h) (i) *Appropriations, disbursement of funds to the fund.* From the  
24 moneys received from designations for the prostate cancer research program, an  
25 amount equal to the sum of administrative expenses, including data processing

1 costs, certified under par. (h) 1. shall be deposited in the general fund and credited  
2 to the appropriation account under s. 20.566 (1) (hp), and of the net amount  
3 remaining that is certified under par. (h) 3., an amount equal to 50 percent shall be  
4 credited to the appropriation ~~accounts~~ account under ~~ss. s.~~ s. 20.250 (2) (h) and ~~20.285~~  
5 ~~(1) (gn)~~ an amount equal to 50 percent shall be, credited to the appropriation account  
6 under s. 20.285 (1) (k) for the use specified under s. 255.054 (1).

7 **SECTION 1889e.** 71.10 (5k) of the statutes is created to read:

8 71.10 **(5k)** AMERICAN RED CROSS, BADGER CHAPTER CHECKOFF. (a) *Definitions.*

9 In this subsection:

10 1. “Badger Chapter” means the Badger Chapter of the American Red Cross.

11 2. “Department” means the department of revenue.

12 (b) *Voluntary payments.* 1. ‘Designation on return.’ Every individual filing an  
13 income tax return who has a tax liability or is entitled to a tax refund may designate  
14 on the return any amount of additional payment or any amount of a refund due that  
15 individual for the Badger Chapter.

16 2. ‘Designation added to tax owed.’ If the individual owes any tax, the  
17 individual shall remit in full the tax due and the amount designated on the return  
18 for the Badger Chapter when the individual files a tax return.

19 3. ‘Designation deducted from refund.’ Except as provided in par. (d), if the  
20 individual is owed a refund for that year after crediting under ss. 71.75 (9) and 71.80  
21 (3) and (3m), the department shall deduct the amount designated on the return for  
22 the Badger Chapter from the amount of the refund.

23 (c) *Errors; failure to remit correct amount.* If an individual who owes taxes fails  
24 to remit an amount equal to or in excess of the total of the actual tax due, after error  
25 corrections, and the amount designated on the return for the Badger Chapter:

1           1. The department shall reduce the designation for the Badger Chapter to  
2 reflect the amount remitted in excess of the actual tax due, after error corrections,  
3 if the individual remitted an amount in excess of the actual tax due, after error  
4 corrections, but less than the total of the actual tax due, after error corrections, and  
5 the amount originally designated on the return for the Badger Chapter.

6           2. The designation for the Badger Chapter is void if the individual remitted an  
7 amount equal to or less than the actual tax due, after error corrections.

8           (d) *Errors; insufficient refund.* If an individual is owed a refund that does not  
9 equal or exceed the amount designated on the return for the Badger Chapter, after  
10 crediting under ss. 71.75 (9) and 71.80 (3) and (3m) and after error corrections, the  
11 department shall reduce the designation for the Badger Chapter to reflect the actual  
12 amount of the refund that the individual is otherwise owed, after crediting under ss.  
13 71.75 (9) and 71.80 (3) and (3m) and after error corrections.

14           (e) *Conditions.* If an individual places any conditions on a designation for the  
15 Badger Chapter, the designation is void.

16           (f) *Void designation.* If a designation for the Badger Chapter is void, the  
17 department shall disregard the designation and determine amounts due, owed,  
18 refunded, and received without regard to the void designation.

19           (g) *Tax return.* The secretary of revenue shall provide a place for the  
20 designations under this subsection on the individual income tax return.

21           (h) *Certification of amounts.* Annually, on or before September 15, the  
22 secretary of revenue shall certify to the department of health services, the  
23 department of administration, and the state treasurer all of the following:

1           1. The total amount of the administrative costs, including data processing  
2 costs, incurred by the department in administering this subsection during the  
3 previous fiscal year.

4           2. The total amount received from all designations for the Badger Chapter  
5 made by taxpayers during the previous fiscal year.

6           3. The net amount remaining after the administrative costs, including data  
7 processing costs, under subd. 1. are subtracted from the total received under subd.  
8 2.

9           (i) *Appropriations.* From the moneys received from designations for the Badger  
10 Chapter, an amount equal to the sum of administrative expenses, including data  
11 processing costs, certified under par. (h) 1. shall be deposited in the general fund and  
12 credited to the appropriation account under s. 20.566 (1) (hp), and the net amount  
13 remaining that is certified under par. (h) 3. shall be credited to the appropriation  
14 under s. 20.435 (1) (gd).

15           (j) *Amounts subject to refund.* Amounts designated for the Badger Chapter  
16 under this subsection are not subject to refund to the taxpayer unless the taxpayer  
17 submits information to the satisfaction of the department, within 18 months after  
18 the date on which the taxes are due or the date on which the return is filed, whichever  
19 is later, that the amount designated is clearly in error. Any refund granted by the  
20 department under this paragraph shall be deducted from the moneys received under  
21 this subsection in the fiscal year for which the refund is certified.

22           **SECTION 1889n.** 71.21 (4) of the statutes is amended to read:

23           71.21 (4) Credits computed by a partnership under s. 71.07 (2dd), (2de), (2di),  
24 (2dj), (2dL), (2dm), (2ds), (2dx), (2dy), (3g), (3h), (3n), (3p), (3q), (3r), (3rm), (3rn), (3s),

1 (3t), (3w), (5e), (5f), (5g), (5h), (5i), (5j), (5k), (5n), (5r), (5rm), and (8r) and passed  
2 through to partners shall be added to the partnership's income.

3 **SECTION 1889p.** 71.22 (4) (u) of the statutes is amended to read:

4 71.22 **(4)** (u) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34  
5 (1g), and 71.42 (2), "Internal Revenue Code," for taxable years that begin after  
6 December 31, 2007, and before January 1, 2009, means the federal Internal Revenue  
7 Code as amended to December 31, 2007, excluding sections 103, 104, and 110 of P.L.  
8 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,  
9 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3,  
10 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section  
11 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and  
12 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403  
13 (a) of P.L. 108–311, sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910  
14 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326,  
15 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301  
16 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403  
17 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 209, 503, 512, and 513 of  
18 P.L. 109–222, sections 811 and 844 of P.L. 109–280, P.L. 109–432, P.L. 110–28, P.L.  
19 110–140, P.L. 110–141, P.L. 110–142, P.L. 110–166, and P.L. 110–172, and as  
20 amended by P.L. 110–245, excluding sections 110, 113, and 301 of P.L. 110–245, and  
21 section 15316 of P.L. 110–246, section 301 of division B and section 313 of division  
22 C of P.L. 110–343, P.L. 110–458, section 1541 of division B of P.L. 111–5, and P.L.  
23 111–192, and as indirectly affected in the provisions applicable to this subchapter by  
24 P.L. 99–514, P.L. 100–203, P.L. 100–647, excluding sections 803 (d) (2) (B), 805 (d) (2),  
25 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L.

1 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L.  
2 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.  
3 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
4 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.  
5 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
6 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L.  
7 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554,  
8 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding  
9 section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147,  
10 excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L.  
11 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L.  
12 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L.  
13 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403  
14 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 211, 242, 244, 336, 337,  
15 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L.  
16 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
17 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L.  
18 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding  
19 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and  
20 (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207,  
21 209, 503, 512, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, excluding  
22 sections 811 and 844 of P.L. 109–280, P.L. 110–245, excluding sections 110, 113, and  
23 301 of P.L. 110–245, and section 15316 of P.L. 110–246, section 301 of division B and  
24 section 313 of division C of P.L. 110–343, P.L. 110–458, section 1541 of division B of  
25 P.L. 111–5, and P.L. 111–192. The Internal Revenue Code applies for Wisconsin

1 purposes at the same time as for federal purposes. Amendments to the federal  
2 Internal Revenue Code enacted after December 31, 2007, do not apply to this  
3 paragraph with respect to taxable years beginning after December 31, 2007, and  
4 before January 1, 2009, except that changes to the Internal Revenue Code made by  
5 P.L. 110–245, excluding sections 110, 113, and 301 of P.L. 110–245, and section 15316  
6 of P.L. 110–246, section 301 of division B and section 313 of division C of P.L. 110–343,  
7 P.L. 110–458, section 1541 of division B of P.L. 111–5, and P.L. 111–192, and changes  
8 that indirectly affect the provisions applicable to this subchapter made by P.L.  
9 110–245, excluding sections 110, 113, and 301 of P.L. 110–245, section 15316 of P.L.  
10 110–246, section 301 of division B and section 313 of division C of P.L. 110–343, P.L.  
11 110–458, section 1541 of division B of P.L. 111–5, and P.L. 111–192, apply for  
12 Wisconsin purposes at the same time as for federal purposes.

13 **SECTION 1890.** 71.22 (4) (um) of the statutes is amended to read:

14 71.22 (4) (um) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34  
15 (1g), and 71.42 (2), “Internal Revenue Code,” for taxable years that begin after  
16 December 31, 2008, and before January 1, 2011, means the federal Internal Revenue  
17 Code as amended to December 31, 2008, excluding sections 103, 104, and 110 of P.L.  
18 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,  
19 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3,  
20 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section  
21 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and  
22 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403  
23 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and  
24 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,  
25 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section



1 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402  
2 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 209, 503, and 513  
3 of P.L. 109–222, ~~section 844 of P.L. 109–280~~, P.L. 109–432, P.L. 110–28, P.L. 110–140,  
4 P.L. 110–141, P.L. 110–142, P.L. 110–166, P.L. 110–172, P.L. 110–185, P.L. 110–234,  
5 sections 110, 113, and 301 of P.L. 110–245, P.L. 110–246, except section 15316 of P.L.  
6 110–246, P.L. 110–289, except section 3093 of P.L. 110–289, P.L. 110–317, and P.L.  
7 110–343, except section 301 of division B and section 313 of division C of P.L. 110–343,  
8 and P.L. 110–351, as amended by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531,  
9 and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section  
10 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, and  
11 P.L. 111–325, and as indirectly affected in the provisions applicable to this  
12 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, excluding sections 803 (d) (2)  
13 (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008  
14 (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.  
15 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.  
16 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),  
17 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.  
18 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
19 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.  
20 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L.  
21 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16,  
22 excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L.  
23 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L.  
24 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and  
25 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L.

1 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316,  
2 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211,  
3 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476,  
4 P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,  
5 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146  
6 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135,  
7 excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),  
8 (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections  
9 101, 207, 209, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, excluding  
10 section 844 of P.L. 109–280, P.L. 110–245, excluding sections 110, 113, and 301 of P.L.  
11 110–245, and section 15316 of P.L. 110–246, section 3093 of P.L. 110–289, section 301  
12 of division B and section 313 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458,  
13 sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L.  
14 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section  
15 215 of P.L. 111–226, section 2112 of P.L. 111–240, and P.L. 111–325. The Internal  
16 Revenue Code applies for Wisconsin purposes at the same time as for federal  
17 purposes. Amendments to the federal Internal Revenue Code enacted after  
18 December 31, 2008, do not apply to this paragraph with respect to taxable years  
19 beginning after December 31, 2008, and before January 1, 2011, except that changes  
20 to the Internal Revenue Code made by sections 1261, 1262, 1401, 1402, 1521, 1522,  
21 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192,  
22 section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240,  
23 and P.L. 111–325, and changes that indirectly affect the provisions applicable to this  
24 subchapter made by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of  
25 division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L.

1 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, and P.L. 111–325,  
2 apply for Wisconsin purposes at the same time as for federal purposes.

3 **SECTION 1890d.** 71.22 (4) (un) of the statutes is created to read:

4 71.22 (4) (un) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34  
5 (1g), and 71.42 (2), “Internal Revenue Code,” for taxable years that begin after  
6 December 31, 2010, means the federal Internal Revenue Code as amended to  
7 December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227, sections  
8 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b),  
9 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L.  
10 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L.  
11 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L.  
12 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L.  
13 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.  
14 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
15 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L.  
16 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),  
17 (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222,  
18 P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of  
19 division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections  
20 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5  
21 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172,  
22 P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections  
23 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and  
24 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116,  
25 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343,

1 P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of  
2 division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections  
3 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, P.L. 111–152,  
4 except section 1407 of P.L. 111–152, P.L. 111–203, except section 1601 of P.L. 111–203,  
5 P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L. 111–240, except  
6 sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–312, and as  
7 indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L.  
8 100–203, P.L. 100–647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821  
9 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L.  
10 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,  
11 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.  
12 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
13 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,  
14 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
15 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.  
16 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections  
17 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.  
18 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections  
19 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L.  
20 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L.  
21 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L.  
22 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L.  
23 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422,  
24 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L.  
25 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,

1 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L.  
2 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding  
3 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and  
4 (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207,  
5 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410,  
6 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432,  
7 sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142,  
8 excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b)  
9 and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L.  
10 110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L.  
11 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317,  
12 excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B  
13 and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458,  
14 sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L.  
15 111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections  
16 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, section 1407  
17 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of  
18 P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L.  
19 111–325. The Internal Revenue Code applies for Wisconsin purposes at the same  
20 time as for federal purposes, except that changes made by section 209 of P.L.  
21 109–222, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and  
22 section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236  
23 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L.  
24 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172,  
25 sections 110 and 113 of P.L. 110–245, sections 15312, 15313, 15314, and 15342 of P.L.

1 110–246, sections 3031, 3032, 3033, 3041, 3051, 3052, 3061, and 3092 of P.L.  
2 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, and  
3 211 of division B and section 504 of division C of P.L. 110–343, section 14 of P.L.  
4 111–92, sections 531, 532, and 533 of P.L. 111–147, sections 10908 and 10909 of P.L.  
5 111–148, and section 2043 of P.L. 111–240 do not apply for taxable years beginning  
6 before January 1, 2011. Amendments to the federal Internal Revenue Code enacted  
7 after December 31, 2010, do not apply to this paragraph with respect to taxable years  
8 beginning after December 31, 2010.

9 **SECTION 1890n.** 71.22 (4m) (s) of the statutes is amended to read:

10 71.22 **(4m)** (s) For taxable years that begin after December 31, 2007, and  
11 before January 1, 2009, “Internal Revenue Code,” for corporations that are subject  
12 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal  
13 Internal Revenue Code as amended to December 31, 2007, excluding sections 103,  
14 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203  
15 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
16 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554,  
17 P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147,  
18 sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306,  
19 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 201, 211, 242, 244, 336, 337,  
20 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310,  
21 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of  
22 P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to  
23 section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101,  
24 207, 209, 503, 512, and 513 of P.L. 109–222, sections 811 and 844 of P.L. 109–280, P.L.  
25 109–432, P.L. 110–28, P.L. 110–140, P.L. 110–141, P.L. 110–142, P.L. 110–166, and

1 P.L. 110–172, and as amended by P.L. 110–245, excluding sections 110, 113, and 301  
2 of P.L. 110–245, and section 15316 of P.L. 110–246, section 301 of division B and  
3 section 313 of division C of P.L. 110–343, P.L. 110–458, section 1541 of division B of  
4 P.L. 111–5, and P.L. 111–192, and as indirectly affected in the provisions applicable  
5 to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.  
6 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections  
7 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding  
8 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.  
9 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections  
10 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.  
11 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.  
12 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of  
13 P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L.  
14 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a)  
15 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,  
16 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173,  
17 excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311,  
18 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,  
19 excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.  
20 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections  
21 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.  
22 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding  
23 section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it  
24 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L.  
25 109–151, P.L. 109–222, excluding sections 101, 207, 209, 503, 512, and 513 of P.L.

1 109–222, P.L. 109–227, and P.L. 109–280, excluding sections 811 and 844 of P.L.  
2 109–280, P.L. 110–245, excluding sections 110, 113, and 301 of P.L. 110–245, and  
3 section 15316 of P.L. 110–246, section 301 of division B and section 313 of division  
4 C of P.L. 110–343, P.L. 110–458, section 1541 of division B of P.L. 111–5, and P.L.  
5 111–192. The Internal Revenue Code applies for Wisconsin purposes at the same  
6 time as for federal purposes. Amendments to the Internal Revenue Code enacted  
7 after December 31, 2007, do not apply to this paragraph with respect to taxable years  
8 beginning after December 31, 2007, and before January 1, 2009, except that changes  
9 to the Internal Revenue Code made by P.L. 110–245, excluding sections 110, 113, and  
10 301 of P.L. 110–245, and section 15316 of P.L. 110–246, section 301 of division B and  
11 section 313 of division C of P.L. 110–343, P.L. 110–458, section 1541 of division B of  
12 P.L. 111–5, and P.L. 111–192, and changes that indirectly affect the provisions  
13 applicable to this subchapter made by P.L. 110–245, excluding sections 110, 113, and  
14 301 of P.L. 110–245, and section 15316 of P.L. 110–246, section 301 of division B and  
15 section 313 of division C of P.L. 110–343, P.L. 110–458, section 1541 of division B of  
16 P.L. 111–5, and P.L. 111–192, apply for Wisconsin purposes at the same time as for  
17 federal purposes.

18 **SECTION 1891.** 71.22 (4m) (sm) of the statutes is amended to read:

19 71.22 **(4m)** (sm) For taxable years that begin after December 31, 2008, and  
20 before January 1, 2011, “Internal Revenue Code,” for corporations that are subject  
21 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal  
22 Internal Revenue Code as amended to December 31, 2008, excluding sections 103,  
23 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203  
24 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
25 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554,



1 P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147,  
2 sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306,  
3 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336,  
4 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309,  
5 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section  
6 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates  
7 to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101,  
8 207, 209, 503, and 513 of P.L. 109–222, ~~section 844 of P.L. 109–280, P.L. 109–432, P.L.~~  
9 ~~110–28, P.L. 110–140, P.L. 110–141, P.L. 110–142, P.L. 110–166, P.L. 110–172, P.L.~~  
10 ~~110–185, P.L. 110–234, sections 110, 113, and 301 of P.L. 110–245, P.L. 110–246,~~  
11 except section 15316 of P.L. 110–246, P.L. 110–289, except section 3093 of P.L.  
12 110–289, P.L. 110–317, and P.L. 110–343, except section 301 of division B and section  
13 313 of division C of P.L. 110–343, and P.L. 110–351, as amended by sections 1261,  
14 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301  
15 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L.  
16 111–226, section 2112 of P.L. 111–240, and P.L. 111–325, and as indirectly affected  
17 in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L.  
18 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L.  
19 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.  
20 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
21 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.  
22 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
23 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L.  
24 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554,  
25 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding

1 section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147,  
2 excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L.  
3 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L.  
4 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L.  
5 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403  
6 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336,  
7 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7,  
8 P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
9 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L.  
10 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding  
11 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and  
12 (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207,  
13 209, 503, and 513 of P.L. 109–222, P.L. 109–227, and P.L. 109–280, ~~excluding section~~  
14 ~~844 of P.L. 109–280~~, P.L. 110–245, excluding sections 110, 113, and 301 of P.L.  
15 110–245, and section 15316 of P.L. 110–246, section 3093 of P.L. 110–289, section 301  
16 of division B and section 313 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458,  
17 sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L.  
18 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section  
19 215 of P.L. 111–226, section 2112 of P.L. 111–240, and P.L. 111–325. The Internal  
20 Revenue Code applies for Wisconsin purposes at the same time as for federal  
21 purposes. Amendments to the Internal Revenue Code enacted after December 31,  
22 2008, do not apply to this paragraph with respect to taxable years beginning after  
23 December 31, 2008, and before January 1, 2011, except that changes to the Internal  
24 Revenue Code made by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541  
25 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of

1 P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, and P.L.  
2 111–325, and changes that indirectly affect the provisions applicable to this  
3 subchapter made by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of  
4 division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L.  
5 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, and P.L. 111–325,  
6 apply for Wisconsin purposes at the same time as for federal purposes.

7 **SECTION 1891d.** 71.22 (4m) (sn) of the statutes is created to read:

8 71.22 (4m) (sn) For taxable years that begin after December 31, 2010,  
9 “Internal Revenue Code,” for corporations that are subject to a tax on unrelated  
10 business income under s. 71.26 (1) (a), means the federal Internal Revenue Code as  
11 amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227,  
12 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections  
13 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and  
14 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of  
15 P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of  
16 P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of  
17 P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910  
18 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326,  
19 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301  
20 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403  
21 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L.  
22 109–222, P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425  
23 of division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except  
24 sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2,  
25 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L.

1 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246,  
2 except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections  
3 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343,  
4 except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of  
5 division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521,  
6 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L. 111–147, P.L.  
7 111–148, except sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of  
8 P.L. 111–148, P.L. 111–152, except section 1407 of P.L. 111–152, P.L. 111–203, except  
9 section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L.  
10 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L.  
11 111–240, and P.L. 111–312, and as indirectly affected in the provisions applicable to  
12 this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.  
13 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections  
14 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding  
15 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.  
16 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections  
17 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.  
18 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.  
19 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of  
20 P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L.  
21 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a)  
22 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,  
23 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173,  
24 excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311,  
25 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,

1 excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of  
2 P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections  
3 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.  
4 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding  
5 section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it  
6 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L.  
7 109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222,  
8 P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425  
9 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232,  
10 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3,  
11 and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g)  
12 of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4,  
13 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding  
14 sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e)  
15 of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504  
16 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401,  
17 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L.  
18 111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9021,  
19 9022, 10108, 10908, and 10909 of P.L. 111–148, section 1407 of P.L. 111–152, P.L.  
20 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections  
21 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–325. The Internal  
22 Revenue Code applies for Wisconsin purposes at the same time as for federal  
23 purposes, except that changes made by section 209 of P.L. 109–222, sections 117, 406,  
24 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L.  
25 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L.

1 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding  
2 sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, sections 110 and 113 of P.L.  
3 110–245, sections 15312, 15313, 15314, and 15342 of P.L. 110–246, sections 3031,  
4 3032, 3033, 3041, 3051, 3052, 3061, and 3092 of P.L. 110–289, P.L. 110–317,  
5 excluding section 9 (e) of P.L. 110–317, sections 116, 208, and 211 of division B and  
6 section 504 of division C of P.L. 110–343, section 14 of P.L. 111–92, sections 531, 532,  
7 and 533 of P.L. 111–147, sections 10908 and 10909 of P.L. 111–148, and section 2043  
8 of P.L. 111–240 do not apply for taxable years beginning before January 1, 2011.  
9 Amendments to the Internal Revenue Code enacted after December 31, 2010, do not  
10 apply to this paragraph with respect to taxable years beginning after  
11 December 31, 2010.

12 **SECTION 1892.** 71.255 (2m) (d) of the statutes is amended to read:

13 71.255 **(2m)** (d) The department shall may not disregard the tax effect of an  
14 election under this subsection, or disallow the election, with respect to any controlled  
15 group member or members for any year of the election period, ~~if the department~~  
16 ~~determines that the election has the effect of tax avoidance.~~

17 **SECTION 1893.** 71.255 (6) (a) of the statutes is amended to read:

18 71.255 **(6)** (a) Except as provided in pars. (b), (bm), and (c) no tax credit,  
19 Wisconsin net business loss carry–forward, or other post–apportionment deduction  
20 earned by one member of the combined group, but not fully used by or allowed to that  
21 member, may be used in whole or in part by another member of the combined group  
22 or applied in whole or in part against the total income of the combined group. A  
23 member of a combined group may use a carry–forward of a credit, Wisconsin net  
24 business loss carry–forward, or other post–apportionment deduction otherwise

1 allowable under s. 71.26 or 71.45, that was incurred by that same member in a  
2 taxable year beginning before January 1, 2009.

3 **SECTION 1894d.** 71.255 (6) (bm) of the statutes is created to read:

4 71.255 (6) (bm) 1. In this paragraph, “pre–2009 net business loss  
5 carry–forward” means a corporation’s total net Wisconsin business loss  
6 carry–forward computed under s. 71.26 (4) or 71.45 (4) as of the beginning of its first  
7 taxable year that begins after December 31, 2008, but not used by the corporation  
8 in any taxable year beginning before January 1, 2012.

9 2. Starting with the first taxable year beginning after December 31, 2011, and  
10 for each of the 19 subsequent taxable years, and subject to the limitations provided  
11 under s. 71.26 (3) (n), for each taxable year that a corporation that is a member of a  
12 combined group has pre–2009 net business loss carry–forward, the corporation may,  
13 after using the pre–2009 net business loss carry–forward to offset its own income for  
14 the taxable year, and after using shareable losses to offset its own income for the  
15 taxable year, as provided under par. (b) 1., use up to 5 percent of the remaining  
16 pre–2009 net business loss carry–forward, until used or expired, to offset the  
17 Wisconsin income of all other members of the combined group on a proportionate  
18 basis, to the extent such income is attributable to the unitary business. If the full  
19 5 percent of such pre–2009 net business loss carry–forward cannot be fully used to  
20 offset the Wisconsin income of all other members of the combined group, the  
21 remainder may be added to the portion that may offset the Wisconsin income of all  
22 other members of the combined group in a subsequent year, until it is completely  
23 used or expired, except that unused pre–2009 net business loss carry–forwards may  
24 not be used in any taxable year that begins after December 31, 2031.

1           3. Unless otherwise provided by the department by rule, if the corporation may  
2 no longer be included in the combined group, as determined under this section, the  
3 corporation's pre-2009 net business loss carry-forward shall be available only to  
4 that corporation.

5           4. The department shall promulgate rules to administer this paragraph.

6           **SECTION 1894r.** 71.26 (1) (b) of the statutes is amended to read:

7           71.26 **(1)** (b) *Political units.* Income received by the United States, the state  
8 and all counties, cities, villages, towns, school districts, technical college districts,  
9 joint local water authorities created under s. 66.0823, ~~transit authorities created~~  
10 ~~under s. 59.58 (7) or 66.1039~~, long-term care districts under s. 46.2895 or other  
11 political units of this state.

12           **SECTION 1895r.** 71.26 (1m) (j) of the statutes is repealed.

13           **SECTION 1896d.** 71.26 (1m) (m) of the statutes is created to read:

14           71.26 **(1m)** (m) Those issued by the Wisconsin Housing and Economic  
15 Development Authority to provide loans to a public affairs network under s. 234.75  
16 (4).

17           **SECTION 1896f.** 71.26 (2) (a) 4. of the statutes, as affected by 2011 Wisconsin  
18 Act 3, is amended to read:

19           71.26 **(2)** (a) 4. Plus the amount of the credit computed under s. 71.28 (1dd),  
20 (1de), (1di), (1dj), (1dL), (1dm), (1ds), (1dx), (1dy), (3g), (3h), (3n), (3p), (3q), (3r),  
21 (3rm), (3rn), (3t), (3w), (5e), (5f), (5g), (5h), (5i), (5j), (5k), (5n), (5r), (5rm), (8r), and  
22 (9s) and not passed through by a partnership, limited liability company, or  
23 tax-option corporation that has added that amount to the partnership's, limited  
24 liability company's, or tax-option corporation's income under s. 71.21 (4) or 71.34 (1k)  
25 (g).



1           **SECTION 1896n.** 71.26 (2) (b) 21. of the statutes is amended to read:

2           71.26 **(2)** (b) 21. For taxable years that begin after December 31, 2007, and

3 before January 1, 2009, for a corporation, conduit, or common law trust which

4 qualifies as a regulated investment company, real estate mortgage investment

5 conduit, real estate investment trust, or financial asset securitization investment

6 trust under the Internal Revenue Code as amended to December 31, 2007, excluding

7 sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d),

8 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and

9 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165

10 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of

11 P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173,

12 sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 201, 211, 242,

13 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308,

14 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58,

15 section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as

16 it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135,

17 sections 101, 207, 209, 503, 512, and 513 of P.L. 109–222, sections 811 and 844 of P.L.

18 109–280, P.L. 109–432, P.L. 110–28, P.L. 110–140, P.L. 110–141, P.L. 110–142, P.L.

19 110–166, and P.L. 110–172, and as amendeded by P.L. 110–245, excluding sections 110,

20 113, and 301 of P.L. 110–245, and section 15316 of P.L. 110–246, section 301 of

21 division B and section 313 of division C of P.L. 110–343, P.L. 110–458, section 1541

22 of division B of P.L. 111–5, and P.L. 111–192, and as indirectly affected in the

23 provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647,

24 P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,

25 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.

1 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
2 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,  
3 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
4 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.  
5 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections  
6 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.  
7 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections  
8 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L.  
9 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L.  
10 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L.  
11 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L.  
12 108–311, P.L. 108–357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847,  
13 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58,  
14 excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348,  
15 and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L.  
16 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101,  
17 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of  
18 P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207, 209, 503, 512,  
19 and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, excluding sections 811 and 844  
20 of P.L. 109–280, P.L. 110–245, excluding sections 110, 113, and 301 of P.L. 110–245,  
21 and section 15316 of P.L. 110–246, section 301 of division B and section 313 of division  
22 C of P.L. 110–343, P.L. 110–458, section 1541 of division B of P.L. 111–5, and P.L.  
23 111–192, “net income” means the federal regulated investment company taxable  
24 income, federal real estate mortgage investment conduit taxable income, federal real  
25 estate investment trust or financial asset securitization investment trust taxable

1 income of the corporation, conduit, or trust as determined under the Internal  
2 Revenue Code as amended to December 31, 2007, excluding sections 103, 104, and  
3 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
4 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188,  
5 sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L.  
6 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections  
7 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316,  
8 401, and 403 (a) of P.L. 108–311, sections 101, 201, 211, 242, 244, 336, 337, 422, 847,  
9 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324,  
10 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59,  
11 section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a),  
12 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 209, 503, 512,  
13 and 513 of P.L. 109–222, sections 811 and 844 of P.L. 109–280, P.L. 109–432, P.L.  
14 110–28, P.L. 110–140, P.L. 110–141, P.L. 110–142, P.L. 110–166, and P.L. 110–172,  
15 and as amended by P.L. 110–245, excluding sections 110, 113, and 301 of P.L.  
16 110–245, and section 15316 of P.L. 110–246, section 301 of division B and section 313  
17 of division C of P.L. 110–343, P.L. 110–458, section 1541 of division B of P.L. 111–5,  
18 and P.L. 111–192, and as indirectly affected in the provisions applicable to this  
19 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140,  
20 P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104,  
21 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections  
22 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.  
23 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202  
24 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.  
25 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.

1 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,  
2 P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L.  
3 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L.  
4 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27,  
5 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173,  
6 excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311,  
7 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,  
8 excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.  
9 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections  
10 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.  
11 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding  
12 section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it  
13 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L.  
14 109–151, P.L. 109–222, excluding sections 101, 207, 209, 503, 512, and 513 of P.L.  
15 109–222, P.L. 109–227, P.L. 109–280, excluding sections 811 and 844 of P.L. 109–280,  
16 P.L. 110–245, excluding sections 110, 113, and 301 of P.L. 110–245, and section 15316  
17 of P.L. 110–246, section 301 of division B and section 313 of division C of P.L. 110–343,  
18 P.L. 110–458, section 1541 of division B of P.L. 111–5, and P.L. 111–192, except that  
19 property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated  
20 for taxable years 1983 to 1986 under the Internal Revenue Code as amended to  
21 December 31, 1980, shall continue to be depreciated under the Internal Revenue  
22 Code as amended to December 31, 1980, and except that the appropriate amount  
23 shall be added or subtracted to reflect differences between the depreciation or  
24 adjusted basis for federal income tax purposes and the depreciation or adjusted basis  
25 under this chapter of any property disposed of during the taxable year. The Internal

1 Revenue Code as amended to December 31, 2007, excluding sections 103, 104, and  
2 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
3 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188,  
4 sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L.  
5 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections  
6 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316,  
7 401, and 403 (a) of P.L. 108–311, sections 101, 201, 211, 242, 244, 336, 337, 422, 847,  
8 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324,  
9 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59,  
10 section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a),  
11 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 209, 503, 512,  
12 and 513 of P.L. 109–222, sections 811 and 844 of P.L. 109–280, P.L. 109–432, P.L.  
13 110–28, P.L. 110–140, P.L. 110–141, P.L. 110–142, P.L. 110–166, and P.L. 110–172,  
14 and as amended by P.L. 110–245, excluding sections 110, 113, and 301 of P.L.  
15 110–245, and section 15316 of P.L. 110–246, section 301 of division B and section 313  
16 of division C of P.L. 110–343, P.L. 110–458, section 1541 of division B of P.L. 111–5,  
17 and P.L. 111–192, and as indirectly affected in the provisions applicable to this  
18 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140,  
19 P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104,  
20 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections  
21 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.  
22 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202  
23 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.  
24 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.  
25 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,

1 P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L.  
2 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L.  
3 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27,  
4 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173,  
5 excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311,  
6 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,  
7 excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.  
8 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections  
9 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.  
10 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding  
11 section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it  
12 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L.  
13 109–151, P.L. 109–222, excluding sections 101, 207, 209, 503, 512, and 513 of P.L.  
14 109–222, P.L. 109–227, P.L. 109–280, excluding sections 811 and 844 of P.L. 109–280,  
15 P.L. 110–245, excluding sections 110, 113, and 301 of P.L. 110–245, and section 15316  
16 of P.L. 110–246, section 301 of division B and section 313 of division C of P.L. 110–343,  
17 P.L. 110–458, section 1541 of division B of P.L. 111–5, and P.L. 111–192, applies for  
18 Wisconsin purposes at the same time as for federal purposes. Amendments to the  
19 Internal Revenue Code enacted after December 31, 2007, do not apply to this  
20 subdivision with respect to taxable years that begin after December 31, 2007, and  
21 before January 1, 2009, except that changes to the Internal Revenue Code made by  
22 P.L. 110–245, excluding sections 110, 113, and 301 of P.L. 110–245, and section 15316  
23 of P.L. 110–246, section 301 of division B and section 313 of division C of P.L. 110–343,  
24 P.L. 110–458, section 1541 of division B of P.L. 111–5, and P.L. 111–192, and changes  
25 that indirectly affect the provisions applicable to this subchapter made by P.L.

1 110–245, excluding sections 110, 113, and 301 of P.L. 110–245, and section 15316 of  
2 P.L. 110–246, section 301 of division B and section 313 of division C of P.L. 110–343,  
3 P.L. 110–458, section 1541 of division B of P.L. 111–5, and P.L. 111–192, apply for  
4 Wisconsin purposes at the same time as for federal purposes.

5 **SECTION 1897.** 71.26 (2) (b) 22. of the statutes is amended to read:

6 71.26 (2) (b) 22. For taxable years that begin after December 31, 2008, and  
7 before January 1, 2011, for a corporation, conduit, or common law trust which  
8 qualifies as a regulated investment company, real estate mortgage investment  
9 conduit, real estate investment trust, or financial asset securitization investment  
10 trust under the Internal Revenue Code as amended to December 31, 2008, excluding  
11 sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d),  
12 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
13 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165  
14 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of  
15 P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173,  
16 sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211,  
17 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305,  
18 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58,  
19 section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as  
20 it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135,  
21 sections 101, 207, 209, 503, and 513 of P.L. 109–222, ~~section 844 of P.L. 109–280, P.L.~~  
22 ~~109–432, P.L. 110–28, P.L. 110–140, P.L. 110–141, P.L. 110–142, P.L. 110–166, P.L.~~  
23 ~~110–172, P.L. 110–185, P.L. 110–234, sections 110, 113, and 301 of P.L. 110–245, P.L.~~  
24 ~~110–246, except section 15316 of P.L. 110–246, P.L. 110–289, except section 3093 of~~  
25 ~~P.L. 110–289, P.L. 110–317, and P.L. 110–343, except section 301 of division B and~~

1 section 313 of division C of P.L. 110–343, and P.L. 110–351, as amended by sections  
2 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section  
3 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L.  
4 111–226, section 2112 of P.L. 111–240, and P.L. 111–325, and as indirectly affected  
5 in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L.  
6 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L.  
7 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.  
8 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
9 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.  
10 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
11 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L.  
12 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554,  
13 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding  
14 section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147,  
15 excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L.  
16 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L.  
17 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L.  
18 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403  
19 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336,  
20 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7,  
21 P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
22 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L.  
23 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding  
24 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and  
25 (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207,



1 209, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, ~~excluding section 844~~  
2 ~~of P.L. 109–280, P.L. 110–245, excluding sections 110, 113, and 301 of P.L. 110–245,~~  
3 ~~and section 15316 of P.L. 110–246, section 3093 of P.L. 110–289, section 301 of~~  
4 ~~division B and section 313 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458,~~  
5 ~~sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L.~~  
6 ~~111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section~~  
7 ~~215 of P.L. 111–226, section 2112 of P.L. 111–240, and P.L. 111–325, “net income”~~  
8 means the federal regulated investment company taxable income, federal real estate  
9 mortgage investment conduit taxable income, federal real estate investment trust  
10 or financial asset securitization investment trust taxable income of the corporation,  
11 conduit, or trust as determined under the Internal Revenue Code as amended to  
12 December 31, 2008, excluding sections 103, 104, and 110 of P.L. 102–227, sections  
13 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b),  
14 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L.  
15 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L.  
16 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L.  
17 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L.  
18 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.  
19 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
20 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L.  
21 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),  
22 (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 209, 503, and 513 of P.L.  
23 109–222, ~~section 844 of P.L. 109–280, P.L. 109–432, P.L. 110–28, P.L. 110–140, P.L.~~  
24 ~~110–141, P.L. 110–142, P.L. 110–166, P.L. 110–172, P.L. 110–185, P.L. 110–234,~~  
25 ~~sections 110, 113, and 301 of P.L. 110–245, P.L. 110–246, except section 15316 of P.L.~~

1 110–246, P.L. 110–289, except section 3093 of P.L. 110–289, P.L. 110–317, and P.L.  
2 110–343, except section 301 of division B and section 313 of division C of P.L. 110–343,  
3 and P.L. 110–351, as amended by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531,  
4 and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section  
5 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, and  
6 P.L. 111–325, and as indirectly affected in the provisions applicable to this  
7 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140,  
8 P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104,  
9 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections  
10 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.  
11 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202  
12 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.  
13 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.  
14 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,  
15 P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L.  
16 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L.  
17 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27,  
18 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173,  
19 excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311,  
20 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,  
21 excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of  
22 P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections  
23 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.  
24 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding  
25 section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it

1 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L.  
2 109–151, P.L. 109–222, excluding sections 101, 207, 209, 503, and 513 of P.L.  
3 109–222, P.L. 109–227, P.L. 109–280, ~~excluding section 844 of P.L. 109–280~~, P.L.  
4 110–245, excluding sections 110, 113, and 301 of P.L. 110–245, and section 15316 of  
5 P.L. 110–246, section 3093 of P.L. 110–289, section 301 of division B and section 313  
6 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401,  
7 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L.  
8 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226,  
9 section 2112 of P.L. 111–240, and P.L. 111–325, except that property that, under s.  
10 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983  
11 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall  
12 continue to be depreciated under the Internal Revenue Code as amended to  
13 December 31, 1980, and except that the appropriate amount shall be added or  
14 subtracted to reflect differences between the depreciation or adjusted basis for  
15 federal income tax purposes and the depreciation or adjusted basis under this  
16 chapter of any property disposed of during the taxable year. The Internal Revenue  
17 Code as amended to December 31, 2008, excluding sections 103, 104, and 110 of P.L.  
18 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,  
19 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3,  
20 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section  
21 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and  
22 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403  
23 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and  
24 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,  
25 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section

1 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402  
2 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 209, 503, and 513  
3 of P.L. 109–222, ~~section 844 of P.L. 109–280~~, P.L. 109–432, P.L. 110–28, P.L. 110–140,  
4 P.L. 110–141, P.L. 110–142, P.L. 110–166, P.L. 110–172, P.L. 110–185, P.L. 110–234,  
5 sections 110, 113, and 301 of P.L. 110–245, P.L. 110–246, except section 15316 of P.L.  
6 110–246, P.L. 110–289, except section 3093 of P.L. 110–289, P.L. 110–317, and P.L.  
7 110–343, except section 301 of division B and section 313 of division C of P.L. 110–343,  
8 and P.L. 110–351, as amended by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531,  
9 and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section  
10 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, and  
11 P.L. 111–325, and as indirectly affected in the provisions applicable to this  
12 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140,  
13 P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104,  
14 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections  
15 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.  
16 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202  
17 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.  
18 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.  
19 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,  
20 P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L.  
21 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L.  
22 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27,  
23 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173,  
24 excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311,  
25 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,

1 excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of  
2 P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections  
3 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.  
4 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding  
5 section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it  
6 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L.  
7 109–151, P.L. 109–222, excluding sections 101, 207, 209, 503, and 513 of P.L.  
8 109–222, P.L. 109–227, P.L. 109–280, excluding section 844 of P.L. 109–280, P.L.  
9 110–245, excluding sections 110, 113, and 301 of P.L. 110–245, and section 15316 of  
10 P.L. 110–246, section 3093 of P.L. 110–289, section 301 of division B and section 313  
11 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401,  
12 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L.  
13 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226,  
14 section 2112 of P.L. 111–240, and P.L. 111–325, applies for Wisconsin purposes at the  
15 same time as for federal purposes. Amendments to the Internal Revenue Code  
16 enacted after December 31, 2008, do not apply to this subdivision with respect to  
17 taxable years that begin after December 31, 2008, and before January 1, 2011,  
18 except that changes to the Internal Revenue Code made by sections 1261, 1262, 1401,  
19 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L.  
20 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226,  
21 section 2112 of P.L. 111–240, and P.L. 111–325, and changes that indirectly affect the  
22 provisions applicable to this subchapter made by sections 1261, 1262, 1401, 1402,  
23 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147,  
24 P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112

1 of P.L. 111–240, and P.L. 111–325, apply for Wisconsin purposes at the same time as  
2 for federal purposes.

3 **SECTION 1897d.** 71.26 (2) (b) 23. of the statutes is created to read:

4 71.26 (2) (b) 23. For taxable years that begin after December 31, 2010, for a  
5 corporation, conduit, or common law trust which qualifies as a regulated investment  
6 company, real estate mortgage investment conduit, real estate investment trust, or  
7 financial asset securitization investment trust under the Internal Revenue Code as  
8 amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227,  
9 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections  
10 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and  
11 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of  
12 P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of  
13 P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of  
14 P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910  
15 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326,  
16 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301  
17 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403  
18 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L.  
19 109–222, P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425  
20 of division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except  
21 sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2,  
22 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L.  
23 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246,  
24 except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections  
25 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343,

1       except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of  
2       division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521,  
3       1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L. 111–147, P.L.  
4       111–148, except sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of  
5       P.L. 111–148, P.L. 111–152, except section 1407 of P.L. 111–152, P.L. 111–203, except  
6       section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L.  
7       111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L.  
8       111–240, and P.L. 111–312, and as indirectly affected in the provisions applicable to  
9       this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.  
10       101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections  
11       103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding  
12       sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.  
13       103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections  
14       1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.  
15       104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.  
16       106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of  
17       P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L.  
18       107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a)  
19       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,  
20       excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173,  
21       excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311,  
22       excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,  
23       excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of  
24       P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections  
25       1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.

1 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding  
2 section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it  
3 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L.  
4 109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222,  
5 P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425  
6 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232,  
7 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3,  
8 and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g)  
9 of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4,  
10 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding  
11 sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e)  
12 of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504  
13 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401,  
14 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L.  
15 111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9021,  
16 9022, 10108, 10908, and 10909 of P.L. 111–148, section 1407 of P.L. 111–152, P.L.  
17 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections  
18 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–325, “net income”  
19 means the federal regulated investment company taxable income, federal real estate  
20 mortgage investment conduit taxable income, federal real estate investment trust  
21 or financial asset securitization investment trust taxable income of the corporation,  
22 conduit, or trust as determined under the Internal Revenue Code as amended to  
23 December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227, sections  
24 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b),  
25 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L.



1 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L.  
2 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L.  
3 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L.  
4 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.  
5 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
6 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L.  
7 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),  
8 (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222,  
9 P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of  
10 division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections  
11 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5  
12 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172,  
13 P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections  
14 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and  
15 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116,  
16 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343,  
17 P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of  
18 division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections  
19 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, P.L. 111–152,  
20 except section 1407 of P.L. 111–152, P.L. 111–203, except section 1601 of P.L. 111–203,  
21 P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L. 111–240, except  
22 sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–312, and as  
23 indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L.  
24 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.  
25 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.

1 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),  
2 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.  
3 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
4 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.  
5 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L.  
6 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16,  
7 excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L.  
8 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L.  
9 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and  
10 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L.  
11 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316,  
12 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211,  
13 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476,  
14 P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,  
15 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146  
16 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135,  
17 excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),  
18 (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections  
19 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406,  
20 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L.  
21 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L.  
22 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding  
23 sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section  
24 301 of P.L. 110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L.  
25 110–246, P.L. 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L.

1 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of  
2 division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L.  
3 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B  
4 of P.L. 111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147,  
5 sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148,  
6 section 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215  
7 and 217 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240,  
8 and P.L. 111–325, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats.,  
9 is required to be depreciated for taxable years 1983 to 1986 under the Internal  
10 Revenue Code as amended to December 31, 1980, shall continue to be depreciated  
11 under the Internal Revenue Code as amended to December 31, 1980, and except that  
12 the appropriate amount shall be added or subtracted to reflect differences between  
13 the depreciation or adjusted basis for federal income tax purposes and the  
14 depreciation or adjusted basis under this chapter of any property disposed of during  
15 the taxable year. The Internal Revenue Code as amended to December 31, 2010,  
16 excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171  
17 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
18 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165  
19 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of  
20 P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173,  
21 sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211,  
22 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305,  
23 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58,  
24 section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as  
25 it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135,

1 sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117,  
2 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division  
3 C of P.L. 109–432, P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of  
4 P.L. 110–28, P.L. 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections  
5 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301  
6 of P.L. 110–245, P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and  
7 15342 of P.L. 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of  
8 P.L. 110–317, P.L. 110–343, except sections 116, 208, 211, and 301 of division B and  
9 sections 313 and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261,  
10 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201  
11 of P.L. 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9021, 9022, 10108,  
12 10908, and 10909 of P.L. 111–148, P.L. 111–152, except section 1407 of P.L. 111–152,  
13 P.L. 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215  
14 and 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and  
15 2113 of P.L. 111–240, and P.L. 111–312, and as indirectly affected in the provisions  
16 applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L.  
17 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,  
18 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.  
19 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
20 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,  
21 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
22 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.  
23 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections  
24 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.  
25 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections

1 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L.  
2 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L.  
3 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L.  
4 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L.  
5 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422,  
6 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L.  
7 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
8 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L.  
9 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding  
10 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and  
11 (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207,  
12 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410,  
13 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432,  
14 sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142,  
15 excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b)  
16 and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L.  
17 110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L.  
18 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317,  
19 excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B  
20 and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458,  
21 sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L.  
22 111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections  
23 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, section 1407  
24 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of  
25 P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L.

1 111–325, applies for Wisconsin purposes at the same time as for federal purposes,  
2 except that changes made by section 209 of P.L. 109–222, sections 117, 406, 409, 410,  
3 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432,  
4 sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142,  
5 excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b)  
6 and 11 (b), (e), and (g) of P.L. 110–172, sections 110 and 113 of P.L. 110–245, sections  
7 15312, 15313, 15314, and 15342 of P.L. 110–246, sections 3031, 3032, 3033, 3041,  
8 3051, 3052, 3061, and 3092 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of  
9 P.L. 110–317, sections 116, 208, and 211 of division B and section 504 of division C  
10 of P.L. 110–343, section 14 of P.L. 111–92, sections 531, 532, and 533 of P.L. 111–147,  
11 sections 10908 and 10909 of P.L. 111–148, and section 2043 of P.L. 111–240 do not  
12 apply for taxable years beginning before January 1, 2011. Amendments to the  
13 Internal Revenue Code enacted after December 31, 2010, do not apply to this  
14 subdivision with respect to taxable years that begin after December 31, 2010.

15 **SECTION 1897r.** 71.26 (4) of the statutes is renumbered 71.26 (4) (a) and  
16 amended to read:

17 71.26 (4) (a) ~~A~~ Except as provided in par. (b), a corporation, except a tax-option  
18 corporation or an insurer to which s. 71.45 (4) applies, may offset against its  
19 Wisconsin net business income any Wisconsin net business loss sustained in any of  
20 the next 15 preceding taxable years, if the corporation was subject to taxation under  
21 this chapter in the taxable year in which the loss was sustained, to the extent not  
22 offset by other items of Wisconsin income in the loss year and by Wisconsin net  
23 business income of any year between the loss year and the taxable year for which an  
24 offset is claimed. For purposes of this subsection Wisconsin net business income or  
25 loss shall consist of all the income attributable to the operation of a trade or business

1 in this state, less the business expenses allowed as deductions in computing net  
2 income. The Wisconsin net business income or loss of corporations engaged in  
3 business within and without the state shall be determined under s. 71.25 (6) and (10)  
4 to (12). Nonapportionable losses having a Wisconsin situs under s. 71.25 (5) (b) shall  
5 be included in Wisconsin net business loss; and nonapportionable income having a  
6 Wisconsin situs under s. 71.25 (5) (b), whether taxable or exempt, shall be included  
7 in other items of Wisconsin income and Wisconsin net business income for purposes  
8 of this subsection.

9 **SECTION 1897s.** 71.26 (4) (b) of the statutes is created to read:

10 71.26 (4) (b) A corporation that is part of a combined group under s. 71.255 may  
11 offset against its Wisconsin net business income any unused pre-2009 net business  
12 loss carry-forward under s. 71.255 (6) (bm) for the 20 taxable years that begin after  
13 December 31, 2011.

14 **SECTION 1898.** 71.28 (1dd) (b) of the statutes is amended to read:

15 71.28 (1dd) (b) Except as provided in s. 73.03 (35), for any taxable year for  
16 which that person is certified under s. 560.765 (3), 2009 stats., and begins business  
17 operations in a zone under s. 560.71, 2009 stats., after July 29, 1995, entitled under  
18 s. 560.795 (3) (a), 2009 stats., and begins business operations in a zone under s.  
19 560.795, 2009 stats., after July 29, 1995, or certified under s. 560.797 (4) (a), 2009  
20 stats., for each zone for which the person is certified or entitled a person may credit  
21 against taxes otherwise due under this subchapter employment-related day care  
22 expenses, up to \$1,200 for each qualifying individual.

23 **SECTION 1899.** 71.28 (1dd) (e) of the statutes is amended to read:

24 71.28 (1dd) (e) The credit under this subsection, as it applies to a person  
25 certified under s. 560.765 (3), 2009 stats., applies to a corporation that conducts

1 economic activity in a zone under s. 560.795 (1), 2009 stats., and that is entitled to  
2 tax benefits under s. 560.795 (3), 2009 stats., subject to the limits under s. 560.795  
3 (2), 2009 stats. A credit under this subsection may be credited using expenses  
4 incurred by a claimant on July 29, 1995.

5 **SECTION 1900.** 71.28 (1de) (a) (intro.) of the statutes is amended to read:

6 71.28 (1de) (a) (intro.) Except as provided in s. 73.03 (35), for any taxable year  
7 for which a person is certified under s. 560.765 (3), 2009 stats., and begins business  
8 operations in a zone under s. 560.71, 2009 stats., after July 29, 1995, entitled under  
9 s. 560.795 (3) (a), 2009 stats., and begins business operations in a zone under s.  
10 560.795, 2009 stats., after July 29, 1995, or certified under s. 560.797 (4) (a), 2009  
11 stats., for each zone for which the person is certified or entitled the person may claim  
12 as a credit against taxes otherwise due under this subchapter an amount equal to  
13 7.5% of the amount that the person expends to remove or contain environmental  
14 pollution, as defined in s. 299.01 (4), in the zone or to restore soil or groundwater that  
15 is affected by environmental pollution, as defined in s. 299.01 (4), in the zone if the  
16 person fulfills all of the following requirements:

17 **SECTION 1901.** 71.28 (1de) (a) 1. of the statutes is amended to read:

18 71.28 (1de) (a) 1. Begins the work, other than planning and investigating, for  
19 which the credit is claimed after the area that includes the site where the work is  
20 done is designated a development zone under s. 560.71, 2009 stats., a development  
21 opportunity zone under s. 560.795, 2009 stats., or an enterprise development zone  
22 under s. 560.797, 2009 stats., and after the claimant is certified under s. 560.765 (3),  
23 2009 stats., entitled under s. 560.795 (3) (a), 2009 stats., or certified under s. 560.797  
24 (4) (a), 2009 stats.

25 **SECTION 1902.** 71.28 (1de) (d) of the statutes is amended to read:



1           71.28 **(1de)** (d) The credit under this subsection, as it applies to a person  
2 certified under s. 560.765 (3), 2009 stats., applies to a corporation that conducts  
3 economic activity in a zone under s. 560.795 (1), 2009 stats., and that is entitled to  
4 tax benefits under s. 560.795 (3), 2009 stats., subject to the limits under s. 560.795  
5 (2), 2009 stats. A credit under this subsection may be credited using expenses  
6 incurred by a claimant on July 29, 1995.

7           **SECTION 1903.** 71.28 (1di) (a) (intro.) of the statutes is amended to read:

8           71.28 **(1di)** (a) (intro.) Except as provided in pars. (dm) and (f) and s. 73.03 (35),  
9 for any taxable year for which the person is entitled under s. 560.795 (3), 2009 stats.,  
10 to claim tax benefits, any person may claim as a credit against taxes otherwise due  
11 under this chapter 2.5% of the purchase price of depreciable, tangible personal  
12 property, or 1.75% of the purchase price of depreciable, tangible personal property  
13 that is expensed under section 179 of the internal revenue code for purposes of the  
14 taxes under this chapter, except that:

15           **SECTION 1904.** 71.28 (1di) (a) 1. of the statutes is amended to read:

16           71.28 **(1di)** (a) 1. The investment must be in property that is purchased after  
17 the person is entitled under s. 560.795 (3), 2009 stats., to claim tax benefits and that  
18 is used for at least 50% of its use in the conduct of the person's business operations  
19 at a location in a development zone under subch. VI of ch. 560, 2009 stats., or, if the  
20 property is mobile, the base of operations of the property for at least 50% of its use  
21 must be a location in a development zone.

22           **SECTION 1905.** 71.28 (1di) (b) 2. of the statutes is amended to read:

23           71.28 **(1di)** (b) 2. If the claimant is located on an Indian reservation, as defined  
24 in s. 560.86 (5), 2009 stats., and is an American Indian, as defined in s. 560.86 (1),  
25 2009 stats., an Indian business, as defined in s. 560.86 (4), 2009 stats., or a tribal

1 enterprise, as defined in s. 71.07 (2di) (b) 2., and if the allowable amount of the credit  
2 under this subsection exceeds the taxes otherwise due under this chapter on or  
3 measured by the claimant's income, the amount of the credit not used as an offset  
4 against those taxes shall be certified to the department of administration for  
5 payment to the claimant by check, share draft or other draft.

6 **SECTION 1906.** 71.28 (1di) (b) 3. of the statutes is amended to read:

7 71.28 **(1di)** (b) 3. Partnerships, limited liability companies and tax-option  
8 corporations may not claim the credit under this subsection, but the eligibility for,  
9 and amount of, that credit shall be determined on the basis of their economic activity,  
10 not that of their shareholders, partners or members. The corporation, partnership  
11 or limited liability company shall compute the amount of the credit that may be  
12 claimed by each of its shareholders, partners or members and shall provide that  
13 information to each of its shareholders, partners or members. Partners, members  
14 of limited liability companies and shareholders of tax-option corporations may claim  
15 the credit based on the partnership's, company's or corporation's activities in  
16 proportion to their ownership interest and may offset it against the tax attributable  
17 to their income from the partnership's, company's or corporation's business  
18 operations in the development zone; except that partners, members, and  
19 shareholders in a development zone under s. 560.795 (1) (e), 2009 stats., may offset  
20 the credit against the amount of the tax attributable to their income from all of the  
21 partnership's, company's, or corporation's business operations; and against the tax  
22 attributable to their income from the partnership's, company's or corporation's  
23 directly related business operations.

24 **SECTION 1907.** 71.28 (1di) (d) 1. of the statutes is amended to read:

1           71.28 (1di) (d) 1. A copy of a verification from the department of commerce that  
2 the claimant may claim tax benefits under s. 560.795 (3), 2009 stats.

3           **SECTION 1908.** 71.28 (1di) (f) of the statutes is amended to read:

4           71.28 (1di) (f) If a person who is entitled under s. 560.795 (3), 2009 stats., to  
5 claim tax benefits becomes ineligible for such tax benefits, that person may claim no  
6 credits under this subsection for the taxable year that includes the day on which the  
7 person becomes ineligible for tax benefits or succeeding taxable years and that  
8 person may carry over no unused credits from previous years to offset tax under this  
9 chapter for the taxable year that includes the day on which the person becomes  
10 ineligible for tax benefits or succeeding taxable years.

11           **SECTION 1909.** 71.28 (1di) (g) of the statutes is amended to read:

12           71.28 (1di) (g) If a person who is entitled under s. 560.795 (3), 2009 stats., to  
13 claim tax benefits ceases business operations in the development zone during any of  
14 the taxable years that that zone exists, that person may not carry over to any taxable  
15 year following the year during which operations cease any unused credits from the  
16 taxable year during which operations cease or from previous taxable years.

17           **SECTION 1910.** 71.28 (1di) (i) of the statutes is amended to read:

18           71.28 (1di) (i) The development zones credit under this subsection, as it applies  
19 to a person certified under s. 560.765 (3), 2009 stats., applies to a corporation that  
20 conducts economic activity in a development opportunity zone under s. 560.795 (1),  
21 2009 stats., and that is entitled to tax benefits under s. 560.795 (3), 2009 stats.,  
22 subject to the limits under s. 560.795 (2), 2009 stats. A development opportunity  
23 zone credit under this paragraph may be calculated using expenses incurred by a  
24 claimant beginning on the effective date under s. 560.795 (2) (a), 2009 stats., of the

1 development opportunity zone designation of the area in which the claimant  
2 conducts economic activity.

3 **SECTION 1911.** 71.28 (1dj) (am) (intro.) of the statutes is amended to read:

4 71.28 (1dj) (am) (intro.) Except as provided under par. (f) or s. 73.03 (35), for  
5 any taxable year for which the person is certified under s. 560.765 (3), 2009 stats.,  
6 for tax benefits, any person may claim as a credit against taxes otherwise due under  
7 this chapter an amount calculated as follows:

8 **SECTION 1912.** 71.28 (1dj) (am) 4. a. of the statutes is amended to read:

9 71.28 (1dj) (am) 4. a. If certified under s. 560.765 (3), 2009 stats., for tax  
10 benefits before January 1, 1992, modify “qualified wages” as defined in section 51 (b)  
11 of the internal revenue code to exclude wages paid before the claimant is certified for  
12 tax benefits and to exclude wages that are paid to employees for work at any location  
13 that is not in a development zone under subch. VI of ch. 560, 2009 stats. For purposes  
14 of this subd. 4. a., mobile employees work at their base of operations and leased or  
15 rented employees work at the location where they perform services.

16 **SECTION 1913.** 71.28 (1dj) (am) 4. b. of the statutes is amended to read:

17 71.28 (1dj) (am) 4. b. If certified under s. 560.765 (3), 2009 stats., for tax  
18 benefits after December 31, 1991, modify “qualified wages” as defined in section 51  
19 (b) of the internal revenue code to exclude wages paid before the claimant is certified  
20 for tax benefits and to exclude wages that are paid to employees for work at any  
21 location that is not in a development zone under subch. VI of ch. 560, 2009 stats. For  
22 purposes of this subd. 4. b., mobile employees and leased or rented employees work  
23 at their base of operations.

24 **SECTION 1914.** 71.28 (1dj) (am) 4c. of the statutes is amended to read:

1           71.28 **(1dj)** (am) 4c. Modify the rule for ineligible individuals under section 51  
2           (i) (1) of the internal revenue code to allow credit for the wages of related individuals  
3           paid by an Indian business, as defined in s. 560.86 (4), 2009 stats., or a tribal  
4           enterprise, as defined in s. 71.07 (2di) (b) 2., if the Indian business or tribal enterprise  
5           is located in a development zone designated under s. 560.71 (3) (c) 2., 2009 stats.

6           **SECTION 1915.** 71.28 (1dj) (am) 4t. of the statutes is amended to read:

7           71.28 **(1dj)** (am) 4t. If certified under s. 560.765 (3), 2009 stats., for tax benefits  
8           before January 1, 1992, modify section 51 (i) (3) of the internal revenue code so that  
9           for leased or rented employees, except employees of a leasing agency certified for tax  
10          benefits who perform services directly for the agency in a development zone, the  
11          minimum employment periods apply to the time that they perform services in a  
12          development zone for a single lessee or renter, not to their employment by the leasing  
13          agency.

14          **SECTION 1916.** 71.28 (1dj) (e) 1. of the statutes is amended to read:

15          71.28 **(1dj)** (e) 1. A copy of the claimant's certification for tax benefits under s.  
16          560.765 (3), 2009 stats.

17          **SECTION 1917.** 71.28 (1dj) (e) 3. a. of the statutes is amended to read:

18          71.28 **(1dj)** (e) 3. a. If certified under s. 560.765 (3), 2009 stats., for tax benefits  
19          before January 1, 1992, a statement from the department of commerce verifying the  
20          amount of qualifying wages and verifying that the employees were hired for work  
21          only in a development zone or are mobile employees whose base of operations is in  
22          a development zone.

23          **SECTION 1918.** 71.28 (1dj) (e) 3. b. of the statutes is amended to read:

24          71.28 **(1dj)** (e) 3. b. If certified under s. 560.765 (3), 2009 stats., for tax benefits  
25          after December 31, 1991, a statement from the department of commerce verifying the

1 amount of qualifying wages and verifying that the employees were hired for work  
2 only in a development zone or are mobile employees or leased or rented employees  
3 whose base of operations is in a development zone.

4 **SECTION 1919.** 71.28 (1dj) (i) of the statutes is amended to read:

5 71.28 (1dj) (i) The development zones credit under this subsection, as it applies  
6 to a person certified under s. 560.765 (3), 2009 stats., applies to a corporation that  
7 conducts economic activity in a development opportunity zone under s. 560.795 (1),  
8 2009 stats., and that is entitled to tax benefits under s. 560.795 (3), 2009 stats.,  
9 subject to the limits under s. 560.795 (2), 2009 stats. A development opportunity  
10 zone credit under this paragraph may be calculated using expenses incurred by a  
11 claimant beginning on the effective date under s. 560.795 (2) (a), 2009 stats., of the  
12 development opportunity zone designation of the area in which the claimant  
13 conducts economic activity.

14 **SECTION 1920.** 71.28 (1dL) (a) of the statutes is amended to read:

15 71.28 (1dL) (a) Except as provided in pars. (ag), (ar), (bm) and (f) and s. 73.03  
16 (35), for any taxable year for which the person is certified under s. 560.765 (3), 2009  
17 stats., for tax benefits, any person may claim as a credit against taxes otherwise due  
18 under this subchapter an amount equal to 2.5% of the amount expended by that  
19 person to acquire, construct, rehabilitate or repair real property in a development  
20 zone under subch. VI of ch. 560, 2009 stats.

21 **SECTION 1921.** 71.28 (1dL) (ag) of the statutes is amended to read:

22 71.28 (1dL) (ag) If the credit under par. (a) is claimed for an amount expended  
23 to construct, rehabilitate, remodel or repair property, the claimant must have begun  
24 the physical work of construction, rehabilitation, remodeling or repair, or any  
25 demolition or destruction in preparation for the physical work, after the place where

1 the property is located was designated a development zone under s. 560.71, 2009  
2 stats., and the completed project must be placed in service after the claimant is  
3 certified for tax benefits under s. 560.765 (3), 2009 stats. In this paragraph, “physical  
4 work” does not include preliminary activities such as planning, designing, securing  
5 financing, researching, developing specifications or stabilizing the property to  
6 prevent deterioration.

7 **SECTION 1922.** 71.28 (1dL) (ar) of the statutes is amended to read:

8 71.28 (1dL) (ar) If the credit under par. (a) is claimed for an amount expended  
9 to acquire property, the property must have been acquired by the claimant after the  
10 place where the property is located was designated a development zone under s.  
11 560.71, 2009 stats., and the completed project must be placed in service after the  
12 claimant is certified for tax benefits under s. 560.765 (3), 2009 stats., and the  
13 property must not have been previously owned by the claimant or a related person  
14 during the 2 years prior to the designation of the development zone under s. 560.71,  
15 2009 stats. No credit is allowed for an amount expended to acquire property until  
16 the property, either in its original state as acquired by the claimant or as  
17 subsequently constructed, rehabilitated, remodeled or repaired, is placed in service.

18 **SECTION 1923.** 71.28 (1dL) (bm) of the statutes is amended to read:

19 71.28 (1dL) (bm) In calculating the credit under par. (a) a claimant shall reduce  
20 the amount expended to acquire property by a percentage equal to the percentage of  
21 the area of the real property not used for the purposes for which the claimant is  
22 certified to claim tax benefits under s. 560.765 (3), 2009 stats., and shall reduce the  
23 amount expended for other purposes by the amount expended on the part of the  
24 property not used for the purposes for which the claimant is certified to claim tax  
25 benefits under s. 560.765 (3), 2009 stats.

1           **SECTION 1924.** 71.28 (1dL) (c) of the statutes is amended to read:

2           71.28 (1dL) (c) If the claimant is located on an Indian reservation, as defined  
3 in s. 560.86 (5), 2009 stats., and is an American Indian, as defined in s. 560.86 (1),  
4 2009 stats., an Indian business, as defined in s. 560.86 (4), 2009 stats., or a tribal  
5 enterprise, as defined in s. 71.07 (2di) (b) 2., and if the allowable amount of the credit  
6 under par. (a) exceeds the taxes otherwise due under this chapter on or measured by  
7 the claimant's income, the amount of the credit not used as an offset against those  
8 taxes shall be certified to the department of administration for payment to the  
9 claimant by check, share draft or other draft.

10           **SECTION 1925.** 71.28 (1dL) (i) of the statutes is amended to read:

11           71.28 (1dL) (i) The development zones credit under this subsection, as it  
12 applies to a person certified under s. 560.765 (3), 2009 stats., applies to a corporation  
13 that conducts economic activity in a development opportunity zone under s. 560.795  
14 (1), 2009 stats., and that is entitled to tax benefits under s. 560.795 (3), 2009 stats.,  
15 subject to the limits under s. 560.795 (2), 2009 stats. A development opportunity  
16 zone credit under this paragraph may be calculated using expenses incurred by a  
17 claimant beginning on the effective date under s. 560.795 (2) (a), 2009 stats., of the  
18 development opportunity zone designation of the area in which the claimant  
19 conducts economic activity.

20           **SECTION 1926.** 71.28 (1dm) (a) 1. of the statutes is amended to read:

21           71.28 (1dm) (a) 1. "Certified" means entitled under s. 238.395 (3) (a) 4. or s.  
22 560.795 (3) (a) 4., 2009 stats., to claim tax benefits or certified under s. 238.395 (5),  
23 238.398 (3), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats.,  
24 s. or 560.7995 (4), 2009 stats.

25           **SECTION 1927.** 71.28 (1dm) (a) 3. of the statutes is amended to read:



1           71.28 (1dm) (a) 3. “Development zone” means a development opportunity zone  
2           under s. 238.395 (1) (e) and (f) or 238.398 or s. 560.795 (1) (e) and (f), 2009 stats., or  
3           s. 560.798, 2009 stats., or an airport development zone under s. 238.3995 or s.  
4           560.7995, 2009 stats.

5           **SECTION 1928.** 71.28 (1dm) (a) 4. of the statutes is amended to read:

6           71.28 (1dm) (a) 4. “Previously owned property” means real property that the  
7           claimant or a related person owned during the 2 years prior to the department of  
8           commerce or the Wisconsin Economic Development Corporation designating the  
9           place where the property is located as a development zone and for which the claimant  
10          may not deduct a loss from the sale of the property to, or an exchange of the property  
11          with, the related person under section 267 of the Internal Revenue Code, except that  
12          section 267 (b) of the Internal Revenue Code is modified so that if the claimant owns  
13          any part of the property, rather than 50% ownership, the claimant is subject to  
14          section 267 (a) (1) of the Internal Revenue Code for purposes of this subsection.

15          **SECTION 1929.** 71.28 (1dm) (f) 1. of the statutes is amended to read:

16          71.28 (1dm) (f) 1. A copy of ~~a the verification from the department of commerce~~  
17          that the claimant may claim tax benefits under s. 238.395 (3) (a) 4. or s. 560.795 (3)  
18          (a) 4., 2009 stats., or is certified under s. 238.395 (5), 238.398 (3), or 238.3995 (4) or  
19          s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats.

20          **SECTION 1930.** 71.28 (1dm) (f) 2. of the statutes is amended to read:

21          71.28 (1dm) (f) 2. A statement from the department of commerce or the  
22          Wisconsin Economic Development Corporation verifying the purchase price of the  
23          investment and verifying that the investment fulfills the requirements under par.  
24          (b).

25          **SECTION 1931.** 71.28 (1dm) (i) of the statutes is amended to read:

1           71.28 **(1dm)** (i) Partnerships, limited liability companies, and tax–option  
2 corporations may not claim the credit under this subsection, but the eligibility for,  
3 and the amount of, that credit shall be determined on the basis of their economic  
4 activity, not that of their shareholders, partners, or members. The corporation,  
5 partnership, or limited liability company shall compute the amount of credit that  
6 may be claimed by each of its shareholders, partners, or members and provide that  
7 information to its shareholders, partners, or members. Partners, members of limited  
8 liability companies, and shareholders of tax–option corporations may claim the  
9 credit based on the partnership’s, company’s, or corporation’s activities in proportion  
10 to their ownership interest and may offset it against the tax attributable to their  
11 income from the partnership’s, company’s, or corporation’s business operations in the  
12 development zone; except that partners, members, and shareholders in a  
13 development zone under s. 238.395 (1) (e) or s. 560.795 (1) (e), 2009 stats., may offset  
14 the credit against the amount of the tax attributable to their income.

15           **SECTION 1932.** 71.28 (1dm) (j) of the statutes is amended to read:

16           71.28 **(1dm)** (j) If a person who is entitled under s. 238.395 (3) (a) 4. or s. 560.795  
17 (3) (a) 4., 2009 stats., to claim tax benefits becomes ineligible for such tax benefits,  
18 or if a person’s certification under s. 238.395 (5), 238.398 (3), or 238.3995 (4) or s.  
19 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., is  
20 revoked, that person may claim no credits under this subsection for the taxable year  
21 that includes the day on which the person becomes ineligible for tax benefits, the  
22 taxable year that includes the day on which the certification is revoked, or succeeding  
23 taxable years, and that person may carry over no unused credits from previous years  
24 to offset tax under this chapter for the taxable year that includes the day on which

1 the person becomes ineligible for tax benefits, the taxable year that includes the day  
2 on which the certification is revoked, or succeeding taxable years.

3 **SECTION 1933.** 71.28 (1dm) (k) of the statutes is amended to read:

4 71.28 **(1dm)** (k) If a person who is entitled under s. 238.395 (3) (a) 4. or s.  
5 560.795 (3) (a) 4., 2009 stats., to claim tax benefits or certified under s. 238.395 (5),  
6 239.398 (3), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats.,  
7 or s. 560.7995 (4), 2009 stats., ceases business operations in the development zone  
8 during any of the taxable years that that zone exists, that person may not carry over  
9 to any taxable year following the year during which operations cease any unused  
10 credits from the taxable year during which operations cease or from previous taxable  
11 years.

12 **SECTION 1934.** 71.28 (1ds) (a) 1. of the statutes is amended to read:

13 71.28 **(1ds)** (a) 1. “Development zone” means a zone designated under s. 560.71,  
14 2009 stats.

15 **SECTION 1935.** 71.28 (1ds) (b) of the statutes is amended to read:

16 71.28 **(1ds)** (b) Except as provided in pars. (dm) and (e) and s. 73.03 (35), for  
17 any taxable year for which the person is certified under s. 560.765 (3), 2009 stats.,  
18 for tax benefits, any person may claim as a credit against taxes otherwise due under  
19 this chapter the taxes paid under subchs. III and V of ch. 77 on their purchases, leases  
20 and rentals of eligible property. Partnerships, limited liability companies and  
21 tax–option corporations may not claim the credit under this subsection, but the  
22 eligibility for, and the amount of, that credit shall be determined on the basis of their  
23 economic activity, not that of their partners, members or shareholders. The  
24 partnership, limited liability company or corporation shall compute the amount of  
25 credit that may be claimed by each of its partners, members or shareholders and

1 shall provide that information to its partners, members or shareholders. Partners,  
2 members of limited liability companies and shareholders of tax–option corporations  
3 may claim the credit based on the partnership’s, company’s or corporation’s activities  
4 in proportion to their ownership interest.

5 **SECTION 1936.** 71.28 (1ds) (d) 1. of the statutes is amended to read:

6 71.28 (1ds) (d) 1. A copy of the claimant’s certification for tax benefits under  
7 s. 560.765 (3), 2009 stats.

8 **SECTION 1937.** 71.28 (1ds) (i) of the statutes is amended to read:

9 71.28 (1ds) (i) The development zones credit under this subsection, as it applies  
10 to a person certified under s. 560.765 (3), 2009 stats., applies to a corporation that  
11 conducts economic activity in a development opportunity zone under s. 560.795 (1),  
12 2009 stats., and that is entitled to tax benefits under s. 560.795 (3), 2009 stats.,  
13 subject to the limits under s. 560.795 (2), 2009 stats. A development opportunity  
14 zone credit under this paragraph may be calculated using expenses incurred by a  
15 claimant beginning on the effective date under s. 560.795 (2) (a), 2009 stats., of the  
16 development opportunity zone designation of the area in which the claimant  
17 conducts economic activity.

18 **SECTION 1938.** 71.28 (1dx) (a) 2. of the statutes is amended to read:

19 71.28 (1dx) (a) 2. “Development zone” means a development zone under s.  
20 238.30 or s. 560.70, 2009 stats., a development opportunity zone under s. 238.395 or  
21 s. 560.795, 2009 stats., an enterprise development zone under s. 238.397 or s.  
22 560.797, 2009 stats., an agricultural development zone under s. 238.398 or s.  
23 560.798, 2009 stats., or an airport development zone under s. 238.3995 or s.  
24 560.7995, 2009 stats.

25 **SECTION 1940.** 71.28 (1dx) (b) (intro.) of the statutes is amended to read:

1           71.28 (1dx) (b) *Credit.* (intro.) Except as provided in pars. (be) and (bg) and  
2 in s. 73.03 (35), and subject to s. 238.385 or s. 560.785, 2009 stats., for any taxable  
3 year for which the person is entitled under s. 238.395 (3) or s. 560.795 (3), 2009 stats.,  
4 to claim tax benefits or certified under s. 238.365 (3), 238.397 (4), 238.398 (3), or  
5 238.3995 (4) or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3),  
6 2009 stats., or s. 560.7995 (4), 2009 stats., any person may claim as a credit against  
7 the taxes otherwise due under this chapter the following amounts:

8           **SECTION 1941.** 71.28 (1dx) (b) 2. of the statutes is amended to read:

9           71.28 (1dx) (b) 2. The amount determined by multiplying the amount  
10 determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number  
11 of full-time jobs created in a development zone and filled by a member of a targeted  
12 group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the  
13 subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

14           **SECTION 1942.** 71.28 (1dx) (b) 3. of the statutes is amended to read:

15           71.28 (1dx) (b) 3. The amount determined by multiplying the amount  
16 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number  
17 of full-time jobs created in a development zone and not filled by a member of a  
18 targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or  
19 the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

20           **SECTION 1943.** 71.28 (1dx) (b) 4. of the statutes is amended to read:

21           71.28 (1dx) (b) 4. The amount determined by multiplying the amount  
22 determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the  
23 number of full-time jobs retained, as provided in the rules under s. 238.385 or s.  
24 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub.  
25 (1dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats.,

1 and for which significant capital investment was made and by then subtracting the  
2 subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid  
3 under s. 49.147 (3m) (c) for those jobs.

4 **SECTION 1944.** 71.28 (1dx) (b) 5. of the statutes is amended to read:

5 71.28 (1dx) (b) 5. The amount determined by multiplying the amount  
6 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number  
7 of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785,  
8 2009 stats., excluding jobs for which a credit has been claimed under sub. (1dj), in  
9 a development zone and not filled by a member of a targeted group and by then  
10 subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and  
11 reimbursements paid under s. 49.147 (3m) (c) for those jobs.

12 **SECTION 1945.** 71.28 (1dx) (be) of the statutes is amended to read:

13 71.28 (1dx) (be) *Offset.* A claimant in a development zone under s. 238.395  
14 (1) (e) or s. 560.795 (1) (e), 2009 stats., may offset any credits claimed under this  
15 subsection, including any credits carried over, against the amount of the tax  
16 otherwise due under this subchapter attributable to all of the claimant's income and  
17 against the tax attributable to income from directly related business operations of  
18 the claimant.

19 **SECTION 1946.** 71.28 (1dx) (bg) of the statutes is amended to read:

20 71.28 (1dx) (bg) *Other entities.* For claimants in a development zone under s.  
21 238.395 (1) (e) or s. 560.795 (1) (e), 2009 stats., partnerships, limited liability  
22 companies, and tax-option corporations may not claim the credit under this  
23 subsection, but the eligibility for, and amount of, that credit shall be determined on  
24 the basis of their economic activity, not that of their shareholders, partners, or  
25 members. The corporation, partnership, or company shall compute the amount of

1 the credit that may be claimed by each of its shareholders, partners, or members and  
2 shall provide that information to each of its shareholders, partners, or members.  
3 Partners, members of limited liability companies, and shareholders of tax–option  
4 corporations may claim the credit based on the partnership’s, company’s, or  
5 corporation’s activities in proportion to their ownership interest and may offset it  
6 against the tax attributable to their income.

7 **SECTION 1947.** 71.28 (1dx) (c) of the statutes is amended to read:

8 71.28 (1dx) (c) *Credit precluded.* If the certification of a person for tax benefits  
9 under s. 238.365 (3), 238.397 (4), 238.398 (3), or 238.3995 (4) or s. 560.765 (3), 2009  
10 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009  
11 stats., is revoked, or if the person becomes ineligible for tax benefits under s. 238.395  
12 (3) or s. 560.795 (3), 2009 stats., that person may not claim credits under this  
13 subsection for the taxable year that includes the day on which the certification is  
14 revoked; the taxable year that includes the day on which the person becomes  
15 ineligible for tax benefits; or succeeding taxable years and that person may not carry  
16 over unused credits from previous years to offset tax under this chapter for the  
17 taxable year that includes the day on which certification is revoked; the taxable year  
18 that includes the day on which the person becomes ineligible for tax benefits; or  
19 succeeding taxable years.

20 **SECTION 1948.** 71.28 (1dx) (d) of the statutes is amended to read:

21 71.28 (1dx) (d) *Carry–over precluded.* If a person who is entitled under s.  
22 238.395 (3) or s. 560.795 (3), 2009 stats., to claim tax benefits or certified under s.  
23 238.365 (3), 238.397 (4), 238.398 (3), or 238.3995 (4) or s. 560.765 (3), 2009 stats., s.  
24 560.797 (4), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., for  
25 tax benefits ceases business operations in the development zone during any of the

1 taxable years that that zone exists, that person may not carry over to any taxable  
2 year following the year during which operations cease any unused credits from the  
3 taxable year during which operations cease or from previous taxable years.

4 **SECTION 1949.** 71.28 (1dy) (a) of the statutes is amended to read:

5 71.28 (1dy) (a) *Definition.* In this subsection, “claimant” means a person who  
6 files a claim under this subsection and is certified under s. 238.301 (2) or s. 560.701  
7 (2), 2009 stats., and authorized to claim tax benefits under s. 238.303 or s. 560.703,  
8 2009 stats.

9 **SECTION 1950.** 71.28 (1dy) (b) of the statutes is amended to read:

10 71.28 (1dy) (b) *Filing claims.* Subject to the limitations under this subsection  
11 and ss. 238.301 to 238.306 or s. 560.701 to 560.706, 2009 stats., for taxable years  
12 beginning after December 31, 2008, a claimant may claim as a credit against the tax  
13 imposed under s. 71.23, up to the amount of the tax, the amount authorized for the  
14 claimant under s. 238.303 or s. 560.703, 2009 stats.

15 **SECTION 1951.** 71.28 (1dy) (c) 1. of the statutes is amended to read:

16 71.28 (1dy) (c) 1. No credit may be allowed under this subsection unless the  
17 claimant includes with the claimant’s return a copy of the claimant’s certification  
18 under s. 238.301 (2) or s. 560.701 (2), 2009 stats., and a copy of the claimant’s notice  
19 of eligibility to receive tax benefits under s. 238.303 (3) or s. 560.703 (3), 2009 stats.

20 **SECTION 1952.** 71.28 (1dy) (c) 2. of the statutes is amended to read:

21 71.28 (1dy) (c) 2. Partnerships, limited liability companies, and tax–option  
22 corporations may not claim the credit under this subsection, but the eligibility for,  
23 and the amount of, the credit are based on their authorization to claim tax benefits  
24 under s. 238.303 or s. 560.703, 2009 stats. A partnership, limited liability company,  
25 or tax–option corporation shall compute the amount of credit that each of its



1 partners, members, or shareholders may claim and shall provide that information  
2 to each of them. Partners, members of limited liability companies, and shareholders  
3 of tax–option corporations may claim the credit in proportion to their ownership  
4 interests.

5 **SECTION 1953.** 71.28 (1dy) (d) 2. of the statutes is amended to read:

6 71.28 (1dy) (d) 2. If a claimant’s certification is revoked under s. 238.305 or s.  
7 560.705, 2009 stats., or if a claimant becomes ineligible for tax benefits under s.  
8 238.302 or s. 560.702, 2009 stats., the claimant may not claim credits under this  
9 subsection for the taxable year that includes the day on which the certification is  
10 revoked; the taxable year that includes the day on which the claimant becomes  
11 ineligible for tax benefits; or succeeding taxable years and the claimant may not  
12 carry over unused credits from previous years to offset the tax imposed under s. 71.23  
13 for the taxable year that includes the day on which certification is revoked; the  
14 taxable year that includes the day on which the claimant becomes ineligible for tax  
15 benefits; or succeeding taxable years.

16 **SECTION 1954.** 71.28 (3g) (a) (intro.) of the statutes is amended to read:

17 71.28 (3g) (a) (intro.) Subject to the limitations under this subsection and ss.  
18 73.03 (35m) and 238.23 and s. 560.96, 2009 stats., a business that is certified under  
19 s. 238.23 (3) or s. 560.96 (3), 2009 stats., may claim as a credit against the taxes  
20 imposed under s. 71.23 an amount equal to the sum of the following, as established  
21 under s. 238.23 (3) (c) or s. 560.96 (3) (c), 2009 stats.:

22 **SECTION 1955.** 71.28 (3g) (b) of the statutes is amended to read:

23 71.28 (3g) (b) The department of revenue shall notify the department of  
24 commerce or the Wisconsin Economic Development Corporation of all claims under  
25 this subsection.

1           **SECTION 1956.** 71.28 (3g) (e) 2. of the statutes is amended to read:

2           71.28 (3g) (e) 2. The investments that relate to the amount described under par.  
3 (a) 2. for which a claimant makes a claim under this subsection must be retained for  
4 use in the technology zone for the period during which the claimant's business is  
5 certified under s. 238.23 (3) or s. 560.96 (3), 2009 stats.

6           **SECTION 1957.** 71.28 (3g) (f) 1. of the statutes is amended to read:

7           71.28 (3g) (f) 1. A copy of ~~a~~ the verification from the department of commerce  
8 that the claimant's business is certified under s. 238.23 (3) or s. 560.96 (3), 2009  
9 stats., and that the business ~~and the department of commerce have~~ has entered into  
10 an agreement under s. 238.23 (3) (d) or s. 560.96 (3) (d), 2009 stats.

11           **SECTION 1958.** 71.28 (3g) (f) 2. of the statutes is amended to read:

12           71.28 (3g) (f) 2. A statement from the department of commerce or the Wisconsin  
13 Economic Development Corporation verifying the purchase price of the investment  
14 described under par. (a) 2. and verifying that the investment fulfills the requirement  
15 under par. (e) 2.

16           **SECTION 1959.** 71.28 (3p) (b) of the statutes is amended to read:

17           71.28 (3p) (b) *Filing claims.* Subject to the limitations provided in this  
18 subsection and s. 93.535 or s. 560.207, 2009 stats., except as provided in par. (c) 5.,  
19 for taxable years beginning after December 31, 2006, and before January 1, 2015, a  
20 claimant may claim as a credit against the taxes imposed under s. 71.23, up to the  
21 amount of the tax, an amount equal to 10 percent of the amount the claimant paid  
22 in the taxable year for dairy manufacturing modernization or expansion related to  
23 the claimant's dairy manufacturing operation.

24           **SECTION 1959d.** 71.28 (3p) (c) 2. of the statutes is amended to read:

1           71.28 (3p) (c) 2. The aggregate amount of credits that a claimant may claim  
2 under this subsection is \$200,000 for each of the claimant's dairy manufacturing  
3 facilities.

4           **SECTION 1960.** 71.28 (3p) (c) 2m. a. of the statutes is amended to read:

5           71.28 (3p) (c) 2m. a. The maximum amount of the credits that may be claimed  
6 under this subsection and ss. 71.07 (3p) and 71.47 (3p) in fiscal year 2007–08 is  
7 \$600,000, as allocated under s. 560.207, 2009 stats.

8           **SECTION 1961.** 71.28 (3p) (c) 2m. b. of the statutes is amended to read:

9           71.28 (3p) (c) 2m. b. The maximum amount of the credits that may be claimed  
10 by all claimants, other than members of dairy cooperatives, under this subsection  
11 and ss. 71.07 (3p) and 71.47 (3p) in fiscal year 2008–09, and in each fiscal year  
12 thereafter, is \$700,000, as allocated under s. 93.535 or s. 560.207, 2009 stats.

13           **SECTION 1962.** 71.28 (3p) (c) 2m. bm. of the statutes is amended to read:

14           71.28 (3p) (c) 2m. bm. The maximum amount of the credits that may be claimed  
15 by members of dairy cooperatives under this subsection and ss. 71.07 (3p) and 71.47  
16 (3p) in fiscal year 2009–10 is \$600,000, as allocated under s. 560.207, 2009 stats., and  
17 the maximum amount of the credits that may be claimed by members of dairy  
18 cooperatives under this subsection and ss. 71.07 (3p) and 71.47 (3p) in fiscal year  
19 2010–11, and in each fiscal year thereafter, is \$700,000, as allocated under s. 93.535  
20 or s. 560.207, 2009 stats.

21           **SECTION 1963d.** 71.28 (3p) (c) 4. of the statutes is amended to read:

22           71.28 (3p) (c) 4. If 2 or more persons own and operate ~~the a~~ dairy manufacturing  
23 ~~operation~~ facility, each person may claim a credit under par. (b) in proportion to his  
24 or her ownership interest, except that the aggregate amount of the credits claimed

1 by all persons who own and operate the dairy manufacturing ~~operation~~ facility shall  
2 not exceed \$200,000.

3 **SECTION 1964.** 71.28 (3p) (c) 6. of the statutes is amended to read:

4 71.28 **(3p)** (c) 6. No credit may be allowed under this subsection unless the  
5 claimant submits with the claimant's return a copy of the claimant's credit  
6 certification and allocation under s. 93.535 or s. 560.207, 2009 stats.

7 **SECTION 1965.** 71.28 (3q) (a) 1. of the statutes is amended to read:

8 71.28 **(3q)** (a) 1. "Claimant" means a person certified to receive tax benefits  
9 under s. 238.16 (2) or s. 560.2055 (2), 2009 stats.

10 **SECTION 1966.** 71.28 (3q) (a) 2. of the statutes is amended to read:

11 71.28 **(3q)** (a) 2. "Eligible employee" means, for taxable years beginning before  
12 January 1, 2011, an eligible employee under s. 560.2055 (1) (b), 2009 stats., who  
13 satisfies the wage requirements under s. 560.2055 (3) (a) or (b), 2009 stats., or, for  
14 taxable years beginning after December 31, 2010, an eligible employee under s.  
15 238.16 (1) (b) who satisfies the wage requirements under s. 238.16 (3) (a) or (b).

16 **SECTION 1967.** 71.28 (3q) (b) (intro.) of the statutes is amended to read:

17 71.28 **(3q)** (b) *Filing claims.* (intro.) Subject to the limitations provided in this  
18 subsection and s. 238.16 or s. 560.2055, 2009 stats., for taxable years beginning after  
19 December 31, 2009, a claimant may claim as a credit against the taxes imposed under  
20 s. 71.23 any of the following:

21 **SECTION 1968.** 71.28 (3q) (b) 1. of the statutes is amended to read:

22 71.28 **(3q)** (b) 1. The amount of wages that the claimant paid to an eligible  
23 employee in the taxable year, not to exceed 10 percent of such wages, as determined  
24 by the department of commerce under s. 238.16 or s. 560.2055, 2009 stats.

25 **SECTION 1969.** 71.28 (3q) (b) 2. of the statutes is amended to read:

1           71.28 **(3q)** (b) 2. The amount of the costs incurred by the claimant in the taxable  
2 year, as determined under s. 238.16 or s. 560.2055, 2009 stats., to undertake the  
3 training activities described under s. 238.16 (3) (c) or s. 560.2055 (3) (c), 2009 stats.

4           **SECTION 1970.** 71.28 (3q) (c) 2. of the statutes is amended to read:

5           71.28 **(3q)** (c) 2. No credit may be allowed under this subsection unless the  
6 claimant includes with the claimant's return a copy of the claimant's certification for  
7 tax benefits under s. 238.16 (2) or s. 560.2055 (2), 2009 stats.

8           **SECTION 1971.** 71.28 (3q) (c) 3. of the statutes is amended to read:

9           71.28 **(3q)** (c) 3. The maximum amount of credits that may be awarded under  
10 this subsection and ss. 71.07 (3q) and 71.47 (3q) for the period beginning on January  
11 1, 2010, and ending on June 30, 2013, is \$14,500,000, not including the amount of  
12 any credits reallocated under s. 238.15 (3) (d) or s. 560.205 (3) (d), 2009 stats.

13           **SECTION 1972.** 71.28 (3r) (b) of the statutes is amended to read:

14           71.28 **(3r)** (b) *Filing claims.* Subject to the limitations provided in this  
15 subsection and s. 93.545 or s. 560.208, 2009 stats., for taxable years beginning after  
16 December 31, 2008, and before January 1, 2017, a claimant may claim as a credit  
17 against the taxes imposed under s. 71.23, up to the amount of the tax, an amount  
18 equal to 10 percent of the amount the claimant paid in the taxable year for meat  
19 processing modernization or expansion related to the claimant's meat processing  
20 operation.

21           **SECTION 1973.** 71.28 (3r) (c) 3. a. of the statutes is amended to read:

22           71.28 **(3r)** (c) 3. a. The maximum amount of the credits that may be allocated  
23 under this subsection and ss. 71.07 (3r) and 71.47 (3r) in fiscal year 2009–10 is  
24 \$300,000, as allocated under s. 560.208, 2009 stats.

25           **SECTION 1974.** 71.28 (3r) (c) 3. b. of the statutes is amended to read:

1           71.28 (3r) (c) 3. b. The maximum amount of the credits that may be allocated  
2 under this subsection and ss. 71.07 (3r) and 71.47 (3r) in fiscal year 2010–11, and in  
3 each fiscal year thereafter, is \$700,000, as allocated under s. 93.545 or s. 560.208,  
4 2009 stats.

5           **SECTION 1975.** 71.28 (3r) (c) 6. of the statutes is amended to read:

6           71.28 (3r) (c) 6. No credit may be allowed under this subsection unless the  
7 claimant submits with the claimant’s return a copy of the claimant’s credit  
8 certification and allocation under s. 93.545 or s. 560.208, 2009 stats.

9           **SECTION 1976.** 71.28 (3rm) (b) of the statutes is amended to read:

10           71.28 (3rm) (b) *Filing claims.* Subject to the limitations provided in this  
11 subsection and s. 93.547 or s. 560.209, 2009 stats., for taxable years beginning after  
12 December 31, 2009, and before January 1, 2016, a claimant may claim as a credit  
13 against the taxes imposed under s. 71.23, up to the amount of the tax, an amount  
14 equal to 10 percent of the amount the claimant paid in the taxable year for equipment  
15 that is used primarily to harvest or process woody biomass that is used as fuel or as  
16 a component of fuel.

17           **SECTION 1977.** 71.28 (3rm) (c) 3. of the statutes is amended to read:

18           71.28 (3rm) (c) 3. The maximum amount of the credits that may be claimed  
19 under this subsection and ss. 71.07 (3rm) and 71.47 (3rm) is \$900,000, as allocated  
20 under s. 93.547 or s. 560.209, 2009 stats.

21           **SECTION 1978.** 71.28 (3rn) (b) of the statutes is amended to read:

22           71.28 (3rn) (b) *Filing claims.* Subject to the limitations provided in this  
23 subsection and s. ~~506.2056~~ 93.54 or s. 560.2056, 2009 stats., for taxable years  
24 beginning after December 31, 2009, and before January 1, 2017, a claimant may  
25 claim as a credit against the tax imposed under s. 71.23, up to the amount of the tax,

1 an amount equal to 10 percent of the amount the claimant paid in the taxable year  
2 for food processing or food warehousing modernization or expansion related to the  
3 operation of the claimant's food processing plant or food warehouse.

4 **SECTION 1979.** 71.28 (3rn) (c) 3. a. of the statutes is amended to read:

5 71.28 (3rn) (c) 3. a. The maximum amount of the credits that may be allocated  
6 under this subsection and ss. 71.07 (3rn) and 71.47 (3rn) in fiscal year 2009–10 is  
7 \$1,000,000, as allocated under s. 560.2056, 2009 stats.

8 **SECTION 1980.** 71.28 (3rn) (c) 3. b. of the statutes is amended to read:

9 71.28 (3rn) (c) 3. b. The maximum amount of the credits that may be allocated  
10 under this subsection and ss. 71.07 (3rn) and 71.47 (3rn) in fiscal year 2010–11 is  
11 \$1,200,000, as allocated under s. 560.2056, 2009 stats.

12 **SECTION 1981.** 71.28 (3rn) (c) 3. c. of the statutes is amended to read:

13 71.28 (3rn) (c) 3. c. The maximum amount of the credits that may be allocated  
14 under this subsection and ss. 71.07 (3rn) and 71.47 (3rn) in fiscal year 2011–12, and  
15 in each year thereafter, is \$700,000, as allocated under s. 93.54 or s. 560.2056, 2009  
16 stats.

17 **SECTION 1982.** 71.28 (3rn) (c) 6. of the statutes is amended to read:

18 71.28 (3rn) (c) 6. No credit may be allowed under this subsection unless the  
19 claimant submits with the claimant's return a copy of the claimant's credit  
20 certification and allocation under s. 93.54 or s. 560.2056, 2009 stats.

21 **SECTION 1983.** 71.28 (3t) (b) of the statutes is amended to read:

22 71.28 (3t) (b) *Credit.* Subject to the limitations provided in this subsection and  
23 in s. 560.28, 2009 stats., for taxable years beginning after December 31, 2007, a  
24 claimant may claim as a credit, amortized over 15 taxable years starting with the  
25 taxable year beginning after December 31, 2007, against the tax imposed under s.

1 71.23, up to the amount of the tax, an amount equal to the claimant's unused credits  
2 under s. 71.28 (3).

3 **SECTION 1984.** 71.28 (3t) (c) 1. of the statutes is amended to read:

4 71.28 (3t) (c) 1. No credit may be claimed under this subsection unless the  
5 claimant submits with the claimant's return a copy of the claimant's certification by  
6 the department of commerce under s. 560.28, 2009 stats., except that, with regard  
7 to credits claimed by partners of a partnership, members of a limited liability  
8 company, or shareholders of a tax-option corporation, the entity shall provide a copy  
9 of its certification under s. 560.28, 2009 stats., to the partner, member, or shareholder  
10 to submit with his or her return.

11 **SECTION 1985.** 71.28 (3w) (a) 2. of the statutes is amended to read:

12 71.28 (3w) (a) 2. "Claimant" means a person who is certified to claim tax  
13 benefits under s. 238.399 (5) or s. 560.799 (5), 2009 stats., and who files a claim under  
14 this subsection.

15 **SECTION 1986.** 71.28 (3w) (a) 3. of the statutes is amended to read:

16 71.28 (3w) (a) 3. "Full-time employee" means a full-time employee, as defined  
17 in s. 238.399 (1) (am) or s. 560.799 (1) (am), 2009 stats.

18 **SECTION 1987.** 71.28 (3w) (a) 4. of the statutes is amended to read:

19 71.28 (3w) (a) 4. "Enterprise zone" means a zone designated under s. 238.399  
20 or s. 560.799, 2009 stats.

21 **SECTION 1988.** 71.28 (3w) (a) 5d. of the statutes is amended to read:

22 71.28 (3w) (a) 5d. "Tier I county or municipality" means a tier I county or  
23 municipality, as determined by the department of commerce under s. 238.399 or s.  
24 560.799, 2009 stats.

25 **SECTION 1989.** 71.28 (3w) (a) 5e. of the statutes is amended to read:



1           71.28 (3w) (a) 5e. “Tier II county or municipality” means a tier II county or  
2           municipality, as determined by the department of commerce under s. 238.399 or s.  
3           560.799, 2009 stats.

4           **SECTION 1990.** 71.28 (3w) (b) (intro.) of the statutes is amended to read:

5           71.28 (3w) (b) *Filing claims; payroll.* (intro.) Subject to the limitations  
6           provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may  
7           claim as a credit against the tax imposed under s. 71.23 an amount calculated as  
8           follows:

9           **SECTION 1991.** 71.28 (3w) (b) 5. of the statutes is amended to read:

10          71.28 (3w) (b) 5. Multiply the amount determined under subd. 4. by the  
11          percentage determined by the department of commerce under s. 238.399 or s.  
12          560.799, 2009 stats., not to exceed 7 percent.

13          **SECTION 1992.** 71.28 (3w) (bm) 1. of the statutes is amended to read:

14          71.28 (3w) (bm) 1. In addition to the credits under par. (b) and subds. 2., 3., and  
15          4., and subject to the limitations provided in this subsection and s. 238.399 or s.  
16          560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under  
17          s. 71.23 an amount equal to a percentage, as determined by the department of  
18          commerce under s. 238.399 or s. 560.799, 2009 stats., not to exceed 100 percent, of  
19          the amount the claimant paid in the taxable year to upgrade or improve the  
20          job-related skills of any of the claimant’s full-time employees, to train any of the  
21          claimant’s full-time employees on the use of job-related new technologies, or to  
22          provide job-related training to any full-time employee whose employment with the  
23          claimant represents the employee’s first full-time job. This subdivision does not  
24          apply to employees who do not work in an enterprise zone.

25          **SECTION 1993.** 71.28 (3w) (bm) 2. of the statutes is amended to read:

1           71.28 (3w) (bm) 2. In addition to the credits under par. (b) and subds. 1., 3., and  
2           4., and subject to the limitations provided in this subsection and s. 238.399 or s.  
3           560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under  
4           s. 71.23 an amount equal to the percentage, as determined by ~~the department of~~  
5           ~~commerce~~ under s. 238.399 or s. 560.799, 2009 stats., not to exceed 7 percent, of the  
6           claimant's zone payroll paid in the taxable year to all of the claimant's full-time  
7           employees whose annual wages are greater than \$20,000 in a tier I county or  
8           municipality, not including the wages paid to the employees determined under par.  
9           (b) 1., or greater than \$30,000 in a tier II county or municipality, not including the  
10          wages paid to the employees determined under par. (b) 1., and who the claimant  
11          employed in the enterprise zone in the taxable year, if the total number of such  
12          employees is equal to or greater than the total number of such employees in the base  
13          year. A claimant may claim a credit under this subdivision for no more than 5  
14          consecutive taxable years.

15           **SECTION 1994.** 71.28 (3w) (bm) 3. of the statutes is amended to read:

16           71.28 (3w) (bm) 3. In addition to the credits under par. (b) and subds. 1., 2., and  
17           4., and subject to the limitations provided in this subsection and s. 238.399 or s.  
18           560.799, 2009 stats., for taxable years beginning after December 31, 2008, a claimant  
19           may claim as a credit against the tax imposed under s. 71.23 up to 10 percent of the  
20           claimant's significant capital expenditures, as determined by ~~the department of~~  
21           ~~commerce~~ under s. 238.399 (5m) or s. 560.799 (5m), 2009 stats.

22           **SECTION 1995.** 71.28 (3w) (bm) 4. of the statutes is amended to read:

23           71.28 (3w) (bm) 4. In addition to the credits under par. (b) and subds. 1., 2., and  
24           3., and subject to the limitations provided in this subsection and s. 238.399 or s.  
25           560.799, 2009 stats., for taxable years beginning after December 31, 2009, a claimant

1 may claim as a credit against the tax imposed under s. 71.23, up to 1 percent of the  
2 amount that the claimant paid in the taxable year to purchase tangible personal  
3 property, items, property, or goods under s. 77.52 (1) (b), (c), or (d), or services from  
4 Wisconsin vendors, as determined by the department of commerce under s. 238.399  
5 (5) (e) or s. 560.799 (5) (e), 2009 stats., except that the claimant may not claim the  
6 credit under this subdivision and subd. 3. for the same expenditures.

7 **SECTION 1996.** 71.28 (3w) (c) 3. of the statutes is amended to read:

8 71.28 **(3w)** (c) 3. No credit may be allowed under this subsection unless the  
9 claimant includes with the claimant's return a copy of the claimant's certification for  
10 tax benefits under s. 238.399 (5) or (5m) or s. 560.799 (5) or (5m), 2009 stats.

11 **SECTION 1997.** 71.28 (3w) (d) of the statutes is amended to read:

12 71.28 **(3w)** (d) *Administration.* Subsection (4) (g) and (h), as it applies to the  
13 credit under sub. (4), applies to the credit under this subsection. Claimants shall  
14 include with their returns a copy of their certification for tax benefits, and a copy of  
15 the verification of their expenses, from the department of commerce or the Wisconsin  
16 Economic Development Corporation.

17 **SECTION 1998.** 71.28 (4) (am) 1. of the statutes is amended to read:

18 71.28 **(4)** (am) 1. In addition to the credit under par. (ad), any corporation may  
19 credit against taxes otherwise due under this chapter an amount equal to 5 percent  
20 of the amount obtained by subtracting from the corporation's qualified research  
21 expenses, as defined in section 41 of the Internal Revenue Code, except that  
22 "qualified research expenses" include only expenses incurred by the claimant in a  
23 development zone under subch. II of ch. 238 or subch. VI of ch. 560, 2009 stats., except  
24 that a taxpayer may elect the alternative computation under section 41 (c) (4) of the  
25 Internal Revenue Code and that election applies until the department permits its

1 revocation and except that “qualified research expenses” do not include  
2 compensation used in computing the credit under sub. (1dj) nor research expenses  
3 incurred before the claimant is certified for tax benefits under s. 238.365 (3) or s.  
4 560.765 (3), 2009 stats., the corporation’s base amount, as defined in section 41 (c)  
5 of the Internal Revenue Code, in a development zone, except that gross receipts used  
6 in calculating the base amount means gross receipts from sales attributable to  
7 Wisconsin under s. 71.25 (9) (b) 1. and 2., (df) 1. and 2., (dh) 1., 2., and 3., (dj), and  
8 (dk) and research expenses used in calculating the base amount include research  
9 expenses incurred before the claimant is certified for tax benefits under s. 238.365  
10 (3) or s. 560.765 (3), 2009 stats., in a development zone, if the claimant submits with  
11 the claimant’s return a copy of the claimant’s certification for tax benefits under s.  
12 238.365 (3) or s. 560.765 (3), 2009 stats., and a statement from the department of  
13 commerce or the Wisconsin Economic Development Corporation verifying the  
14 claimant’s qualified research expenses for research conducted exclusively in a  
15 development zone. The rules under s. 73.03 (35) apply to the credit under this  
16 subdivision. The rules under sub. (1di) (f) and (g) as they apply to the credit under  
17 that subsection apply to claims under this subdivision. Section 41 (h) of the Internal  
18 Revenue Code does not apply to the credit under this subdivision.

19 **SECTION 1999.** 71.28 (4) (am) 2. of the statutes is amended to read:

20 71.28 (4) (am) 2. The development zones credit under subd. 1., as it applies to  
21 a person certified under s. 238.365 (3) or s. 560.765 (3), 2009 stats., applies to a  
22 corporation that conducts economic activity in a development opportunity zone  
23 under s. 238.395 (1) or s. 560.795 (1), 2009 stats., and that is entitled to tax benefits  
24 under s. 238.395 (3) or s. 560.795 (3), 2009 stats., subject to the limits under s.  
25 238.395 (2) or s. 560.795 (2), 2009 stats. A development opportunity zone credit

1 under this subdivision may be calculated using expenses incurred by a claimant  
2 beginning on the effective date under s. 238.395 (2) (a) or s. 560.795 (2) (a), 2009  
3 stats., of the development opportunity zone designation of the area in which the  
4 claimant conducts economic activity.

5 **SECTION 2000.** 71.28 (5b) (a) 2. of the statutes is amended to read:

6 71.28 (5b) (a) 2. “Fund manager” means an investment fund manager certified  
7 under s. 238.15 (2) or s. 560.205 (2), 2009 stats.

8 **SECTION 2001.** 71.28 (5b) (b) 1. of the statutes is amended to read:

9 71.28 (5b) (b) 1. For taxable years beginning after December 31, 2004, subject  
10 to the limitations provided under this subsection and s. 238.15 or s. 560.205, 2009  
11 stats., and except as provided in subd. 2., a claimant may claim as a credit against  
12 the tax imposed under s. 71.23, up to the amount of those taxes, 25 percent of the  
13 claimant’s investment paid to a fund manager that the fund manager invests in a  
14 business certified under s. 238.15 (1) or s. 560.205 (1), 2009 stats.

15 **SECTION 2002.** 71.28 (5b) (b) 2. of the statutes is amended to read:

16 71.28 (5b) (b) 2. In the case of a partnership, limited liability company, or  
17 tax–option corporation, the computation of the 25 percent limitation under subd. 1.  
18 shall be determined at the entity level rather than the claimant level and may be  
19 allocated among the claimants who make investments in the manner set forth in the  
20 entity’s organizational documents. The entity shall provide to the department of  
21 revenue and to the department of commerce or the Wisconsin Economic  
22 Development Corporation the names and tax identification numbers of the  
23 claimants, the amounts of the credits allocated to the claimants, and the  
24 computation of the allocations.

25 **SECTION 2003.** 71.28 (5b) (d) 3. of the statutes is amended to read:

1           71.28 (5b) (d) 3. For ~~calendar years beginning~~ investments made after  
2           December 31, 2007, if an investment for which a claimant claims a credit under par.  
3           (b) is held by the claimant for less than 3 years, the claimant shall pay to the  
4           department, in the manner prescribed by the department, the amount of the credit  
5           that the claimant received related to the investment.

6           **SECTION 2004.** 71.28 (5f) (a) 1. (intro.) of the statutes is amended to read:

7           71.28 (5f) (a) 1. (intro.) “Accredited production” means a film, video, broadcast  
8           advertisement, or television production, as approved by the department of commerce  
9           or the department of tourism, for which the aggregate salary and wages included in  
10          the cost of the production for the period ending 12 months after the month in which  
11          the principal filming or taping of the production begins exceeds \$50,000. “Accredited  
12          production” also means an electronic game, as approved by the department of  
13          commerce or the department of tourism, for which the aggregate salary and wages  
14          included in the cost of the production for the period ending 36 months after the month  
15          in which the principal programming, filming, or taping of the production begins  
16          exceeds \$100,000. “Accredited production” does not include any of the following,  
17          regardless of the production costs:

18          **SECTION 2005.** 71.28 (5f) (a) 3. of the statutes is amended to read:

19          71.28 (5f) (a) 3. “Production expenditures” means any expenditures that are  
20          incurred in this state and directly used to produce an accredited production,  
21          including expenditures for set construction and operation, wardrobes, make-up,  
22          clothing accessories, photography, sound recording, sound synchronization, sound  
23          mixing, lighting, editing, film processing, film transferring, special effects, visual  
24          effects, renting or leasing facilities or equipment, renting or leasing motor vehicles,  
25          food, lodging, and any other similar expenditure as determined by the department

1 of commerce or the department of tourism. “Production expenditures” do not include  
2 salary, wages, or labor–related contract payments.

3 **SECTION 2006.** 71.28 (5f) (c) 6. of the statutes is amended to read:

4 71.28 (5f) (c) 6. No credit may be allowed under this subsection unless the  
5 claimant files an application with the department of commerce or the department of  
6 tourism, at the time and in the manner prescribed by the department of commerce  
7 or the department of tourism, and the department of commerce or the department  
8 of tourism approves the application. The claimant shall submit a fee with the  
9 application in an amount equal to 2 percent of the claimant’s budgeted production  
10 expenditures or to \$5,000, whichever is less. The claimant shall submit a copy of the  
11 approved application with the claimant’s return.

12 **SECTION 2007.** 71.28 (5h) (c) 4. of the statutes is amended to read:

13 71.28 (5h) (c) 4. No claim may be allowed under this subsection unless the  
14 department of commerce or the department of tourism certifies, in writing, that the  
15 credits claimed under this subsection are for expenses related to establishing or  
16 operating a film production company in this state and the claimant submits a copy  
17 of the certification with the claimant’s return.

18 **SECTION 2008.** 71.28 (5i) (c) 1. of the statutes is amended to read:

19 71.28 (5i) (c) 1. The maximum amount of the credits that may be claimed under  
20 this subsection and ss. 71.07 (5i) and 71.47 (5i) in a taxable year is \$10,000,000, as  
21 allocated under s. 73.15 or s. 560.204, 2009 stats.

22 **SECTION 2009.** 71.28 (5j) (a) 2d. of the statutes is amended to read:

23 71.28 (5j) (a) 2d. “Diesel replacement renewable fuel” includes biodiesel and  
24 any other fuel derived from a renewable resource that meets all of the applicable  
25 requirements of the American Society for Testing and Materials for that fuel and that

1 the department of commerce or the department of safety and professional services  
2 designates by rule as a diesel replacement renewable fuel.

3 **SECTION 2010.** 71.28 (5j) (a) 2m. of the statutes is amended to read:

4 71.28 (5j) (a) 2m. “Gasoline replacement renewable fuel” includes ethanol and  
5 any other fuel derived from a renewable resource that meets all of the applicable  
6 requirements of the American Society for Testing and Materials for that fuel and that  
7 the department of commerce or the department of safety and professional services  
8 designates by rule as a gasoline replacement renewable fuel.

9 **SECTION 2011.** 71.28 (5j) (c) 3. of the statutes is amended to read:

10 71.28 (5j) (c) 3. The department of commerce or the department of safety and  
11 professional services shall establish standards to adequately prevent, in the  
12 distribution of conventional fuel to an end user, the inadvertent distribution of fuel  
13 containing a higher percentage of renewable fuel than the maximum percentage  
14 established by the federal environmental protection agency for use in  
15 conventionally–fueled engines.

16 **SECTION 2011d.** 71.28 (5n) of the statutes is created to read:

17 71.28 (5n) QUALIFIED PRODUCTION ACTIVITIES CREDIT. (a) *Definitions.* In this  
18 subsection:

19 1. “Claimant” means a person who files a claim under this subsection.

20 2. “Eligible qualified production activities income” means the lesser of the  
21 following:

22 a. Qualified production activities income that derives from property located in  
23 this state that is assessed as manufacturing property under s. 70.995 or as  
24 agricultural property under s. 70.32 (2) (a) 4.

25 b. Income that is apportioned to this state under s. 71.25 (5), (6), and (6m).



1 c. Income that is determined to be taxable in this state under s. 71.255 (2).

2 3. “Qualified production activities income” means qualified production  
3 activities income as defined in 26 USC 199 (c).

4 (b) *Filing claims.* Subject to the limitations provided in this subsection, a  
5 claimant may claim as a credit against the tax imposed under s. 71.23, up to the  
6 amount of the tax, an amount equal to one of the following percentages of the  
7 claimant’s eligible qualified production activities income in the taxable year:

8 1. For taxable years beginning after December 31, 2012, and before January  
9 1, 2014, 1.875 percent.

10 2. For taxable years beginning after December 31, 2013, and before January  
11 1, 2015, 3.75 percent.

12 3. For taxable years beginning after December 31, 2014, and before January  
13 1, 2016, 5.526 percent.

14 4. For taxable years beginning after December 31, 2015, 7.5 percent.

15 (c) *Limitations.* Partnerships, limited liability companies, and tax–option  
16 corporations may not claim the credit under this subsection, but the eligibility for,  
17 and the amount of, the credit are based on their share of the income described under  
18 par. (b). A partnership, limited liability company, or tax–option corporation shall  
19 compute the amount of credit that each of its partners, members, or shareholders  
20 may claim and shall provide that information to each of them. Partners, members  
21 of limited liability companies, and shareholders of tax–option corporations may  
22 claim the credit in proportion to their ownership interests.

23 (d) *Administration.* Subsection (4) (e) to (h), as it applies to the credit under  
24 sub. (4), applies to the credit under this subsection.

25 **SECTION 2012d.** 71.30 (3) (dn) of the statutes is created to read:

1           71.30 (3) (dn) Qualified production activities credit under s. 71.28 (5n).

2           **SECTION 2012n.** 71.34 (1g) (u) of the statutes is amended to read:

3           71.34 (1g) (u) “Internal Revenue Code” for tax–option corporations, for taxable  
4 years that begin after December 31, 2007, and before January 1, 2009, means the  
5 federal Internal Revenue Code as amended to December 31, 2007, excluding sections  
6 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and  
7 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
8 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554,  
9 P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147,  
10 sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306,  
11 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 201, 211, 242, 244, 336, 337,  
12 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310,  
13 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of  
14 P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to  
15 section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101,  
16 207, 209, 503, 512, and 513 of P.L. 109–222, sections 811 and 844 of P.L. 109–280, P.L.  
17 109–432, P.L. 110–28, P.L. 110–140, P.L. 110–141, P.L. 110–142, P.L. 110–166, and  
18 P.L. 110–172, and as amendeded by P.L. 110–245, excluding sections 110, 113, and 301  
19 of P.L. 110–245, and section 15316 of P.L. 110–246, section 301 of division B and  
20 section 313 of division C of P.L. 110–343, P.L. 110–458, section 1541 of division B of  
21 P.L. 111–5, and P.L. 111–192, and as indirectly affected in the provisions applicable  
22 to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, excluding sections 803  
23 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section  
24 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239,  
25 P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.

1 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),  
2 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.  
3 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
4 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.  
5 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L.  
6 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16,  
7 excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L.  
8 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L.  
9 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and  
10 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L.  
11 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316,  
12 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 211, 242,  
13 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L.  
14 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,  
15 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146  
16 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135,  
17 excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),  
18 (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections  
19 101, 207, 209, 503, 512, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280,  
20 excluding sections 811 and 844 of P.L. 109–280, P.L. 110–245, excluding sections 110,  
21 113, and 301 of P.L. 110–245, and section 15316 of P.L. 110–246, section 301 of  
22 division B and section 313 of division C of P.L. 110–343, P.L. 110–458, section 1541  
23 of division B of P.L. 111–5, and P.L. 111–192, except that section 1366 (f) (relating to  
24 pass-through of items to shareholders) is modified by substituting the tax under s.  
25 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies

1 for Wisconsin purposes at the same time as for federal purposes. Amendments to the  
2 federal Internal Revenue Code enacted after December 31, 2007, do not apply to this  
3 paragraph with respect to taxable years beginning after December 31, 2007, and  
4 before January 1, 2009, except that changes to the Internal Revenue Code made by  
5 P.L. 110–245, excluding sections 110, 113, and 301 of P.L. 110–245, and section 15316  
6 of P.L. 110–246, section 301 of division B and section 313 of division C of P.L. 110–343,  
7 P.L. 110–458, section 1541 of division B of P.L. 111–5, and P.L. 111–192, and changes  
8 that indirectly affect the provisions applicable to this subchapter made by P.L.  
9 110–245, excluding sections 110, 113, and 301 of P.L. 110–245, and section 15316 of  
10 P.L. 110–246, section 301 of division B and section 313 of division C of P.L. 110–343,  
11 P.L. 110–458, section 1541 of division B of P.L. 111–5, and P.L. 111–192, apply for  
12 Wisconsin purposes at the same time as for federal purposes.

13 **SECTION 2013.** 71.34 (1g) (um) of the statutes is amended to read:

14 71.34 (1g) (um) “Internal Revenue Code” for tax-option corporations, for  
15 taxable years that begin after December 31, 2008, and before January 1, 2011,  
16 means the federal Internal Revenue Code as amended to December 31, 2008,  
17 excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171  
18 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
19 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165  
20 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of  
21 P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173,  
22 sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211,  
23 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305,  
24 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58,  
25 section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as

1 it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135,  
2 sections 101, 207, 209, 503, and 513 of P.L. 109–222, ~~section 844 of P.L. 109–280, P.L.~~  
3 ~~109–432, P.L. 110–28, P.L. 110–140, P.L. 110–141, P.L. 110–142, P.L. 110–166, P.L.~~  
4 ~~110–172, P.L. 110–185, P.L. 110–234, sections 110, 113, and 301 of P.L. 110–245, P.L.~~  
5 ~~110–246, except section 15316 of P.L. 110–246, P.L. 110–289, except section 3093 of~~  
6 ~~P.L. 110–289, P.L. 110–317, and P.L. 110–343, except section 301 of division B and~~  
7 ~~section 313 of division C of P.L. 110–343, and P.L. 110–351, as amended by sections~~  
8 ~~1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section~~  
9 ~~301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L.~~  
10 ~~111–226, section 2112 of P.L. 111–240, and P.L. 111–325, and as indirectly affected~~  
11 ~~in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L.~~  
12 ~~100–647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823~~  
13 ~~(c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L.~~  
14 ~~101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections~~  
15 ~~103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding~~  
16 ~~sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.~~  
17 ~~103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections~~  
18 ~~1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.~~  
19 ~~104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.~~  
20 ~~106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of~~  
21 ~~P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L.~~  
22 ~~107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a)~~  
23 ~~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,~~  
24 ~~excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173,~~  
25 ~~excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311,~~

1 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,  
2 excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of  
3 P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections  
4 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.  
5 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding  
6 section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it  
7 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L.  
8 109–151, P.L. 109–222, excluding sections 101, 207, 209, 503, and 513 of P.L.  
9 109–222, P.L. 109–227, P.L. 109–280, excluding section 844 of P.L. 109–280, P.L.  
10 110–245, excluding sections 110, 113, and 301 of P.L. 110–245, and section 15316 of  
11 P.L. 110–246, section 3093 of P.L. 110–289, section 301 of division B and section 313  
12 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401,  
13 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L.  
14 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section 215 of P.L. 111–226,  
15 section 2112 of P.L. 111–240, and P.L. 111–325, except that section 1366 (f) (relating  
16 to pass-through of items to shareholders) is modified by substituting the tax under  
17 s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code  
18 applies for Wisconsin purposes at the same time as for federal purposes.  
19 Amendments to the federal Internal Revenue Code enacted after December 31, 2008,  
20 do not apply to this paragraph with respect to taxable years beginning after  
21 December 31, 2008, and before January 1, 2011, except that changes to the Internal  
22 Revenue Code made by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541  
23 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of  
24 P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, and P.L.  
25 111–325, and changes that indirectly affect the provisions applicable to this

1 subchapter made by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of  
2 division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L.  
3 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, and P.L. 111–325,  
4 apply for Wisconsin purposes at the same time as for federal purposes.

5 **SECTION 2013d.** 71.34 (1g) (un) of the statutes is created to read:

6 71.34 **(1g)** (un) “Internal Revenue Code” for tax–option corporations, for  
7 taxable years that begin after December 31, 2010, means the federal Internal  
8 Revenue Code as amended to December 31, 2010, excluding sections 103, 104, and  
9 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
10 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188,  
11 sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L.  
12 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections  
13 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316,  
14 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422,  
15 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323,  
16 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L.  
17 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section  
18 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503,  
19 and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410, 412, 417,  
20 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, P.L.  
21 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L.  
22 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b),  
23 (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245,  
24 P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L.  
25 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317,

1 P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313  
2 and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401,  
3 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L.  
4 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9021, 9022, 10108, 10908,  
5 and 10909 of P.L. 111–148, P.L. 111–152, except section 1407 of P.L. 111–152, P.L.  
6 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and  
7 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113  
8 of P.L. 111–240, and P.L. 111–312, and as indirectly affected in the provisions  
9 applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, excluding  
10 sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514  
11 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L.  
12 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.  
13 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150  
14 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.  
15 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
16 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.  
17 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L.  
18 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15,  
19 P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L.  
20 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L.  
21 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections  
22 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201  
23 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306,  
24 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102,  
25 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375,



1 P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310,  
2 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59,  
3 excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L.  
4 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section  
5 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L.  
6 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–227,  
7 P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A  
8 and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and  
9 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L.  
10 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172,  
11 P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4, 15312, 15313, 15314,  
12 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding sections 3071, 3081, and  
13 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections  
14 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L.  
15 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522,  
16 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L. 111–147, excluding  
17 section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and  
18 10909 of P.L. 111–148, section 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L.  
19 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and  
20 2113 of P.L. 111–240, and P.L. 111–325, except that section 1366 (f) (relating to  
21 pass-through of items to shareholders) is modified by substituting the tax under s.  
22 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies  
23 for Wisconsin purposes at the same time as for federal purposes, except that changes  
24 made by section 209 of P.L. 109–222, sections 117, 406, 409, 410, 412, 417, 418, 424,  
25 and 425 of division A and section 403 of division C of P.L. 109–432, sections 8215,

1 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding  
2 sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b),  
3 (e), and (g) of P.L. 110–172, sections 110 and 113 of P.L. 110–245, sections 15312,  
4 15313, 15314, and 15342 of P.L. 110–246, sections 3031, 3032, 3033, 3041, 3051,  
5 3052, 3061, and 3092 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L.  
6 110–317, sections 116, 208, and 211 of division B and section 504 of division C of P.L.  
7 110–343, section 14 of P.L. 111–92, sections 531, 532, and 533 of P.L. 111–147,  
8 sections 10908 and 10909 of P.L. 111–148, and section 2043 of P.L. 111–240 do not  
9 apply for taxable years beginning before January 1, 2011. Amendments to the  
10 federal Internal Revenue Code enacted after December 31, 2010, do not apply to this  
11 paragraph with respect to taxable years beginning after December 31, 2010.

12 **SECTION 2013f.** 71.34 (1k) (g) of the statutes is amended to read:

13 71.34 **(1k)** (g) An addition shall be made for credits computed by a tax–option  
14 corporation under s. 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1dm), (1ds), (1dx), (1dy),  
15 (3), (3g), (3h), (3n), (3p), (3q), (3r), (3rm), (3rn), (3t), (3w), (5e), (5f), (5g), (5h), (5i), (5j),  
16 (5k), (5n), (5r), (5rm), and (8r) and passed through to shareholders.

17 **SECTION 2013n.** 71.42 (2) (t) of the statutes is amended to read:

18 71.42 **(2)** (t) For taxable years that begin after December 31, 2007, and before  
19 January 1, 2009, “Internal Revenue Code” means the federal Internal Revenue Code  
20 as amended to December 31, 2007, excluding sections 103, 104, and 110 of P.L.  
21 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,  
22 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3,  
23 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section  
24 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and  
25 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403

1 (a) of P.L. 108–311, sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910  
2 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326,  
3 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301  
4 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403  
5 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 209, 503, 512, and 513 of  
6 P.L. 109–222, sections 811 and 844 of P.L. 109–280, P.L. 109–432, P.L. 110–28, P.L.  
7 110–140, P.L. 110–141, P.L. 110–142, P.L. 110–166, and P.L. 110–172, and as  
8 amended by P.L. 110–245, excluding sections 110, 113, and 301 of P.L. 110–245, and  
9 section 15316 of P.L. 110–246, section 301 of division B and section 313 of division  
10 C of P.L. 110–343, P.L. 110–458, section 1541 of division B of P.L. 111–5, and P.L.  
11 111–192, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L.  
12 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,  
13 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.  
14 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
15 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,  
16 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
17 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.  
18 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections  
19 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.  
20 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections  
21 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L.  
22 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L.  
23 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L.  
24 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L.  
25 108–311, P.L. 108–357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847,

1 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58,  
2 excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348,  
3 and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L.  
4 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101,  
5 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of  
6 P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207, 209, 503, 512,  
7 and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, excluding sections 811 and 844  
8 of P.L. 109–280, P.L. 110–245, excluding sections 110, 113, and 301 of P.L. 110–245,  
9 and section 15316 of P.L. 110–246, section 301 of division B and section 313 of division  
10 C of P.L. 110–343, P.L. 110–458, section 1541 of division B of P.L. 111–5, and P.L.  
11 111–192, except that “Internal Revenue Code” does not include section 847 of the  
12 federal Internal Revenue Code. The Internal Revenue Code applies for Wisconsin  
13 purposes at the same time as for federal purposes. Amendments to the federal  
14 Internal Revenue Code enacted after December 31, 2007, do not apply to this  
15 paragraph with respect to taxable years beginning after December 31, 2007, and  
16 before January 1, 2009, except that changes to the Internal Revenue Code made by  
17 P.L. 110–245, excluding sections 110, 113, and 301 of P.L. 110–245, and section 15316  
18 of P.L. 110–246, section 301 of division B and section 313 of division C of P.L. 110–343,  
19 P.L. 110–458, section 1541 of division B of P.L. 111–5, and P.L. 111–192, and changes  
20 that indirectly affect the provisions applicable to this subchapter made by P.L.  
21 110–245, excluding sections 110, 113, and 301 of P.L. 110–245, and section 15316 of  
22 P.L. 110–246, section 301 of division B and section 313 of division C of P.L. 110–343,  
23 P.L. 110–458, section 1541 of division B of P.L. 111–5, and P.L. 111–192, apply for  
24 Wisconsin purposes at the same time as for federal purposes.

25 **SECTION 2014.** 71.42 (2) (tm) of the statutes is amended to read:

1           71.42 (2) (tm) For taxable years that begin after December 31, 2008, and before  
2 January 1, 2011, “Internal Revenue Code” means the federal Internal Revenue Code  
3 as amended to December 31, 2008, excluding sections 103, 104, and 110 of P.L.  
4 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,  
5 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3,  
6 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section  
7 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and  
8 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403  
9 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and  
10 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,  
11 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section  
12 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402  
13 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 209, 503, and 513  
14 of P.L. 109–222, ~~section 844 of P.L. 109–280~~, P.L. 109–432, P.L. 110–28, P.L. 110–140,  
15 P.L. 110–141, P.L. 110–142, P.L. 110–166, P.L. 110–172, P.L. 110–185, P.L. 110–234,  
16 sections 110, 113, and 301 of P.L. 110–245, P.L. 110–246, except section 15316 of P.L.  
17 110–246, P.L. 110–289, except section 3093 of P.L. 110–289, P.L. 110–317, and P.L.  
18 110–343, except section 301 of division B and section 313 of division C of P.L. 110–343,  
19 and P.L. 110–351, as amended by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531,  
20 and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section  
21 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, and  
22 P.L. 111–325, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647,  
23 P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,  
24 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.  
25 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.

1 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,  
2 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
3 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.  
4 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections  
5 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.  
6 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections  
7 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L.  
8 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L.  
9 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L.  
10 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L.  
11 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422,  
12 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L.  
13 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
14 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L.  
15 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding  
16 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and  
17 (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207,  
18 209, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, ~~excluding section 844~~  
19 ~~of P.L. 109–280~~, P.L. 110–245, excluding sections 110, 113, and 301 of P.L. 110–245,  
20 and section 15316 of P.L. 110–246, section 3093 of P.L. 110–289, section 301 of  
21 division B and section 313 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458,  
22 sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L.  
23 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L. 111–203, section  
24 215 of P.L. 111–226, section 2112 of P.L. 111–240, and P.L. 111–325, except that  
25 “Internal Revenue Code” does not include section 847 of the federal Internal Revenue

1 Code. The Internal Revenue Code applies for Wisconsin purposes at the same time  
2 as for federal purposes. Amendments to the federal Internal Revenue Code enacted  
3 after December 31, 2008, do not apply to this paragraph with respect to taxable years  
4 beginning after December 31, 2008, and before January 1, 2011, except that changes  
5 to the Internal Revenue Code made by sections 1261, 1262, 1401, 1402, 1521, 1522,  
6 1531, and 1541 of division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192,  
7 section 1601 of P.L. 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240,  
8 and P.L. 111–325, and changes that indirectly affect the provisions applicable to this  
9 subchapter made by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of  
10 division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L.  
11 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, and P.L. 111–325,  
12 apply for Wisconsin purposes at the same time as for federal purposes.

13 **SECTION 2014d.** 71.42 (2) (tn) of the statutes is created to read:

14 71.42 (2) (tn) For taxable years that begin after December 31, 2010, “Internal  
15 Revenue Code” means the federal Internal Revenue Code as amended to  
16 December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227, sections  
17 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b),  
18 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L.  
19 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L.  
20 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L.  
21 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L.  
22 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.  
23 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
24 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L.  
25 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),

1 (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222,  
2 P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of  
3 division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections  
4 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5  
5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172,  
6 P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections  
7 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and  
8 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116,  
9 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343,  
10 P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of  
11 division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections  
12 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, P.L. 111–152,  
13 except section 1407 of P.L. 111–152, P.L. 111–203, except section 1601 of P.L. 111–203,  
14 P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L. 111–240, except  
15 sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–312, and as  
16 indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.  
17 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections  
18 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding  
19 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.  
20 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections  
21 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.  
22 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.  
23 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of  
24 P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L.  
25 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a)



1 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,  
2 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173,  
3 excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311,  
4 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,  
5 excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of  
6 P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections  
7 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.  
8 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding  
9 section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it  
10 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L.  
11 109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222,  
12 P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425  
13 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232,  
14 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3,  
15 and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g)  
16 of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4,  
17 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding  
18 sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e)  
19 of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504  
20 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401,  
21 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L.  
22 111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9021,  
23 9022, 10108, 10908, and 10909 of P.L. 111–148, section 1407 of P.L. 111–152, P.L.  
24 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections  
25 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–325, except that

1 “Internal Revenue Code” does not include section 847 of the federal Internal Revenue  
2 Code. The Internal Revenue Code applies for Wisconsin purposes at the same time  
3 as for federal purposes, except that changes made by section 209 of P.L. 109–222,  
4 sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403  
5 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L.  
6 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142,  
7 P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, sections  
8 110 and 113 of P.L. 110–245, sections 15312, 15313, 15314, and 15342 of P.L. 110–246,  
9 sections 3031, 3032, 3033, 3041, 3051, 3052, 3061, and 3092 of P.L. 110–289, P.L.  
10 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, and 211 of division  
11 B and section 504 of division C of P.L. 110–343, section 14 of P.L. 111–92, sections 531,  
12 532, and 533 of P.L. 111–147, sections 10908 and 10909 of P.L. 111–148, and section  
13 2043 of P.L. 111–240 do not apply for taxable years beginning before January 1, 2011.  
14 Amendments to the federal Internal Revenue Code enacted after December 31, 2010,  
15 do not apply to this paragraph with respect to taxable years beginning after  
16 December 31, 2010.

17 **SECTION 2014r.** 71.45 (1t) (j) of the statutes is repealed.

18 **SECTION 2015d.** 71.45 (1t) (m) of the statutes is created to read:

19 71.45 **(1t)** (m) Those issued by the Wisconsin Housing and Economic  
20 Development Authority to provide loans to a public affairs network under s. 234.75  
21 (4).

22 **SECTION 2015e.** 71.45 (2) (a) 10. of the statutes, as affected by 2011 Wisconsin  
23 Act 3, is amended to read:

24 71.45 **(2)** (a) 10. By adding to federal taxable income the amount of credit  
25 computed under s. 71.47 (1dd) to (1dy), (3g), (3h), (3n), (3p), (3q), (3r), (3rm), (3rn),

1 (3w), (5e), (5f), (5g), (5h), (5i), (5j), (5k), (5n), (5r), (5rm), (8r), and (9s) and not passed  
2 through by a partnership, limited liability company, or tax–option corporation that  
3 has added that amount to the partnership’s, limited liability company’s, or  
4 tax–option corporation’s income under s. 71.21 (4) or 71.34 (1k) (g) and the amount  
5 of credit computed under s. 71.47 (1), (3), (3t), (4), (4m), and (5).

6 **SECTION 2015f.** 71.45 (4) of the statutes is renumbered 71.45 (4) (a) and  
7 amended to read:

8 71.45 (4) (a) ~~Insurers~~ Except as provided in par. (b), insurers computing tax  
9 under this subchapter may subtract from Wisconsin net income any Wisconsin net  
10 business loss sustained in any of the next 15 preceding taxable years to the extent  
11 not offset by Wisconsin net business income of any year between the loss year and  
12 the taxable year for which an offset is claimed and computed without regard to sub.  
13 (2) (a) 8. and 9. and this subsection and limited to the amount of net income, but no  
14 loss incurred for a taxable year before taxable year 1987 by a nonprofit service plan  
15 of sickness care under ch. 148, or dental care under s. 447.13 may be treated as a net  
16 business loss of the successor service insurer under ch. 613 operating by virtue of s.  
17 148.03 or 447.13.

18 **SECTION 2015g.** 71.45 (4) (b) of the statutes is created to read:

19 71.45 (4) (b) An insurer that is part of a combined group under s. 71.255 may  
20 offset against its Wisconsin net business income any unused pre–2009 net business  
21 loss carry–forward under s. 71.255 (6) (bm) for the 20 taxable years that begin after  
22 December 31, 2011.

23 **SECTION 2016.** 71.47 (1dd) (b) of the statutes is amended to read:

24 71.47 (1dd) (b) Except as provided in s. 73.03 (35), for any taxable year for  
25 which that person is certified under s. 560.765 (3), 2009 stats., and begins business

1 operations in a zone under s. 560.71, 2009 stats., after July 29, 1995, or certified  
2 under s. 560.797 (4) (a), 2009 stats., for each zone for which the person is certified  
3 or entitled a person may credit against taxes otherwise due under this subchapter  
4 employment–related day care expenses, up to \$1,200 for each qualifying individual.

5 **SECTION 2017.** 71.47 (1de) (a) (intro.) of the statutes is amended to read:

6 71.47 **(1de)** (a) (intro.) Except as provided in s. 73.03 (35), for any taxable year  
7 for which a person is certified under s. 560.765 (3), 2009 stats., and begins business  
8 operations in a zone under s. 560.71, 2009 stats., after July 29, 1995, or certified  
9 under s. 560.797 (4) (a), 2009 stats., for each zone for which the person is certified  
10 or entitled the person may claim as a credit against taxes otherwise due under this  
11 subchapter an amount equal to 7.5% of the amount that the person expends to  
12 remove or contain environmental pollution, as defined in s. 299.01 (4), in the zone or  
13 to restore soil or groundwater that is affected by environmental pollution, as defined  
14 in s. 299.01 (4), in the zone if the person fulfills all of the following requirements:

15 **SECTION 2018.** 71.47 (1de) (a) 1. of the statutes is amended to read:

16 71.47 **(1de)** (a) 1. Begins the work, other than planning and investigating, for  
17 which the credit is claimed after the area that includes the site where the work is  
18 done is designated a development zone under s. 560.71, 2009 stats., or an enterprise  
19 development zone under s. 560.797, 2009 stats., and after the claimant is certified  
20 under s. 560.765 (3), 2009 stats., or certified under s. 560.797 (4) (a), 2009 stats.

21 **SECTION 2019.** 71.47 (1di) (a) (intro.) of the statutes is amended to read:

22 71.47 **(1di)** (a) (intro.) Except as provided in pars. (dm) and (f) and s. 73.03 (35),  
23 for any taxable year for which the person is entitled under s. 560.795 (3), 2009 stats.,  
24 to claim tax benefits, any person may claim as a credit against taxes otherwise due  
25 under this chapter 2.5% of the purchase price of depreciable, tangible personal

1 property, or 1.75% of the purchase price of depreciable, tangible personal property  
2 that is expensed under section 179 of the internal revenue code for purposes of the  
3 taxes under this chapter, except that:

4 **SECTION 2020.** 71.47 (1di) (a) 1. of the statutes is amended to read:

5 71.47 **(1di)** (a) 1. The investment must be in property that is purchased after  
6 the person is entitled under s. 560.795 (3), 2009 stats., to claim tax benefits and that  
7 is used for at least 50% of its use in the conduct of the person's business operations  
8 at a location in a development zone under subch. VI of ch. 560, 2009 stats., or, if the  
9 property is mobile, the base of operations of the property for at least 50% of its use  
10 must be a location in a development zone.

11 **SECTION 2021.** 71.47 (1di) (b) 2. of the statutes is amended to read:

12 71.47 **(1di)** (b) 2. If the claimant is located on an Indian reservation, as defined  
13 in s. 560.86 (5), 2009 stats., and is an American Indian, as defined in s. 560.86 (1),  
14 2009 stats., an Indian business, as defined in s. 560.86 (4), 2009 stats., or a tribal  
15 enterprise, as defined in s. 71.07 (2di) (b) 2., and if the allowable amount of the credit  
16 under this subsection exceeds the taxes otherwise due under this chapter on or  
17 measured by the claimant's income, the amount of the credit not used as an offset  
18 against those taxes shall be certified to the department of administration for  
19 payment to the claimant by check, share draft or other draft.

20 **SECTION 2022.** 71.47 (1di) (b) 3. of the statutes is amended to read:

21 71.47 **(1di)** (b) 3. Partnerships, limited liability companies and tax-option  
22 corporations may not claim the credit under this subsection, but the eligibility for,  
23 and amount of, that credit shall be determined on the basis of their economic activity,  
24 not that of their shareholders, partners or members. The corporation, partnership  
25 or limited liability company shall compute the amount of the credit that may be

1 claimed by each of its shareholders, partners or members and shall provide that  
2 information to each of its shareholders, partners or members. Partners, members  
3 of limited liability companies and shareholders of tax–option corporations may claim  
4 the credit based on the partnership’s, company’s or corporation’s activities in  
5 proportion to their ownership interest and may offset it against the tax attributable  
6 to their income from the partnership’s, company’s or corporation’s business  
7 operations in the development zone; except that a claimant in a development zone  
8 under s. 560.795 (1) (e), 2009 stats., may offset the credit, including any credits  
9 carried over, against the amount of the tax otherwise due under this chapter  
10 attributable to all of the claimant’s income; and against the tax attributable to their  
11 income from the partnership’s, company’s or corporation’s directly related business  
12 operations.

13 **SECTION 2023.** 71.47 (1di) (d) 1. of the statutes is amended to read:

14 71.47 (1di) (d) 1. A copy of a verification from the department of commerce that  
15 the claimant may claim tax benefits under s. 560.795 (3), 2009 stats.

16 **SECTION 2024.** 71.47 (1di) (f) of the statutes is amended to read:

17 71.47 (1di) (f) If a person who is entitled under s. 560.795 (3), 2009 stats., to  
18 claim tax benefits becomes ineligible for such tax benefits, that person may claim no  
19 credits under this subsection for the taxable year that includes the day on which the  
20 person becomes ineligible for tax benefits or succeeding taxable years and that  
21 person may carry over no unused credits from previous years to offset tax under this  
22 chapter for the taxable year that includes the day on which the person becomes  
23 ineligible for tax benefits or succeeding taxable years.

24 **SECTION 2025.** 71.47 (1di) (g) of the statutes is amended to read:

1           71.47 **(1di)** (g) If a person who is entitled under s. 560.795 (3), 2009 stats., to  
2 claim tax benefits ceases business operations in the development zone during any of  
3 the taxable years that that zone exists, that person may not carry over to any taxable  
4 year following the year during which operations cease any unused credits from the  
5 taxable year during which operations cease or from previous taxable years.

6           **SECTION 2026.** 71.47 (1dj) (am) (intro.) of the statutes is amended to read:

7           71.47 **(1dj)** (am) (intro.) Except as provided under par. (f) or s. 73.03 (35), for  
8 any taxable year for which the person is certified under s. 560.765 (3), 2009 stats.,  
9 for tax benefits, any person may claim as a credit against taxes otherwise due under  
10 this chapter an amount calculated as follows:

11           **SECTION 2027.** 71.47 (1dj) (am) 4. a. of the statutes is amended to read:

12           71.47 **(1dj)** (am) 4. a. If certified under s. 560.765 (3), 2009 stats., for tax  
13 benefits before January 1, 1992, modify “qualified wages” as defined in section 51 (b)  
14 of the internal revenue code to exclude wages paid before the claimant is certified for  
15 tax benefits and to exclude wages that are paid to employees for work at any location  
16 that is not in a development zone under subch. VI of ch. 560, 2009 stats. For purposes  
17 of this subd. 4. a., mobile employees work at their base of operations and leased or  
18 rented employees work at the location where they perform services.

19           **SECTION 2028.** 71.47 (1dj) (am) 4. b. of the statutes is amended to read:

20           71.47 **(1dj)** (am) 4. b. If certified under s. 560.765 (3), 2009 stats., for tax  
21 benefits after December 31, 1991, modify “qualified wages” as defined in section 51  
22 (b) of the internal revenue code to exclude wages paid before the claimant is certified  
23 for tax benefits and to exclude wages that are paid to employees for work at any  
24 location that is not in a development zone under subch. VI of ch. 560, 2009 stats. For

1 purposes of this subd. 4. b., mobile employees and leased or rented employees work  
2 at their base of operations.

3 **SECTION 2029.** 71.47 (1dj) (am) 4c. of the statutes is amended to read:

4 71.47 **(1dj)** (am) 4c. Modify the rule for ineligible individuals under section 51  
5 (i) (1) of the internal revenue code to allow credit for the wages of related individuals  
6 paid by an Indian business, as defined in s. 560.86 (4), 2009 stats., or a tribal  
7 enterprise, as defined in s. 71.07 (2di) (b) 2., if the Indian business or tribal enterprise  
8 is located in a development zone designated under s. 560.71 (3) (c) 2., 2009 stats.

9 **SECTION 2030.** 71.47 (1dj) (am) 4t. of the statutes is amended to read:

10 71.47 **(1dj)** (am) 4t. If certified under s. 560.765 (3), 2009 stats., for tax benefits  
11 before January 1, 1992, modify section 51 (i) (3) of the internal revenue code so that  
12 for leased or rented employees, except employees of a leasing agency certified for tax  
13 benefits who perform services directly for the agency in a development zone, the  
14 minimum employment periods apply to the time that they perform services in a  
15 development zone for a single lessee or renter, not to their employment by the leasing  
16 agency.

17 **SECTION 2031.** 71.47 (1dj) (e) 1. of the statutes is amended to read:

18 71.47 **(1dj)** (e) 1. A copy of the claimant's certification for tax benefits under s.  
19 560.765 (3), 2009 stats.

20 **SECTION 2032.** 71.47 (1dj) (e) 3. a. of the statutes is amended to read:

21 71.47 **(1dj)** (e) 3. a. If certified under s. 560.765 (3), 2009 stats., for tax benefits  
22 before January 1, 1992, a statement from the department of commerce verifying the  
23 amount of qualifying wages and verifying that the employees were hired for work  
24 only in a development zone or are mobile employees whose base of operations is in  
25 a development zone.



1           **SECTION 2033.** 71.47 (1dj) (e) 3. b. of the statutes is amended to read:

2           71.47 **(1dj)** (e) 3. b. If certified under s. 560.765 (3), 2009 stats., for tax benefits  
3 after December 31, 1991, a statement from the department of commerce verifying the  
4 amount of qualifying wages and verifying that the employees were hired for work  
5 only in a development zone or are mobile employees or leased or rented employees  
6 whose base of operations is in a development zone.

7           **SECTION 2034.** 71.47 (1dL) (a) of the statutes is amended to read:

8           71.47 **(1dL)** (a) Except as provided in pars. (ag), (ar), (bm) and (f) and s. 73.03  
9 (35), for any taxable year for which the person is certified under s. 560.765 (3), 2009  
10 stats., for tax benefits, any person may claim as a credit against taxes otherwise due  
11 under this subchapter an amount equal to 2.5% of the amount expended by that  
12 person to acquire, construct, rehabilitate or repair real property in a development  
13 zone under subch. VI of ch. 560, 2009 stats.

14           **SECTION 2035.** 71.47 (1dL) (ag) of the statutes is amended to read:

15           71.47 **(1dL)** (ag) If the credit under par. (a) is claimed for an amount expended  
16 to construct, rehabilitate, remodel or repair property, the claimant must have begun  
17 the physical work of construction, rehabilitation, remodeling or repair, or any  
18 demolition or destruction in preparation for the physical work, after the place where  
19 the property is located was designated a development zone under s. 560.71, 2009  
20 stats., and the completed project must be placed in service after the claimant is  
21 certified for tax benefits under s. 560.765 (3), 2009 stats. In this paragraph, “physical  
22 work” does not include preliminary activities such as planning, designing, securing  
23 financing, researching, developing specifications or stabilizing the property to  
24 prevent deterioration.

25           **SECTION 2036.** 71.47 (1dL) (ar) of the statutes is amended to read:

1           71.47 (1dL) (ar) If the credit under par. (a) is claimed for an amount expended  
2 to acquire property, the property must have been acquired by the claimant after the  
3 place where the property is located was designated a development zone under s.  
4 560.71, 2009 stats., and the completed project must be placed in service after the  
5 claimant is certified for tax benefits under s. 560.765 (3), 2009 stats., and the  
6 property must not have been previously owned by the claimant or a related person  
7 during the 2 years prior to the designation of the development zone under s. 560.71,  
8 2009 stats. No credit is allowed for an amount expended to acquire property until  
9 the property, either in its original state as acquired by the claimant or as  
10 subsequently constructed, rehabilitated, remodeled or repaired, is placed in service.

11           **SECTION 2037.** 71.47 (1dL) (bm) of the statutes is amended to read:

12           71.47 (1dL) (bm) In calculating the credit under par. (a) a claimant shall reduce  
13 the amount expended to acquire property by a percentage equal to the percentage of  
14 the area of the real property not used for the purposes for which the claimant is  
15 certified to claim tax benefits under s. 560.765 (3), 2009 stats., and shall reduce the  
16 amount expended for other purposes by the amount expended on the part of the  
17 property not used for the purposes for which the claimant is certified to claim tax  
18 benefits under s. 560.765 (3), 2009 stats.

19           **SECTION 2038.** 71.47 (1dL) (c) of the statutes is amended to read:

20           71.47 (1dL) (c) If the claimant is located on an Indian reservation, as defined  
21 in s. 560.86 (5), 2009 stats., and is an American Indian, as defined in s. 560.86 (1),  
22 2009 stats., an Indian business, as defined in s. 560.86 (4), 2009 stats., or a tribal  
23 enterprise, as defined in s. 71.07 (2di) (b) 2., and if the allowable amount of the credit  
24 under par. (a) exceeds the taxes otherwise due under this chapter on or measured by  
25 the claimant's income, the amount of the credit not used as an offset against those

1 taxes shall be certified to the department of administration for payment to the  
2 claimant by check, share draft or other draft.

3 **SECTION 2039.** 71.47 (1dm) (a) 1. of the statutes is amended to read:

4 71.47 (1dm) (a) 1. “Certified” means entitled under s. 238.395 (3) (a) 4. or s.  
5 560.795 (3) (a) 4., 2009 stats., to claim tax benefits or certified under s. 238.395 (5),  
6 238.398 (3), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats.,  
7 or s. 560.7995 (4), 2009 stats.

8 **SECTION 2040.** 71.47 (1dm) (a) 3. of the statutes is amended to read:

9 71.47 (1dm) (a) 3. “Development zone” means a development opportunity zone  
10 under s. 238.395 (1) (e) and (f) or 238.398 or s. 560.795 (1) (e) and (f), 2009 stats., or  
11 s. 560.798, 2009 stats., or an airport development zone under s. 238.3995 or s.  
12 560.7995, 2009 stats.

13 **SECTION 2041.** 71.47 (1dm) (a) 4. of the statutes is amended to read:

14 71.47 (1dm) (a) 4. “Previously owned property” means real property that the  
15 claimant or a related person owned during the 2 years prior to the department of  
16 commerce or the Wisconsin Economic Development Corporation designating the  
17 place where the property is located as a development zone and for which the claimant  
18 may not deduct a loss from the sale of the property to, or an exchange of the property  
19 with, the related person under section 267 of the Internal Revenue Code, except that  
20 section 267 (b) of the Internal Revenue Code is modified so that if the claimant owns  
21 any part of the property, rather than 50% ownership, the claimant is subject to  
22 section 267 (a) (1) of the Internal Revenue Code for purposes of this subsection.

23 **SECTION 2042.** 71.47 (1dm) (f) 1. of the statutes is amended to read:

24 71.47 (1dm) (f) 1. A copy of ~~a~~ the verification ~~from the department of commerce~~  
25 that the claimant may claim tax benefits under s. 238.395 (3) (a) 4. or s. 560.795 (3)

1 (a) 4., 2009 stats., or is certified under s. 238.395 (5), 238.398 (3), or 238.3995 (4) or  
2 s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats.

3 **SECTION 2043.** 71.47 (1dm) (f) 2. of the statutes is amended to read:

4 71.47 **(1dm)** (f) 2. A statement from the department of commerce or the  
5 Wisconsin Economic Development Corporation verifying the purchase price of the  
6 investment and verifying that the investment fulfills the requirements under par.  
7 (b).

8 **SECTION 2044.** 71.47 (1dm) (i) of the statutes is amended to read:

9 71.47 **(1dm)** (i) Partnerships, limited liability companies, and tax–option  
10 corporations may not claim the credit under this subsection, but the eligibility for,  
11 and the amount of, that credit shall be determined on the basis of their economic  
12 activity, not that of their shareholders, partners, or members. The corporation,  
13 partnership, or limited liability company shall compute the amount of credit that  
14 may be claimed by each of its shareholders, partners, or members and provide that  
15 information to its shareholders, partners, or members. Partners, members of limited  
16 liability companies, and shareholders of tax–option corporations may claim the  
17 credit based on the partnership’s, company’s, or corporation’s activities in proportion  
18 to their ownership interest and may offset it against the tax attributable to their  
19 income from the partnership’s, company’s, or corporation’s business operations in the  
20 development zone; except that partners, members, and shareholders in a  
21 development zone under s. 238.395 (1) (e) or s. 560.795 (1) (e), 2009 stats., may offset  
22 the credit against the amount of the tax attributable to their income.

23 **SECTION 2045.** 71.47 (1dm) (j) of the statutes is amended to read:

24 71.47 **(1dm)** (j) If a person who is entitled under s. 238.395 (3) (a) 4. or s. 560.795  
25 (3) (a) 4., 2009 stats. to claim tax benefits becomes ineligible for such tax benefits,

1 or if a person's certification under s. 238.395 (5), 238.398 (3), or 238.3995 (4) or s.  
2 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., is  
3 revoked, that person may claim no credits under this subsection for the taxable year  
4 that includes the day on which the person becomes ineligible for tax benefits, the  
5 taxable year that includes the day on which the certification is revoked, or succeeding  
6 taxable years, and that person may carry over no unused credits from previous years  
7 to offset tax under this chapter for the taxable year that includes the day on which  
8 the person becomes ineligible for tax benefits, the taxable year that includes the day  
9 on which the certification is revoked, or succeeding taxable years.

10 **SECTION 2046.** 71.47 (1dm) (k) of the statutes is amended to read:

11 71.47 **(1dm)** (k) If a person who is entitled under s. 238.395 (3) (a) 4. or s.  
12 560.795 (3) (a) 4., 2009 stats., to claim tax benefits or certified under s. 238.395 (5),  
13 238.398 (3), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats.,  
14 or s. 560.7995 (4), 2009 stats., ceases business operations in the development zone  
15 during any of the taxable years that that zone exists, that person may not carry over  
16 to any taxable year following the year during which operations cease any unused  
17 credits from the taxable year during which operations cease or from previous taxable  
18 years.

19 **SECTION 2047.** 71.47 (1ds) (a) 1. of the statutes is amended to read:

20 71.47 **(1ds)** (a) 1. "Development zone" means a zone designated under s. 560.71,  
21 2009 stats.

22 **SECTION 2048.** 71.47 (1ds) (b) of the statutes is amended to read:

23 71.47 **(1ds)** (b) Except as provided in pars. (dm) and (e) and s. 73.03 (35), for  
24 any taxable year for which the person is certified under s. 560.765 (3), 2009 stats.,  
25 for tax benefits, any person may claim as a credit against taxes otherwise due under

1 this chapter the taxes paid under subchs. III and V of ch. 77 on their purchases, leases  
2 and rentals of eligible property. Partnerships, limited liability companies and  
3 tax–option corporations may not claim the credit under this subsection but the  
4 eligibility for, and the amount of, that credit shall be determined on the basis of their  
5 economic activity, not that of their partners, members or shareholders. The  
6 partnership, limited liability company or corporation shall compute the amount of  
7 the credit that may be claimed by each of its partners, members or shareholders and  
8 shall provide that information to each of its partners, members or shareholders.  
9 Partners, members of limited liability companies and shareholders of tax–option  
10 corporations may claim the credit based on the partnership’s, company’s or  
11 corporation’s activities in proportion to their ownership interest.

12 **SECTION 2049.** 71.47 (1ds) (d) 1. of the statutes is amended to read:

13 71.47 **(1ds)** (d) 1. A copy of the claimant’s certification for tax benefits under  
14 s. 560.765 (3), 2009 stats.

15 **SECTION 2050.** 71.47 (1dx) (a) 2. of the statutes is amended to read:

16 71.47 **(1dx)** (a) 2. “Development zone” means a development zone under s.  
17 238.30 or s. 560.70, 2009 stats., a development opportunity zone under s. 238.395 or  
18 s. 560.795, 2009 stats., or an enterprise development zone under s. 238.397 or s.  
19 560.797, 2009 stats., an agricultural development zone under s. 238.398 or s.  
20 560.798, 2009 stats., or an airport development zone under s. 238.3995 or s.  
21 560.7995, 2009 stats.

22 **SECTION 2052.** 71.47 (1dx) (b) (intro.) of the statutes is amended to read:

23 71.47 **(1dx)** (b) *Credit.* (intro.) Except as provided in pars. (be) and (bg) and  
24 in s. 73.03 (35), and subject to s. 238.385 or s. 560.785, 2009 stats., for any taxable  
25 year for which the person is entitled under s. 238.395 (3) or s. 560.795 (3), 2009 stats.

1 to claim tax benefits or certified under s. 238.365 (3), 238.397 (4), 238.398 (3), or  
2 238.3995 (4) or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3),  
3 2009 stats., or s. 560.7995 (4), 2009 stats., any person may claim as a credit against  
4 the taxes otherwise due under this chapter the following amounts:

5 **SECTION 2053.** 71.47 (1dx) (b) 2. of the statutes is amended to read:

6 71.47 **(1dx)** (b) 2. The amount determined by multiplying the amount  
7 determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number  
8 of full-time jobs created in a development zone and filled by a member of a targeted  
9 group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the  
10 subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

11 **SECTION 2054.** 71.47 (1dx) (b) 3. of the statutes is amended to read:

12 71.47 **(1dx)** (b) 3. The amount determined by multiplying the amount  
13 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number  
14 of full-time jobs created in a development zone and not filled by a member of a  
15 targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or  
16 the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

17 **SECTION 2055.** 71.47 (1dx) (b) 4. of the statutes is amended to read:

18 71.47 **(1dx)** (b) 4. The amount determined by multiplying the amount  
19 determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the  
20 number of full-time jobs retained, as provided in the rules under s. 238.385 or s.  
21 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub.  
22 (1dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats.,  
23 and for which significant capital investment was made and by then subtracting the  
24 subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid  
25 under s. 49.147 (3m) (c) for those jobs.

1           **SECTION 2056.** 71.47 (1dx) (b) 5. of the statutes is amended to read:

2           71.47 **(1dx)** (b) 5. The amount determined by multiplying the amount  
3 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number  
4 of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785,  
5 2009 stats., excluding jobs for which a credit has been claimed under sub. (1dj), in  
6 a development zone and not filled by a member of a targeted group and by then  
7 subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and  
8 reimbursements paid under s. 49.147 (3m) (c) for those jobs.

9           **SECTION 2057.** 71.47 (1dx) (be) of the statutes is amended to read:

10           71.47 **(1dx)** (be) *Offset.* A claimant in a development zone under s. 238.395 (1)  
11 (e) or s. 560.795 (1) (e), 2009 stats., may offset any credits claimed under this  
12 subsection, including any credits carried over, against the amount of the tax  
13 otherwise due under this subchapter attributable to all of the claimant's income and  
14 against the tax attributable to income from directly related business operations of  
15 the claimant.

16           **SECTION 2058.** 71.47 (1dx) (bg) of the statutes is amended to read:

17           71.47 **(1dx)** (bg) *Other entities.* For claimants in a development zone under s.  
18 238.395 (1) (e) or s. 560.795 (1) (e), 2009 stats., partnerships, limited liability  
19 companies, and tax-option corporations may not claim the credit under this  
20 subsection, but the eligibility for, and amount of, that credit shall be determined on  
21 the basis of their economic activity, not that of their shareholders, partners, or  
22 members. The corporation, partnership, or company shall compute the amount of  
23 the credit that may be claimed by each of its shareholders, partners, or members and  
24 shall provide that information to each of its shareholders, partners, or members.  
25 Partners, members of limited liability companies, and shareholders of tax-option



1 corporations may claim the credit based on the partnership's, company's, or  
2 corporation's activities in proportion to their ownership interest and may offset it  
3 against the tax attributable to their income.

4 **SECTION 2059.** 71.47 (1dx) (c) of the statutes is amended to read:

5 71.47 (1dx) (c) *Credit precluded.* If the certification of a person for tax benefits  
6 under s. 238.365 (3), 238.397 (4), 238.398 (3), or 238.3995 (4) or s. 560.765 (3), 2009  
7 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009  
8 stats., is revoked, or if the person becomes ineligible for tax benefits under s. 238.395  
9 (3) or s. 560.795 (3), 2009 stats., that person may not claim credits under this  
10 subsection for the taxable year that includes the day on which the certification is  
11 revoked; the taxable year that includes the day on which the person becomes  
12 ineligible for tax benefits; or succeeding taxable years and that person may not carry  
13 over unused credits from previous years to offset tax under this chapter for the  
14 taxable year that includes the day on which certification is revoked; the taxable year  
15 that includes the day on which the person becomes ineligible for tax benefits; or  
16 succeeding taxable years.

17 **SECTION 2060.** 71.47 (1dx) (d) of the statutes is amended to read:

18 71.47 (1dx) (d) *Carry-over precluded.* If a person who is entitled under s.  
19 238.395 (3) or s. 560.795 (3), 2009 stats., to claim tax benefits or certified under s.  
20 238.365 (3), 238.397 (4), 238.398 (3), or 238.3995 (4) or s. 560.765 (3), 2009 stats., s.  
21 560.797 (4), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., for  
22 tax benefits ceases business operations in the development zone during any of the  
23 taxable years that that zone exists, that person may not carry over to any taxable  
24 year following the year during which operations cease any unused credits from the  
25 taxable year during which operations cease or from previous taxable years.

1           **SECTION 2061.** 71.47 (1dy) (a) of the statutes is amended to read:

2           71.47 **(1dy)** (a) *Definition.* In this subsection, “claimant” means a person who  
3 files a claim under this subsection and is certified under s. 238.301 (2) or s. 560.701  
4 (2), 2009 stats., and authorized to claim tax benefits under s. 238.303 or s. 560.703,  
5 2009 stats.

6           **SECTION 2062.** 71.47 (1dy) (b) of the statutes is amended to read:

7           71.47 **(1dy)** (b) *Filing claims.* Subject to the limitations under this subsection  
8 and ss. 238.301 to 238.306 or s. 560.701 to 560.706, 2009 stats., for taxable years  
9 beginning after December 31, 2008, a claimant may claim as a credit against the tax  
10 imposed under s. 71.43, up to the amount of the tax, the amount authorized for the  
11 claimant under s. 238.303 or s. 560.703, 2009 stats.

12           **SECTION 2063.** 71.47 (1dy) (c) 1. of the statutes is amended to read:

13           71.47 **(1dy)** (c) 1. No credit may be allowed under this subsection unless the  
14 claimant includes with the claimant’s return a copy of the claimant’s certification  
15 under s. 238.301 (2) or s. 560.701 (2), 2009 stats., and a copy of the claimant’s notice  
16 of eligibility to receive tax benefits under s. 238.303 (3) or s. 560.703 (3), 2009 stats.

17           **SECTION 2064.** 71.47 (1dy) (c) 2. of the statutes is amended to read:

18           71.47 **(1dy)** (c) 2. Partnerships, limited liability companies, and tax–option  
19 corporations may not claim the credit under this subsection, but the eligibility for,  
20 and the amount of, the credit are based on their authorization to claim tax benefits  
21 under s. 238.303 or s. 560.703, 2009 stats. A partnership, limited liability company,  
22 or tax–option corporation shall compute the amount of credit that each of its  
23 partners, members, or shareholders may claim and shall provide that information  
24 to each of them. Partners, members of limited liability companies, and shareholders

1 of tax–option corporations may claim the credit in proportion to their ownership  
2 interests.

3 **SECTION 2065.** 71.47 (1dy) (d) 2. of the statutes is amended to read:

4 71.47 **(1dy)** (d) 2. If a claimant’s certification is revoked under s. 238.305 or s.  
5 560.705, 2009 stats., or if a claimant becomes ineligible for tax benefits under s.  
6 238.302 or s. 560.702, 2009 stats., the claimant may not claim credits under this  
7 subsection for the taxable year that includes the day on which the certification is  
8 revoked; the taxable year that includes the day on which the claimant becomes  
9 ineligible for tax benefits; or succeeding taxable years and the claimant may not  
10 carry over unused credits from previous years to offset the tax imposed under s. 71.43  
11 for the taxable year that includes the day on which certification is revoked; the  
12 taxable year that includes the day on which the claimant becomes ineligible for tax  
13 benefits; or succeeding taxable years.

14 **SECTION 2066.** 71.47 (3g) (a) (intro.) of the statutes is amended to read:

15 71.47 **(3g)** (a) (intro.) Subject to the limitations under this subsection and ss.  
16 73.03 (35m), and 238.23 and s. 560.96, 2009 stats., a business that is certified under  
17 s. 238.23 (3) or s. 560.96 (3), 2009 stats., may claim as a credit against the taxes  
18 imposed under s. 71.43 an amount equal to the sum of the following, as established  
19 under s. 238.23 (3) (c) or s. 560.96 (3) (c), 2009 stats.:

20 **SECTION 2067.** 71.47 (3g) (b) of the statutes is amended to read:

21 71.47 **(3g)** (b) The department of revenue shall notify the department of  
22 commerce or the Wisconsin Economic Development Corporation of all claims under  
23 this subsection.

24 **SECTION 2068.** 71.47 (3g) (e) 2. of the statutes is amended to read:

1           71.47 (3g) (e) 2. The investments that relate to the amount described under par.  
2 (a) 2. for which a claimant makes a claim under this subsection must be retained for  
3 use in the technology zone for the period during which the claimant's business is  
4 certified under s. 238.23 (3) or s. 560.96 (3), 2009 stats.

5           **SECTION 2069.** 71.47 (3g) (f) 1. of the statutes is amended to read:

6           71.47 (3g) (f) 1. A copy of ~~a the verification from the department of commerce~~  
7 that the claimant's business is certified under s. 238.23 (3) or s. 560.96 (3), 2009  
8 stats., and that the business and the department of commerce have has entered into  
9 an agreement under s. 238.23 (3) (d) or s. 560.96 (3) (d), 2009 stats.

10          **SECTION 2070.** 71.47 (3g) (f) 2. of the statutes is amended to read:

11          71.47 (3g) (f) 2. A statement from the department of commerce or the Wisconsin  
12 Economic Development Corporation verifying the purchase price of the investment  
13 described under par. (a) 2. and verifying that the investment fulfills the requirement  
14 under par. (e) 2.

15          **SECTION 2071.** 71.47 (3p) (b) of the statutes is amended to read:

16          71.47 (3p) (b) *Filing claims.* Subject to the limitations provided in this  
17 subsection and s. 93.535 or s. 560.207, 2009 stats., except as provided in par. (c) 5.,  
18 for taxable years beginning after December 31, 2006, and before January 1, 2015, a  
19 claimant may claim as a credit against the taxes imposed under s. 71.43, up to the  
20 amount of the tax, an amount equal to 10 percent of the amount the claimant paid  
21 in the taxable year for dairy manufacturing modernization or expansion related to  
22 the claimant's dairy manufacturing operation.

23          **SECTION 2071d.** 71.47 (3p) (c) 2. of the statutes is amended to read:

1           71.47 (3p) (c) 2. The aggregate amount of credits that a claimant may claim  
2           under this subsection is \$200,000 for each of the claimant's dairy manufacturing  
3           facilities.

4           **SECTION 2072.** 71.47 (3p) (c) 2m. a. of the statutes is amended to read:

5           71.47 (3p) (c) 2m. a. The maximum amount of the credits that may be claimed  
6           under this subsection and ss. 71.07 (3p) and 71.28 (3p) in fiscal year 2007–08 is  
7           \$600,000, as allocated under s. 560.207, 2009 stats.

8           **SECTION 2073.** 71.47 (3p) (c) 2m. b. of the statutes is amended to read:

9           71.47 (3p) (c) 2m. b. The maximum amount of the credits that may be claimed  
10          by all claimants, other than members of dairy cooperatives, under this subsection  
11          and ss. 71.07 (3p) and 71.28 (3p) in fiscal year 2008–09, and in each fiscal year  
12          thereafter, is \$700,000, as allocated under s. 93.535 or s. 560.207, 2009 stats.

13          **SECTION 2074.** 71.47 (3p) (c) 2m. bm. of the statutes is amended to read:

14          71.47 (3p) (c) 2m. bm. The maximum amount of the credits that may be claimed  
15          by members of dairy cooperatives under this subsection and ss. 71.07 (3p) and 71.28  
16          (3p) in fiscal year 2009–10 is \$600,000, as allocated under s. 560.207, 2009 stats., and  
17          the maximum amount of the credits that may be claimed by members of dairy  
18          cooperatives under this subsection and ss. 71.07 (3p) and 71.28 (3p) in fiscal year  
19          2010–11, and in each fiscal year thereafter, is \$700,000, as allocated under s. 93.535  
20          or s. 560.207, 2009 stats.

21          **SECTION 2075d.** 71.47 (3p) (c) 4. of the statutes is amended to read:

22          71.47 (3p) (c) 4. If 2 or more persons own and operate ~~the a~~ dairy manufacturing  
23          ~~operation~~ facility, each person may claim a credit under par. (b) in proportion to his  
24          or her ownership interest, except that the aggregate amount of the credits claimed

1 by all persons who own and operate the dairy manufacturing ~~operation~~ facility shall  
2 not exceed \$200,000.

3 **SECTION 2076.** 71.47 (3p) (c) 6. of the statutes is amended to read:

4 71.47 **(3p)** (c) 6. No credit may be allowed under this subsection unless the  
5 claimant submits with the claimant's return a copy of the claimant's credit  
6 certification and allocation under s. 93.535 or s. 560.207, 2009 stats.

7 **SECTION 2077.** 71.47 (3q) (a) 1. of the statutes is amended to read:

8 71.47 **(3q)** (a) 1. "Claimant" means a person certified to receive tax benefits  
9 under s. 238.16 (2) or s. 560.2055 (2), 2009 stats.

10 **SECTION 2078.** 71.47 (3q) (a) 2. of the statutes is amended to read:

11 71.47 **(3q)** (a) 2. "Eligible employee" means, for taxable years beginning before  
12 January 1, 2011, an eligible employee under s. 560.2055 (1) (b), 2009 stats., who  
13 satisfies the wage requirements under s. 560.2055 (3) (a) or (b), 2009 stats., or, for  
14 taxable years beginning after December 31, 2010, an eligible employee under s.  
15 238.16 (1) (b) who satisfies the wage requirements under s. 238.16 (3) (a) or (b).

16 **SECTION 2079.** 71.47 (3q) (b) (intro.) of the statutes is amended to read:

17 71.47 **(3q)** (b) *Filing claims.* (intro.) Subject to the limitations provided in this  
18 subsection and s. 238.16 or s. 560.2055, 2009 stats., for taxable years beginning after  
19 December 31, 2009, a claimant may claim as a credit against the taxes imposed under  
20 s. 71.43 any of the following:

21 **SECTION 2080.** 71.47 (3q) (b) 1. of the statutes is amended to read:

22 71.47 **(3q)** (b) 1. The amount of wages that the claimant paid to an eligible  
23 employee in the taxable year, not to exceed 10 percent of such wages, as determined  
24 by the department of commerce under s. 238.16 or s. 560.2055, 2009 stats.

25 **SECTION 2081.** 71.47 (3q) (b) 2. of the statutes is amended to read:

1           71.47 **(3q)** (b) 2. The amount of the costs incurred by the claimant in the taxable  
2 year, as determined under s. 238.16 or s. 560.2055, 2009 stats., to undertake the  
3 training activities described under s. 238.16 (3) (c) or s. 560.2055 (3) (c), 2009 stats.

4           **SECTION 2082.** 71.47 (3q) (c) 2. of the statutes is amended to read:

5           71.47 **(3q)** (c) 2. No credit may be allowed under this subsection unless the  
6 claimant includes with the claimant's return a copy of the claimant's certification for  
7 tax benefits under s. 238.16 (2) or s. 560.2055 (2), 2009 stats.

8           **SECTION 2083.** 71.47 (3q) (c) 3. of the statutes is amended to read:

9           71.47 **(3q)** (c) 3. The maximum amount of credits that may be awarded under  
10 this subsection and ss. 71.07 (3q) and 71.28 (3q) for the period beginning on January  
11 1, 2010, and ending on June 30, 2013, is \$14,500,000, not including the amount of  
12 any credits reallocated under s. 238.15 (3) (d) or s. 560.205 (3) (d), 2009 stats.

13           **SECTION 2084.** 71.47 (3r) (b) of the statutes is amended to read:

14           71.47 **(3r)** (b) *Filing claims.* Subject to the limitations provided in this  
15 subsection and s. 93.545 or s. 560.208, 2009 stats., for taxable years beginning after  
16 December 31, 2008, and before January 1, 2017, a claimant may claim as a credit  
17 against the taxes imposed under s. 71.43, up to the amount of the tax, an amount  
18 equal to 10 percent of the amount the claimant paid in the taxable year for meat  
19 processing modernization or expansion related to the claimant's meat processing  
20 operation.

21           **SECTION 2085.** 71.47 (3r) (c) 3. a. of the statutes is amended to read:

22           71.47 **(3r)** (c) 3. a. The maximum amount of the credits that may be allocated  
23 under this subsection and ss. 71.07 (3r) and 71.28 (3r) in fiscal year 2009–10 is  
24 \$300,000, as allocated under s. 560.208, 2009 stats.

25           **SECTION 2086.** 71.47 (3r) (c) 3. b. of the statutes is amended to read:

1           71.47 **(3r)** (c) 3. b. The maximum amount of the credits that may be allocated  
2 under this subsection and ss. 71.07 (3r) and 71.28 (3r) in fiscal year 2010–11, and in  
3 each fiscal year thereafter, is \$700,000, as allocated under s. 93.545 or s. 560.208,  
4 2009 stats.

5           **SECTION 2087.** 71.47 (3r) (c) 6. of the statutes is amended to read:

6           71.47 **(3r)** (c) 6. No credit may be allowed under this subsection unless the  
7 claimant submits with the claimant’s return a copy of the claimant’s credit  
8 certification and allocation under s. 93.545 or s. 560.208, 2009 stats.

9           **SECTION 2088.** 71.47 (3rm) (b) of the statutes is amended to read:

10           71.47 **(3rm)** (b) *Filing claims.* Subject to the limitations provided in this  
11 subsection and s. 93.547 or s. 560.209, 2009 stats., for taxable years beginning after  
12 December 31, 2009, and before January 1, 2016, a claimant may claim as a credit  
13 against the taxes imposed under s. 71.43, up to the amount of the tax, an amount  
14 equal to 10 percent of the amount the claimant paid in the taxable year for equipment  
15 that is used primarily to harvest or process woody biomass that is used as fuel or as  
16 a component of fuel.

17           **SECTION 2089.** 71.47 (3rm) (c) 3. of the statutes is amended to read:

18           71.47 **(3rm)** (c) 3. The maximum amount of the credits that may be claimed  
19 under this subsection and ss. 71.07 (3rm) and 71.28 (3rm) is \$900,000, as allocated  
20 under s. 93.547 or s. 560.209, 2009 stats.

21           **SECTION 2090.** 71.47 (3rn) (b) of the statutes is amended to read:

22           71.47 **(3rn)** (b) *Filing claims.* Subject to the limitations provided in this  
23 subsection and s. 93.54 or s. ~~506.2056~~ 560.2056, 2009 stats., for taxable years  
24 beginning after December 31, 2009, and before January 1, 2017, a claimant may  
25 claim as a credit against the tax imposed under s. 71.43, up to the amount of the tax,



1 an amount equal to 10 percent of the amount the claimant paid in the taxable year  
2 for food processing or food warehousing modernization or expansion related to the  
3 operation of the claimant's food processing plant or food warehouse.

4 **SECTION 2091.** 71.47 (3rn) (c) 3. a. of the statutes is amended to read:

5 71.47 **(3rn)** (c) 3. a. The maximum amount of the credits that may be allocated  
6 under this subsection and ss. 71.07 (3rn) and 71.28 (3rn) in fiscal year 2009–10 is  
7 \$1,000,000, as allocated under s. 560.2056, 2009 stats.

8 **SECTION 2092.** 71.47 (3rn) (c) 3. b. of the statutes is amended to read:

9 71.47 **(3rn)** (c) 3. b. The maximum amount of the credits that may be allocated  
10 under this subsection and ss. 71.07 (3rn) and 71.28 (3rn) in fiscal year 2010–11 is  
11 \$1,200,000, as allocated under s. 560.2056, 2009 stats.

12 **SECTION 2093.** 71.47 (3rn) (c) 3. c. of the statutes is amended to read:

13 71.47 **(3rn)** (c) 3. c. The maximum amount of the credits that may be allocated  
14 under this subsection and ss. 71.07 (3rn) and 71.28 (3rn) in fiscal year 2011–12, and  
15 in each year thereafter, is \$700,000, as allocated under s. 93.54 or s. 560.2056, 2009  
16 stats.

17 **SECTION 2094.** 71.47 (3rn) (c) 6. of the statutes is amended to read:

18 71.47 **(3rn)** (c) 6. No credit may be allowed under this subsection unless the  
19 claimant submits with the claimant's return a copy of the claimant's credit  
20 certification and allocation under s. 93.54 or s. 560.2056, 2009 stats.

21 **SECTION 2095.** 71.47 (3t) (b) of the statutes is amended to read:

22 71.47 **(3t)** (b) *Credit.* Subject to the limitations provided in this subsection and  
23 in s. 560.28, 2009 stats., for taxable years beginning after December 31, 2007, a  
24 claimant may claim as a credit, amortized over 15 taxable years starting with the  
25 taxable year beginning after December 31, 2007, against the tax imposed under s.

1 71.43, up to the amount of the tax, an amount equal to the claimant's unused credits  
2 under s. 71.47 (3).

3 **SECTION 2096.** 71.47 (3t) (c) 1. of the statutes is amended to read:

4 71.47 (3t) (c) 1. No credit may be claimed under this subsection unless the  
5 claimant submits with the claimant's return a copy of the claimant's certification by  
6 the department of commerce under s. 560.28, 2009 stats., except that, with regard  
7 to credits claimed by partners of a partnership, members of a limited liability  
8 company, or shareholders of a tax-option corporation, the entity shall provide a copy  
9 of its certification under s. 560.28, 2009 stats., to the partner, member, or shareholder  
10 to submit with his or her return.

11 **SECTION 2097.** 71.47 (3w) (a) 2. of the statutes is amended to read:

12 71.47 (3w) (a) 2. "Claimant" means a person who is certified to claim tax  
13 benefits under s. 238.399 (5) or s. 560.799 (5), 2009 stats., and who files a claim under  
14 this subsection.

15 **SECTION 2098.** 71.47 (3w) (a) 3. of the statutes is amended to read:

16 71.47 (3w) (a) 3. "Full-time employee" means a full-time employee, as defined  
17 in s. 238.399 (1) (am) or s. 560.799 (1) (am), 2009 stats.

18 **SECTION 2099.** 71.47 (3w) (a) 4. of the statutes is amended to read:

19 71.47 (3w) (a) 4. "Enterprise zone" means a zone designated under s. 238.399  
20 or s. 560.799, 2009 stats.

21 **SECTION 2100.** 71.47 (3w) (a) 5d. of the statutes is amended to read:

22 71.47 (3w) (a) 5d. "Tier I county or municipality" means a tier I county or  
23 municipality, as determined by the department of commerce under s. 238.399 or s.  
24 560.799, 2009 stats.

25 **SECTION 2101.** 71.47 (3w) (a) 5e. of the statutes is amended to read:

1           71.47 (3w) (a) 5e. “Tier II county or municipality” means a tier II county or  
2           municipality, as determined by the department of commerce under s. 238.399 or s.  
3           560.799, 2009 stats.

4           **SECTION 2102.** 71.47 (3w) (b) (intro.) of the statutes is amended to read:

5           71.47 (3w) (b) *Filing claims; payroll.* (intro.) Subject to the limitations  
6           provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may  
7           claim as a credit against the tax imposed under s. 71.43 an amount calculated as  
8           follows:

9           **SECTION 2103.** 71.47 (3w) (b) 5. of the statutes is amended to read:

10          71.47 (3w) (b) 5. Multiply the amount determined under subd. 4. by the  
11          percentage determined by the department of commerce under s. 238.399 or s.  
12          560.799, 2009 stats., not to exceed 7 percent.

13          **SECTION 2104.** 71.47 (3w) (bm) 1. of the statutes is amended to read:

14          71.47 (3w) (bm) 1. In addition to the credits under par. (b) and subds. 2., 3., and  
15          4., and subject to the limitations provided in this subsection and s. 238.399 or s.  
16          560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under  
17          s. 71.43 an amount equal to a percentage, as determined by the department of  
18          commerce under s. 238.399 or s. 560.799, 2009 stats., not to exceed 100 percent, of  
19          the amount the claimant paid in the taxable year to upgrade or improve the  
20          job-related skills of any of the claimant’s full-time employees, to train any of the  
21          claimant’s full-time employees on the use of job-related new technologies, or to  
22          provide job-related training to any full-time employee whose employment with the  
23          claimant represents the employee’s first full-time job. This subdivision does not  
24          apply to employees who do not work in an enterprise zone.

25          **SECTION 2105.** 71.47 (3w) (bm) 2. of the statutes is amended to read:

1           71.47 (3w) (bm) 2. In addition to the credits under par. (b) and subds. 1., 3., and  
2           4., and subject to the limitations provided in this subsection and s. 238.399 or s.  
3           560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under  
4           s. 71.43 an amount equal to the percentage, as determined by ~~the department of~~  
5           ~~commerce~~ under s. 238.399 or s. 560.799, 2009 stats., not to exceed 7 percent, of the  
6           claimant's zone payroll paid in the taxable year to all of the claimant's full-time  
7           employees whose annual wages are greater than \$20,000 in a tier I county or  
8           municipality, not including the wages paid to the employees determined under par.  
9           (b) 1., or greater than \$30,000 in a tier II county or municipality, not including the  
10          wages paid to the employees determined under par. (b) 1., and who the claimant  
11          employed in the enterprise zone in the taxable year, if the total number of such  
12          employees is equal to or greater than the total number of such employees in the base  
13          year. A claimant may claim a credit under this subdivision for no more than 5  
14          consecutive taxable years.

15           **SECTION 2106.** 71.47 (3w) (bm) 3. of the statutes is amended to read:

16           71.47 (3w) (bm) 3. In addition to the credits under par. (b) and subds. 1., 2., and  
17           4., and subject to the limitations provided in this subsection and s. 238.399 or s.  
18           560.799, 2009 stats., for taxable years beginning after December 31, 2008, a claimant  
19           may claim as a credit against the tax imposed under s. 71.43 up to 10 percent of the  
20           claimant's significant capital expenditures, as determined by ~~the department of~~  
21           ~~commerce~~ under s. 238.399 (5m) or s. 560.799 (5m), 2009 stats.

22           **SECTION 2107.** 71.47 (3w) (bm) 4. of the statutes is amended to read:

23           71.47 (3w) (bm) 4. In addition to the credits under par. (b) and subds. 1., 2., and  
24           3., and subject to the limitations provided in this subsection and s. 238.399 or s.  
25           560.799, 2009 stats., for taxable years beginning after December 31, 2009, a claimant

1 may claim as a credit against the tax imposed under s. 71.43, up to 1 percent of the  
2 amount that the claimant paid in the taxable year to purchase tangible personal  
3 property, items, property, or goods under s. 77.52 (1) (b), (c), or (d), or services from  
4 Wisconsin vendors, as determined by the department of commerce under s. 238.399  
5 (5) (e) or s. 560.799 (5) (e), 2009 stats., except that the claimant may not claim the  
6 credit under this subdivision and subd. 3. for the same expenditures.

7 **SECTION 2108.** 71.47 (3w) (c) 3. of the statutes is amended to read:

8 71.47 **(3w)** (c) 3. No credit may be allowed under this subsection unless the  
9 claimant includes with the claimant's return a copy of the claimant's certification for  
10 tax benefits under s. 238.399 (5) or (5m) or s. 560.799 (5) or (5m), 2009 stats.

11 **SECTION 2109.** 71.47 (3w) (d) of the statutes is amended to read:

12 71.47 **(3w)** (d) *Administration.* Section 71.28 (4) (g) and (h), as it applies to the  
13 credit under s. 71.28 (4), applies to the credit under this subsection. Claimants shall  
14 include with their returns a copy of their certification for tax benefits, and a copy of  
15 the verification of their expenses, from the department of commerce or the Wisconsin  
16 Economic Development Corporation.

17 **SECTION 2110.** 71.47 (4) (am) of the statutes is amended to read:

18 71.47 **(4)** (am) *Development zone additional research credit.* In addition to the  
19 credit under par. (ad), any corporation may credit against taxes otherwise due under  
20 this chapter an amount equal to 5 percent of the amount obtained by subtracting  
21 from the corporation's qualified research expenses, as defined in section 41 of the  
22 Internal Revenue Code, except that "qualified research expenses" include only  
23 expenses incurred by the claimant in a development zone under subch. II of ch. 238  
24 or subch. VI of ch. 560, 2009 stats., except that a taxpayer may elect the alternative  
25 computation under section 41 (c) (4) of the Internal Revenue Code and that election

1 applies until the department permits its revocation and except that “qualified  
2 research expenses” do not include compensation used in computing the credit under  
3 sub. (1dj) nor research expenses incurred before the claimant is certified for tax  
4 benefits under s. 238.365 (3) or s. 560.765 (3), 2009 stats., the corporation’s base  
5 amount, as defined in section 41 (c) of the Internal Revenue Code, in a development  
6 zone, except that gross receipts used in calculating the base amount means gross  
7 receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2., (df) 1.  
8 and 2., (dh) 1., 2., and 3., (dj), and (dk) and research expenses used in calculating the  
9 base amount include research expenses incurred before the claimant is certified for  
10 tax benefits under s. 238.365 (3) or s. 560.765 (3), 2009 stats., in a development zone,  
11 if the claimant submits with the claimant’s return a copy of the claimant’s  
12 certification for tax benefits under s. 238.365 (3) or s. 560.765 (3), 2009 stats., and  
13 a statement from the department of commerce or the Wisconsin Economic  
14 Development Corporation verifying the claimant’s qualified research expenses for  
15 research conducted exclusively in a development zone. The rules under s. 73.03 (35)  
16 apply to the credit under this paragraph. The rules under sub. (1di) (f) and (g) as they  
17 apply to the credit under that subsection apply to claims under this paragraph.  
18 Section 41 (h) of the Internal Revenue Code does not apply to the credit under this  
19 paragraph. No credit may be claimed under this paragraph for taxable years that  
20 begin on January 1, 1998, or thereafter. Credits under this paragraph for taxable  
21 years that begin before January 1, 1998, may be carried forward to taxable years that  
22 begin on January 1, 1998, or thereafter.

23 **SECTION 2111.** 71.47 (5b) (a) 2. of the statutes is amended to read:

24 71.47 (5b) (a) 2. “Fund manager” means an investment fund manager certified  
25 under s. 238.15 (2) or s. 560.205 (2), 2009 stats.

1           **SECTION 2112.** 71.47 (5b) (b) 1. of the statutes is amended to read:

2           71.47 **(5b)** (b) 1. For taxable years beginning after December 31, 2004, subject  
3 to the limitations provided under this subsection and s. 238.15 or s. 560.205, 2009  
4 stats., and except as provided in subd. 2., a claimant may claim as a credit against  
5 the tax imposed under s. 71.43, up to the amount of those taxes, 25 percent of the  
6 claimant's investment paid to a fund manager that the fund manager invests in a  
7 business certified under s. 238.15 (1) or s. 560.205 (1), 2009 stats.

8           **SECTION 2113.** 71.47 (5b) (b) 2. of the statutes is amended to read:

9           71.47 **(5b)** (b) 2. In the case of a partnership, limited liability company, or  
10 tax–option corporation, the computation of the 25 percent limitation under subd. 1.  
11 shall be determined at the entity level rather than the claimant level and may be  
12 allocated among the claimants who make investments in the manner set forth in the  
13 entity's organizational documents. The entity shall provide to the department of  
14 revenue and to the department of commerce or the Wisconsin Economic  
15 Development Corporation the names and tax identification numbers of the  
16 claimants, the amounts of the credits allocated to the claimants, and the  
17 computation of the allocations.

18           **SECTION 2114.** 71.47 (5b) (d) 3. of the statutes is amended to read:

19           71.47 **(5b)** (d) 3. For ~~calendar years beginning~~ investments made after  
20 December 31, 2007, if an investment for which a claimant claims a credit under par.  
21 (b) is held by the claimant for less than 3 years, the claimant shall pay to the  
22 department, in the manner prescribed by the department, the amount of the credit  
23 that the claimant received related to the investment.

24           **SECTION 2115.** 71.47 (5f) (a) 1. (intro.) of the statutes is amended to read:

1           71.47 (5f) (a) 1. (intro.) “Accredited production” means a film, video, broadcast  
2 advertisement, or television production, as approved by the department of commerce  
3 or the department of tourism, for which the aggregate salary and wages included in  
4 the cost of the production for the period ending 12 months after the month in which  
5 the principal filming or taping of the production begins exceeds \$50,000. “Accredited  
6 production” also means an electronic game, as approved by the department of  
7 commerce or the department of tourism, for which the aggregate salary and wages  
8 included in the cost of the production for the period ending 36 months after the month  
9 in which the principal programming, filming, or taping of the production begins  
10 exceeds \$100,000. “Accredited production” does not include any of the following,  
11 regardless of the production costs:

12           **SECTION 2116.** 71.47 (5f) (a) 3. of the statutes is amended to read:

13           71.47 (5f) (a) 3. “Production expenditures” means any expenditures that are  
14 incurred in this state and directly used to produce an accredited production,  
15 including expenditures for set construction and operation, wardrobes, make-up,  
16 clothing accessories, photography, sound recording, sound synchronization, sound  
17 mixing, lighting, editing, film processing, film transferring, special effects, visual  
18 effects, renting or leasing facilities or equipment, renting or leasing motor vehicles,  
19 food, lodging, and any other similar expenditure as determined by the department  
20 of commerce or the department of tourism. “Production expenditures” do not include  
21 salary, wages, or labor-related contract payments.

22           **SECTION 2117.** 71.47 (5f) (c) 6. of the statutes is amended to read:

23           71.47 (5f) (c) 6. No credit may be allowed under this subsection unless the  
24 claimant files an application with the department of commerce or the department of  
25 tourism, at the time and in the manner prescribed by the department of commerce



1 or the department of tourism, and the department of commerce or the department  
2 of tourism approves the application. The claimant shall submit a fee with the  
3 application in an amount equal to 2 percent of the claimant’s budgeted production  
4 expenditures or to \$5,000, whichever is less. The claimant shall submit a copy of the  
5 approved application with the claimant’s return.

6 **SECTION 2118.** 71.47 (5h) (c) 4. of the statutes is amended to read:

7 71.47 (5h) (c) 4. No claim may be allowed under this subsection unless the  
8 department of commerce or the department of tourism certifies, in writing, that the  
9 credits claimed under this subsection are for expenses related to establishing or  
10 operating a film production company in this state and the claimant submits a copy  
11 of the certification with the claimant’s return.

12 **SECTION 2119.** 71.47 (5i) (c) 1. of the statutes is amended to read:

13 71.47 (5i) (c) 1. The maximum amount of the credits that may be claimed under  
14 this subsection and ss. 71.07 (5i) and 71.28 (5i) in a taxable year is \$10,000,000, as  
15 allocated under s. 73.15 or s. 560.204, 2009 stats.

16 **SECTION 2120.** 71.47 (5j) (a) 2d. of the statutes is amended to read:

17 71.47 (5j) (a) 2d. “Diesel replacement renewable fuel” includes biodiesel and  
18 any other fuel derived from a renewable resource that meets all of the applicable  
19 requirements of the American Society for Testing and Materials for that fuel and that  
20 the department of commerce safety and professional services designates by rule as  
21 a diesel replacement renewable fuel.

22 **SECTION 2121.** 71.47 (5j) (a) 2m. of the statutes is amended to read:

23 71.47 (5j) (a) 2m. “Gasoline replacement renewable fuel” includes ethanol and  
24 any other fuel derived from a renewable resource that meets all of the applicable  
25 requirements of the American Society for Testing and Materials for that fuel and that

1 the department of ~~commerce~~ safety and professional services designates by rule as  
2 a gasoline replacement renewable fuel.

3 **SECTION 2122.** 71.47 (5j) (c) 3. of the statutes is amended to read:

4 71.47 (5j) (c) 3. The department of ~~commerce~~ safety and professional services  
5 shall establish standards to adequately prevent, in the distribution of conventional  
6 fuel to an end user, the inadvertent distribution of fuel containing a higher  
7 percentage of renewable fuel than the maximum percentage established by the  
8 federal environmental protection agency for use in conventionally–fueled engines.

9 **SECTION 2122d.** 71.47 (5n) of the statutes is created to read:

10 71.47 (5n) QUALIFIED PRODUCTION ACTIVITIES CREDIT. (a) *Definitions.* In this  
11 subsection:

12 1. “Claimant” means a person who files a claim under this subsection.

13 2. “Eligible qualified production activities income” means the lesser of the  
14 following:

15 a. Qualified production activities income that derives from property located in  
16 this state that is assessed as manufacturing property under s. 70.995 or as  
17 agricultural property under s. 70.32 (2) (a) 4.

18 b. Income that is apportioned to this state under s. 71.45 (3), (3d), and (3e).

19 c. Income that is determined to be taxable in this state under s. 71.255 (2).

20 3. “Qualified production activities income” means qualified production  
21 activities income as defined in 26 USC 199 (c).

22 (b) *Filing claims.* Subject to the limitations provided in this subsection, a  
23 claimant may claim as a credit against the tax imposed under s. 71.43, up to the  
24 amount of the tax, an amount equal to one of the following percentages of the  
25 claimant’s eligible qualified production activities income in the taxable year:

1           1. For taxable years beginning after December 31, 2012, and before January  
2           1, 2014, 1.875 percent.

3           2. For taxable years beginning after December 31, 2013, and before January  
4           1, 2015, 3.75 percent.

5           3. For taxable years beginning after December 31, 2014, and before January  
6           1, 2016, 5.526 percent.

7           4. For taxable years beginning after December 31, 2015, 7.5 percent.

8           (c) *Limitations.* Partnerships, limited liability companies, and tax–option  
9           corporations may not claim the credit under this subsection, but the eligibility for,  
10          and the amount of, the credit are based on their share of the income described under  
11          par. (b). A partnership, limited liability company, or tax–option corporation shall  
12          compute the amount of credit that each of its partners, members, or shareholders  
13          may claim and shall provide that information to each of them. Partners, members  
14          of limited liability companies, and shareholders of tax–option corporations may  
15          claim the credit in proportion to their ownership interests.

16          (d) *Administration.* Section 71.28 (4) (e) to (h), as it applies to the credit under  
17          s. 71.28 (4), applies to the credit under this subsection.

18          **SECTION 2123d.** 71.49 (1) (dn) of the statutes is created to read:

19          71.49 (1) (dn) Qualified production activities credit under s. 71.47 (5n).

20          **SECTION 2124.** 71.54 (1) (f) (intro.) of the statutes is amended to read:

21          71.54 (1) (f) *2001 and thereafter to 2011.* (intro.) Subject to sub. (2m), the  
22          amount of any claim filed in 2001 ~~and thereafter~~ to 2011 and based on property taxes  
23          accrued or rent constituting property taxes accrued during the previous year is  
24          limited as follows:

25          **SECTION 2125.** 71.54 (1) (g) of the statutes is created to read:

1           71.54 (1) (g) *2012 and thereafter*: The amount of any claim filed in 2012 and  
2 thereafter and based on property taxes accrued or rent constituting property taxes  
3 accrued during the previous year is limited as follows:

4           1. If the household income was \$8,060 or less in the year to which the claim  
5 relates, the claim is limited to 80 percent of the property taxes accrued or rent  
6 constituting property taxes accrued or both in that year on the claimant's homestead.

7           2. If the household income was more than \$8,060 in the year to which the claim  
8 relates, the claim is limited to 80 percent of the amount by which the property taxes  
9 accrued or rent constituting property taxes accrued or both in that year on the  
10 claimant's homestead exceeds 8.785 percent of the household income exceeding  
11 \$8,060.

12           3. No credit may be allowed if the household income of a claimant exceeds  
13 \$24,680.

14           **SECTION 2126.** 71.54 (2) (b) 3. of the statutes is amended to read:

15           71.54 (2) (b) 3. Subject to sub. (2m), in calendar year ~~1990 or any subsequent~~  
16 ~~calendar year~~ years 1990 to 2010, \$1,450.

17           **SECTION 2127.** 71.54 (2) (b) 4. of the statutes is created to read:

18           71.54 (2) (b) 4. In calendar years 2011 or any subsequent calendar year, \$1,460.

19           **SECTION 2128.** 71.54 (2m) of the statutes is amended to read:

20           71.54 (2m) INDEXING FOR INFLATION; 2010 ~~AND THEREAFTER~~. (a) For calendar years  
21 beginning after December 31, 2009, and before January 1, 2011, the dollar amounts  
22 of the threshold income under sub. (1) (f) 1. and 2., the maximum household income  
23 under sub. (1) (f) 3. and the maximum property taxes under sub. (2) (b) 3. shall be  
24 increased each year by a percentage equal to the percentage change between the U.S.  
25 consumer price index for all urban consumers, U.S. city average, for the 12-month

1 average of the U.S. consumer price index for the month of August of the year before  
2 the previous year through the month of July of the previous year and the U.S.  
3 consumer price index for all urban consumers, U.S. city average, for the 12-month  
4 average of the U.S. consumer price index for August 2007 through July 2008, as  
5 determined by the federal department of labor, except that the adjustment may occur  
6 only if the percentage is a positive number. Each amount that is revised under this  
7 paragraph shall be rounded to the nearest multiple of \$10 if the revised amount is  
8 not a multiple of \$10 or, if the revised amount is a multiple of \$5, such an amount  
9 shall be increased to the next higher multiple of \$10. The department of revenue  
10 shall annually adjust the changes in dollar amounts required under this paragraph  
11 and incorporate the changes into the income tax forms and instructions.

12 (b) The department of revenue shall annually adjust the slope under sub. (1)  
13 (f) 2. such that, as a claimant's income increases from the threshold income as  
14 calculated under par. (a), to an amount that exceeds the maximum household income  
15 as calculated under par. (a), the credit that may be claimed is reduced to \$0 and the  
16 department of revenue shall incorporate the changes into the income tax forms and  
17 instructions.

18 **SECTION 2129.** 71.78 (4) (m) of the statutes is amended to read:

19 71.78 (4) (m) ~~The secretary of commerce~~ chief executive officer of the Wisconsin  
20 Economic Development Corporation and employees of that department the  
21 corporation to the extent necessary to administer the development zone program  
22 under subch. ~~VI of ch. 560~~ II of ch. 238.

23 **SECTION 2131d.** 71.935 (1) (cr) of the statutes is created to read:

24 71.935 (1) (cr) "Municipality" means any city, village, or town, and includes any  
25 entity providing consolidated services among cities, villages, and towns.

1           **SECTION 2132.** 73.03 (27) of the statutes is amended to read:

2           73.03 **(27)** To write off from the records of the department income, franchise,  
3 sales, use, withholding, motor fuel, gift, beverage and cigarette tax and recycling  
4 economic development surcharge liabilities, following a determination by the  
5 secretary of revenue that they are not collectible. Taxes written off under this  
6 subsection remain legal obligations.

7           **SECTION 2133.** 73.03 (35) of the statutes is amended to read:

8           73.03 **(35)** To deny a portion of a credit claimed under s. 71.07 (2dd), (2de), (2di),  
9 (2dj), (2dL), (2dm), (2dr), (2ds), or (2dx), 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1dm),  
10 (1ds), (1dx), or (4) (am), 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1dm), (1ds), (1dx), or  
11 (4) (am), or 76.636 if granting the full amount claimed would violate a requirement  
12 under s. 238.385 or s. 560.785, 2009 stats., or would bring the total of the credits  
13 granted to that claimant under all of those subsections over the limit for that  
14 claimant under s. 238.368, 238.395 (2) (b), or 238.397 (5) (b) or s. 560.768, 2009 stats.,  
15 s. 560.795 (2) (b), 2009 stats., or s. 560.797 (5) (b), 2009 stats.

16           **SECTION 2134.** 73.03 (35m) of the statutes is amended to read:

17           73.03 **(35m)** To deny a portion of a credit claimed under s. 71.07 (3g), 71.28 (3g),  
18 or 71.47 (3g), if granting the full amount claimed would violate a requirement under  
19 s. 238.23 or s. 560.96, 2009 stats., or would bring the total of the credits claimed under  
20 ss. 71.07 (3g), 71.28 (3g), and 71.47 (3g) over the limit for all claimants under s.  
21 238.23 (2) or s. 560.96 (2), 2009 stats.

22           **SECTION 2135.** 73.03 (63) of the statutes is amended to read:

23           73.03 **(63)** Notwithstanding the amount limitations specified under ~~ss.~~ s. 71.07  
24 (5d) (c) 1. and s. 238.15 (3) (d) or s. 560.205 (3) (d), 2009 stats., in consultation with  
25 the department of commerce or the Wisconsin Economic Development Corporation,

1 to carry forward to subsequent taxable years unclaimed credit amounts of the early  
2 stage seed investment credits under ss. 71.07 (5b), 71.28 (5b), 71.47 (5b), and 76.638  
3 and the angel investment credit under s. 71.07 (5d). Annually, no later than July 1,  
4 the department of commerce or the Wisconsin Economic Development Corporation  
5 shall submit to the department of revenue its recommendations for the carry forward  
6 of credit amounts as provided under this subsection.

7 **SECTION 2136.** 73.0301 (1) (b) of the statutes is amended to read:

8 73.0301 (1) (b) “Credentialing board” means a board, examining board or  
9 affiliated credentialing board in the department of ~~regulation and licensing~~ safety  
10 and professional services that grants a credential.

11 **SECTION 2137.** 73.0301 (1) (e) of the statutes is amended to read:

12 73.0301 (1) (e) “Licensing department” means the department of  
13 administration; the board of commissioners of public lands; ~~the department of~~  
14 ~~commerce~~; the department of children and families; the government accountability  
15 board; the department of financial institutions; the department of health services;  
16 the department of natural resources; the department of public instruction; ~~the~~  
17 ~~department of regulation and licensing~~; the department of safety and professional  
18 services; the department of workforce development; the office of the commissioner  
19 of insurance; or the department of transportation.

20 **SECTION 2138.** 73.0301 (2) (a) 1. of the statutes is amended to read:

21 73.0301 (2) (a) 1. Request the department of revenue to certify whether an  
22 applicant for a license or license renewal or continuation is liable for delinquent  
23 taxes. With respect to an applicant for a license granted by a credentialing board,  
24 the department of ~~regulation and licensing~~ safety and professional services shall

1 make a request under this subdivision. This subdivision does not apply to the  
2 department of transportation with respect to licenses described in sub. (1) (d) 7.

3 **SECTION 2139.** 73.0301 (2) (a) 2. of the statutes is amended to read:

4 73.0301 (2) (a) 2. Request the department of revenue to certify whether a  
5 license holder is liable for delinquent taxes. With respect to a holder of a license  
6 granted by a credentialing board, the department of ~~regulation and licensing~~ safety  
7 and professional services shall make a request under this subdivision.

8 **SECTION 2140.** 73.0301 (2) (b) 1. a. of the statutes is amended to read:

9 73.0301 (2) (b) 1. a. If, after a request is made under par. (a) 1. or 2., the  
10 department of revenue certifies that the license holder or applicant for a license or  
11 license renewal or continuation is liable for delinquent taxes, revoke the license or  
12 deny the application for the license or license renewal or continuation. The  
13 department of transportation may suspend licenses described in sub. (1) (d) 7. in lieu  
14 of revoking those licenses. A suspension, revocation or denial under this subd. 1. a.  
15 is not subject to administrative review or, except as provided in subd. 2. and sub. (5)  
16 (am), judicial review. With respect to a license granted by a credentialing board, the  
17 department of ~~regulation and licensing~~ safety and professional services shall make  
18 a revocation or denial under this subd. 1. a. With respect to a license to practice law,  
19 the department of revenue shall not submit a certification under this subd. 1. a. to  
20 the supreme court until after the license holder or applicant has exhausted his or her  
21 remedies under sub. (5) (a) and (am) or has failed to make use of such remedies.

22 **SECTION 2141.** 73.0301 (2) (b) 1. b. of the statutes is amended to read:

23 73.0301 (2) (b) 1. b. Mail a notice of suspension, revocation or denial under  
24 subd. 1. a. to the license holder or applicant. The notice shall include a statement  
25 of the facts that warrant the suspension, revocation or denial and a statement that



1 the license holder or applicant may, within 30 days after the date on which the notice  
2 of denial, suspension or revocation is mailed, file a written request with the  
3 department of revenue to have the certification of tax delinquency on which the  
4 suspension, revocation or denial is based reviewed at a hearing under sub. (5) (a).  
5 With respect to a license granted by a credentialing board, the department of  
6 ~~regulation and licensing~~ safety and professional services shall mail a notice under  
7 this subd. 1. b. With respect to a license to practice law, the department of revenue  
8 shall mail a notice under this subd. 1. b. and the notice shall indicate that the license  
9 holder or applicant may request a hearing under sub. (5) (a) and (am) and that the  
10 department of revenue shall submit a certificate of delinquency to suspend, revoke,  
11 or deny a license to practice law to the supreme court after the license holder or  
12 applicant has exhausted his or her remedies under sub. (5) (a) and (am) or has failed  
13 to make use of such remedies. A notice sent to a person who holds a license to practice  
14 law or who is an applicant for a license to practice law shall also indicate that the  
15 department of revenue may not submit a certificate of delinquency to the supreme  
16 court if the license holder or applicant pays the delinquent tax in full or enters into  
17 an agreement with the department of revenue to satisfy the delinquency.

18 **SECTION 2142.** 73.0301 (2) (b) 2. of the statutes is amended to read:

19 73.0301 (2) (b) 2. Except as provided in subd. 2m., if notified by the department  
20 of revenue that the department of revenue has affirmed a certification of tax  
21 delinquency after a hearing under sub. (5) (a), affirm a suspension, revocation or  
22 denial under subd. 1. a. A license holder or applicant may seek judicial review under  
23 ss. 227.52 to 227.60, except that the review shall be in the circuit court for Dane  
24 County, of an affirmation of a revocation or denial under this subdivision. With  
25 respect to a license granted by a credentialing board, the department of ~~regulation~~

1 ~~and licensing~~ safety and professional services shall make an affirmation under this  
2 subdivision.

3 **SECTION 2143.** 73.0301 (2) (b) 3. of the statutes is amended to read:

4 73.0301 (2) (b) 3. If a person submits a nondelinquency certificate issued under  
5 sub. (5) (b) 1., reinstate the license or grant the application for the license or license  
6 renewal or continuation, unless there are other grounds for suspending or revoking  
7 the license or for denying the application for the license or license renewal or  
8 continuation. If reinstatement is required under this subdivision, a person is not  
9 required to submit a new application or other material or to take a new test. No  
10 separate fee may be charged for reinstatement of a license under this subdivision.  
11 With respect to a license granted by a credentialing board, the department of  
12 ~~regulation and licensing~~ safety and professional services shall reinstate a license or  
13 grant an application under this subdivision.

14 **SECTION 2144.** 73.0301 (2) (b) 4. of the statutes is amended to read:

15 73.0301 (2) (b) 4. If a person whose license has been suspended or revoked or  
16 whose application for a license or license renewal or continuation has been denied  
17 under subd. 1. a. submits a nondelinquency certificate issued under sub. (3) (a) 2.,  
18 reinstate the license or grant the person's application for the license or license  
19 renewal or continuation, unless there are other grounds for not reinstating the  
20 license or for denying the application for the license or license renewal or  
21 continuation. With respect to a license granted by a credentialing board, the  
22 department of ~~regulation and licensing~~ safety and professional services shall  
23 reinstate a license or grant an application under this subdivision.

24 **SECTION 2151.** 75.106 (1) (a) of the statutes is amended to read:

1           75.106 (1) (a) “Brownfield” has the meaning given in s. ~~560.13~~ 238.13 (1) (a),  
2           except that, for purposes of this section, “brownfield” also means abandoned, idle, or  
3           underused residential facilities or sites, the expansion or redevelopment of which is  
4           adversely affected by actual or perceived environmental contamination.

5           **SECTION 2152.** 76.24 (2) (a) of the statutes is amended to read:

6           76.24 (2) (a) All taxes paid by any railroad company derived from or  
7           apportionable to repair facilities, docks, ore yards, piers, wharves, grain elevators,  
8           and their approaches, or car ferries on the basis of the separate valuation provided  
9           for in s. 76.16, shall be distributed annually from the transportation fund to the  
10          towns, villages, and cities in which they are located, pursuant to certification made  
11          by the department of revenue on or before August 15. Beginning with amounts  
12          distributed in 2011, the amount distributed to any town, village, or city under this  
13          paragraph may not be less than the amount distributed to it in 2010 under this  
14          paragraph.

15          **SECTION 2153.** 76.635 (1) (a) of the statutes is amended to read:

16          76.635 (1) (a) “Certified capital company” has the meaning given in s. 560.29  
17          (1) (a), 2009 stats.

18          **SECTION 2154.** 76.635 (1) (b) of the statutes is amended to read:

19          76.635 (1) (b) “Certified capital investment” has the meaning given in s. 560.29  
20          (1) (b), 2009 stats.

21          **SECTION 2155.** 76.635 (1) (c) of the statutes is amended to read:

22          76.635 (1) (c) “Investment date” has the meaning given in s. 560.29 (1) (d), 2009  
23          stats.

24          **SECTION 2156.** 76.635 (1) (d) of the statutes is amended to read:

1           76.635 (1) (d) “Investment pool” has the meaning given in s. 560.29 (1) (e), 2009  
2 stats.

3           **SECTION 2157.** 76.635 (1) (e) of the statutes is amended to read:

4           76.635 (1) (e) “Qualified investment” has the meaning given in s. 560.29 (1) (g),  
5 2009 stats.

6           **SECTION 2158.** 76.636 (1) (b) 1. of the statutes is amended to read:

7           76.636 (1) (b) 1. A development zone under s. 238.30 or s. 560.70, 2009 stats.

8           **SECTION 2159.** 76.636 (1) (b) 2. of the statutes is amended to read:

9           76.636 (1) (b) 2. A development opportunity zone under s. 238.395 or s. 560.795,  
10 2009 stats.

11           **SECTION 2160.** 76.636 (1) (b) 3. of the statutes is amended to read:

12           76.636 (1) (b) 3. An enterprise development zone under s. 238.397 or s. 560.797,  
13 2009 stats.

14           **SECTION 2161.** 76.636 (1) (b) 4. of the statutes is amended to read:

15           76.636 (1) (b) 4. An agricultural development zone under s. 238.398 or s.  
16 560.798, 2009 stats.

17           **SECTION 2163.** 76.636 (2) (intro.) of the statutes is amended to read:

18           76.636 (2) CREDITS. (intro.) Except as provided in s. 73.03 (35), and subject to  
19 s. 238.385 or s. 560.785, 2009 stats., for any taxable year for which an insurer is  
20 entitled under s. 238.395 or s. 560.795 (3), 2009 stats., to claim tax benefits or  
21 certified under s. 238.365 (3), 238.397 (4), or 238.398 (3) or s. 560.765 (3), 2009 stats.,  
22 s. 560.797 (4), 2009 stats., or s. 560.798 (3), 2009 stats., the insurer may claim as a  
23 credit against the fees due under s. 76.60, 76.63, 76.65, 76.66, or 76.67 the following  
24 amounts:

25           **SECTION 2164.** 76.636 (2) (b) of the statutes is amended to read:

1           76.636 (2) (b) The amount determined by multiplying the amount determined  
2           under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number of full-time  
3           jobs created in a development zone and filled by a member of a targeted group and  
4           by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and  
5           reimbursements paid under s. 49.147 (3m) (c) for those jobs.

6           **SECTION 2165.** 76.636 (2) (c) of the statutes is amended to read:

7           76.636 (2) (c) The amount determined by multiplying the amount determined  
8           under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time  
9           jobs created in a development zone and not filled by a member of a targeted group  
10          and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and  
11          reimbursements paid under s. 49.147 (3m) (c) for those jobs.

12          **SECTION 2166.** 76.636 (2) (d) of the statutes is amended to read:

13          76.636 (2) (d) The amount determined by multiplying the amount determined  
14          under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the number of  
15          full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009  
16          stats., excluding jobs for which a credit has been claimed under s. 71.47 (1dj), in an  
17          enterprise development zone under s. 238.397 or s. 560.797, 2009 stats., and for  
18          which significant capital investment was made and by then subtracting the  
19          subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid  
20          under s. 49.147 (3m) (c) for those jobs.

21          **SECTION 2167.** 76.636 (2) (e) of the statutes is amended to read:

22          76.636 (2) (e) The amount determined by multiplying the amount determined  
23          under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time  
24          jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats.,  
25          excluding jobs for which a credit has been claimed under s. 71.47 (1dj), in a

1 development zone and not filled by a member of a targeted group and by then  
2 subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and  
3 reimbursements paid under s. 49.147 (3m) (c) for those jobs.

4 **SECTION 2168.** 76.636 (4) (intro.) of the statutes is amended to read:

5 76.636 (4) CREDIT PRECLUDED. (intro.) If the certification of a person for tax  
6 benefits under s. 238.365 (3), 238.397 (4), or 238.398 (3) or s. 560.765 (3), 2009 stats.,  
7 s. 560.797 (4), 2009 stats., or s. 560.798 (3), 2009 stats., is revoked, or if the person  
8 becomes ineligible for tax benefits under s. 238.395 (3) or s. 560.795 (3), 2009 stats.,  
9 that person may not do any of the following:

10 **SECTION 2169.** 76.636 (5) of the statutes is amended to read:

11 76.636 (5) CARRY-OVER PRECLUDED. If a person who is entitled under s. 238.395  
12 (3) or s. 560.795 (3), 2009 stats., to claim tax benefits or certified under s. 238.365 (3),  
13 238.397 (4), or 238.398 (3) or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats.,  
14 or s. 560.798 (3), 2009 stats., for tax benefits ceases business operations in the  
15 development zone during any of the taxable years that that zone exists, that person  
16 may not carry over to any taxable year following the year during which operations  
17 cease any unused credits from the taxable year during which operations cease or  
18 from previous taxable years.

19 **SECTION 2170.** 76.636 (6) of the statutes is amended to read:

20 76.636 (6) ADMINISTRATION. Any insurer who claims a credit under sub. (2) shall  
21 include with the insurer's annual return under s. 76.64 a copy of its certification for  
22 tax benefits and a copy of its verification of expenses from the department of  
23 commerce or the Wisconsin Economic Development Corporation.

24 **SECTION 2171.** 76.637 (1) of the statutes is amended to read:

1           76.637 (1) DEFINITION. In this section, “claimant” means an insurer who files  
2 a claim under this section and is certified under s. 238.301 (2) or s. 560.701 (2), 2009  
3 stats., and authorized to claim tax benefits under s. 238.303 or s. 560.703, 2009 stats.

4           **SECTION 2172.** 76.637 (2) of the statutes is amended to read:

5           76.637 (2) FILING CLAIMS. Subject to the limitations under this section, ss.  
6 238.301 to 238.306, and ss. 560.701 to 560.706, 2009 stats., for taxable years  
7 beginning after December 31, 2008, a claimant may claim as a credit against the fees  
8 due under s. 76.60, 76.63, 76.65, 76.66, or 76.67 the amount authorized for the  
9 claimant under s. 238.303 or s. 560.703, 2009 stats.

10          **SECTION 2173.** 76.637 (3) of the statutes is amended to read:

11          76.637 (3) LIMITATIONS. No credit may be allowed under this section unless the  
12 insurer includes with the insurer’s annual return under s. 76.64 a copy of the  
13 claimant’s certification under s. 238.301 (2) or s. 560.701 (2), 2009 stats., and a copy  
14 of the claimant’s notice of eligibility to receive tax benefits under s. 238.303 (3) or s.  
15 560.703 (3), 2009 stats.

16          **SECTION 2174.** 76.637 (4) of the statutes is amended to read:

17          76.637 (4) ADMINISTRATION. If an insurer’s certification is revoked under s.  
18 238.305 or s. 560.705, 2009 stats., or if an insurer becomes ineligible for tax benefits  
19 under s. 238.302 or s. 560.702, 2009 stats., the insurer may not claim credits under  
20 this section for the taxable year that includes the day on which the certification is  
21 revoked; the taxable year that includes the day on which the insurer becomes  
22 ineligible for tax benefits; or succeeding taxable years and the insurer may not carry  
23 over unused credits from previous years to offset the fees imposed under ss. 76.60,  
24 76.63, 76.65, 76.66, or 76.67 for the taxable year that includes the day on which

1 certification is revoked; the taxable year that includes the day on which the insurer  
2 becomes ineligible for tax benefits; or succeeding taxable years.

3 **SECTION 2175.** 76.638 (1) of the statutes is amended to read:

4 76.638 (1) DEFINITIONS. In this section, “fund manager” means an investment  
5 fund manager certified under s. 238.15 (2) or s. 560.205 (2), 2009 stats.

6 **SECTION 2176.** 76.638 (2) of the statutes is amended to read:

7 76.638 (2) FILING CLAIMS. For taxable years beginning after December 31, 2008,  
8 subject to the limitations provided under this subsection and s. 238.15 or s. 560.205,  
9 2009 stats., an insurer may claim as a credit against the fees imposed under s. 76.60,  
10 76.63, 76.65, 76.66, or 76.67, 25 percent of the insurer’s investment paid to a fund  
11 manager that the fund manager invests in a business certified under s. 238.15 or s.  
12 560.205 (1), 2009 stats.

13 **SECTION 2177.** Chapter 77 (title) of the statutes is amended to read:

14 **CHAPTER 77**

15 **TAXATION OF FOREST CROPLANDS;**

16 **REAL ESTATE TRANSFER FEES;**

17 **SALES AND USE TAXES; COUNTY,**

18 **TRANSIT AUTHORITY, AND**

19 **SPECIAL DISTRICT SALES AND USE**

20 **TAXES; MANAGED FOREST LAND;**

21 **RECYCLING ECONOMIC DEVELOPMENT**

22 **SURCHARGE; LOCAL FOOD**

23 **AND BEVERAGE TAX;**

24 **LOCAL RENTAL CAR TAX; PREMIER**

25 **RESORT AREA TAXES;**



1                                   **STATE RENTAL VEHICLE FEE;**  
 2   **DRY CLEANING FEES;**  
 3                                   **SOUTHEASTERN REGIONAL**  
 4   **TRANSIT AUTHORITY FEE**

5           **SECTION 2177m.** Chapter 77 (title) of the statutes, as affected by 2011  
 6 Wisconsin Act .... (this act), is amended to read:

7   **CHAPTER 77**

8                                   **TAXATION OF FOREST CROPLANDS;**  
 9   **REAL ESTATE TRANSFER FEES;**  
 10   **SALES AND USE TAXES;**  
 11                                   **COUNTY, ~~TRANSIT AUTHORITY,~~ AND**  
 12   **SPECIAL DISTRICT SALES AND USE**  
 13   **TAXES; MANAGED FOREST LAND;**  
 14                                   **ECONOMIC DEVELOPMENT SURCHARGE;**  
 15   **LOCAL FOOD AND BEVERAGE TAX;**  
 16   **LOCAL RENTAL CAR TAX; PREMIER**  
 17   **RESORT AREA TAXES;**  
 18   **STATE RENTAL VEHICLE FEE;**  
 19   **DRY CLEANING FEES;**  
 20                                   **SOUTHEASTERN REGIONAL**  
 21   **~~TRANSIT AUTHORITY FEE~~**

22           **SECTION 2178.** 77.22 (2) (d) of the statutes is amended to read:

23                   77.22 (2) (d) If the real estate transferred is not subject to certification under  
 24 s. 101.122 (4) (a), waiver under s. 101.122 (4) (b) or stipulation under s. 101.122 (4)

1 (c), the reason why it is not so subject or the form prescribed by the department of  
2 ~~commerce~~ safety and professional services under s. 101.122 (6).

3 **SECTION 2178m.** 77.52 (21) of the statutes is renumbered 77.52 (21) (a) and  
4 amended to read:

5 77.52 (21) (a) ~~A~~ Except as provided in par. (b), a person who provides a product  
6 ~~that is not a distinct and identifiable product because it is provided free of charge,~~  
7 ~~as provided in s. 77.51 (3pf) (b), is the consumer of that~~ the product that is provided  
8 free of charge and shall pay the tax imposed under this subchapter on the purchase  
9 price of that product.

10 **SECTION 2178n.** 77.52 (21) (b) of the statutes is created to read:

11 77.52 (21) (b) A person who provides a product that is not distinct and  
12 identifiable because it is provided free of charge to a purchaser who must also  
13 purchase another product that is subject to the tax imposed under this subchapter  
14 from that person in the same transaction may purchase the product provided free of  
15 charge without tax, for resale.

16 **SECTION 2179.** 77.54 (5) (am) of the statutes is created to read:

17 77.54 (5) (am) Modular homes, as defined in s. 101.71 (6), and manufactured  
18 homes, as defined in s. 101.91 (2), that are used in real property construction  
19 activities outside this state.

20 **SECTION 2180m.** 77.54 (9a) (er) of the statutes is repealed.

21 **SECTION 2181.** 77.54 (11m) of the statutes is created to read:

22 77.54 (11m) The sales price from the sales of and the storage, use, or other  
23 consumption of vegetable oil or animal fat that is converted into motor vehicle fuel  
24 that is exempt under s. 78.01 (2n) from the taxes imposed under s. 78.01 (1).

25 **SECTION 2181n.** 77.54 (58) of the statutes is created to read:



1           **77.71 Imposition of county, ~~transit authority,~~ and special district sales**  
2 **and use taxes.** Whenever a county sales and use tax ordinance is adopted under  
3 s. 77.70, ~~a transit authority resolution is adopted under s. 77.708,~~ or a special district  
4 resolution is adopted under s. 77.705 or 77.706, the following taxes are imposed:

5           **(1)** For the privilege of selling, licensing, leasing, or renting tangible personal  
6 property and the items, property, and goods specified under s. 77.52 (1) (b), (c), and  
7 (d), and for the privilege of selling, licensing, performing, or furnishing services a  
8 sales tax is imposed upon retailers at the rates under s. 77.70 in the case of a county  
9 tax, ~~at the rate under s. 77.708 in the case of a transit authority tax,~~ or at the rate  
10 under s. 77.705 or 77.706 in the case of a special district tax of the sales price from  
11 the sale, license, lease, or rental of tangible personal property and the items,  
12 property, and goods specified under s. 77.52 (1) (b), (c), and (d), except property taxed  
13 under sub. (4), sold, licensed, leased, or rented at retail in the county, or special  
14 district, ~~or transit authority's jurisdictional area,~~ or from selling, licensing,  
15 performing, or furnishing services described under s. 77.52 (2) in the county, or  
16 special district, ~~or transit authority's jurisdictional area.~~

17           **(2)** An excise tax is imposed at the rates under s. 77.70 in the case of a county  
18 tax, ~~at the rate under s. 77.708 in the case of a transit authority tax,~~ or at the rate  
19 under s. 77.705 or 77.706 in the case of a special district tax of the purchase price  
20 upon every person storing, using, or otherwise consuming in the county, or special  
21 district, ~~or transit authority's jurisdictional area~~ tangible personal property, or  
22 items, property, or goods specified under s. 77.52 (1) (b), (c), or (d), or services if the  
23 tangible personal property, item, property, good, or service is subject to the state use  
24 tax under s. 77.53, except that a receipt indicating that the tax under sub. (1), (3),  
25 or (4) has been paid relieves the buyer of liability for the tax under this subsection

1 and except that if the buyer has paid a similar local tax in another state on a purchase  
2 of the same tangible personal property, item, property, good, or service that tax shall  
3 be credited against the tax under this subsection and except that for motor vehicles  
4 that are used for a purpose in addition to retention, demonstration, or display while  
5 held for sale in the regular course of business by a dealer the tax under this  
6 subsection is imposed not on the purchase price but on the amount under s. 77.53  
7 (1m).

8 **(3)** An excise tax is imposed upon a contractor engaged in construction  
9 activities within the county, or special district, ~~or transit authority's jurisdictional~~  
10 ~~area,~~ at the rates under s. 77.70 in the case of a county tax, ~~at the rate under s. 77.708~~  
11 ~~in the case of a transit authority tax,~~ or at the rate under s. 77.705 or 77.706 in the  
12 case of a special district tax of the purchase price of tangible personal property or  
13 items, property, or goods under s. 77.52 (1) (b), (c), or (d) that are used in constructing,  
14 altering, repairing, or improving real property and that became a component part of  
15 real property in that county or special district ~~or in the transit authority's~~  
16 ~~jurisdictional area,~~ except that if the contractor has paid the sales tax of a county,  
17 ~~transit authority,~~ or special district in this state on that tangible personal property,  
18 item, property, or good, or has paid a similar local sales tax in another state on a  
19 purchase of the same tangible personal property, item, property, or good, that tax  
20 shall be credited against the tax under this subsection.

21 **(4)** An excise tax is imposed at the rates under s. 77.70 in the case of a county  
22 tax, ~~at the rate under s. 77.708 in the case of a transit authority tax,~~ or at the rate  
23 under s. 77.705 or 77.706 in the case of a special district tax of the purchase price  
24 upon every person storing, using, or otherwise consuming a motor vehicle, boat,  
25 recreational vehicle, as defined in s. 340.01 (48r), or aircraft, if that property must

1 be registered or titled with this state and if that property is to be customarily kept  
2 in a county that has in effect an ordinance under s. 77.70, ~~the jurisdictional area of~~  
3 ~~a transit authority that has in effect a resolution under s. 77.708,~~ or in a special  
4 district that has in effect a resolution under s. 77.705 or 77.706, except that if the  
5 buyer has paid a similar local sales tax in another state on a purchase of the same  
6 property that tax shall be credited against the tax under this subsection.

7 **SECTION 2183h.** 77.73 (2) of the statutes is amended to read:

8 77.73 (2) Counties, and special districts, ~~and transit authorities~~ do not have  
9 jurisdiction to impose the tax under s. 77.71 (2) in regard to items, property, and  
10 goods under s. 77.52 (1) (b), (c), and (d), and tangible personal property, except  
11 snowmobiles, trailers, semitrailers, and all-terrain vehicles, purchased in a sale  
12 that is consummated in another county or special district in this state, ~~or in another~~  
13 ~~transit authority's jurisdictional area,~~ that does not have in effect an ordinance or  
14 resolution imposing the taxes under this subchapter and later brought by the buyer  
15 into the county, or special district, ~~or jurisdictional area of the transit authority that~~  
16 has imposed a tax under s. 77.71 (2).

17 **SECTION 2183i.** 77.73 (3) of the statutes is amended to read:

18 77.73 (3) Counties, and special districts, ~~and transit authorities~~ have  
19 jurisdiction to impose the taxes under this subchapter on retailers who file, or who  
20 are required to file, an application under s. 77.52 (7) or who register, or who are  
21 required to register, under s. 77.53 (9) or (9m), regardless of whether such retailers  
22 are engaged in business in the county, or special district, ~~or transit authority's~~  
23 ~~jurisdictional area,~~ as provided in s. 77.51 (13g). A retailer who files, or is required  
24 to file, an application under s. 77.52 (7) or who registers, or is required to register,  
25 under s. 77.53 (9) or (9m) shall collect, report, and remit to the department the taxes

1 imposed under this subchapter for all counties, or special districts, ~~and transit~~  
2 ~~authorities~~ that have an ordinance or resolution imposing the taxes under this  
3 subchapter.

4 **SECTION 2183j.** 77.75 of the statutes is amended to read:

5 **77.75 Reports.** Every person subject to county, ~~transit authority,~~ or special  
6 district sales and use taxes shall, for each reporting period, record that person's sales  
7 made in the county, or special district, ~~or jurisdictional area of a transit authority~~  
8 that has imposed those taxes separately from sales made elsewhere in this state and  
9 file a report as prescribed by the department of revenue.

10 **SECTION 2183k.** 77.76 (1) of the statutes is amended to read:

11 **77.76 (1)** The department of revenue shall have full power to levy, enforce, and  
12 collect county, ~~transit authority,~~ and special district sales and use taxes and may take  
13 any action, conduct any proceeding, impose interest and penalties, and in all respects  
14 proceed as it is authorized to proceed for the taxes imposed by subch. III. The  
15 department of transportation and the department of natural resources may  
16 administer the county, ~~transit authority,~~ and special district sales and use taxes in  
17 regard to items under s. 77.61 (1).

18 **SECTION 2183L.** 77.76 (2) of the statutes is amended to read:

19 **77.76 (2)** Judicial and administrative review of departmental determinations  
20 shall be as provided in subch. III for state sales and use taxes, and no county, ~~transit~~  
21 ~~authority,~~ or special district may intervene in any matter related to the levy,  
22 enforcement, and collection of the taxes under this subchapter.

23 **SECTION 2183m.** 77.76 (3r) of the statutes is repealed.

24 **SECTION 2183n.** 77.76 (4) of the statutes is amended to read:

1           77.76 (4) There shall be retained by the state 1.5% of the taxes collected for  
2 taxes imposed by special districts under ss. 77.705 and 77.706 ~~and transit authorities~~  
3 ~~under s. 77.708~~ and 1.75% of the taxes collected for taxes imposed by counties under  
4 s. 77.70 to cover costs incurred by the state in administering, enforcing, and  
5 collecting the tax. All interest and penalties collected shall be deposited and retained  
6 by this state in the general fund.

7           **SECTION 2183o.** 77.76 (5) of the statutes is repealed.

8           **SECTION 2183p.** 77.77 (1) of the statutes is amended to read:

9           77.77 (1) (a) The sales price from services subject to the tax under s. 77.52 (2)  
10 or the lease, rental, or license of tangible personal property and property, items, and  
11 goods specified under s. 77.52 (1) (b), (c), and (d), is subject to the taxes under this  
12 subchapter, and the incremental amount of tax caused by a rate increase applicable  
13 to those services, leases, rentals, or licenses is due, beginning with the first billing  
14 period starting on or after the effective date of the county ordinance, special district  
15 resolution, ~~transit authority resolution~~, or rate increase, regardless of whether the  
16 service is furnished or the property, item, or good is leased, rented, or licensed to the  
17 customer before or after that date.

18           (b) The sales price from services subject to the tax under s. 77.52 (2) or the lease,  
19 rental, or license of tangible personal property and property, items, and goods  
20 specified under s. 77.52 (1) (b), (c), and (d), is not subject to the taxes under this  
21 subchapter, and a decrease in the tax rate imposed under this subchapter on those  
22 services first applies, beginning with bills rendered on or after the effective date of  
23 the repeal or sunset of a county ordinance, or special district resolution, ~~or transit~~  
24 ~~authority resolution~~ imposing the tax or other rate decrease, regardless of whether



1 the service is furnished or the property, item, or good is leased, rented, or licensed  
2 to the customer before or after that date.

3 **SECTION 2183q.** 77.77 (3) of the statutes is amended to read:

4 77.77 (3) The sale of building materials to contractors engaged in the business  
5 of constructing, altering, repairing or improving real estate for others is not subject  
6 to the taxes under this subchapter, and the incremental amount of tax caused by the  
7 rate increase applicable to those materials is not due, if the materials are affixed and  
8 made a structural part of real estate, and the amount payable to the contractor is  
9 fixed without regard to the costs incurred in performing a written contract that was  
10 irrevocably entered into prior to the effective date of the county ordinance, special  
11 district resolution, ~~transit authority resolution,~~ or rate increase or that resulted from  
12 the acceptance of a formal written bid accompanied by a bond or other performance  
13 guaranty that was irrevocably submitted before that date.

14 **SECTION 2183r.** 77.78 of the statutes is amended to read:

15 **77.78 Registration.** No motor vehicle, boat, snowmobile, recreational vehicle,  
16 as defined in s. 340.01 (48r), trailer, semitrailer, all-terrain vehicle or aircraft that  
17 is required to be registered by this state may be registered or titled by this state  
18 unless the registrant files a sales and use tax report and pays the county tax, ~~transit~~  
19 ~~authority tax,~~ and special district tax at the time of registering or titling to the state  
20 agency that registers or titles the property. That state agency shall transmit those  
21 tax revenues to the department of revenue.

22 **SECTION 2184.** Subchapter VII (title) of chapter 77 [precedes 77.92] of the  
23 statutes is amended to read:

24

## **CHAPTER 77**

## 1 SUBCHAPTER VII

2 RECYCLING ECONOMIC DEVELOPMENT SURCHARGE3 **SECTION 2184n.** 77.92 (4) of the statutes is amended to read:

4 77.92 (4) “Net business income,” with respect to a partnership, means taxable  
5 income as calculated under section 703 of the Internal Revenue Code; plus the items  
6 of income and gain under section 702 of the Internal Revenue Code, including taxable  
7 state and municipal bond interest and excluding nontaxable interest income or  
8 dividend income from federal government obligations; minus the items of loss and  
9 deduction under section 702 of the Internal Revenue Code, except items that are not  
10 deductible under s. 71.21; plus guaranteed payments to partners under section 707  
11 (c) of the Internal Revenue Code; plus the credits claimed under s. 71.07 (2dd), (2de),  
12 (2di), (2dj), (2dL), (2dm), (2dr), (2ds), (2dx), (2dy), (3g), (3h), (3n), (3p), (3q), (3r),  
13 (3rm), (3rn), (3s), (3t), (3w), (5e), (5f), (5g), (5h), (5i), (5j), (5k), (5n), (5r), (5rm), and  
14 (8r); and plus or minus, as appropriate, transitional adjustments, depreciation  
15 differences, and basis differences under s. 71.05 (13), (15), (16), (17), and (19); but  
16 excluding income, gain, loss, and deductions from farming. “Net business income,”  
17 with respect to a natural person, estate, or trust, means profit from a trade or  
18 business for federal income tax purposes and includes net income derived as an  
19 employee as defined in section 3121 (d) (3) of the Internal Revenue Code.

20 **SECTION 2185.** 77.93 (intro.) of the statutes is amended to read:

21 **77.93 Applicability.** (intro.) For the privilege of doing business in this state,  
22 there is imposed ~~a recycling~~ an economic development surcharge on the following  
23 entities:

24 **SECTION 2186.** 77.96 (6) of the statutes is amended to read:

1           77.96 (6) The department of revenue shall refer to the surcharge under this  
2 subchapter as the recycling economic development surcharge.

3           **SECTION 2187.** 77.97 of the statutes is amended to read:

4           **77.97 Use of revenue.** The department of revenue shall deposit the  
5 surcharge, interest and penalties collected under this subchapter in the recycling  
6 ~~and renewable energy~~ economic development fund under s. 25.49.

7           **SECTION 2187d.** Subchapter XIII (title) of chapter 77 [precedes 77.997] of the  
8 statutes is repealed.

9           **SECTION 2187f.** 77.9971 of the statutes is repealed.

10          **SECTION 2187h.** 77.9972 of the statutes is repealed.

11          **SECTION 2187j.** 77.9973 of the statutes is renumbered 77.9973 (1).

12          **SECTION 2187L.** 77.9973 of the statutes, as affected by 2011 Wisconsin Act ...  
13 (this act), is repealed.

14          **SECTION 2187n.** 77.9973 (2) of the statutes is created to read:

15          77.9973 (2) Retailers and the department of revenue may not collect fees under  
16 this subchapter for the southeastern regional transit authority after the effective  
17 date of this subsection .... [LRB inserts date], except that the department of revenue  
18 may collect from retailers fees that accrued before the effective date of this subsection  
19 .... [LRB inserts date], and fees, interest, and penalties that relate to those taxes.

20          **SECTION 2187p.** 79.01 (2) of the statutes is repealed.

21          **SECTION 2188.** 79.01 (2d) of the statutes is amended to read:

22          79.01 (2d) There is established an account in the general fund entitled the  
23 “County and Municipal Aid Account.” ~~Beginning with the distributions in 2011, the~~  
24 The total amount to be distributed each year in 2011 to counties and municipalities  
25 from the county and municipal aid account is \$824,825,715 and the total amount to

1 be distributed to counties and municipalities in 2012, and in each year thereafter,  
2 from the county and municipal aid account is \$748,075,715.

3 **SECTION 2188d.** 79.01 (2m) of the statutes is amended to read:

4 79.01 (2m) There is established an account in the general fund entitled the  
5 “Public Utility Distribution Account,” referred to in this chapter as the “public utility  
6 account.” There shall be appropriated to the public utility account the sums specified  
7 in s. 79.04 (5), (6), and (7).

8 **SECTION 2188e.** 79.01 (4) of the statutes is repealed.

9 **SECTION 2188f.** 79.015 of the statutes is amended to read:

10 **79.015 Statement of estimated payments.** The department of revenue, on  
11 or before September 15 of each year, shall provide to each municipality and county  
12 a statement of estimated payments to be made in the next calendar year to the  
13 municipality or county under ss. ~~79.03, 79.035, 79.04, and 79.05, 79.058, and 79.06.~~

14 **SECTION 2188g.** 79.02 (2) (b) of the statutes is amended to read:

15 79.02 (2) (b) Subject to ss. 59.605 (4) and 70.995 (14) (b), payments in July shall  
16 equal 15% of the municipality’s or county’s estimated payments under ss. ~~79.03,~~  
17 ~~79.035, and 79.04, 79.058, and 79.06~~ and 100% of the municipality’s estimated  
18 payments under s. 79.05.

19 **SECTION 2188h.** 79.02 (3) (a) of the statutes is amended to read:

20 79.02 (3) (a) Subject to s. 59.605 (4), payments to each municipality and county  
21 in November shall equal that municipality’s or county’s entitlement under ss. ~~79.03,~~  
22 ~~79.035, 79.04, and 79.05, 79.058, and 79.06~~ for the current year, minus the amount  
23 distributed to the municipality or county in July.

24 **SECTION 2188i.** 79.02 (3) (b) of the statutes is repealed.

25 **SECTION 2188j.** 79.02 (3) (c) of the statutes is repealed.

1           **SECTION 2188k.** 79.02 (3) (d) of the statutes is repealed.

2           **SECTION 2188km.** 79.02 (3) (e) of the statutes is amended to read:

3           79.02 (3) (e) For the distribution in 2004 and subsequent years, the total  
4 amount of the November payments to each county and municipality under s. 79.035  
5 shall be reduced by an amount equal to the amount of supplements paid from the  
6 appropriation accounts under s. 20.435 (4) (b) and (gm) that the county or  
7 municipality received for the fiscal year in which a payment is made under this  
8 section, as determined under s. 49.45 (51).

9           **SECTION 2188L.** 79.02 (4) of the statutes is repealed.

10          **SECTION 2190d.** 79.03 of the statutes is repealed.

11          **SECTION 2191b.** 79.035 (1) of the statutes is amended to read:

12          79.035 (1) ~~In 2004 and subsequent years, except as provided under s. 79.02 (4),~~  
13 ~~each~~ Each county and municipality shall receive a payment from the county and  
14 municipal aid account and, ~~beginning with payments in November 2009,~~ from the  
15 appropriation accounts under s. 20.835 (1) (q) and (r) in an amount determined under  
16 ~~sub. (2)~~ this section.

17          **SECTION 2191c.** 79.035 (1) of the statutes, as affected by 2011 Wisconsin Act  
18 .... (this act), is repealed and recreated to read:

19          79.035 (1) Each county and municipality shall receive a payment from the  
20 county and municipal aid account and from the appropriation account under s.  
21 20.835 (1) (r) in an amount determined under this section.

22          **SECTION 2191d.** 79.035 (2) of the statutes is repealed.

23          **SECTION 2191g.** 79.035 (4) of the statutes is created to read:

24          79.035 (4) (a) For the distribution in 2012, the total amount of the payments  
25 to all municipalities under this section shall be reduced by \$47,663,400 and the total

1 amount of the payments to all counties under this section shall be reduced by  
2 \$29,086,600.

3 (b) 1. To calculate the reduction under this subsection for each municipality, the  
4 department of revenue shall first divide \$47,663,400 by the total population of all  
5 municipalities. The department shall then adjust the result of the calculation to  
6 establish a per capita amount applied to all municipalities so that the reduction for  
7 each municipality is no more than the maximum allowable reduction under this  
8 subsection for that municipality and so that the total reductions to county and  
9 municipal aid payments for municipalities under this subsection is \$47,663,400.

10 2. To calculate the reduction under this subsection for each county, the  
11 department of revenue shall first divide \$29,086,600 by the total population of all  
12 counties. The department shall then adjust the result of the calculation to establish  
13 a per capita amount applied to all counties so that the reduction for each county is  
14 no more than the maximum allowable reduction under this subsection for that  
15 county and so that the total reductions to county and municipal aid payments for  
16 counties under this subsection is \$29,086,600.

17 (c) 1. The reduction for a municipality that has a population of less than 2,500  
18 is the amount calculated by multiplying the amount determined under par. (b) 1. by  
19 the municipality's population, multiplied by the quotient of the municipality's  
20 population divided by 2,500.

21 2. Except as provided under par. (h), the reduction determined under this  
22 paragraph may not exceed the lesser of an amount equal to 15 percent of the  
23 municipality's payment under this section in 2011, prior to any reduction under s.  
24 79.02 (3) (e), or 10 cents for each \$1,000 of the municipality's equalized value, as  
25 determined under s. 70.57.

1 (d) 1. The reduction for a municipality that has a population of at least 2,500,  
2 but no greater than 10,000, is the amount equal to 10 cents for each \$1,000 of the  
3 municipality's equalized value, as determined under s. 70.57, plus the amount  
4 determined as follows:

5 a. Multiply the amount determined under par. (b) 1. by the municipality's  
6 population.

7 b. Subtract 2,500 from the municipality's population.

8 c. Divide the number determined under subd. 1. b. by 7,500.

9 d. Multiply the number determined under subd. 1. a. by the number  
10 determined under subd. 1. c.

11 2. Except as provided in par. (h), the reduction determined under this  
12 paragraph may not exceed the lesser of an amount equal to 15 percent of the  
13 municipality's payment under this section in 2011, prior to any reduction under s.  
14 79.02 (3) (e), or 15 cents for each \$1,000 of the municipality's equalized value, as  
15 determined under s. 70.57.

16 (e) 1. The reduction for a municipality that has a population greater than  
17 10,000, but no greater than 50,000, is the amount equal to 15 cents for each \$1,000  
18 of the municipality's equalized value, as determined under s. 70.57, plus the amount  
19 determined as follows:

20 a. Multiply the amount determined under par. (b) 1. by the municipality's  
21 population.

22 b. Subtract 10,000 from the municipality's population.

23 c. Divide the number determined under subd. 1. b. by 40,000.

24 d. Multiply the number determined under subd. 1. a. by the number  
25 determined under subd. 1. c.

1           2. Except as provided in par. (h), the reduction determined under this  
2 paragraph may not exceed the lesser of an amount equal to 15 percent of the  
3 municipality's payment under this section in 2011, prior to any reduction under s.  
4 79.02 (3) (e), or 25 cents for each \$1,000 of the municipality's equalized value, as  
5 determined under s. 70.57.

6           (f) 1. The reduction for a municipality that has a population greater than  
7 50,000, but no greater than 110,000, is the amount equal to 25 cents for each \$1,000  
8 of the municipality's equalized value, as determined under s. 70.57, plus the amount  
9 determined as follows:

10           a. Multiply the amount determined under par. (b) 1. by the municipality's  
11 population.

12           b. Subtract 50,000 from the municipality's population.

13           c. Divide the number determined under subd. 1. b. by 60,000.

14           d. Multiply the number determined under subd. 1. a. by the number  
15 determined under subd. 1. c.

16           2. Except as provided in par. (h), the reduction determined under this  
17 paragraph may not exceed the lesser of an amount equal to 15 percent of the  
18 municipality's payment under this section in 2011, prior to any reduction under s.  
19 79.02 (3) (e), or 30 cents for each \$1,000 of the municipality's equalized value, as  
20 determined under s. 70.57.

21           (g) The reduction for a municipality that has a population greater than 110,000  
22 is an amount equal to 30 cents for each \$1,000 of the municipality's equalized value,  
23 as determined under s. 70.57, plus an amount equal to the municipality's population  
24 multiplied by the amount determined under par. (b) 1., except that the reduction  
25 determined under this paragraph may not exceed the lesser of an amount equal to



1 25 percent of the municipality’s payment under this section in 2011, prior to any  
2 reduction under s. 79.02 (3) (e), or 35 cents for each \$1,000 in equalized value, as  
3 determined under s. 70.57.

4 (h) The reduction determined under par. (c), (d), (e), or (f) for a town or village  
5 may not exceed the lesser of an amount equal to 25 percent of the town’s or village’s  
6 payment under this section in 2011, prior to any reduction under s. 79.02 (3) (e), or  
7 the amount determined under par. (c) 2., (d) 2., (e) 2., or (f) 2. based on equalized  
8 value.

9 (i) The reduction for a county is the amount determined under par. (b) 2.  
10 multiplied by the county’s population, except that the reduction determined under  
11 this paragraph may not exceed the lesser of an amount equal to 25 percent of the  
12 county’s payment under this section in 2011, prior to any reduction under s. 79.02  
13 (3) (e), or 15 cents for each \$1,000 of the county’s equalized value, as determined  
14 under s. 70.57.

15 **SECTION 2191k.** 79.035 (5) of the statutes is created to read:

16 79.035 (5) For the distribution in 2013 and subsequent years, each county and  
17 municipality shall receive a payment under this section that is equal to the amount  
18 of the payment determined for the county or municipality under this section for 2012.

19 **SECTION 2191L.** 79.04 (1) (a) of the statutes is amended to read:

20 79.04 (1) (a) An amount from the ~~shared revenue~~ public utility account ~~or, for~~  
21 ~~the distribution in 2003, from the appropriation under s. 20.835 (1) (t), 2003 stats.,~~  
22 determined by multiplying by 3 mills in the case of a town, and 6 mills in the case  
23 of a city or village, the first \$125,000,000 of the amount shown in the account, plus  
24 leased property, of each public utility except qualified wholesale electric companies,  
25 as defined in s. 76.28 (1) (gm), on December 31 of the preceding year for “production

1 plant, exclusive of land,” “general structures,” and “substations,” in the case of light,  
2 heat and power companies, electric cooperatives or municipal electric companies, for  
3 all property within a municipality in accordance with the system of accounts  
4 established by the public service commission or rural electrification administration,  
5 less depreciation thereon as determined by the department of revenue and less the  
6 value of treatment plant and pollution abatement equipment, as defined under s.  
7 70.11 (21), as determined by the department of revenue plus an amount from the  
8 ~~shared revenue public utility account or, for the distribution in 2003, from the~~  
9 ~~appropriation under s. 20.835 (1) (t), 2003 stats.,~~ determined by multiplying by 3  
10 mills in the case of a town, and 6 mills in the case of a city or village, of the first  
11 \$125,000,000 of the total original cost of production plant, general structures, and  
12 substations less depreciation, land and approved waste treatment facilities of each  
13 qualified wholesale electric company, as defined in s. 76.28 (1) (gm), as reported to  
14 the department of revenue of all property within the municipality. The total of  
15 amounts, as depreciated, from the accounts of all public utilities for the same  
16 production plant is also limited to not more than \$125,000,000. The amount  
17 distributable to a municipality under this subsection and sub. (6) in any year shall  
18 not exceed \$300 times the population of the municipality, except that, beginning with  
19 payments in 2009, the amount distributable to a municipality under this subsection  
20 and sub. (6) in any year shall not exceed \$425 times the population of the  
21 municipality.

22 **SECTION 2191n.** 79.04 (2) (a) of the statutes is amended to read:

23 79.04 (2) (a) Annually, except for production plants that begin operation after  
24 December 31, 2003, or begin operation as a repowered production plant after  
25 December 31, 2003, and except as provided in sub. (4m), the department of

1 administration, upon certification by the department of revenue, shall distribute  
2 from the shared revenue public utility account ~~or, for the distribution in 2003, from~~  
3 ~~the appropriation under s. 20.835 (1) (t), 2003 stats.,~~ to any county having within its  
4 boundaries a production plant, general structure, or substation, used by a light, heat  
5 or power company assessed under s. 76.28 (2) or 76.29 (2), except property described  
6 in s. 66.0813 unless the production plant or substation is owned or operated by a local  
7 governmental unit that is located outside of the municipality in which the production  
8 plant or substation is located, or by an electric cooperative assessed under ss. 76.07  
9 and 76.48, respectively, or by a municipal electric company under s. 66.0825 an  
10 amount determined by multiplying by 6 mills in the case of property in a town and  
11 by 3 mills in the case of property in a city or village the first \$125,000,000 of the  
12 amount shown in the account, plus leased property, of each public utility except  
13 qualified wholesale electric companies, as defined in s. 76.28 (1) (gm), on December  
14 31 of the preceding year for “production plant, exclusive of land,” “general  
15 structures,” and “substations,” in the case of light, heat and power companies,  
16 electric cooperatives or municipal electric companies, for all property within the  
17 municipality in accordance with the system of accounts established by the public  
18 service commission or rural electrification administration, less depreciation thereon  
19 as determined by the department of revenue and less the value of treatment plant  
20 and pollution abatement equipment, as defined under s. 70.11 (21), as determined  
21 by the department of revenue plus an amount from the shared revenue public utility  
22 ~~account or, for the distribution in 2003, from the appropriation under s. 20.835 (1)~~  
23 ~~(t), 2003 stats.,~~ determined by multiplying by 6 mills in the case of property in a town,  
24 and 3 mills in the case of property in a city or village, of the total original cost of  
25 production plant, general structures, and substations less depreciation, land and

1 approved waste treatment facilities of each qualified wholesale electric company, as  
2 defined in s. 76.28 (1) (gm), as reported to the department of revenue of all property  
3 within the municipality. The total of amounts, as depreciated, from the accounts of  
4 all public utilities for the same production plant is also limited to not more than  
5 \$125,000,000. The amount distributable to a county under this subsection and sub.  
6 (6) in any year shall not exceed \$100 times the population of the county, except that,  
7 beginning with payments in 2009, the amount distributable to a county under this  
8 subsection and sub. (6) in any year shall not exceed \$125 times the population of the  
9 county.

10 **SECTION 2192.** 79.04 (7) (a) of the statutes is amended to read:

11 79.04 (7) (a) Beginning with payments in 2005, if a production plant, as  
12 described in sub. (6) (a), other than a nuclear-powered production plant, is built on  
13 the site of, or on a site adjacent to, an existing or decommissioned production plant;  
14 or is built on a site purchased by a public utility before January 1, 1980, that was  
15 identified in an advance plan as a proposed site for a production plant; or is built on,  
16 or on a site adjacent to, brownfields, as defined in s. 238.13 (1) (a) or s. 560.13 (1) (a),  
17 2009 stats., after December 31, 2003, and has a name-plate capacity of at least one  
18 megawatt, each municipality and county in which such a production plant is located  
19 shall receive annually from the public utility account a payment in an amount that  
20 is equal to the number of megawatts that represents the production plant's  
21 name-plate capacity, multiplied by \$600.

22 **SECTION 2192c.** 79.043 (1) of the statutes is repealed.

23 **SECTION 2192g.** 79.043 (2) of the statutes is repealed.

24 **SECTION 2192n.** 79.043 (3) of the statutes is repealed.

25 **SECTION 2192r.** 79.043 (4) of the statutes is repealed.

1           **SECTION 2192w.** 79.043 (5) of the statutes is repealed.

2           **SECTION 2193d.** 79.043 (6) of the statutes is renumbered 79.035 (3) and  
3 amended to read:

4           79.035 (3) For the distribution in 2011 ~~and subsequent years~~, each county and  
5 municipality shall receive a payment under this section ~~and s. 79.035~~ that is equal  
6 to the amount of the payment determined for the county or municipality under s.  
7 79.02 (4), 2009 stats., in 2010.

8           **SECTION 2195.** 79.05 (1) (am) of the statutes is amended to read:

9           79.05 (1) (am) “Inflation factor” means a percentage equal to the average  
10 annual percentage change in the U.S. consumer price index for all urban consumers,  
11 U.S. city average, as determined by the U.S. department of labor, for the 12 months  
12 ending on September 30 of the year before the statement under s. 79.015, except that  
13 the percentage under this paragraph shall not be less than ~~3 percent~~ zero.

14           **SECTION 2195g.** 79.058 of the statutes is repealed.

15           **SECTION 2195k.** 79.06 of the statutes is repealed.

16           **SECTION 2195L.** 79.07 of the statutes is repealed.

17           **SECTION 2196.** 84.01 (6m) (b) (intro.) of the statutes is amended to read:

18           84.01 (6m) (b) (intro.) The department, in consultation with the department  
19 ~~of commerce~~ Wisconsin Economic Development Corporation, shall do all of the  
20 following for each economic development program administered by the department:

21           **SECTION 2197.** 84.01 (11m) (title) of the statutes is amended to read:

22           84.01 (11m) (title) ECONOMIC DEVELOPMENT ASSISTANCE COORDINATION AND  
23 REPORTING.

24           **SECTION 2198.** 84.01 (11m) of the statutes is renumbered 84.01 (11m) (b) and  
25 amended to read:

1           **84.01 (11m) (b)** Annually, no later than October 1, the department shall submit  
2 to the joint legislative audit committee and to the appropriate standing committees  
3 of the legislature under s. 13.172 (3) a comprehensive report assessing economic  
4 development programs, as defined in sub. (6m) (a), administered by the department.  
5 The report shall include all of the information required under s. ~~560.01 (2) (am)~~  
6 238.07 (2). The department shall collaborate with the ~~department of commerce~~  
7 Wisconsin Economic Development Corporation to make readily accessible to the  
8 public on an Internet-based system the information required under this subsection.

9           **SECTION 2199.** 84.01 (11m) (a) of the statutes is created to read:

10           **84.01 (11m) (a)** The department shall coordinate any economic development  
11 assistance with the Wisconsin Economic Development Corporation.

12           **SECTION 2200m.** 84.01 (18) of the statutes is created to read:

13           **84.01 (18) PLAN FOR TRANSPORTATION FINANCING FOR NEXT 10 YEARS.** In each  
14 even-numbered year, with the information submitted by the department under s.  
15 16.42 (1), the department shall submit a 10-year plan that includes an estimate of  
16 total transportation fund revenues, proposed bonding, and estimated debt service for  
17 each year of the 10-year period covered by the plan. The plan shall include various  
18 scenarios with different levels of transportation spending, from bond or cash sources,  
19 and different levels of revenues, with at least one scenario resulting in achieving a  
20 stable debt service percentage by the end of the 10-year period. For any scenario  
21 resulting in an increasing debt service percentage, the plan shall identify the  
22 potential consequences for specific transportation programs of reduced net revenues.

23           **SECTION 2201.** 84.01 (33) (c) of the statutes is repealed.

24           **SECTION 2202.** 84.013 (1) (a) (intro.) of the statutes is amended to read:

1           84.013 (1) (a) (intro.) “Major highway project” means a project, except a project  
2 providing an approach to a bridge over a river that forms a boundary of the state, a  
3 high-cost state highway bridge project under s. 84.017, or a southeast Wisconsin  
4 freeway rehabilitation project under s. 84.014, which megaproject under s. 84.0145,  
5 that satisfies any of the following:

6           1m. The project has a total cost of more than \$5,000,000 \$30,000,000, subject  
7 to adjustment under sub. (2m), and which involves any of the following:

8           **SECTION 2203.** 84.013 (1) (a) 1. of the statutes is renumbered 84.013 (1) (a) 1m.

9 a.

10           **SECTION 2204.** 84.013 (1) (a) 2. (intro.), a. and b. of the statutes are  
11 consolidated, renumbered 84.013 (1) (a) 1m. b. and amended to read:

12           84.013 (1) (a) 1m. b. Reconstructing or reconditioning an existing highway by  
13 either of the following: ~~a. Relocating~~ relocating 2.5 miles or more of the existing  
14 highway. ~~b. Adding~~ or adding one or more lanes 5 miles or more in length to the  
15 existing highway.

16           **SECTION 2205.** 84.013 (1) (a) 2m. of the statutes is created to read:

17           84.013 (1) (a) 2m. The project has a total cost of more than \$75,000,000, subject  
18 to adjustment under sub. (2m), and is not described in subd. 1m.

19           **SECTION 2206.** 84.013 (1) (a) 3. of the statutes is renumbered 84.013 (1) (a) 1m.

20 c.

21           **SECTION 2207.** 84.013 (2) (a) of the statutes is amended to read:

22           84.013 (2) (a) Subject to ss. 84.014 (6) (b), 84.555, and 86.255, major highway  
23 projects shall be funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and  
24 (ct) and (4) (jq) and 20.866 (2) (ur) to (uum) and (uus).

25           **SECTION 2208.** 84.013 (2) (b) of the statutes is amended to read:

1           84.013 (2) (b) Except as provided in ss. ~~84.014~~, 84.017, 84.03 (3), and 84.555,  
2 and subject to s. ss. 84.014 (6) (c) and 86.255, reconditioning, reconstruction and  
3 resurfacing of highways shall be funded from the appropriations under ss. 20.395 (3)  
4 (cq) to (cx) and 20.866 (2) (uur) and (uut).

5           **SECTION 2209.** 84.013 (2m) of the statutes is created to read:

6           84.013 (2m) The department shall annually adjust the amounts specified in  
7 sub. (1) (a) 1m. and 2m. to reflect the annual change in the Wisconsin Department  
8 of Transportation Price Index, Yearly Moving Average, as maintained by the  
9 department or, if at any time the department no longer maintains this index, another  
10 suitable index as determined by the department. Beginning in 2012, prior to October  
11 1 of each year, the department shall compute the annual adjustment required under  
12 this subsection and shall publish the new adjusted amount applicable under sub. (1)  
13 (a) 1m. and 2m., which amount shall become effective on October 1 of that year. The  
14 department may not adjust the amounts specified in sub. (1) (a) 1m. and 2m. to an  
15 amount less than that specified in sub. (1) (a) 1m. and 2m.

16           **SECTION 2210.** 84.013 (3) (ad) of the statutes is created to read:

17           84.013 (3) (ad) Notwithstanding s. 13.489 (4) (c), any project approved by the  
18 transportation projects commission under s. 13.489 (4m) (b).

19           **SECTION 2211.** 84.013 (3) (bd) of the statutes is created to read:

20           84.013 (3) (bd) I 39/90 extending approximately 45 miles from USH 12/18 in  
21 Dane County to the Illinois–Wisconsin state line in Rock County.

22           **SECTION 2212.** 84.013 (3) (bh) of the statutes is created to read:

23           84.013 (3) (bh) STH 38 extending approximately 9 miles from CTH “K” in  
24 Racine County to Oakwood Road in Milwaukee County.

25           **SECTION 2213.** 84.013 (3) (bp) of the statutes is created to read:



1           84.013 (3) (bp) USH 10 and USH 10/STH 441 extending approximately 5 miles  
2 from CTH “CB” in Winnebago County to Oneida Street in Calumet County.

3           **SECTION 2214.** 84.013 (3) (bt) of the statutes is created to read:

4           84.013 (3) (bt) STH 15 extending approximately 11 miles from STH 76 to USH  
5 45, near New London, in Outagamie County.

6           **SECTION 2215.** 84.013 (4) (a) of the statutes is amended to read:

7           84.013 (4) (a) Subject to s. 13.489 (1m), in preparation for future major highway  
8 projects, the department may perform preliminary engineering and design work and  
9 studies for possible major highway projects not listed under sub. (3), but no major  
10 highway may be constructed unless the project is listed under sub. (3) or approved  
11 under sub. (6).

12           **SECTION 2216.** 84.013 (9) of the statutes is amended to read:

13           84.013 (9) If the department, ~~in consultation with the department of commerce,~~  
14 determines that a business development having a payroll exceeding \$10,000,000 in  
15 a calendar year is being located within a 3-mile radius of the intersection of I 90 and  
16 Town Line Road in Rock County, the department shall construct an interchange  
17 funded from the appropriations under s. 20.395 (3) (cq) to (cx) off of I 90 to Town Line  
18 Road.

19           **SECTION 2217.** 84.014 (2) of the statutes is amended to read:

20           84.014 (2) Subject to ss. 84.555 and 86.255, any southeast Wisconsin freeway  
21 rehabilitation projects, including the Marquette interchange reconstruction project  
22 and projects that involve adding one or more lanes 5 miles or more in length to the  
23 existing freeway, may be funded only from the appropriations under ss. 20.395 (3)  
24 (cr), (ct), (cw), and (cy) and 20.866 (2) (uum) and (uup).

25           **SECTION 2218.** 84.014 (6) of the statutes is created to read:

1           84.014 (6) (a) A southeast Wisconsin freeway rehabilitation project under this  
2 section may not simultaneously be considered a southeast Wisconsin freeway  
3 megaproject under s. 84.0145.

4           (b) Notwithstanding sub. (5m), a southeast Wisconsin freeway rehabilitation  
5 project under this section may also be considered a major highway project, eligible  
6 for funding under s. 84.013 (2) (a), if the project meets the criteria for a major  
7 highway project under s. 84.013 (1) (a) and satisfies all applicable requirements  
8 under ss. 13.489 and 84.013.

9           (c) Notwithstanding sub. (5m), a southeast Wisconsin freeway rehabilitation  
10 project under this section may also be eligible for funding under s. 84.013 (2) (b) if  
11 the project is not considered a southeast Wisconsin freeway megaproject under s.  
12 84.0145 or a major highway project under s. 84.013.

13           **SECTION 2219.** 84.0145 of the statutes is created to read:

14           **84.0145 Southeast Wisconsin freeway megaprojects. (1)** In this section:

15           (a) “I 94 north–south corridor” has the meaning given in s. 84.014 (5m) (ag) 1.

16           (b) “Southeast Wisconsin freeway” has the meaning given in s. 84.014 (1) (e).

17           (c) “Southeast Wisconsin freeway megaproject” means any project on a  
18 southeast Wisconsin freeway having a total cost of more than \$500 million, subject  
19 to adjustment under sub. (4).

20           (d) “Zoo interchange” has the meaning given in s. 84.014 (5m) (ag) 2.

21           **(2)** Subject to sub. (3) and s. 86.255, any southeast Wisconsin freeway  
22 megaproject may be funded only from the appropriations under ss. 20.395 (3) (aq),  
23 (av), (ax), and (ct) and 20.866 (2) (uup).

1           **(3)** (a) The department may not encumber or expend any moneys for  
2 construction of a southeast Wisconsin freeway megaproject unless the project is  
3 specifically enumerated in a list under par. (b).

4           (b) The department may provide funding for the following southeast Wisconsin  
5 freeway megaprojects:

6           1. The I 94 north–south corridor project.

7           2. The Zoo interchange project.

8           **(4)** The department shall annually adjust the amount specified in sub. (1) (c)  
9 to reflect the annual change in the Wisconsin Department of Transportation Price  
10 Index, Yearly Moving Average, as maintained by the department or, if at any time  
11 the department no longer maintains this index, another suitable index as  
12 determined by the department. Beginning in 2012, prior to October 1 of each year,  
13 the department shall compute the annual adjustment required under this subsection  
14 and shall publish the new adjusted amount applicable under sub. (1) (c), which  
15 amount shall become effective on October 1 of that year. The department may not  
16 adjust the amount specified in sub. (1) (c) to an amount less than that specified in sub.  
17 (1) (c).

18           **SECTION 2220.** 84.016 (2) of the statutes is amended to read:

19           84.016 **(2)** Notwithstanding ss. 84.013, 84.51, 84.52, 84.53, 84.555, and 84.95,  
20 but subject to ~~sub. (3) and~~ s. 86.255, this state's share of costs for any major interstate  
21 bridge project, including preliminary design work for the project, may be funded only  
22 from the appropriations under ss. 20.395 (3) (dq), (dv), and (dx) and 20.866 (2) (ugm).

23           **SECTION 2221.** 84.016 (3) of the statutes is repealed.

24           **SECTION 2221am.** 84.017 of the statutes is created to read:

1           **84.017 High–cost state highway bridge projects. (1)** In this section,  
2 “high–cost state highway bridge project” means a project involving the construction  
3 or rehabilitation of a bridge on the state trunk highway system, including  
4 approaches, that has a total estimated cost of more than \$150,000,000, but does not  
5 include any major interstate bridge project, as defined in s. 84.016 (1), or any project  
6 involving a bridge that is part of a southeast Wisconsin freeway megaproject  
7 enumerated under s. 84.0145 (3) (b).

8           **(2)** Subject to sub. (3) and s. 86.255, any high–cost state highway bridge project  
9 may be funded only from the appropriations under s. 20.395 (3) (dr), (dw), and (dy).

10           **(3)** During the 2011–13 fiscal biennium, the department may encumber or  
11 expend moneys from any of the appropriations under s. 20.395 (3) (aq), (av), (ax), (br),  
12 (bq), (bv), (bx), (cq), (cv), and (cx) for preliminary costs associated with the  
13 reconstruction of the Hoan Bridge and approaches to the east bank of the Milwaukee  
14 River on I–794 in Milwaukee County.

15           **(4)** A high–cost state highway bridge project under this section may not be  
16 considered a southeast Wisconsin freeway megaproject under s. 84.0145.

17           **SECTION 2221i.** 84.07 (5) of the statutes is created to read:

18           **84.07 (5) COUNTY HIGHWAY DEPARTMENT MAINTENANCE CAPACITY AND FUNDING.** (a)  
19 The department shall work cooperatively with county highway departments to  
20 determine an appropriate level of state work sufficient to fully utilize manpower and  
21 equipment needed for winter maintenance.

22           (b) Notwithstanding s. 16.42 (1) (e), in submitting information under s. 16.42  
23 for purposes of each biennial budget bill, if the department determines that funding  
24 for counties to perform needed maintenance activities is inadequate, the department  
25 shall include a funding proposal for maintenance activities performed by counties

1 that is no less than the amount appropriated and allocated for this purpose for the  
2 second fiscal year of the fiscal biennium in which the information is submitted and  
3 that also includes an inflationary adjustment.

4 **SECTION 2222.** 84.075 (1c) (a) of the statutes is amended to read:

5 84.075 (1c) (a) “Disabled veteran–owned business” means a business certified  
6 by the department of commerce administration under s. 560.0335 16.283 (3).

7 **SECTION 2223.** 84.075 (1c) (b) of the statutes is amended to read:

8 84.075 (1c) (b) “Minority business” means a business certified by the  
9 department of commerce administration under s. 560.036 16.287 (2).

10 **SECTION 2224.** 84.075 (3) of the statutes is amended to read:

11 84.075 (3) The department shall at least semiannually, or more often if  
12 required by the department of administration, report to the department of  
13 administration the total amount of money it has paid to contractors, subcontractors,  
14 and vendors that are minority businesses and that are disabled veteran–owned  
15 businesses under ss. 84.01 (13), 84.06, and 84.07 and the number of contacts with  
16 minority businesses and disabled veteran–owned businesses in connection with  
17 proposed purchases and contracts. In its reports, the department shall include only  
18 amounts paid to businesses certified by the department of commerce safety and  
19 professional services as minority businesses or disabled veteran–owned businesses.

20 **SECTION 2225.** 84.076 (1) (c) of the statutes is amended to read:

21 84.076 (1) (c) “Minority business” has the meaning given under s. 560.036  
22 16.287 (1) (e) 1.

23 **SECTION 2226.** 84.076 (1) (d) of the statutes is amended to read:

24 84.076 (1) (d) “Minority group member” has the meaning given under s.  
25 560.036 16.287 (1) (f).

1           **SECTION 2227.** 84.09 (5) (a) of the statutes is amended to read:

2           84.09 (5) (a) Subject to pars. (b) and (c) and to the approval of the governor, the  
3 department may sell at public or private sale property of whatever nature owned by  
4 the state and under the jurisdiction of the department when the department  
5 determines that the property is no longer necessary for the state's use for  
6 transportation purposes and, if real property, the real property is not the subject of  
7 a petition under s. ~~560.9810~~ 16.310 (2). The department shall present to the governor  
8 a full and complete report of the property to be sold, the reason for the sale, and the  
9 minimum price for which the same should be sold, together with an application for  
10 the governor's approval of the sale. The governor shall thereupon make such  
11 investigation as he or she may deem necessary and approve or disapprove the  
12 application. Upon such approval and receipt of the full purchase price, the  
13 department shall by appropriate deed or other instrument transfer the property to  
14 the purchaser. The approval of the governor is not required for public or private sale  
15 of property having an appraised value at the time of sale of not more than \$15,000,  
16 for the transfer of surplus state real property to the department of administration  
17 under s. ~~560.9810~~ 16.310, or for the transfer of surplus state personal property to the  
18 department of tourism under sub. (5s). The funds derived from sales under this  
19 subsection shall be deposited in the transportation fund, and the expense incurred  
20 by the department in connection with the sale shall be paid from such fund.

21           **SECTION 2228.** 84.09 (5) (b) of the statutes is amended to read:

22           84.09 (5) (b) Subject to the approval of the governor in the manner, scope, and  
23 form specified in par. (a), with respect to the sale of property acquired by the  
24 department for a project that is completed after May 25, 2006, the department shall,  
25 and with respect to the sale of property acquired by the department for a project that

1 is completed before May 25, 2006, the department may offer for sale or transfer  
2 ownership of the property that the department determines is no longer necessary for  
3 the state's use for transportation purposes, if the property is not the subject of a  
4 petition under s. ~~560.9810~~ 16.310 (2). This disposition process shall take place within  
5 24 months of the completion of the transportation project for which the property was  
6 acquired. Except as provided in par. (c) 3., the department shall offer limited and  
7 general marketable properties at appraised value, as determined by a state-certified  
8 or licensed appraiser, for not less than 12 months. If the department does not sell  
9 the property at or above its appraised value, the department shall offer the property  
10 for sale by means of sealed bids or public auction. For the purposes of this paragraph,  
11 a project is completed when final payment is made under the contract for the project.

12 **SECTION 2229.** 84.09 (5r) of the statutes is amended to read:

13 **84.09 (5r)** In lieu of the sale or conveyance of property under sub. (5) or (5m),  
14 the department may, subject to the approval of the governor, donate real property  
15 that is adjacent to the veterans memorial site located at The Highground in Clark  
16 County and owned by the state and under the jurisdiction of the department to the  
17 Wisconsin Vietnam Veterans Memorial Project, Inc., for the purpose of the veterans  
18 memorial site located at The Highground in Clark County for the purpose of a  
19 memorial hall specified in s. 70.11 (9). The department may donate property under  
20 this subsection only when the department determines that the property is no longer  
21 necessary for the state's use for transportation purposes and is not the subject of a  
22 petition under s. ~~560.9810~~ 16.310 (2) and is transferred with a restriction that the  
23 donee may not subsequently transfer the real property to any person except to this  
24 state, which shall not be charged for any improvements thereon. Such restriction  
25 shall be recorded in the office of the register of deeds in the county in which the

1 property is located. The department shall present to the governor a full and complete  
2 report of the property to be donated, the reason for the donation, and the minimum  
3 price for which the property could likely be sold under sub. (5), together with an  
4 application for the governor’s approval of the donation. The governor shall  
5 thereupon make such investigation as he or she considers necessary and approve or  
6 disapprove the application. Upon such approval, the department shall by  
7 appropriate deed or other instrument transfer the property to the donee. The  
8 approval of the governor is not required for donation of property having an appraised  
9 value at the time of donation of not more than \$15,000. Any expense incurred by the  
10 department in connection with the donation shall be paid from the transportation  
11 fund.

12 **SECTION 2230.** 84.185 (1) (a) of the statutes is amended to read:

13 84.185 (1) (a) “Business” ~~has the meaning given in s. 560.60 (2)~~ means a  
14 company located in this state, a company that has made a firm commitment to locate  
15 a facility in this state, or a group of companies at least 80 percent of which are located  
16 in this state.

17 **SECTION 2231.** 84.185 (1) (b) of the statutes is amended to read:

18 84.185 (1) (b) “Governing body” ~~has the meaning specified in s. 560.60 (6)~~  
19 means a county board, city council, village board, town board, regional planning  
20 commission or transit commission under s. 59.58 (2) or 66.1021.

21 **SECTION 2232.** 84.185 (1) (ce) of the statutes is amended to read:

22 84.185 (1) (ce) “Job” ~~has the meaning specified in s. 560.17 (1) (bm)~~ means a  
23 position providing full-time equivalent employment. “Job” does not include initial  
24 training before an employment position begins.

25 **SECTION 2233g.** 84.28 (1) of the statutes is amended to read:



1           **84.28 (1)** Moneys from the appropriation under s. 20.370 (7) (mc) may be  
2 expended for the renovation, marking and maintenance of a town or county highway  
3 located within the boundaries of any state park, state forest or other property under  
4 the jurisdiction of the department of natural resources. Moneys from the  
5 appropriation under s. 20.370 (7) (mc) may be expended for the renovation, marking  
6 and maintenance of a town or county highway located in the lower Wisconsin state  
7 riverway as defined in s. 30.40 (15). Outside the lower Wisconsin state riverway as  
8 defined in s. 30.40 (15), or outside the boundaries of these parks, forests or property,  
9 moneys from the appropriation under s. 20.370 (7) (mc) may be expended for the  
10 renovation, marking and maintenance of roads which the department of natural  
11 resources certifies are utilized by a substantial number of visitors to state parks,  
12 state forests or other property under the jurisdiction of the department of natural  
13 resources. The department of natural resources shall authorize expenditures under  
14 this subsection. The department of natural resources shall rank projects eligible for  
15 assistance under a priority system and funding may be restricted to those projects  
16 with highest priority. In ranking projects, the department of natural resources shall  
17 consider whether the project is for the renovation, marking, or maintenance of roads  
18 used for forestry management on property under the jurisdiction of the department  
19 of natural resources.

20           **SECTION 2233m.** 84.30 (5r) of the statutes is created to read:

21           **84.30 (5r)** SIGNS NONCONFORMING UNDER LOCAL ORDINANCES THAT ARE REALIGNED  
22 BECAUSE OF STATE HIGHWAY PROJECTS. (a) In this subsection, “realignment” means  
23 relocation on the same site.

1 (b) If a highway project of the department causes the realignment of a sign that  
2 does not conform to a local ordinance, the realignment shall not affect the sign's  
3 nonconforming status under the ordinance.

4 (c) If in connection with a highway project of the department the department  
5 proposes the realignment of a sign that does not conform to a local ordinance, the  
6 department shall notify the governing body of the municipality or county where the  
7 sign is located and which adopted the ordinance of the sign's proposed realignment.  
8 Upon receiving this notice, the governing body may petition the department to  
9 acquire the sign and any real property interest of the sign owner. If the department  
10 succeeds in condemning the sign, the governing body that made the petition to the  
11 department shall pay to the department an amount equal to the condemnation  
12 award, less relocation costs for the sign that would have been paid by the department  
13 if the sign had been realigned rather than condemned. Notwithstanding s. 86.30 (2)  
14 (a) 1. and (b) 1., 1g., and 1r., if the governing body fails to pay this amount, the  
15 department may reduce the municipality's or county's general transportation aid  
16 payment under s. 86.30 by an equal amount.

17 (d) This subsection does not permit the alteration or movement of a sign that  
18 is nonconforming under this section.

19 **SECTION 2234.** 84.555 (1m) of the statutes is amended to read:

20 84.555 (1m) Notwithstanding sub. (1) and ss. 84.51 and 84.59, the proceeds of  
21 general obligation bonds issued under s. 20.866 (2) (uum) are allocated for  
22 expenditure obligations under s. 84.95 and s. 84.014 and the proceeds of general  
23 obligation bonds issued under s. 20.866 (2) (uup) may be used to fund expenditure  
24 obligations for the Marquette interchange reconstruction project under s. 84.014  
25 and, for the reconstruction of the I 94 north–south corridor, as defined in s. 84.014

1     (5m) (ag) 1., for the reconstruction of the Zoo interchange, as defined in s. 84.014 (5m)  
2     (ag) 2., and southeast Wisconsin freeway megaprojects under s. 84.0145.

3           **SECTION 2235.** 84.59 (2) (b) of the statutes is amended to read:

4           84.59 (2) (b) The department may, under s. 18.562, deposit in a separate and  
5     distinct special fund outside the state treasury, in an account maintained by a  
6     trustee, revenues derived under ss. 341.09 (2) (d), (2m) (a) 1., (4), and (7), 341.14 (2),  
7     (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1) (a) and (b), (2),  
8     (2e), and (2m), 341.17 (8), 341.19 (1) (a), 341.25, 341.255 (1), (2) (a), (b), and (c), and  
9     (5), 341.26 (1), (2), (2m) (am) and (b), (3), (3m), (4), (5), and (7), 341.264 (1), 341.265  
10    (1), 341.266 (2) (b) and (3), 341.268 (2) (b) and (3), 341.269 (2) (b), 341.30 (3), 341.305  
11    (3), 341.307 (4) (a), 341.308 (3), 341.36 (1) and (1m), 341.51 (2), and 342.14, ~~except~~  
12    ~~s. 342.14 (1r)~~, and from any payments received with respect to agreements or  
13    ancillary arrangements entered into under s. 18.55 (6) with respect to revenue  
14    obligations issued under this section. The revenues deposited are the trustee's  
15    revenues in accordance with the agreement between this state and the trustee or in  
16    accordance with the resolution pledging the revenues to the repayment of revenue  
17    obligations issued under this section. Revenue obligations issued for the purposes  
18    specified in sub. (1) and for the repayment of which revenues are deposited under this  
19    paragraph are special fund obligations, as defined in s. 18.52 (7), issued for special  
20    fund programs, as defined in s. 18.52 (8).

21           **SECTION 2236.** 84.59 (6) of the statutes is amended to read:

22           84.59 (6) The building commission may contract revenue obligations when it  
23     reasonably appears to the building commission that all obligations incurred under  
24     this section can be fully paid from moneys received or anticipated and pledged to be  
25     received on a timely basis. Except as provided in this subsection, the principal

1 amount of revenue obligations issued under this section may not exceed  
2 ~~\$3,009,784,200~~ \$3,351,547,300, excluding any obligations that have been defeased  
3 under a cash optimization program administered by the building commission, to be  
4 used for transportation facilities under s. 84.01 (28) and major highway projects for  
5 the purposes under ss. 84.06 and 84.09. In addition to the foregoing limit on principal  
6 amount, the building commission may contract revenue obligations under this  
7 section as the building commission determines is desirable to refund outstanding  
8 revenue obligations contracted under this section, to make payments under  
9 agreements or ancillary arrangements entered into under s. 18.55 (6) with respect  
10 to revenue obligations issued under this section, and to pay expenses associated with  
11 revenue obligations contracted under this section.

12 **SECTION 2237.** 85.05 of the statutes is amended to read:

13 **85.05 Evaluation of proposed major highway projects.** The department  
14 by rule shall establish a procedure for numerically evaluating projects considered for  
15 enumeration under s. 84.013 (3) as a major highway project. The evaluation  
16 procedure may include any criteria that the department considers relevant. The  
17 rules shall establish a minimum score that a project shall meet or exceed when  
18 evaluated under the procedure established under this section before the department  
19 may recommend the project to the transportation projects commission for  
20 consideration under s. 13.489 (4). This section does not apply to major highway  
21 projects identified in s. 84.013 (3) (ad).

22 **SECTION 2237e.** 85.062 (3) (c) of the statutes is repealed.

23 **SECTION 2237m.** 85.063 (3) (b) 1. of the statutes is amended to read:

24 85.063 (3) (b) 1. Upon completion of a planning study under sub. (2), or, to the  
25 satisfaction of the department, of a study under s. 85.022, a political subdivision in

1 a county, ~~or a transit authority created under s. 66.1039~~, that includes the urban area  
2 may apply to the department for a grant for property acquisition for an urban rail  
3 transit system.

4 **SECTION 2237o.** 85.064 (1) (b) of the statutes is amended to read:

5 85.064 (1) (b) “Political subdivision” means any city, village, town, county, or  
6 transit commission organized under s. 59.58 (2) or 66.1021 or recognized under s.  
7 66.0301, ~~or transit authority created under s. 66.1039~~ within this state ~~or the~~  
8 ~~southeastern regional transit authority under s. 59.58 (7).~~

9 **SECTION 2237p.** 85.08 (4m) (c) (intro.) of the statutes is amended to read:

10 85.08 (4m) (c) *Railroad facilities acquisition grants and loans.* (intro.) The  
11 department may make grants to eligible applicants for the purpose of preserving  
12 freight rail service through the acquisition of rail property. The grant may be  
13 composed of state funds, federal funds, state property, the use of state property, or  
14 any combination of state funds, federal funds, state property, and the use of state  
15 property. No grant for the acquisition of rail property improvements may exceed 80%  
16 of the acquisition cost. No grant for the acquisition of rail property exclusive of rail  
17 property improvements may exceed 100% of the acquisition cost. The department  
18 shall give priority in awarding grants to those projects for which the applicant agrees  
19 to pay greater than 20% of the cost of the acquisition of rail property improvements.

20 A grant may be made to an eligible applicant before or after abandonment of a  
21 railroad line as defined in s. 85.09 (3). The department may permit an eligible  
22 applicant’s share of an increase in the acquisition cost of rail property or rail property  
23 improvements to be paid in installments if the increase in acquisition cost is caused  
24 by negotiation or litigation. No grant may be made under this paragraph for the  
25 acquisition of rail property if the acquisition price exceeds an amount deemed

1 reasonable by the department. If a grant is made to an eligible applicant under this  
2 paragraph, the department may award a loan to the eligible applicant for not more  
3 than 15% of the acquisition cost. A grant of money or a loan made under this  
4 paragraph shall be paid from the appropriation under s. 20.395 (2) (bq), (bu), or (bx)  
5 or 20.866 (2) (uw). The department shall administer this program and shall have all  
6 powers necessary and convenient to implement this paragraph and par. (d),  
7 including the following powers:

8 **SECTION 2237s.** 85.08 (4m) (d) of the statutes is amended to read:

9 **85.08 (4m) (d)** *Railroad rehabilitation and construction grants and loans.* The  
10 department may make grants to eligible applicants for the purpose of rehabilitating  
11 or constructing rail property improvements. Construction shall be limited to that  
12 which is required to continue rail service on a particular line or to provide alternative  
13 rail service when a line has been abandoned. A grant under this paragraph may be  
14 composed of state funds, federal funds, state property, the use of state property,  
15 technical assistance, or any combination of state funds, federal funds, state property,  
16 the use of state property, and technical assistance. The value of a grant may not  
17 exceed 80% of the costs of rehabilitation or construction. The department shall give  
18 priority in awarding grants to those projects for which the applicant agrees to pay  
19 greater than 20% of the costs of rehabilitation or construction. If a grant is made to  
20 an eligible applicant under this paragraph, the department may award a loan to the  
21 eligible applicant for not more than 15% of the rehabilitation or construction costs.  
22 A grant may be made before or after abandonment of a railroad line as defined in s.  
23 85.09 (3). A grant or loan made under this paragraph shall be paid from the  
24 appropriation under s. 20.395 (2) (bq), (bu), or (bx) or 20.866 (2) (uw).

25 **SECTION 2238.** 85.09 (4i) of the statutes is amended to read:

1           **85.09 (4i) DISPOSAL OF RAIL PROPERTY.** The department shall sell at public or  
2 private sale rail property acquired under sub. (4) when the department determines  
3 that the rail property is not necessary for a public purpose and, if real property, the  
4 real property is not the subject of a petition under s. ~~560.9810~~ 16.310 (2). Upon  
5 receipt of the full purchase price, the department shall, by appropriate deed or other  
6 instrument, transfer the rail property to the purchaser. The funds derived from sales  
7 under this subsection shall be deposited in the transportation fund, and the expense  
8 incurred by the department in connection with the sale shall be paid from the  
9 appropriation under s. 20.395 (2) (bq). This subsection does not apply to real  
10 property that is sold under s. 16.848.

11           **SECTION 2239.** 85.09 (4m) of the statutes is amended to read:

12           **85.09 (4m) RELOCATION PLAN.** The department is exempt from s. 32.25 (1) if the  
13 department determines that acquiring rail property under this section will not result  
14 in any displaced persons as defined in s. 32.19 (2) (e). The department shall file a  
15 statement of its determinations with the department of commerce administration.

16           **SECTION 2240m.** 85.095 (2) (b) of the statutes is amended to read:

17           **85.095 (2) (b)** To establish criteria for evaluating applications for harbor  
18 assistance grants in order to provide for the disbursement of grants. In establishing  
19 these criteria, the department ~~shall consult with the department of commerce and~~  
20 shall give priority to applicants based on the amount of tonnage and waterborne  
21 transportation handled in the harbor.

22           **SECTION 2241.** 85.11 of the statutes is repealed.

23           **SECTION 2242.** 85.14 (title) of the statutes is amended to read:

24           **85.14 (title) Payments of fees and deposits by credit card, debit card,**  
25 **or other electronic payment mechanism; electronic transactions.**

1           **SECTION 2243.** 85.14 (1) (a) of the statutes is amended to read:

2           85.14 (1) (a) The department may accept payment by credit card, debit card,  
3 or any other electronic payment mechanism of ~~a~~ any fee that is required to be paid  
4 to the department ~~under ch. 194, 218, 341, 342, 343 or 348~~. The department shall  
5 determine which fees may be paid by credit card, debit card, or any other electronic  
6 payment mechanism and the manner in which the payments may be made. If the  
7 department permits the payment of a fee by credit card, debit card, or any other  
8 electronic payment mechanism, the department may charge a convenience fee for  
9 each transaction in an amount to be established by rule. The convenience fee shall  
10 approximate the cost to the department for providing this service to persons who  
11 request it. If the department permits the payment of a fee by credit card, debit card,  
12 or any other electronic payment mechanism, the department may charge a service  
13 fee of \$2.50 for each transaction until a rule is promulgated under this paragraph.

14           **SECTION 2244.** 85.14 (3) of the statutes is created to read:

15           85.14 (3) The department may establish procedures for conducting any  
16 transaction in an electronic format or using an electronic process. Any form  
17 prescribed by the department may be prescribed in an automated format to facilitate  
18 the department's authority under this subsection.

19           **SECTION 2245.** 85.14 (4) of the statutes is created to read:

20           85.14 (4) The department may promulgate rules requiring a person to pay an  
21 additional fee for conducting an in-person, telephone, or paper transaction in lieu  
22 of using an electronic filing or submission option when the department has made an  
23 electronic filing or submission option available. These rules providing for an  
24 additional fee shall not apply to individuals unless the department offered an  
25 electronic filing or submission option in connection with a service on the effective



1 date of this subsection .... [LRB inserts date], and the department charged an  
2 additional fee to individuals for electing this option as of that date. These rules may  
3 provide for exemptions from the additional fee for designated categories of persons  
4 or transactions. The fee authorized under this subsection is in addition to any other  
5 fee that may be imposed by the department.

6 **SECTION 2245k.** 85.193 of the statutes is created to read:

7 **85.193 Borrow and material disposal sites for transportation projects.**

8 **(1) DEFINITIONS.** In this section:

9 (a) “Borrow” means soil or a mixture of soil and stone, gravel, or other material  
10 suitable for use in the construction of embankments or other similar earthworks  
11 constructed as part of a transportation project.

12 (b) “Borrow site” means a site off of the transportation project property from  
13 which borrow is excavated for use in a transportation project.

14 (c) “Material disposal site” means a site off of the transportation project  
15 property used for the lawful disposal of surplus materials from a transportation  
16 project and that is under the direct control of the transportation project contractor  
17 or a transportation project subcontractor. “Material disposal site” does not include  
18 a private landfill that is not managed by the transportation project contractor or a  
19 transportation project subcontractor or a landfill that is owned or directly controlled  
20 by a political subdivision.

21 (d) “Political subdivision” means a city, village, town, or county.

22 (e) “Transportation project” means a construction or maintenance project  
23 directed and supervised by the department that relates to an airport, railroad,  
24 highway, bridge, or other transportation facility and that is subject to an agreement  
25 under s. 30.2022.

1           **(2) EXEMPTION FROM LOCAL ZONING.** No zoning ordinance enacted under s. 59.69,  
2           60.61, 60.62, 61.35, or 62.23 may apply to a borrow site or material disposal site if  
3           all of the following apply:

4           (a) The owner of the property consents to the establishment of a site on his or  
5           her property.

6           (b) The department determines that the site is not a commercial establishment  
7           that has a fixed place of business from which the establishment regularly supplies  
8           processed or manufactured materials or products.

9           (c) The transportation project contractor assumes sole responsibility for the  
10          operation of the site.

11          (d) The site is used solely for the specified transportation project and solely  
12          during the period of construction of the specified transportation project.

13          (e) The transportation project contractor or a transportation project  
14          subcontractor does not crush, screen, wash, blast, or apply another manufacturing  
15          process to mineral aggregate from the borrow site, on or off the borrow site, to  
16          produce finished aggregate products.

17          (g) The transportation project contractor complies with all of the following:

18           1. Any applicable noise limit standards for mine and quarry operations  
19           established under s. 101.15 (2) (e).

20           2. Any applicable restoration requirements for construction site erosion control  
21           established under s. 85.19 (1) and any applicable restoration requirements  
22           established under an agreement under s. 30.2022.

23          **SECTION 2246.** 85.20 (4m) (a) 6. cm. of the statutes is amended to read:

24          85.20 **(4m)** (a) 6. cm. From the appropriation under s. 20.395 (1) (ht), the  
25          department shall pay ~~\$63,784,700 for aid payable for calendar year 2008,~~

1     ~~\$65,299,200 for aid payable for calendar year 2009, \$66,585,600 for aid payable for~~  
2     ~~calendar year 2010, and \$68,583,200 for aid payable for calendar year 2011, and~~  
3     \$61,724,900 for aid payable for calendar year 2012 and thereafter, to the eligible  
4     applicant that pays the local contribution required under par. (b) 1. for an urban  
5     mass transit system that has annual operating expenses of \$80,000,000 or more. If  
6     the eligible applicant that receives aid under this subd. 6. cm. is served by more than  
7     one urban mass transit system, the eligible applicant may allocate the aid between  
8     the urban mass transit systems in any manner the eligible applicant considers  
9     desirable.

10     **SECTION 2248.** 85.20 (4m) (a) 6. d. of the statutes is amended to read:

11     85.20 **(4m)** (a) 6. d. From the appropriation under s. 20.395 (1) (hu), the  
12     department shall pay ~~\$16,754,000 for aid payable for calendar year 2008,~~  
13     ~~\$17,158,400 for aid payable for calendar year 2009,~~ \$17,496,400 for aid payable for  
14     calendar year 2010, and \$18,021,300 for aid payable for calendar year 2011, and  
15     \$16,219,200 for aid payable for calendar year 2012 and thereafter, to the eligible  
16     applicant that pays the local contribution required under par. (b) 1. for an urban  
17     mass transit system that has annual operating expenses in excess of \$20,000,000 but  
18     less than \$80,000,000. If the eligible applicant that receives aid under this subd. 6.  
19     d. is served by more than one urban mass transit system, the eligible applicant may  
20     allocate the aid between the urban mass transit systems in any manner the eligible  
21     applicant considers desirable.

22     **SECTION 2252.** 85.20 (4m) (a) 7. b. of the statutes is amended to read:

23     85.20 **(4m)** (a) 7. b. For the purpose of making allocations under subd. 7. a., the  
24     amounts for aids are ~~\$24,034,400 in calendar year 2008, \$24,614,500 in calendar~~  
25     ~~year 2009,~~ \$25,099,500 in calendar year 2010, and \$25,852,500 in calendar year

1       2011, and \$23,267,200 in calendar year 2012 and thereafter. These amounts, to the  
2       extent practicable, shall be used to determine the uniform percentage in the  
3       particular calendar year.

4               **SECTION 2254.** 85.20 (4m) (a) 8. b. of the statutes is amended to read:

5               **85.20 (4m)** (a) 8. b. For the purpose of making allocations under subd. 8. a., the  
6       amounts for aids are ~~\$5,440,500 in calendar year 2008, \$5,571,800 in calendar year~~  
7       ~~2009,~~ \$5,681,600 in calendar year 2010, and \$5,852,200 in calendar year 2011, and  
8       \$5,267,000 in calendar year 2012 and thereafter. These amounts, to the extent  
9       practicable, shall be used to determine the uniform percentage in the particular  
10      calendar year.

11              **SECTION 2255m.** 85.205 of the statutes is created to read:

12              **85.205 Paratransit aids. (1) DEFINITIONS.** In this section:

13              (a) “Eligible applicant” has the meaning given in s. 85.20 (1) (b).

14              (b) “Paratransit service” means comparable transportation service required by  
15      the federal Americans with Disabilities Act for individuals with disabilities who are  
16      unable to use fixed route transportation services.

17              (c) “Urban mass transit system” has the meaning given in s. 85.20 (1) (L).

18              **(2) ADMINISTRATION.** (a) From the appropriation under s. 20.395 (1) (hq), the  
19      department shall provide aid payments to eligible applicants that receive state aid  
20      payments under s. 85.20 (4m) and that are served by an urban mass transit system  
21      that provides paratransit service to assist those eligible applicants in providing  
22      paratransit service.

23              (b) In awarding grants under par. (a), the department shall do all of the  
24      following:

1           1. Maximize the level of paratransit service provided by urban mass transit  
2 systems serving eligible applicants.

3           2. Give priority to eligible applicants for maintaining paratransit service  
4 provided by urban mass transit systems on the effective date of this subdivision ...  
5 [LRB inserts date].

6           **SECTION 2256.** 85.25 (2) (c) 1m. b. of the statutes is amended to read:

7           85.25 (2) (c) 1m. b. It is currently performing a useful business function as  
8 defined in s. ~~560.036~~ 16.287 (1) (h).

9           **SECTION 2267x.** 86.25 (4) of the statutes is amended to read:

10          86.25 (4) Sections 61.54, 62.15 and 66.0901 (1) and (2) to (9) shall not apply to  
11 funds provided or agreements made pursuant to this section.

12          **SECTION 2268.** 86.30 (2) (a) 3. of the statutes is amended to read:

13          86.30 (2) (a) 3. For each mile of road or street under the jurisdiction of a  
14 municipality as determined under s. 86.302, the mileage aid payment shall be ~~\$1,956~~  
15 ~~in calendar year 2008, \$2,015 in calendar year 2009, \$2,055 in calendar year 2010,~~  
16 and \$2,117 in calendar year 2011 and thereafter.

17          **SECTION 2269.** 86.30 (2) (b) 1. of the statutes is amended to read:

18          86.30 (2) (b) 1. Except as provided under par. (d) and s. 86.303 (5), no  
19 municipality whose aid is determined under par. (a) 2. may receive an increase in its  
20 annual transportation aid payment in excess of 15% of its last previous calendar year  
21 aid payment or a decrease in its annual transportation aid payment in excess of 5%  
22 10 percent of its last previous calendar year transportation aid payment.

23          **SECTION 2270.** 86.30 (2) (b) 1g. of the statutes is amended to read:

24          86.30 (2) (b) 1g. Except as provided under par. (d) and s. 86.303 (5), no  
25 municipality whose aid is determined under par. (a) 3. may receive a decrease in its

1 annual transportation aid payment in excess of 5% 10 percent of its last previous  
2 calendar year transportation aid payment.

3 **SECTION 2271.** 86.30 (2) (b) 1r. of the statutes is amended to read:

4 86.30 (2) (b) 1r. Except as provided under s. 86.303, no county may receive an  
5 increase in its annual transportation aid payment in excess of 15% of its last previous  
6 calendar year aid payment. Except as provided under par. (dm) and s. 86.303, no  
7 county may receive a decrease in its annual transportation aid payment in excess of  
8 ~~2%~~ 10 percent of its last previous calendar year transportation aid payment.

9 **SECTION 2271m.** 86.30 (2) (dr) of the statutes is created to read:

10 86.30 (2) (dr) *Aid reduction related to outdoor advertising sign condemnation.*  
11 The department may reduce aids paid to a county or municipality under par. (e) as  
12 provided in s. 84.30 (5r) (c).

13 **SECTION 2272.** 86.30 (9) (b) of the statutes is amended to read:

14 86.30 (9) (b) For the purpose of calculating and distributing aids under sub. (2),  
15 the amounts for aids to counties are ~~\$96,492,900 in calendar year 2008, \$99,387,700~~  
16 ~~in calendar year 2009, \$101,375,500 in calendar year 2010, and \$104,416,800 in~~  
17 ~~calendar year 2011, and \$94,615,600 in calendar year 2012~~ and thereafter. These  
18 amounts, to the extent practicable, shall be used to determine the statewide county  
19 average cost-sharing percentage in the particular calendar year.

20 **SECTION 2273.** 86.30 (9) (c) of the statutes is amended to read:

21 86.30 (9) (c) For the purpose of calculating and distributing aids under sub. (2),  
22 the amounts for aids to municipalities are ~~\$303,578,100 in calendar year 2008,~~  
23 ~~\$312,685,400 in calendar year 2009, \$318,939,100 in calendar year 2010, and~~  
24 ~~\$328,507,300 in calendar year 2011, and \$308,904,300 in calendar year 2012~~ and  
25 thereafter. These amounts, to the extent practicable, shall be used to determine the

1 statewide municipal average cost-sharing percentage in the particular calendar  
2 year.

3 **SECTION 2278d.** 86.31 (2) (a) of the statutes is amended to read:

4 86.31 (2) (a) The department shall administer a local roads improvement  
5 program to accelerate the improvement of seriously deteriorating local roads by  
6 reimbursing political subdivisions for improvements. The selection of improvements  
7 that may be funded under the program shall be performed by officials of each political  
8 subdivision, consistent with par. (h) and the requirements of subs. (3), (3g), (3m), and  
9 (3r). The department shall notify each county highway commissioner of any deadline  
10 that affects eligibility for reimbursement under the program no later than 15 days  
11 before such deadline.

12 **SECTION 2278em.** 86.31 (2) (b) of the statutes is amended to read:

13 86.31 (2) (b) Except as provided in par. (d), improvements for highway  
14 construction projects funded under the program shall be under contracts. Such  
15 contracts shall be awarded on the basis of competitive bids and shall be awarded to  
16 the lowest responsible bidder. If a city or village does not receive a responsible bid  
17 for an improvement, the city or village may contract with a county for the  
18 improvement. ~~A Subject to s. 59.52 (30), a town may contract with a county for the~~  
19 ~~improvement subject to the criteria and procedures promulgated as rules under sub.~~  
20 (6) (h).

21 **SECTION 2278j.** 86.31 (2) (h) of the statutes is created to read:

22 86.31 (2) (h) A double seal coat project on a town road may be funded under the  
23 program if it has a projected life of at least 10 years, similar projects in the same  
24 geographic area have performed satisfactorily, and the county highway

1 commissioner of the county in which the project is located approves the project's  
2 eligibility for funding.

3 **SECTION 2278m.** 86.31 (3m) of the statutes is amended to read:

4 **86.31 (3m)** TOWN ROAD IMPROVEMENTS — DISCRETIONARY GRANTS. From the  
5 appropriation under s. 20.395 (2) (ft), the department shall allocate \$765,000 in fiscal  
6 year 2007–08, \$780,300 in fiscal year 2008–09, and \$732,500 in fiscal year 2009–10  
7 and in fiscal year 2010–11, and \$5,732,500 in fiscal year 2011–12 and each fiscal year  
8 thereafter, to fund town road improvements with eligible costs totaling \$100,000 or  
9 more. The funding of improvements under this subsection is in addition to the  
10 allocation of funds for entitlements under sub. (3).

11 **SECTION 2278o.** 86.31 (6) (h) (intro.) of the statutes is amended to read:

12 **86.31 (6) (h)** Criteria Subject to s. 59.52 (30), criteria and procedures for  
13 contracting with a county for a town road improvement that includes at least all of  
14 the following:

15 **SECTION 2279.** 91.04 (2) (j) of the statutes is amended to read:

16 **91.04 (2) (j)** Rezoning of land out of farmland preservation zoning districts  
17 under s. 91.48, ~~including the amounts of conversion fees paid to political subdivisions~~  
18 ~~under s. 91.48 (1) (b).~~

19 **SECTION 2280.** 91.48 (1) (intro.) of the statutes is amended to read:

20 **91.48 (1) (intro.)** A political subdivision with a certified farmland preservation  
21 zoning ordinance may rezone land out of a farmland preservation zoning district  
22 without having the rezoning certified under s. 91.36, if ~~all of the following apply~~ the  
23 political subdivision finds all of the following, after public hearing:

24 **SECTION 2281.** 91.48 (1) (a) (intro.) of the statutes is repealed.



1           **SECTION 2282.** 91.48 (1) (a) 1. to 4. of the statutes are renumbered 91.48 (1) (a)  
2 to (d).

3           **SECTION 2283.** 91.48 (1) (b) of the statutes is repealed.

4           **SECTION 2284.** 91.48 (2) (intro.) and (a) of the statutes are consolidated,  
5 renumbered 91.48 (2) and amended to read:

6           **91.48 (2)** A political subdivision shall by March of 1 of each year provide ~~all of~~  
7 ~~the following~~ to the department: ~~(a)~~ A a report of the number of acres that the  
8 political subdivision has rezoned out of a farmland preservation zoning district  
9 under sub. (1) during the previous year and a map that clearly shows the location of  
10 those acres.

11           **SECTION 2285.** 91.48 (2) (b) and (c) of the statutes are repealed.

12           **SECTION 2286.** 91.48 (3) of the statutes is amended to read:

13           **91.48 (3)** A political subdivision that is not a county shall by March 1 of each  
14 year submit a copy of the information that it reports to the department under sub.  
15 (2) ~~(a) and (b)~~ to the county in which the political subdivision is located.

16           **SECTION 2287.** 91.49 of the statutes is repealed.

17           **SECTION 2292.** 92.07 (15) of the statutes is amended to read:

18           **92.07 (15)** ADMINISTRATION AND ENFORCEMENT OF ORDINANCES. A land  
19 conservation committee may, if authorized by the county board, administer and  
20 enforce those provisions of an ordinance enacted under s. 101.65 (1) (a) related to  
21 construction site erosion, a zoning ordinance enacted under s. 59.693 or an ordinance  
22 enacted under authority granted under s. ~~281.33 (3m)~~ 101.1206.

23           **SECTION 2293.** 93.07 (3) of the statutes is amended to read:

24           **93.07 (3)** PROMOTION OF AGRICULTURE. To promote the interests of agriculture,  
25 dairying, horticulture, manufacturing, commercial fishing and the domestic arts and

1 to advertise Wisconsin and its dairy, food, and agricultural products by conducting  
2 campaigns of education throughout the United States and in foreign markets. Such  
3 campaigns shall include the distribution of educational and advertising material  
4 concerning Wisconsin and its plant, animal, food, and dairy products. The  
5 department shall coordinate efforts by the state to advertise and promote  
6 agricultural products of this state, with the ~~department of commerce~~ Wisconsin  
7 Economic Development Corporation where appropriate. The department shall  
8 submit its request and plan for market development program expenditures for each  
9 biennium with its biennial budget request. The plan shall include the identification  
10 and priority of expenditures for each market development program activity.

11 **SECTION 2294.** 93.07 (18) (b) (intro.) of the statutes is amended to read:

12 93.07 **(18)** (b) (intro.) In consultation with the ~~department of commerce~~  
13 Wisconsin Economic Development Corporation, to do all of the following for each  
14 economic development program administered by the department of agriculture,  
15 trade and consumer protection:

16 **SECTION 2295.** 93.07 (20) (title) of the statutes is amended to read:

17 93.07 **(20)** (title) ECONOMIC DEVELOPMENT ASSISTANCE COORDINATION AND  
18 REPORTING.

19 **SECTION 2296.** 93.07 (20) of the statutes is renumbered 93.07 (20) (b) and  
20 amended to read:

21 93.07 **(20)** (b) Annually, no later than October 1, to submit to the joint  
22 legislative audit committee and to the appropriate standing committees of the  
23 legislature under s. 13.172 (3) a comprehensive report assessing economic  
24 development programs, as defined in sub. (18) (a), administered by the department.  
25 The report shall include all of the information required under s. ~~560.01 (2) (am)~~

1 238.07 (2). The department shall collaborate with the ~~department of commerce~~  
2 Wisconsin Economic Development Corporation to make readily accessible to the  
3 public on an Internet-based system the information required under this subsection.

4 **SECTION 2297.** 93.07 (20) (a) of the statutes is created to read:

5 93.07 **(20)** (a) The department shall coordinate any economic development  
6 assistance with the Wisconsin Economic Development Corporation.

7 **SECTION 2298.** 93.07 (26) of the statutes is amended to read:

8 93.07 **(26)** ALTERNATIVE FUEL REFUELING FACILITIES. To pursue ~~in cooperation~~  
9 ~~with the office of energy independence~~, the establishment and maintenance of  
10 sufficient alternative fuel refueling facilities at public retail outlets to meet the  
11 traveling needs of the public.

12 **SECTION 2299.** 93.33 (5) (intro.) of the statutes is amended to read:

13 93.33 **(5)** ANNUAL REPORT. (intro.) In September of each year, the council shall  
14 submit a report to the appropriate standing committees of the legislature as  
15 determined by the speaker of the assembly and the president of the senate, under s.  
16 13.172 (3), the governor, the secretary of agriculture, trade and consumer protection,  
17 the state superintendent of public instruction, the secretary of workforce  
18 development, the secretary of natural resources, the ~~secretary of commerce~~ chief  
19 executive officer of the Wisconsin Economic Development Corporation, the president  
20 of the University of Wisconsin System, the director of the technical college system,  
21 the chancellor of the University of Wisconsin–Extension, the chancellor of the  
22 University of Wisconsin–Madison, the chancellor of the University of  
23 Wisconsin–Platteville, the chancellor of the University of Wisconsin–River Falls,  
24 and the chancellor of the University of Wisconsin–Stevens Point. The council shall  
25 include all of the following in the report:

1           **SECTION 2299r.** 93.40 (1) (g) of the statutes is amended to read:

2           93.40 (1) (g) Promote the growth of the dairy industry through research,  
3 planning, and assistance, including grants and loans to dairy producers.

4           **SECTION 2300.** 93.42 (1) (e) of the statutes is amended to read:

5           93.42 (1) (e) Cooperating with the ~~department of commerce~~ Wisconsin  
6 Economic Development Corporation in promoting the state's products through the  
7 state's foreign trade offices.

8           **SECTION 2301.** 93.42 (3) of the statutes is repealed.

9           **SECTION 2303.** 93.46 (1) (am) of the statutes is repealed.

10          **SECTION 2305.** 93.46 (2) (d) of the statutes is repealed.

11          **SECTION 2305c.** 93.46 (2) (e) of the statutes is amended to read:

12          93.46 (2) (e) The department may not make a grant under this subsection that  
13 exceeds ~~75~~ 67 percent of project costs.

14          **SECTION 2307c.** 93.73 (2) (b) of the statutes is amended to read:

15          93.73 (2) (b) The department, after consultation with the council under sub.  
16 (13), shall solicit applications under sub. (3) ~~at least annually.~~ The department shall  
17 issue each solicitation in writing and shall publish a notice announcing the  
18 solicitation. In soliciting applications, the department may specify the total amount  
19 of funds available, application deadlines, application requirements and procedures,  
20 preliminary criteria for evaluating applications, and other relevant information.

21          **SECTION 2308.** 93.80 of the statutes is amended to read:

22          **93.80 Arsenic in wood.** The department, jointly with the department of  
23 ~~commerce~~ safety and professional services, shall review scientific evidence to  
24 determine whether there is a substantial likelihood that wood treated with copper,  
25 chromium, and arsenic is harmful to the environment or to human health.

1           **SECTION 2308m.** 94.64 (4) (c) 3. of the statutes is amended to read:

2           94.64 **(4)** (c) 3. The department shall credit the fee fees collected under par. (a)  
3           3. to the appropriation account under s. 20.285 (1) ~~(hm)~~ (k) for the University of  
4           Wisconsin–Extension outreach services.

5           **SECTION 2309.** 96.01 (4m) of the statutes is amended to read:

6           96.01 **(4m)** “Bioenergy feedstock” ~~has the meaning given in s. 16.954 (1) (b)~~  
7           means biomass used to produce energy, including transportation fuel, heat, or  
8           electricity.

9           **SECTION 2309g.** 97.60 of the statutes is repealed.

10          **SECTION 2310.** 100.14 (2) of the statutes is amended to read:

11          100.14 **(2)** The ~~secretary of state~~ department of financial institutions shall,  
12          upon application of the department of agriculture, trade and consumer protection,  
13          record any such label or trademark under ss. 132.01 to 132.11. The department of  
14          agriculture, trade and consumer protection shall be entitled to protect such label or  
15          trademark under said sections and in any other manner authorized by law.

16          **SECTION 2312.** 100.60 (1) (b) 2. of the statutes is amended to read:

17          100.60 **(1)** (b) 2. Any other fuel that can substitute for petroleum–based diesel  
18          fuel, that is derived from a renewable resource, that meets all of the applicable  
19          requirements of the American Society for Testing and Materials for that fuel, and  
20          that the department of ~~commerce~~ safety and professional services designates as a  
21          diesel–replacement renewable fuel under sub. (7) (a).

22          **SECTION 2313.** 100.60 (1) (c) 2. of the statutes is amended to read:

23          100.60 **(1)** (c) 2. Any other fuel that can substitute for gasoline, that is derived  
24          from a renewable resource, that meets all of the applicable requirements of the  
25          American Society for Testing and Materials for that fuel, and that the department

1 of commerce safety and professional services designates as a gasoline–replacement  
2 renewable fuel under sub. (7) (b).

3 **SECTION 2314.** 100.60 (3) (a) of the statutes is amended to read:

4 100.60 (3) (a) Annually, beginning in 2011, the department, in cooperation with  
5 and with assistance from the department of commerce, safety and professional  
6 services and the department of revenue, ~~and the office of energy independence~~, shall  
7 determine whether the annual goals for sales of renewable fuels in sub. (2) (b) and  
8 (c), for the previous year, were met in the state in that year.

9 **SECTION 2315.** 100.60 (6) (a) of the statutes is amended to read:

10 100.60 (6) (a) The department shall consult with the department of commerce,  
11 safety and professional services and the department of revenue, ~~and the office of~~  
12 ~~energy independence~~ to determine if information necessary to make a determination  
13 under sub. (3) (a) or an assessment under sub. (4) is being collected by these agencies  
14 under laws in effect on June 2, 2010. If the information is not being collected, the  
15 department may request the department of commerce, safety and professional  
16 services and the department of revenue, ~~or the office of energy independence~~ to  
17 collect the information if collection by one of these agencies is more cost–effective for  
18 state government and less burdensome for the persons subject to the reporting  
19 requirements than collection of the information by the department.

20 **SECTION 2316.** 100.60 (7) (title) of the statutes is amended to read:

21 100.60 (7) (title) DEPARTMENT OF COMMERCE SAFETY AND PROFESSIONAL SERVICES  
22 AUTHORITY.

23 **SECTION 2317.** 100.60 (7) (a) of the statutes is amended to read:

24 100.60 (7) (a) The department of commerce safety and professional services  
25 may promulgate a rule designating a fuel that can substitute for petroleum–based

1 diesel fuel, that is derived from a renewable resource, and that meets all of the  
2 applicable requirements of the American Society for Testing and Materials for that  
3 fuel as a diesel–replacement renewable fuel for the purposes of this section.

4 **SECTION 2318.** 100.60 (7) (b) of the statutes is amended to read:

5 100.60 (7) (b) The department of ~~commerce~~ safety and professional services  
6 may promulgate a rule designating a fuel that can substitute for gasoline, that is  
7 derived from a renewable resource, and that meets all of the applicable requirements  
8 of the American Society for Testing and Materials for that fuel as a  
9 gasoline–replacement renewable fuel for the purposes of this section.

10 **SECTION 2319.** Chapter 101 (title) of the statutes is amended to read:

11 **CHAPTER 101**

12 **DEPARTMENT OF COMMERCE SAFETY AND**

13 **PROFESSIONAL SERVICES — REGULATION OF**

14 **INDUSTRY, BUILDINGS AND SAFETY**

15 **SECTION 2320.** 101.01 (1m) of the statutes is amended to read:

16 101.01 (1m) “Department” means the department of ~~commerce~~ safety and  
17 professional services.

18 **SECTION 2321.** 101.01 (14) of the statutes is amended to read:

19 101.01 (14) “Secretary” means the secretary of ~~commerce~~ safety and  
20 professional services.

21 **SECTION 2322.** 101.02 (18m) of the statutes is amended to read:

22 101.02 (18m) The department may perform, or contract for the performance  
23 of, testing of petroleum products other than testing provided under ch. 168. The  
24 department may establish a schedule of fees for such petroleum product testing  
25 services. The department shall credit all revenues received from fees established

1 under this subsection to the appropriation account under s. ~~20.143 (3)~~ 20.165 (2) (ga).  
2 Revenues from fees established under this subsection may be used by the  
3 department to pay for testing costs, including laboratory supplies and equipment  
4 amortization, for such products.

5 **SECTION 2323.** 101.02 (20) (a) of the statutes is amended to read:

6 101.02 **(20)** (a) For purposes of this subsection, “license” means a license,  
7 permit, or certificate of certification or registration issued by the department under  
8 ss. 101.09 (3) (c), 101.122 (2) (c), ~~101.136~~, 101.143 (2) (g), 101.147, 101.15 (2) (e),  
9 101.16 (3g), 101.17, 101.177 (4) (a), 101.178 (2) or (3) (a), 101.63 (2) or (2m), 101.653,  
10 101.73 (5) or (6), 101.82 (1m), (1v), and (2), 101.935, 101.95, 101.951, 101.952,  
11 101.985 (1) to (3), 145.02 (4), 145.035, 145.045, 145.15, 145.16, 145.165, 145.17,  
12 145.175, 145.18, or 167.10 (6m).

13 **SECTION 2324.** 101.02 (20) (b) of the statutes is amended to read:

14 101.02 **(20)** (b) Except as provided in par. (e), the department of ~~commerce~~  
15 safety and professional services may not issue or renew a license unless each  
16 applicant who is an individual provides the department of ~~commerce~~ safety and  
17 professional services with his or her social security number and each applicant that  
18 is not an individual provides the department of ~~commerce~~ safety and professional  
19 services with its federal employer identification number. The department of  
20 ~~commerce~~ safety and professional services may not disclose the social security  
21 number or the federal employer identification number of an applicant for a license  
22 or license renewal except to the department of revenue for the sole purpose of  
23 requesting certifications under s. 73.0301.

24 **SECTION 2325.** 101.02 (20) (c) of the statutes is amended to read:



1           101.02 **(20)** (c) The department of ~~commerce~~ safety and professional services  
2 may not issue or renew a license if the department of revenue certifies under s.  
3 73.0301 that the applicant or licensee is liable for delinquent taxes.

4           **SECTION 2326.** 101.02 (20) (d) of the statutes is amended to read:

5           101.02 **(20)** (d) The department of ~~commerce~~ safety and professional services  
6 shall revoke a license if the department of revenue certifies under s. 73.0301 that the  
7 licensee is liable for delinquent taxes.

8           **SECTION 2327.** 101.02 (20) (e) 1. of the statutes is amended to read:

9           101.02 **(20)** (e) 1. If an applicant who is an individual does not have a social  
10 security number, the applicant, as a condition of applying for or applying to renew  
11 a license shall submit a statement made or subscribed under oath or affirmation to  
12 the department of ~~commerce~~ safety and professional services that the applicant does  
13 not have a social security number. The form of the statement shall be prescribed by  
14 the department of children and families.

15           **SECTION 2328.** 101.02 (21) (a) of the statutes is amended to read:

16           101.02 **(21)** (a) In this subsection, “license” means a license, permit, or  
17 certificate of certification or registration issued by the department under s. 101.09  
18 (3) (c), 101.122 (2) (c), ~~101.136~~, 101.143 (2) (g), 101.147, 101.15 (2) (e), 101.16 (3g),  
19 101.17, 101.177 (4) (a), 101.178 (2) or (3) (a), 101.63 (2), 101.653, 101.73 (5) or (6),  
20 101.82 (1m), (1v), and (2), 101.935, 101.95, 101.951, 101.952, 101.985 (1) to (3),  
21 145.02 (4), 145.035, 145.045, 145.15, 145.16, 145.165, 145.17, 145.175, 145.18, or  
22 167.10 (6m).

23           **SECTION 2329.** 101.02 (21) (b) of the statutes is amended to read:

24           101.02 **(21)** (b) As provided in the memorandum of understanding under s.  
25 49.857 and except as provided in par. (e), the department of ~~commerce~~ safety and

1 professional services may not issue or renew a license unless the applicant provides  
2 the department of ~~commerce~~ safety and professional services with his or her social  
3 security number. The department of ~~commerce~~ safety and professional services may  
4 not disclose the social security number except that the department of ~~commerce~~  
5 safety and professional services may disclose the social security number of an  
6 applicant for a license under par. (a) or a renewal of a license under par. (a) to the  
7 department of children and families for the sole purpose of administering s. 49.22.

8 **SECTION 2330.** 101.02 (21) (e) 1. of the statutes is amended to read:

9 101.02 **(21)** (e) 1. If an applicant who is an individual does not have a social  
10 security number, the applicant, as a condition of applying for or applying to renew  
11 a license shall submit a statement made or subscribed under oath or affirmation to  
12 the department of ~~commerce~~ safety and professional services that the applicant does  
13 not have a social security number. The form of the statement shall be prescribed by  
14 the department of children and families.

15 **SECTION 2330c.** 101.09 (1) (cm) of the statutes is created to read:

16 101.09 **(1)** (cm) “Secondary containment” means a barrier, approved by the  
17 department, that is installed around a storage tank system and that is designed to  
18 prevent a leak from a primary tank or piping from contacting the surrounding earth  
19 or waters of the state.

20 **SECTION 2330g.** 101.09 (3m) of the statutes is created to read:

21 101.09 **(3m)** SECONDARY CONTAINMENT REQUIREMENTS. (a) In this subsection,  
22 “hazardous substance” means a combustible liquid, a flammable liquid, or a federally  
23 regulated hazardous substance.

24 (b) The department may not impose any requirement that specifies that pipe  
25 connections at the top of a storage tank and beneath all freestanding pumps and

1 dispensers that routinely contain a hazardous substance be placed within secondary  
2 containment sumps, if the pipe connections were installed or in place on or before  
3 February 1, 2009. This subsection does not apply after December 31, 2020.

4 **SECTION 2331.** 101.1206 (title) of the statutes is created to read:

5 **101.1206 (title) Erosion control; construction of public buildings and**  
6 **buildings that are places of employment.**

7 **SECTION 2333.** 101.136 of the statutes is repealed.

8 **SECTION 2338.** 101.143 (2) (d) of the statutes is amended to read:

9 101.143 (2) (d) The department shall reserve a portion, not to exceed 20%, of  
10 the amount annually appropriated under s. ~~20.143 (3)~~ 20.165 (2) (v) for awards under  
11 this section to be used to fund emergency remedial action and claims that exceed the  
12 amount initially anticipated.

13 **SECTION 2339.** 101.143 (2) (h) (intro.) of the statutes is amended to read:

14 101.143 (2) (h) (intro.) The department of ~~commerce~~ safety and professional  
15 services and the department of natural resources, jointly, shall promulgate rules  
16 designed to facilitate effective and cost-efficient administration of the program  
17 under this section that specify all of the following:

18 **SECTION 2340.** 101.143 (2) (i) (intro.) of the statutes is amended to read:

19 101.143 (2) (i) (intro.) The department of ~~commerce~~ safety and professional  
20 services and the department of natural resources, jointly, shall promulgate rules  
21 specifying procedures for evaluating remedial action plans and procedures to be used  
22 by employees of the department of ~~commerce~~ safety and professional services and the  
23 department of natural resources while remedial actions are being conducted. The  
24 departments shall specify procedures that include all of the following:

25 **SECTION 2341.** 101.143 (2) (j) (intro.) of the statutes is amended to read:

1           101.143 (2) (j) (intro.) The department of ~~commerce~~ safety and professional  
2 services and the department of natural resources, jointly, shall promulgate rules  
3 specifying all of the following:

4           **SECTION 2342.** 101.143 (2) (k) of the statutes is amended to read:

5           101.143 (2) (k) In promulgating rules under pars. (h) to (j), the department of  
6 ~~commerce~~ safety and professional services and the department of natural resources  
7 shall attempt to reach an agreement that is consistent with those provisions. If the  
8 department of ~~commerce~~ safety and professional services and the department of  
9 natural resources are unable to reach an agreement, they shall refer the matters on  
10 which they are unable to agree to the secretary of administration for resolution. The  
11 secretary of administration shall resolve any matters on which the departments  
12 disagree in a manner that is consistent with pars. (h) to (j). The department of  
13 ~~commerce~~ safety and professional services and the department of natural resources,  
14 jointly, shall promulgate rules incorporating any agreement between the  
15 department of ~~commerce~~ safety and professional services and the department of  
16 natural resources under this paragraph and any resolution of disagreements  
17 between the departments by the secretary of administration under this paragraph.

18           **SECTION 2343.** 101.143 (2) (L) of the statutes is amended to read:

19           101.143 (2) (L) The department may promulgate rules for the assessment and  
20 collection of fees to recover its costs for providing approval under sub. (3) (c) 4. and  
21 for providing other assistance requested by applicants under this section. Any  
22 moneys collected under this paragraph shall be credited to the appropriation account  
23 under s. ~~20.143 (3)~~ 20.165 (2) (Lm).

24           **SECTION 2344.** 101.143 (2e) (a) of the statutes is amended to read:

1           101.143 (2e) (a) The department of ~~commerce~~ safety and professional services  
2 and the department of natural resources shall attempt to agree on a method, which  
3 shall include individualized consideration of the routes for migration of petroleum  
4 product contamination at each site, for determining the risk to public health, safety  
5 and welfare and to the environment posed by discharges for which the department  
6 of ~~commerce~~ safety and professional services receives notification under sub. (3) (a)  
7 3.

8           **SECTION 2345.** 101.143 (2e) (b) of the statutes is amended to read:

9           101.143 (2e) (b) If the department of ~~commerce~~ safety and professional services  
10 and the department of natural resources are unable to reach an agreement under  
11 par. (a), they shall refer the matters on which they are unable to agree to the  
12 secretary of administration for resolution. The secretary of administration shall  
13 resolve any matters on which the departments disagree in a manner that is  
14 consistent with par. (a). The department of ~~commerce~~ safety and professional  
15 services and the department of natural resources, jointly, shall promulgate rules  
16 incorporating any agreement between the department of ~~commerce~~ safety and  
17 professional services and the department of natural resources under par. (a) and any  
18 resolution of disagreements between the departments by the secretary of  
19 administration under this paragraph.

20           **SECTION 2346.** 101.143 (2e) (c) of the statutes is amended to read:

21           101.143 (2e) (c) The department of natural resources or, if the discharge is  
22 covered under s. 101.144 (2) (b), the department of ~~commerce~~ safety and professional  
23 services shall apply the method in the rules promulgated under par. (b) to determine  
24 the risk posed by a discharge for which the department of ~~commerce~~ safety and  
25 professional services receives notification under sub. (3) (a) 3.

1           **SECTION 2347.** 101.143 (2m) of the statutes is amended to read:

2           101.143 **(2m)** INTERDEPARTMENTAL COORDINATION. Whenever the department of  
3 ~~commerce~~ safety and professional services receives a notification under sub. (3) (a)  
4 3. or the department of natural resources receives a notification of a petroleum  
5 product discharge under s. 292.11, the department receiving the notification shall  
6 contact the other department and shall schedule a meeting of the owner or operator  
7 or person owning a home oil tank system and representatives of both departments.

8           **SECTION 2348.** 101.143 (3) (c) 4. of the statutes is amended to read:

9           101.143 **(3)** (c) 4. Receive written approval from the department of natural  
10 resources or, if the discharge is covered under s. 101.144 (2) (b), from the department  
11 of ~~commerce~~ safety and professional services that the remedial action activities  
12 performed under subd. 3. meet the requirements of s. 292.11.

13           **SECTION 2349.** 101.143 (3) (cm) of the statutes is amended to read:

14           101.143 **(3)** (cm) *Monitoring as remedial action.* An owner or operator or person  
15 owning a home oil tank system may, with the approval of the department of natural  
16 resources or, if the discharge is covered under s. 101.144 (2) (b), the department of  
17 ~~commerce~~ safety and professional services, satisfy the requirements of par. (c) 2. and  
18 3. by proposing and implementing monitoring to ensure the effectiveness of natural  
19 attenuation of petroleum product contamination.

20           **SECTION 2350.** 101.143 (3) (cp) 1. of the statutes is amended to read:

21           101.143 **(3)** (cp) 1. Except as provided in subds. 2. to 5., if the department of  
22 natural resources or, if the site is covered under s. 101.144 (2) (b), the department of  
23 ~~commerce~~ safety and professional services estimates that the cost to complete a site  
24 investigation, remedial action plan and remedial action for an occurrence exceeds  
25 \$60,000, the department of ~~commerce~~ safety and professional services shall

1 implement a competitive public bidding process to obtain information to assist in  
2 making the determination under par. (cs).

3 **SECTION 2351.** 101.143 (3) (cp) 2. of the statutes is amended to read:

4 101.143 (3) (cp) 2. The department of ~~commerce~~ safety and professional  
5 services or the department of natural resources may waive the requirement under  
6 subd. 1. if an enforcement standard is exceeded in groundwater within 1,000 feet of  
7 a well operated by a public utility, as defined in s. 196.01 (5), or within 100 feet of any  
8 other well used to provide water for human consumption.

9 **SECTION 2352.** 101.143 (3) (cp) 5. of the statutes is amended to read:

10 101.143 (3) (cp) 5. The department of ~~commerce~~ safety and professional  
11 services or the department of natural resources may waive the requirement under  
12 subd. 1. after providing notice to the other department.

13 **SECTION 2353.** 101.143 (3) (cp) 6. of the statutes is amended to read:

14 101.143 (3) (cp) 6. The department of ~~commerce~~ safety and professional  
15 services may disqualify a bid received under subd. 1. if, based on information  
16 available to the department and experience with remedial action at other sites, the  
17 bid is unlikely to establish an amount to sufficiently fund remedial action that will  
18 comply with par. (c) 3. and with enforcement standards.

19 **SECTION 2354.** 101.143 (3) (cp) 7. of the statutes is amended to read:

20 101.143 (3) (cp) 7. The department of ~~commerce~~ safety and professional  
21 services may disqualify a person from submitting bids under subd. 1. if, based on past  
22 performance of the bidder, the department determines that the person has  
23 demonstrated an inability to complete remedial action within established cost limits.

24 **SECTION 2355.** 101.143 (3) (cs) 1. of the statutes is amended to read:

1           101.143 (3) (cs) 1. The department of ~~commerce~~ safety and professional  
2 services shall review the remedial action plan for a site that is classified as low or  
3 medium risk under s. 101.144 and shall determine the least costly method of  
4 complying with par. (c) 3. and with enforcement standards. The department shall  
5 notify the owner or operator of its determination of the least costly method and shall  
6 notify the owner or operator that reimbursement for remedial action under this  
7 section is limited to the amount necessary to implement that method.

8           **SECTION 2356.** 101.143 (3) (cs) 2. of the statutes is amended to read:

9           101.143 (3) (cs) 2. The department of natural resources and the department of  
10 ~~commerce~~ safety and professional services shall review the remedial action plan for  
11 a site that is classified as high risk under s. 101.144 and shall jointly determine the  
12 least costly method of complying with par. (c) 3. and with enforcement standards.  
13 The departments shall notify the owner or operator of their determination of the  
14 least costly method and shall notify the owner or operator that reimbursement for  
15 remedial action under this section is limited to the amount necessary to implement  
16 that method.

17           **SECTION 2357.** 101.143 (3) (cs) 3. of the statutes is amended to read:

18           101.143 (3) (cs) 3. In making determinations under subds. 1. and 2., the  
19 department of natural resources and the department of ~~commerce~~ safety and  
20 professional services shall determine whether natural attenuation will achieve  
21 compliance with par. (c) 3. and with enforcement standards.

22           **SECTION 2358.** 101.143 (3) (cs) 4. of the statutes is amended to read:

23           101.143 (3) (cs) 4. The department of ~~commerce~~ safety and professional  
24 services may review and modify an amount established under subd. 1. if the  
25 department determines that new circumstances, including newly discovered



1 contamination at a site, warrant those actions. The department of ~~commerce~~ safety  
2 and professional services and the department of natural resources may review and  
3 modify an amount established under subd. 2. if the departments determine that new  
4 circumstances, including newly discovered contamination at a site, warrant those  
5 actions.

6 **SECTION 2359.** 101.143 (3) (cw) 1. of the statutes is amended to read:

7 101.143 (3) (cw) 1. The department of ~~commerce~~ safety and professional  
8 services shall conduct the annual review required under sub. (2) (i) 1. for a site that  
9 is classified as low or medium risk under s. 101.144 and shall determine the least  
10 costly method of completing remedial action at the site in order to comply with par.  
11 (c) 3. and with enforcement standards. The department shall notify the owner or  
12 operator of its determination of the least costly method and shall notify the owner  
13 or operator that reimbursement under this section for any remedial action conducted  
14 after the date of the notice is limited to the amount necessary to implement that  
15 method.

16 **SECTION 2360.** 101.143 (3) (cw) 2. of the statutes is amended to read:

17 101.143 (3) (cw) 2. The department of natural resources and the department  
18 of ~~commerce~~ safety and professional services shall conduct the annual review  
19 required under sub. (2) (i) 1. for a site that is classified as high risk under s. 101.144  
20 and shall jointly determine the least costly method of completing remedial action at  
21 the site in order to comply with par. (c) 3. and with enforcement standards. The  
22 departments shall notify the owner or operator of their determination of the least  
23 costly method and shall notify the owner or operator that reimbursement under this  
24 section for remedial action conducted after the date of the notice is limited to the  
25 amount necessary to implement that method.

1           **SECTION 2361.** 101.143 (3) (cw) 3. of the statutes is amended to read:

2           101.143 **(3)** (cw) 3. In making determinations under subds. 1. and 2., the  
3 department of natural resources and the department of ~~commerce~~ safety and  
4 professional services shall determine whether natural attenuation will achieve  
5 compliance with par. (c) 3. and with enforcement standards.

6           **SECTION 2362.** 101.143 (3) (cw) 4. of the statutes is amended to read:

7           101.143 **(3)** (cw) 4. The department of ~~commerce~~ safety and professional  
8 services may review and modify an amount established under subd. 1. if the  
9 department determines that new circumstances, including newly discovered  
10 contamination at a site, warrant those actions. The department of ~~commerce~~ safety  
11 and professional services and the department of natural resources may review and  
12 modify an amount established under subd. 2. if the departments determine that new  
13 circumstances, including newly discovered contamination at a site, warrant those  
14 actions.

15           **SECTION 2363.** 101.143 (3) (d) of the statutes is amended to read:

16           101.143 **(3)** (d) *Final review of remedial action activities.* The department of  
17 natural resources or, if the discharge is covered under s. 101.144 (2) (b), the  
18 department of ~~commerce~~ safety and professional services shall complete a final  
19 review of the remedial action activities within 60 days after the claimant notifies the  
20 appropriate department that the remedial action activities are completed.

21           **SECTION 2364.** 101.143 (3) (f) 5. of the statutes is amended to read:

22           101.143 **(3)** (f) 5. The written approval of the department of natural resources  
23 or the department of ~~commerce~~ safety and professional services under par. (c) 4.

24           **SECTION 2365.** 101.143 (3) (g) of the statutes is amended to read:

1           101.143 (3) (g) *Emergency situations*. Notwithstanding pars. (a) 3. and (c) 1.  
2           and 2., an owner or operator or the person may submit a claim for an award under  
3           sub. (4) after notifying the department under par. (a) 3., without completing an  
4           investigation under par. (c) 1. and without preparing a remedial action plan under  
5           par. (c) 2. if an emergency existed which made the investigation under par. (c) 1. and  
6           the remedial action plan under par. (c) 2. inappropriate and, before conducting  
7           remedial action, the owner or operator or person notified the department of  
8           commerce safety and professional services and the department of natural resources  
9           of the emergency and the department of commerce safety and professional services  
10          and the department of natural resources authorized emergency action.

11           **SECTION 2366.** 101.143 (4) (a) 6. of the statutes is amended to read:

12           101.143 (4) (a) 6. In any fiscal year, the department may not award more than  
13           5% of the amount appropriated under s. ~~20.143 (3)~~ 20.165 (2) (v) as awards for  
14           petroleum product storage systems described in par. (ei).

15           **SECTION 2367.** 101.143 (4) (a) 7. of the statutes is amended to read:

16           101.143 (4) (a) 7. In any fiscal year, the department may not award more than  
17           5% of the amount appropriated under s. ~~20.143 (3)~~ 20.165 (2) (v) as awards for  
18           petroleum product storage systems that are owned by school districts and that are  
19           used for storing heating oil for consumptive use on the premises where stored.

20           **SECTION 2368.** 101.143 (4) (cc) 2. b. of the statutes is amended to read:

21           101.143 (4) (cc) 2. b. An applicant that is engaged in the expansion or  
22           redevelopment of brownfields, as defined in s. ~~560.13~~ 238.13 (1) (a), if federal or state  
23           financial assistance other than under this section, has been provided for that  
24           expansion or redevelopment.

25           **SECTION 2369.** 101.143 (4) (ei) 2m. of the statutes is amended to read:

1           101.143 (4) (ei) 2m. The owner or operator of the farm tank has received a letter  
2 or notice from the department of ~~commerce~~ safety and professional services or  
3 department of natural resources indicating that the owner or operator must conduct  
4 a site investigation or remedial action because of a discharge from the farm tank or  
5 an order to conduct such an investigation or remedial action.

6           **SECTION 2370.** 101.143 (4) (es) 1. of the statutes is amended to read:

7           101.143 (4) (es) 1. The department shall issue an award for a claim filed after  
8 August 9, 1989, for eligible costs, under par. (b), incurred on or after August 1, 1987,  
9 by an owner or operator or a person owning a home oil tank system in investigating  
10 the existence of a discharge or investigating the presence of petroleum products in  
11 soil or groundwater if the investigation is undertaken at the written direction of the  
12 department of ~~commerce~~ safety and professional services or the department of  
13 natural resources and no discharge or contamination is found.

14           **SECTION 2371.** 101.144 (3) (b) of the statutes is amended to read:

15           101.144 (3) (b) The department of ~~commerce~~ safety and professional services  
16 requests the department of natural resources to take the action or issue the order.

17           **SECTION 2372.** 101.144 (3) (c) of the statutes is amended to read:

18           101.144 (3) (c) The secretary of natural resources approves the action or order  
19 in advance after notice to the secretary of ~~commerce~~ safety and professional services.

20           **SECTION 2373.** 101.144 (3g) (a) of the statutes is amended to read:

21           101.144 (3g) (a) If, on December 1, 1999, more than 35% of sites classified  
22 under this section, excluding sites that are contaminated by a hazardous substance  
23 other than a petroleum product or an additive to a petroleum product, are classified  
24 as high-risk sites, the department of ~~commerce~~ safety and professional services and  
25 the department of natural resources shall attempt to reach an agreement that

1 specifies standards for determining whether the site of a discharge of a petroleum  
2 product from a petroleum storage tank is classified as high risk. The standards shall  
3 be designed to classify no more than 35% of those sites as high-risk sites and may  
4 not classify all sites at which an enforcement standard is exceeded as high-risk sites.  
5 If the department of ~~commerce~~ safety and professional services and the department  
6 of natural resources are unable to reach an agreement, they shall refer the matters  
7 on which they are unable to agree to the secretary of administration for resolution.  
8 The secretary of administration shall resolve any matters on which the departments  
9 disagree in a manner that is consistent with this paragraph. The department of  
10 ~~commerce~~ safety and professional services shall promulgate rules incorporating any  
11 agreement between the department of ~~commerce~~ safety and professional services  
12 and the department of natural resources under this paragraph and any resolution  
13 of disagreements between the departments by the secretary of administration under  
14 this paragraph.

15 **SECTION 2374.** 101.144 (3g) (b) of the statutes is amended to read:

16 101.144 **(3g)** (b) If, 6 months after rules under par. (a) are in effect, more than  
17 35% of the sites classified under this section, excluding sites that are contaminated  
18 by a hazardous substance other than a petroleum product or an additive to a  
19 petroleum product, are classified as high-risk sites, the department of ~~commerce~~  
20 safety and professional services shall revise the rules using the procedure for  
21 promulgating the rules in par. (a).

22 **SECTION 2375.** 101.144 (3m) (a) (intro.) of the statutes is amended to read:

23 101.144 **(3m)** (a) (intro.) The department of ~~commerce~~ safety and professional  
24 services and the department of natural resources shall enter into a memorandum of  
25 understanding that does all of the following:

1           **SECTION 2376.** 101.144 (3m) (b) of the statutes is amended to read:

2           101.144 **(3m)** (b) The department of ~~commerce~~ safety and professional services  
3 and the department of natural resources shall submit a memorandum of  
4 understanding under this subsection to the secretary of administration for review.  
5 A memorandum of understanding under this subsection does not take effect until it  
6 is approved by the secretary of administration.

7           **SECTION 2377.** 101.149 (6) (b) of the statutes is amended to read:

8           101.149 **(6)** (b) The department shall promulgate rules, in consultation with  
9 the department of health services, under which the department of ~~commerce~~ safety  
10 and professional services shall authorize certified heating, ventilating, and air  
11 conditioning inspectors to conduct regular inspections of sealed combustion units, as  
12 required under sub. (5) (c), for carbon monoxide emissions in residential buildings  
13 other than hotels, tourist rooming houses, and bed and breakfast establishments.  
14 The rules shall specify conditions under which it may issue orders as specified under  
15 sub. (8) (a). The rules may not require the department of ~~commerce~~ safety and  
16 professional services to authorize inspection of sealed combustion units during the  
17 period in which the sealed combustion units are covered by a manufacturer's  
18 warranty against defects.

19           **SECTION 2378.** 101.149 (8) (a) of the statutes is amended to read:

20           101.149 **(8)** (a) If the department of ~~commerce~~ safety and professional services  
21 or the department of health services determines after an inspection of a building  
22 under this section or s. 254.74 (1g) that the owner of the building has violated sub.  
23 (2) or (3), the respective department shall issue an order requiring the person to  
24 correct the violation within 5 days or within such shorter period as the respective  
25 department determines is necessary to protect public health and safety. If the person

1 does not correct the violation within the time required, he or she shall forfeit \$50 for  
2 each day of violation occurring after the date on which the respective department  
3 finds that the violation was not corrected.

4 **SECTION 2378m.** 101.19 (1) (k) of the statutes is amended to read:

5 101.19 (1) (k) Administering subch. VII, except that the department may not  
6 charge a fee for an emergency elevator mechanic's license under s. 101.985 (2) (c) or  
7 a conveyance operation permit under s. ~~101.983 (2)~~ for a platform lift, stairway chair  
8 lift, or any other lift in a private residence.

9 **SECTION 2379.** 101.563 (2) (b) 1. of the statutes is amended to read:

10 101.563 (2) (b) 1. 'Payments from calendar year 2001 dues.' Notwithstanding  
11 s. 101.573 (3) (a), by the 30th day following July 30, 2002, the department shall  
12 compile the fire department dues paid by all insurers under s. 601.93 and the dues  
13 paid by the state fire fund under s. 101.573 (1) and funds remaining under s. 101.573  
14 (3) (b), subtract the total amount due to be paid under par. (a), withhold 0.5%, and  
15 certify to the secretary of administration the proper amount to be paid from the  
16 appropriation under s. ~~20.143 (3)~~ 20.165 (2) (L) to each city, village, and town entitled  
17 to a proportionate share of fire department dues as provided under sub. (1) (b) and  
18 s. 101.575. If the department has previously certified an amount to the secretary of  
19 administration under s. 101.573 (3) (a) during calendar year 2002, the department  
20 shall recertify the amount in the manner provided under this subdivision. On or  
21 before August 1, 2002, the secretary of administration shall pay the amounts  
22 certified or recertified by the department under this subdivision to each city, village,  
23 and town entitled to a proportionate share of fire department dues as provided under  
24 sub. (1) and s. 101.575. The secretary of administration may combine any payment

1 due under this subdivision with any amount due to be paid on or before August 1,  
2 2002, to the same city, village, or town under par. (a).

3 **SECTION 2380.** 101.563 (2) (b) 2. of the statutes is amended to read:

4 101.563 (2) (b) 2. ‘Payments from dues for calendar years 2002 to 2004.’  
5 Notwithstanding s. 101.573 (3) (a) and except as otherwise provided in this  
6 subdivision, on or before May 1 in each year, the department shall compile the fire  
7 department dues paid by all insurers under s. 601.93 and the dues paid by the state  
8 fire fund under s. 101.573 (1) and funds remaining under s. 101.573 (3) (b), withhold  
9 0.5% and certify to the secretary of administration the proper amount to be paid from  
10 the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (L) to each city, village, and town  
11 entitled to a proportionate share of fire department dues as provided under sub. (1)  
12 (b) and s. 101.575. Annually, on or before August 1, the secretary of administration  
13 shall pay the amounts certified by the department to each such city, village, and  
14 town. This paragraph applies only to payment of a proportionate share of fire  
15 department dues collected for calendar years 2002 to 2004.

16 **SECTION 2381.** 101.573 (3) (a) of the statutes is amended to read:

17 101.573 (3) (a) On or before May 1 in each year, the department shall compile  
18 the fire department dues paid by all insurers under s. 601.93 and the dues paid by  
19 the state fire fund under sub. (1) and funds remaining under par. (b), withhold .5%  
20 and certify to the secretary of administration the proper amount to be paid from the  
21 appropriation under s. ~~20.143 (3)~~ 20.165 (2) (L) to each city, village, or town entitled  
22 to fire department dues under s. 101.575. Annually, on or before August 1, the  
23 secretary of administration shall pay the amounts certified by the department to the  
24 cities, villages and towns eligible under s. 101.575.

25 **SECTION 2382.** 101.573 (5) of the statutes is amended to read:



1           101.573 (5) The department shall promulgate a rule defining “administrative  
2 expenses” for purposes of s. ~~20.143 (3)~~ 20.165 (2) (La).

3           **SECTION 2383.** 101.657 (5) of the statutes is amended to read:

4           101.657 (5) From the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (j), beginning  
5 with fiscal year 2005–06, the department shall allocate \$100,000 annually for the  
6 contract required under sub. (2) and at least \$600,000 annually for the contract  
7 required under sub. (3).

8           **SECTION 2384.** 101.935 (2) (e) of the statutes is amended to read:

9           101.935 (2) (e) Section 254.69 (2), as it applies to an agent for the department  
10 of health services in the administration of s. 254.47, applies to an agent for the  
11 department of ~~commerce~~ safety and professional services in the administration of  
12 this section.

13          **SECTION 2385.** 101.951 (7) (a) of the statutes is amended to read:

14          101.951 (7) (a) The department of ~~commerce~~ safety and professional services  
15 may, without notice, deny the application for a license within 60 days after receipt  
16 thereof by written notice to the applicant, stating the grounds for the denial. Within  
17 30 days after such notice, the applicant may petition the department of  
18 administration to conduct a hearing to review the denial, and a hearing shall be  
19 scheduled with reasonable promptness. The division of hearings and appeals shall  
20 conduct the hearing. This paragraph does not apply to denials of applications for  
21 licenses under s. 101.02 (21).

22          **SECTION 2386.** 101.951 (7) (b) of the statutes is amended to read:

23          101.951 (7) (b) No license may be suspended or revoked except after a hearing  
24 thereon. The department of ~~commerce~~ safety and professional services shall give the  
25 licensee at least 5 days’ notice of the time and place of the hearing. The order

1 suspending or revoking such license shall not be effective until after 10 days' written  
2 notice thereof to the licensee, after such hearing has been had; except that the  
3 department of ~~commerce~~ safety and professional services, when in its opinion the  
4 best interest of the public or the trade demands it, may suspend a license upon not  
5 less than 24 hours' notice of hearing and with not less than 24 hours' notice of the  
6 suspension of the license. Matters involving suspensions and revocations brought  
7 before the department of ~~commerce~~ safety and professional services shall be heard  
8 and decided upon by the department of administration. The division of hearings and  
9 appeals shall conduct the hearing. This paragraph does not apply to licenses that  
10 are suspended or revoked under s. 101.02 (21).

11 **SECTION 2387.** 101.951 (7) (c) of the statutes is amended to read:

12 101.951 (7) (c) The department of ~~commerce~~ safety and professional services  
13 may inspect the pertinent books, records, letters and contracts of a licensee. The  
14 actual cost of each such examination shall be paid by such licensee so examined  
15 within 30 days after demand therefor by the department, and the department may  
16 maintain an action for the recovery of such costs in any court of competent  
17 jurisdiction.

18 **SECTION 2388.** 101.953 (1) (a) of the statutes is amended to read:

19 101.953 (1) (a) A statement that the manufactured home meets those  
20 standards prescribed by law or administrative rule of the department of  
21 administration or of the department of ~~commerce~~ safety and professional services  
22 that are in effect at the time of the manufacture of the manufactured home.

23 **SECTION 2389.** 101.973 (8) of the statutes is amended to read:

24 101.973 (8) Deposit the moneys received from the fees under sub. (7) in the  
25 appropriation under s. ~~20.143 (3)~~ 20.165 (2) (j).

1           **SECTION 2389g.** 101.981 (1) (c) of the statutes is amended to read:

2           101.981 **(1)** (c) “Conveyance” means an elevator, an escalator, a dumbwaiter,  
3 a belt manlift, a moving walkway, a platform lift, ~~a personnel hoist, a material hoist~~  
4 and a stairway chair lift, and any other similar device, such as an automated people  
5 mover, used to elevate or move people or things, as provided in the rules of the  
6 department. “Conveyance” does not include a personnel hoist; a material hoist; a  
7 grain elevator; a ski lift or towing device, or; an amusement or thrill ride; or a vertical  
8 platform lift, inclined platform lift, or a stairway chair lift that serves an individual  
9 residential dwelling unit.

10           **SECTION 2389m.** 101.983 (2) (c) of the statutes is amended to read:

11           101.983 **(2)** (c) *Inspections.* The department may not issue or renew a permit  
12 under this subsection unless the department has received an inspection report for  
13 the conveyance issued by an elevator inspector licensed under s. 101.985 (3)  
14 indicating that the conveyance complies with this subchapter and any applicable  
15 rules promulgated under this subchapter. ~~Upon request of the owner of a private~~  
16 ~~residence containing a newly installed platform lift, stairway chair lift, or residential~~  
17 ~~lift or of the new owner of a private residence containing a previously installed~~  
18 ~~platform lift, stairway chair lift, or residential lift, the department shall inspect the~~  
19 ~~lift or equipment for compliance with this subchapter and any applicable rules~~  
20 ~~promulgated under this subchapter.~~ This inspection by the department does not  
21 exempt the owner from the requirement to ensure that the department receives an  
22 inspection report from a licensed elevator inspector. Upon performing this  
23 inspection, the department shall give the owner notice of relevant conveyance safety  
24 requirements and shall instruct the owner as to the procedure for obtaining periodic  
25 inspections and renewing the permit under which the lift or equipment is operated.

1           **SECTION 2389r.** 101.983 (2) (d) of the statutes is amended to read:

2           101.983 (2) (d) *Term and posting requirements.* A permit issued under this  
3 subsection has a term of one year, ~~except that a permit applicable to a platform lift,~~  
4 ~~stairway chair lift, or residential lift in a private residence is valid until ownership~~  
5 ~~of the private residence is transferred, at which time the new owner shall apply for~~  
6 ~~renewal of the permit under par. (b).~~ The owner of the building or residence in which  
7 a conveyance is located shall display the permit under par. (a) applicable to the  
8 conveyance on or in the conveyance or, if applicable, in the machinery room.

9           **SECTION 2390b.** 103.24 of the statutes is amended to read:

10           **103.24 Hours of work.** The department shall determine and fix reasonable  
11 hours of employment for minors under 16 years of age in street trades. Except as  
12 provided in this section, the department may not fix hours of employment for minors  
13 under 16 years of age in street trades that exceed the maximum hours per day and  
14 per week specified in s. 103.68 (2) (a) and (b), that exceed the maximum days per  
15 week specified in s. 103.68 (2) (c), or that begin earlier or end later than the hours  
16 specified in s. 103.68 (2) (d) and (e). The department may not limit the hours of  
17 employment for minors 16 years of age or over in street trades or the hours of  
18 employment for minors of any age who are engaged in the delivery of newspapers to  
19 the consumer.

20           **SECTION 2390c.** 103.49 (1) (br) of the statutes is created to read:

21           103.49 (1) (br) “Multiple-trade project of public works” means a project of  
22 public works in which no single trade accounts for 85 percent or more of the total  
23 labor cost of the project.

24           **SECTION 2390d.** 103.49 (1) (em) of the statutes is created to read:

1           103.49 (1) (em) “Single–trade project of public works” means a project of public  
2 works in which a single trade accounts for 85 percent or more of the total labor cost  
3 of the project.

4           **SECTION 2390e.** 103.49 (1m) (intro.) of the statutes is amended to read:

5           103.49 (1m) APPLICABILITY. (intro.) Subject to sub. (3g), this section applies to  
6 any project of public works erected, constructed, repaired, remodeled, or demolished  
7 for the state or a state agency, ~~other than a highway, street, or bridge construction~~  
8 ~~or maintenance project~~, including all of the following:

9           **SECTION 2390ed.** 103.49 (1m) (a) of the statutes is amended to read:

10           103.49 (1m) (a) A project erected, constructed, repaired, remodeled, or  
11 demolished by one state agency for another state agency under any contract or under  
12 any statute specifically authorizing cooperation between state agencies.

13           **SECTION 2390f.** 103.49 (1m) (b) of the statutes is amended to read:

14           103.49 (1m) (b) A project in which the completed facility is leased, purchased,  
15 lease purchased, or otherwise acquired by, or dedicated to, the state in lieu of the  
16 state or a state agency contracting for the erection, construction, repair, remodeling,  
17 or demolition of the facility.

18           **SECTION 2390h.** 103.49 (2m) (b) (intro.) of the statutes is amended to read:

19           103.49 (2m) (b) (intro.) ~~Notwithstanding par. (a) 1., a~~ A laborer, worker,  
20 mechanic, or truck driver who is regularly employed to process, manufacture, pick  
21 up, or deliver materials or products from a commercial establishment that has a fixed  
22 place of business from which the establishment regularly supplies processed or  
23 manufactured materials or products or from a facility that is not dedicated  
24 exclusively, or nearly so, to a project of public works that is subject to this section is  
25 not entitled to receive the prevailing wage rate determined under sub. (3) or to

1 receive at least 1.5 times his or her hourly basic rate of pay for all hours worked in  
2 excess of the prevailing hours of labor unless any of the following applies:

3 **SECTION 2390i.** 103.49 (2m) (b) 1. of the statutes is amended to read:

4 103.49 (2m) (b) 1. The laborer, worker, mechanic, or truck driver is employed  
5 to go to the source of mineral aggregate such as sand, gravel, or stone that is to be  
6 ~~immediately incorporated into the work, and not stockpiled or further transported~~  
7 ~~by truck, pick up that mineral aggregate, and deliver that mineral aggregate to the~~  
8 site of a project of public works that is subject to this section by depositing the  
9 material ~~substantially in place, directly~~ in final place, from the transporting vehicle  
10 or through spreaders from the transporting vehicle.

11 **SECTION 2390L.** 103.49 (3) (ar) of the statutes is amended to read:

12 103.49 (3) (ar) In determining prevailing wage rates under par. (a) or (am), the  
13 department may not use data from projects that are subject to this section, s. 66.0903,  
14 ~~66.0904, 103.50, or 229.8275, or 40 USC 3142~~ unless the department determines that  
15 there is insufficient wage data in the area to determine those prevailing wage rates,  
16 in which case the department may use data from projects that are subject to this  
17 section, s. 66.0903, ~~66.0904, 103.50, or 229.8275, or 40 USC 3142.~~ In determining  
18 prevailing wage rates under par. (a) or (am), the department may not use data from  
19 any construction work performed by a state agency or a local governmental unit, as  
20 defined in s. 66.0903 (1) (d).

21 **SECTION 2390m.** 103.49 (3g) (a) of the statutes is amended to read:

22 103.49 (3g) (a) A ~~single-trade~~ project of public works for which the estimated  
23 project cost of completion is less than \$25,000 ~~\$48,000~~ or a ~~multiple-trade~~ project of  
24 public works for which the estimated project cost of completion is less than \$100,000.

25 **SECTION 2390n.** 103.49 (3g) (b) of the statutes is amended to read:

1           103.49 (3g) (b) ~~A~~ Work performed on a project of public works in which the  
2 labor for the project is provided by unpaid volunteers for which the state or the state  
3 agency contracting for the project is not required to compensate any contractor,  
4 subcontractor, contractor's or subcontractor's agent, or individual for performing the  
5 work.

6           **SECTION 2390p.** 103.49 (3g) (f) of the statutes is created to read:

7           103.49 (3g) (f) A public highway, street, or bridge project.

8           **SECTION 2390q.** 103.49 (3g) (g) of the statutes is created to read:

9           103.49 (3g) (g) A project of public works involving the erection, construction,  
10 repair, remodeling, or demolition of a residential property containing 2 dwelling  
11 units or less.

12          **SECTION 2390r.** 103.49 (3g) (h) of the statutes is created to read:

13          103.49 (3g) (h) A road, street, bridge, sanitary sewer, or water main project that  
14 is a part of a development in which not less than 90 percent of the lots contain or will  
15 contain 2 dwelling units or less, as determined by the local governmental unit at the  
16 time of approval of the development, and that, on completion, is acquired by, or  
17 dedicated to, the state for ownership or maintenance by the state.

18          **SECTION 2390s.** 103.49 (5) (am) of the statutes is repealed.

19          **SECTION 2390t.** 103.49 (5) (c) of the statutes is amended to read:

20          103.49 (5) (c) If requested by any person, the department shall inspect the  
21 payroll records of any contractor, subcontractor, or agent performing work on a  
22 project of public works that is subject to this section as provided in this paragraph  
23 to ensure compliance with this section. ~~In the case of a request made by a person~~  
24 ~~performing the work specified in sub. (2m), if the department finds that the~~  
25 ~~contractor, subcontractor, or agent subject to the inspection is in compliance and that~~

1 ~~the request is frivolous, the department shall charge the person making the request~~  
2 ~~the actual cost of the inspection. In the case of a request made by a person not~~  
3 ~~performing the work specified in sub. (2m), if the department finds that the~~  
4 ~~contractor, subcontractor, or agent subject to the inspection is in compliance and that~~  
5 ~~the request is frivolous, the department shall charge the person making the request~~  
6 ~~\$250 or the actual cost of the inspection, whichever is greater. In order to find that~~  
7 ~~a request is frivolous, the department must find that the person making the request~~  
8 ~~made the request in bad faith, solely for the purpose of harassing or maliciously~~  
9 ~~injuring the contractor, subcontractor, or agent subject to the inspection, or that the~~  
10 ~~person making the request knew, or should have known, that there was no~~  
11 ~~reasonable basis for believing that a violation of this section had been committed.~~  
12 On receipt of such a request, the department shall request the contractor,  
13 subcontractor, or agent to submit to the department a certified record of the  
14 information specified in par. (a), other than personally identifiable information  
15 relating to an employee of the contractor, subcontractor, or agent, for no longer than  
16 a 4-week period. The department may request a contractor, subcontractor, or agent  
17 to submit those records no more than once per calendar quarter for each project of  
18 public works on which the contractor, subcontractor, or agent is performing work.  
19 The department may not charge a requester a fee for obtaining that information. The  
20 department shall make available for public inspection certified records submitted to  
21 the department under this paragraph.

22 **SECTION 2390v.** 103.50 (2g) of the statutes is created to read:

23 103.50 (2g) NONAPPLICABILITY. This section does not apply to a single-trade  
24 project of public works, as defined in s. 103.49 (1) (em), for which the estimated  
25 project cost of completion is less than \$48,000 or a multiple-trade project of public



1 works, as defined in s. 103.49 (1) (br), for which the estimated project cost of  
2 completion is less than \$100,000.

3 **SECTION 2390w.** 103.50 (2m) (b) (intro.) of the statutes is amended to read:

4 103.50 **(2m)** (b) (intro.) ~~Notwithstanding par. (a) 1., a~~ A laborer, worker,  
5 mechanic, or truck driver who is regularly employed to process, manufacture, pick  
6 up, or deliver materials or products from a commercial establishment that has a fixed  
7 place of business from which the establishment regularly supplies processed or  
8 manufactured materials or products or from a facility that is not dedicated  
9 exclusively, or nearly so, to a project that is subject to this section is not entitled to  
10 receive the prevailing wage rate determined under sub. (3) or to receive at least 1.5  
11 times his or her hourly basic rate of pay for all hours worked in excess of the  
12 prevailing hours of labor unless any of the following applies:

13 **SECTION 2390x.** 103.50 (2m) (b) 1. of the statutes is amended to read:

14 103.50 **(2m)** (b) 1. The laborer, worker, mechanic or truck driver is employed  
15 to go to the source of mineral aggregate such as sand, gravel or stone that is to be  
16 ~~immediately incorporated into the work, and not stockpiled or further transported~~  
17 ~~by truck, pick up that mineral aggregate and deliver that mineral aggregate to the~~  
18 site of a project that is subject to this section by depositing the material substantially  
19 ~~in place, directly~~ in final place, from transporting the vehicle or through spreaders  
20 from the transporting vehicle.

21 **SECTION 2390z.** 103.50 (4) of the statutes is amended to read:

22 103.50 **(4)** CERTIFICATION OF PREVAILING WAGE RATES. The department of  
23 workforce development shall, by May 1 of each year, certify to the department of  
24 transportation the prevailing wage rates in each area for all trades or occupations  
25 commonly employed in the highway construction industry. The certification shall,

1 in addition to the current prevailing wage rates, include future prevailing wage rates  
2 when such prevailing wage rates can be determined for any such trade or occupation  
3 in any area and shall specify the effective date of those future prevailing wage rates.  
4 The certification shall also include wage rates for work performed on Sundays or the  
5 holidays specified in s. 103.49 (1) (c) and shift differentials based on the time of day  
6 or night when work is performed. If a construction project extends into more than  
7 one area there shall be but one standard of prevailing wage rates for the entire  
8 project.

9 **SECTION 2390zb.** 103.50 (4m) of the statutes is amended to read:

10 103.50 (4m) WAGE RATE DATA. In determining prevailing wage rates for projects  
11 that are subject to this section, the department shall use data from projects that are  
12 subject to this section, s. 66.0903, ~~66.0904~~, or 103.49, or 40 USC 3142. In determining  
13 prevailing wage rates for those projects, the department may not use data from any  
14 construction work that is performed by a state agency or a local governmental unit,  
15 as defined in s. 66.0903 (1) (d).

16 **SECTION 2390zc.** 103.503 (title) of the statutes is amended to read:

17 **103.503 (title) Substance abuse prevention on public works and**  
18 **publicly funded projects.**

19 **SECTION 2390zd.** 103.503 (1) (a) of the statutes is amended to read:

20 103.503 (1) (a) “Accident” means an incident caused, contributed to, or  
21 otherwise involving an employee that resulted or could have resulted in death,  
22 personal injury, or property damage and that occurred while the employee was  
23 performing the work described in s. 66.0903 (4), ~~66.0904 (3)~~, or 103.49 (2m) on a  
24 project.

25 **SECTION 2390ze.** 103.503 (1) (c) of the statutes is amended to read:

1           103.503 (1) (c) “Contracting agency” means a local governmental unit, as  
2 defined in s. 66.0903 (1) (d), or a state agency, as defined in s. 103.49 (1) (f), ~~or an~~  
3 ~~owner or developer under s. 66.0904~~ that has contracted for the performance of work  
4 on a project.

5           **SECTION 2390zf.** 103.503 (1) (e) of the statutes is amended to read:

6           103.503 (1) (e) “Employee” means a laborer, worker, mechanic, or truck driver  
7 who performs the work described in s. 66.0903 (4), ~~66.0904 (3)~~, or 103.49 (2m) on a  
8 project.

9           **SECTION 2390zg.** 103.503 (1) (g) of the statutes is amended to read:

10           103.503 (1) (g) “Project” ~~mean~~ means a project of public works that is subject  
11 to s. 66.0903 or 103.49 ~~or a publicly funded private construction project that is subject~~  
12 ~~to s. 66.0904.~~

13           **SECTION 2390zh.** 103.503 (2) of the statutes is amended to read:

14           103.503 (2) SUBSTANCE ABUSE PROHIBITED. No employee may use, possess,  
15 attempt to possess, distribute, deliver, or be under the influence of a drug, or use or  
16 be under the influence of alcohol, while performing the work described in s. 66.0903  
17 (4), ~~66.0904 (3)~~, or 103.49 (2m) on a project. An employee is considered to be under  
18 the influence of alcohol for purposes of this subsection if he or she has an alcohol  
19 concentration that is equal to or greater than the amount specified in s. 885.235 (1g)  
20 (d).

21           **SECTION 2390zhi.** 103.503 (3) (a) 2. of the statutes is amended to read:

22           103.503 (3) (a) 2. A requirement that employees performing the work described  
23 in s. 66.0903 (4), ~~66.0904 (3)~~, or 103.49 (2m) on a project submit to random,  
24 reasonable suspicion, and post-accident drug and alcohol testing and to drug and  
25 alcohol testing before commencing work on a project, except that testing of an

1 employee before commencing work on a project is not required if the employee has  
2 been participating in a random testing program during the 90 days preceding the  
3 date on which the employee commenced work on the project.

4 **SECTION 2390zk.** 103.65 (2) of the statutes is amended to read:

5 103.65 (2) No minor shall under 16 years of age may be employed or permitted  
6 to work at any employment for such hours of the day or week, ~~or~~ for such days of the  
7 week, or at such periods of the day as shall may be dangerous or prejudicial to the  
8 life, health, safety, or welfare of ~~such~~ the minor.

9 **SECTION 2390zL.** 103.66 (2) of the statutes is amended to read:

10 103.66 (2) The department may investigate and fix reasonable classifications  
11 of employments and hours of employment for minors under 16 years of age and may  
12 issue general or special orders fixing for those minors maximum hours of  
13 employment ~~for minors~~ per day and per week, maximum days of employment per  
14 week, hours at which employment shall may begin and end, and the duration of  
15 lunch and other rest periods as are necessary to protect the life, health, safety, and  
16 welfare of those minors. For minors under 16 years of age, the department may not  
17 fix hours of employment that exceed the maximum hours per day and per week  
18 specified in s. 103.68 (2) (a) and (b), that exceed the maximum days per week specified  
19 in s. 103.68 (2) (c), or that begin earlier or end later than the hours specified in s.  
20 103.68 (2) (d) and (e). For minors 16 years of age or over, the department may fix the  
21 duration of lunch and other rest periods, but may not limit hours of employment or  
22 issue general or special orders fixing maximum hours of employment per day or per  
23 week, maximum days of employment per week, or hours at which employment may  
24 begin and end.

25 **SECTION 2390zm.** 103.68 (1) of the statutes is amended to read:

1           103.68 (1) No minor shall may be employed or permitted to work at any gainful  
2           ~~occupation other than domestic service, farm labor, or service as an election inspector~~  
3           ~~under s. 7.30 (2) (am) for more than 8 hours in any one day nor more than 40 hours~~  
4           ~~nor more than 6 days in any one week, nor~~ during such hours as the minor is required  
5           under s. 118.15 to attend school.

6           **SECTION 2390zn.** 103.68 (2) of the statutes is renumbered 103.68 (2) (intro.)  
7           and amended to read:

8           103.68 (2) (intro.) No minor under 16 shall years of age may be employed or  
9           permitted to work in any gainful occupation, ~~other than domestic service or farm~~  
10          ~~labor more than 24 hours in any one week, nor, except in domestic service, farm labor,~~  
11          ~~or in public exhibitions, as defined provided in s. 103.78, or in street trades as defined~~  
12          ~~in s. 103.21, before 7 a.m. nor after 6 p.m. as follows:~~

13          **SECTION 2390zp.** 103.68 (2) (a) to (e) of the statutes are created to read:

14          103.68 (2) (a) For more than 3 hours on a school day or 8 hours on a nonschool  
15          day.

16          (b) For more than 18 hours in a school week or 40 hours in a nonschool week.

17          (c) For more than 6 days in a week.

18          (d) Before 7:00 a.m. or after 7:00 p.m. from the day after Labor Day to May 31.

19          (e) Before 7:00 a.m. or after 9:00 p.m. from June 1 to Labor Day.

20          **SECTION 2390zr.** 104.001 (3) (am) of the statutes is repealed.

21          **SECTION 2391.** 106.14 (2) of the statutes is amended to read:

22          106.14 (2) The department shall publicize and maintain on its job center Web  
23          site information related to the job ~~programs under ss.~~ program under s. 49.147 (3)  
24          ~~and 49.162~~ so that employers and individuals seeking employment may obtain  
25          information about the ~~programs~~ program, including how to participate in ~~them~~ it.

1           **SECTION 2392.** 106.15 (3) (intro.) of the statutes is amended to read:

2           106.15 **(3)** GRANTS. (intro.) From the ~~appropriations~~ appropriation under s.  
3 20.445 (1) ~~(bc), (jm), and~~ (m), the department shall make grants to persons providing  
4 employment and training activities to dislocated workers including all of the  
5 following:

6           **SECTION 2393.** 106.16 (3) of the statutes is amended to read:

7           106.16 **(3)** A state agency or an authority under ch. 231 or 234 shall notify the  
8 ~~department of commerce~~ Wisconsin Economic Development Corporation if it makes  
9 a loan or grant to a company.

10          **SECTION 2394.** 106.20 (1) (e) of the statutes is amended to read:

11          106.20 **(1)** (e) “Minority business” has the meaning given in s. ~~560.036~~ 16.287  
12 (1) (e).

13          **SECTION 2395.** 106.30 (2) of the statutes is amended to read:

14          106.30 **(2)** SURVEY FORM. Each odd-numbered year, the department of  
15 workforce development shall develop and submit to the department of ~~regulation~~  
16 ~~and licensing~~ safety and professional services a survey form to gather data under s.  
17 441.01 (7) (a) 1. to assist the department of workforce development in evaluating the  
18 supply of, demand for, and turnover among nurses in this state and in determining  
19 whether there are any regional shortages of nurses, shortages of nurses in any  
20 speciality areas, or impediments to entering the nursing profession in this state.

21          **SECTION 2396.** 106.30 (5) (a) of the statutes is amended to read:

22          106.30 **(5)** (a) From the appropriation account under s. 20.445 (1) (km), the  
23 department of workforce development shall award grants equal to the amount  
24 appropriated under s. 20.445 (1) (km) minus the amount expended under sub. (4) to  
25 a nonprofit statewide nursing center that is comprised of and led by nurses and that

1 has demonstrated coordination with constituent groups within the nursing  
2 community, including professional nursing organizations; organizations  
3 representing nurse educators, staff nurses, and nurse managers or executives; labor  
4 organizations representing nurses; the department of ~~regulation and licensing~~  
5 safety and professional services; the department of health services; and legislators  
6 who are concerned with issues affecting the nursing profession.

7 **SECTION 2397.** 106.30 (5) (b) of the statutes is amended to read:

8 106.30 (5) (b) A statewide nursing center that receives a grant under par. (a)  
9 shall use the grant moneys to develop strategies to ensure that there is a nursing  
10 workforce that is adequate to meet the current and future health care needs of this  
11 state. The statewide nursing center may use those moneys to fund activities that are  
12 aimed at ensuring such a nursing workforce, including monitoring trends in the  
13 applicant pool for nursing education programs; evaluating the effectiveness of  
14 nursing education programs in increasing access to those programs and in  
15 enhancing career mobility for nurses, especially for populations that are  
16 underrepresented in the nursing profession; and facilitating partnerships between  
17 the nursing community and other health care providers, the department of  
18 ~~regulation and licensing~~ safety and professional services, the business community,  
19 the legislature, and educators to promote diversity within the nursing profession,  
20 enhance career mobility and leadership development for nurses, and achieve  
21 consensus regarding policies aimed at ensuring an adequate nursing workforce in  
22 this state.

23 **SECTION 2398.** 106.50 (6) (a) 3. of the statutes is amended to read:

24 106.50 (6) (a) 3. The complaint may be filed by an aggrieved person, by an  
25 interested person, by the department of workforce development under par. (b) or, if

1 the complaint charges a violation of sub. (2r) (c), by the department of ~~commerce~~  
2 safety and professional services. The department of workforce development shall,  
3 upon request, provide appropriate assistance in completing and filing complaints.

4 **SECTION 2399.** 106.50 (6) (b) of the statutes is amended to read:

5 106.50 (6) (b) *Powers and duties of department.* The department of workforce  
6 development and its duly authorized agents may hold hearings, subpoena witnesses,  
7 take testimony and make investigations as provided in this subsection. The  
8 department of workforce development may test and investigate for the purpose of  
9 establishing violations of sub. (2), (2m) or (2r) and may make, sign and file  
10 complaints alleging violations of sub. (2), (2m) or (2r). In addition, the department  
11 of ~~commerce~~ safety and professional services may make, sign and file complaints  
12 alleging violations of sub. (2r) (c). The department of workforce development shall  
13 employ examiners to hear and decide complaints of discrimination under this  
14 section, and to assist in the administration of this section. The examiners may make  
15 findings and issue orders under this subsection. The department of workforce  
16 development shall develop and implement an investigation manual for use in  
17 conducting investigations under par. (c).

18 **SECTION 2400.** 107.30 (4) of the statutes is amended to read:

19 107.30 (4) “Department” means the department of ~~commerce~~ safety and  
20 professional services.

21 **SECTION 2401.** 107.30 (10) of the statutes is amended to read:

22 107.30 (10) “Mining damage appropriation” means the appropriation under s.  
23 ~~20.143 (3)~~ 20.165 (2) (a).

24 **SECTION 2402.** 107.31 (5) (a) (intro.) of the statutes is amended to read:



1           107.31 (5) (a) *Calculation.* (intro.) The mining damage reserve accumulation  
2 is calculated by subtracting the total amount of all mining damages awards paid  
3 from the appropriation under s. 20.445 (4) (a), 2001 stats., beginning on May 22, 1980  
4 or paid from the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (a) from the sum of:

5           **SECTION 2403.** 108.02 (21e) (intro.) of the statutes is amended to read:

6           108.02 (21e) PROFESSIONAL EMPLOYER ORGANIZATION. (intro.) “Professional  
7 employer organization” means any person who is currently registered as a  
8 professional employer organization with the department of ~~regulation and licensing~~  
9 safety and professional services in accordance with ch. 461, who contracts to provide  
10 the nontemporary, ongoing employee workforce of more than one client under a  
11 written leasing contract, the majority of whose clients are not under the same  
12 ownership, management, or control as the person other than through the terms of  
13 the contract, and who under contract and in fact:

14           **SECTION 2403e.** 108.02 (26m) of the statutes is created to read:

15           108.02 (26m) WAITING PERIOD. “Waiting period” means any period of time under  
16 s. 108.04 (3) for which no benefits are payable to a claimant as a condition precedent  
17 to receipt of benefits.

18           **SECTION 2403s.** 108.04 (3) of the statutes is created to read:

19           108.04 (3) WAITING PERIOD. The first week of a claimant’s benefit year for which  
20 the claimant has timely applied and is otherwise eligible for regular benefits under  
21 this chapter is the claimant’s waiting period for that benefit year.

22           **SECTION 2403t.** 108.04 (8) (b) of the statutes is created to read:

23           108.04 (8) (b) 1. An employee’s failure to accept an offer of work under par. (a)  
24 includes:

1           a. The employee’s refusal without good cause to take a test for illegal drugs  
2 given on behalf of the employer as a condition of employment; or

3           b. The employer’s withdrawal of or failure to extend an offer of work due to a  
4 positive test result.

5           2. For purposes of this paragraph, a drug test shall not be found to be positive  
6 for illegal drugs unless the test was conducted and certified in a manner approved  
7 by the department.

8           3. This paragraph applies only to the extent permitted by federal law.

9           **SECTION 2403u.** 108.04 (13) (cm) of the statutes is created to read:

10           108.04 **(13)** (cm) An employer shall report to the department an employee’s  
11 positive drug test or refusal to take such a test under sub. (8) (b), as the department  
12 requires or approves.

13           **SECTION 2403x.** 108.09 (4r) of the statutes is created to read:

14           108.09 **(4r)** DEPARTMENTAL RECORDS RELATING TO DRUG TEST INFORMATION. The  
15 department shall retain drug test information obtained under s. 108.04 (13) (cm) for  
16 the purpose of determining eligibility for benefits.

17           **SECTION 2404.** 109.07 (1m) (b) of the statutes is amended to read:

18           109.07 **(1m)** (b) The department shall promptly provide a copy of the notice  
19 required under par. (a) ~~to the department of commerce and to the office of the~~  
20 ~~commissioner of insurance and shall cooperate with the department of commerce in~~  
21 ~~the performance of its responsibilities under s. 560.15 and with the office of the~~  
22 ~~commissioner of insurance in the performance of its responsibilities under s. 601.41~~  
23 (7).

24           **SECTION 2404c.** 109.09 (1) of the statutes is amended to read:

1           109.09 (1) The department shall investigate and attempt equitably to adjust  
2 controversies between employers and employees as to alleged wage claims. The  
3 department may receive and investigate any wage claim which is filed with the  
4 department, or received by the department under s. 109.10 (4), no later than 2 years  
5 after the date the wages are due. The department may, after receiving a wage claim,  
6 investigate any wages due from the employer against whom the claim is filed to any  
7 employee during the period commencing 2 years before the date the claim is filed.  
8 The department shall enforce this chapter and ss. 66.0903, ~~66.0904~~, 103.02, 103.49,  
9 103.82, 104.12, and 229.8275. In pursuance of this duty, the department may sue the  
10 employer on behalf of the employee to collect any wage claim or wage deficiency and  
11 ss. 109.03 (6) and 109.11 (2) and (3) shall apply to such actions. Except for actions  
12 under s. 109.10, the department may refer such an action to the district attorney of  
13 the county in which the violation occurs for prosecution and collection and the  
14 district attorney shall commence an action in the circuit court having appropriate  
15 jurisdiction. Any number of wage claims or wage deficiencies against the same  
16 employer may be joined in a single proceeding, but the court may order separate  
17 trials or hearings. In actions that are referred to a district attorney under this  
18 subsection, any taxable costs recovered by the district attorney shall be paid into the  
19 general fund of the county in which the violation occurs and used by that county to  
20 meet its financial responsibility under s. 978.13 (2) (b) for the operation of the office  
21 of the district attorney who prosecuted the action.

22           **SECTION 2404g.** 110.08 (2) of the statutes is amended to read:

23           110.08 (2) Except as provided under sub. (5) (b) and s. 343.16 (1) (b) to (c), all  
24 examinations for operator's licenses and permits shall be given by state examiners.

25           **SECTION 2404k.** 110.08 (5) of the statutes is created to read:

1           110.08 (5) (a) The department shall provide in each county, directly or by  
2 contract as described in par. (b), at least 20 hours per week of services relating to  
3 operator’s licenses and identification cards.

4           (b) The department shall provide the services required under par. (a) by the  
5 most cost-effective means possible, which may include contracting with counties or  
6 other local governments to provide these services. Notwithstanding any provision  
7 of ss. 343.14 and 343.16, a contract between the department and a county or other  
8 local government under this paragraph may authorize an employee of the county or  
9 local government to conduct any examination for an operator’s license except a  
10 driving skills test. The department may require any employee of a county or local  
11 government who provides services under a contract entered into under this  
12 paragraph to satisfy any requirement under s. 110.09 that would be required of an  
13 employee of the department.

14           **SECTION 2404q.** 111.322 (2m) (c) of the statutes is amended to read:

15           111.322 (2m) (c) The individual files a complaint or attempts to enforce a right  
16 under s. 66.0903, ~~66.0904~~, 103.49, or 229.8275 or testifies or assists in any action or  
17 proceeding under s. 66.0903, ~~66.0904~~, 103.49, or 229.8275.

18           **SECTION 2404t.** 111.335 (1) (cv) of the statutes is amended to read:

19           111.335 (1) (cv) Notwithstanding s. 111.322, it is not employment  
20 discrimination because of conviction record to refuse to employ in a position in the  
21 classified service ~~or in a position described in s. 230.08 (2) (k)~~ a person who has been  
22 convicted under 50 USC, Appendix, section 462 for refusing to register with the  
23 selective service system and who has not been pardoned.

24           **SECTION 2405p.** 111.70 (1) (a) of the statutes, as affected by 2011 Wisconsin Act  
25 10, is repealed and recreated to read:

1           111.70 (1) (a) “Collective bargaining” means the performance of the mutual  
2 obligation of a municipal employer, through its officers and agents, and the  
3 representative of its municipal employees in a collective bargaining unit, to meet and  
4 confer at reasonable times, in good faith, with the intention of reaching an  
5 agreement, or to resolve questions arising under such an agreement, with respect to  
6 wages, hours, and conditions of employment for public safety employees or transit  
7 employees and with respect to wages for general municipal employees, and with  
8 respect to a requirement of the municipal employer for a municipal employee to  
9 perform law enforcement and fire fighting services under s. 60.553, 61.66, or 62.13  
10 (2e), except as provided in sub. (4) (mb) and (mc) and s. 40.81 (3) and except that a  
11 municipal employer shall not meet and confer with respect to any proposal to  
12 diminish or abridge the rights guaranteed to any public safety employees under ch.  
13 164. Collective bargaining includes the reduction of any agreement reached to a  
14 written and signed document.

15           **SECTION 2406cg.** 111.70 (1) (f) of the statutes, as affected by 2011 Wisconsin  
16 Act 10, is repealed and recreated to read:

17           111.70 (1) (f) “Fair-share agreement” means an agreement between a  
18 municipal employer and a labor organization that represents public safety  
19 employees or transit employees under which all or any of the public safety employees  
20 or transit employees in the collective bargaining unit are required to pay their  
21 proportionate share of the cost of the collective bargaining process and contract  
22 administration measured by the amount of dues uniformly required of all members.

23           **SECTION 2406cr.** 111.70 (1) (fm) of the statutes, as affected by 2011 Wisconsin  
24 Act 10, is repealed and recreated to read:

1           111.70 (1) (fm) “General municipal employee” means a municipal employee  
2 who is not a public safety employee or a transit employee.

3           **SECTION 2406d.** 111.70 (1) (mm) of the statutes, as created by 2011 Wisconsin  
4 Act 10, is repealed and recreated to read:

5           111.70 (1) (mm) “Public safety employee” means any municipal employee who  
6 is employed in a position that, on the effective date of this paragraph .... [LRB inserts  
7 date], is one of the following:

8           1. Classified as a protective occupation participant under any of the following:

9           a. Section 40.02 (48) (am) 9., 10., 13., 15., or 22.

10           b. A provision that is comparable to a provision under subd. 1. a. that is in a  
11 county or city retirement system.

12           2. An emergency medical service provider for the emergency medical services  
13 departments in Door and Waushara counties.

14           **SECTION 2406fg.** 111.70 (1) (n) of the statutes, as affected by 2011 Wisconsin  
15 Act 10, is repealed and recreated to read:

16           111.70 (1) (n) “Referendum” means a proceeding conducted by the commission  
17 in which public safety employees or transit employees in a collective bargaining unit  
18 may cast a secret ballot on the question of authorizing a labor organization and the  
19 employer to continue a fair–share agreement.

20           **SECTION 2406gh.** 111.70 (1) (p) of the statutes is created to read:

21           111.70 (1) (p) “Transit employee” means a municipal employee who is  
22 determined to be a transit employee under sub. (4) (bm).

23           **SECTION 2406hg.** 111.70 (2) of the statutes, as affected by 2011 Wisconsin Act  
24 10, is repealed and recreated to read:

1           111.70 (2) RIGHTS OF MUNICIPAL EMPLOYEES. Municipal employees have the right  
2 of self-organization, and the right to form, join, or assist labor organizations, to  
3 bargain collectively through representatives of their own choosing, and to engage in  
4 lawful, concerted activities for the purpose of collective bargaining or other mutual  
5 aid or protection. Municipal employees have the right to refrain from any and all  
6 such activities. A general municipal employee has the right to refrain from paying  
7 dues while remaining a member of a collective bargaining unit. A public safety  
8 employee or a transit employee, however, may be required to pay dues in the manner  
9 provided in a fair-share agreement; a fair-share agreement covering a public safety  
10 employee or a transit employee must contain a provision requiring the municipal  
11 employer to deduct the amount of dues as certified by the labor organization from the  
12 earnings of the employee affected by the fair-share agreement and to pay the amount  
13 deducted to the labor organization. A fair-share agreement covering a public safety  
14 employee or transit employee is subject to the right of the municipal employer or a  
15 labor organization to petition the commission to conduct a referendum. Such  
16 petition must be supported by proof that at least 30% of the employees in the  
17 collective bargaining unit desire that the fair-share agreement be terminated. Upon  
18 so finding, the commission shall conduct a referendum. If the continuation of the  
19 agreement is not supported by at least the majority of the eligible employees, it shall  
20 terminate. The commission shall declare any fair-share agreement suspended upon  
21 such conditions and for such time as the commission decides whenever it finds that  
22 the labor organization involved has refused on the basis of race, color, sexual  
23 orientation, creed, or sex to receive as a member any public safety employee or transit  
24 employee of the municipal employer in the bargaining unit involved, and such  
25 agreement is subject to this duty of the commission. Any of the parties to such

1 agreement or any public safety employee or transit employee covered by the  
2 agreement may come before the commission, as provided in s. 111.07, and ask the  
3 performance of this duty.

4 **SECTION 2406hr.** 111.70 (3) (a) 3. of the statutes, as affected by 2011 Wisconsin  
5 Act 10, is repealed and recreated to read:

6 111.70 (3) (a) 3. To encourage or discourage a membership in any labor  
7 organization by discrimination in regard to hiring, tenure, or other terms or  
8 conditions of employment; but the prohibition shall not apply to a fair-share  
9 agreement that covers public safety employees or transit employees.

10 **SECTION 2406ir.** 111.70 (3) (a) 5. of the statutes, as affected by 2011 Wisconsin  
11 Act 10, is repealed and recreated to read:

12 111.70 (3) (a) 5. To violate any collective bargaining agreement previously  
13 agreed upon by the parties with respect to wages, hours and conditions of  
14 employment affecting public safety employees or transit employees, including an  
15 agreement to arbitrate questions arising as to the meaning or application of the  
16 terms of a collective bargaining agreement or to accept the terms of such arbitration  
17 award, where previously the parties have agreed to accept such award as final and  
18 binding upon them or to violate any collective bargaining agreement affecting  
19 general municipal employees, that was previously agreed upon by the parties with  
20 respect to wages.

21 **SECTION 2406pg.** 111.70 (3) (a) 6. of the statutes, as affected by 2011 Wisconsin  
22 Act 10, is repealed and recreated to read:

23 111.70 (3) (a) 6. To deduct labor organization dues from the earnings of a public  
24 safety employee or a transit employee, unless the municipal employer has been  
25 presented with an individual order therefor, signed by the employee personally, and



1 terminable by at least the end of any year of its life or earlier by the public safety  
2 employee or transit employee giving at least 30 days' written notice of such  
3 termination to the municipal employer and to the representative organization,  
4 except when a fair-share agreement is in effect.

5 **SECTION 2406prm.** 111.70 (3) (a) 7m. of the statutes is created to read:

6 111.70 (3) (a) 7m. To refuse or otherwise fail to implement an arbitration  
7 decision lawfully made under sub. (4) (cg).

8 **SECTION 2406rg.** 111.70 (3) (a) 9. of the statutes, as affected by 2011 Wisconsin  
9 Act 10, is repealed and recreated to read:

10 111.70 (3) (a) 9. If the collective bargaining unit contains a public safety  
11 employee or transit employee, after a collective bargaining agreement expires and  
12 before another collective bargaining agreement takes effect, to fail to follow any  
13 fair-share agreement in the expired collective bargaining agreement.

14 **SECTION 2406rrm.** 111.70 (3) (b) 6m. of the statutes is created to read:

15 111.70 (3) (b) 6m. To refuse or otherwise fail to implement an arbitration  
16 decision lawfully made under sub. (4) (cg).

17 **SECTION 2407bt.** 111.70 (4) (bm) of the statutes is created to read:

18 111.70 (4) (bm) *Transit employee determination.* The commission shall  
19 determine that any municipal employee is a transit employee if the commission  
20 determines that the municipal employer who employs the municipal employee would  
21 lose federal funding under 49 USC 5333 (b) if the municipal employee is not a transit  
22 employee.

23 **SECTION 2407dg.** 111.70 (4) (c) 2. of the statutes, as affected by 2011 Wisconsin  
24 Act 10, is repealed and recreated to read:

1           111.70 (4) (c) 2. ‘Arbitration.’ Parties to a dispute pertaining to the meaning  
2 or application of the terms of a written collective bargaining agreement involving a  
3 collective bargaining unit containing a public safety employee may agree in writing  
4 to have the commission or any other appropriate agency serve as arbitrator or may  
5 designate any other competent, impartial and disinterested person to so serve.

6           **SECTION 2407ep.** 111.70 (4) (cg) of the statutes is created to read:

7           111.70 (4) (cg) *Methods for peaceful settlement of disputes; transit employees.*

8           1. ‘Notice of commencement of contract negotiations.’ To advise the commission of  
9 the commencement of contract negotiations involving a collective bargaining unit  
10 containing transit employees, whenever either party requests the other to reopen  
11 negotiations under a binding collective bargaining agreement, or the parties  
12 otherwise commence negotiations if no collective bargaining agreement exists, the  
13 party requesting negotiations shall immediately notify the commission in writing.  
14 Upon failure of the requesting party to provide notice, the other party may provide  
15 notice to the commission. The notice shall specify the expiration date of the existing  
16 collective bargaining agreement, if any, and shall provide any additional information  
17 the commission may require on a form provided by the commission.

18           2. ‘Presentation of initial proposals; open meetings.’ The meetings between  
19 parties to a collective bargaining agreement or proposed collective bargaining  
20 agreement under this subchapter that involve a collective bargaining unit  
21 containing a transit employee and that are held to present initial bargaining  
22 proposals, along with supporting rationale, are open to the public. Each party shall  
23 submit its initial bargaining proposals to the other party in writing. Failure to  
24 comply with this subdivision does not invalidate a collective bargaining agreement  
25 under this subchapter.

1           3. ‘Mediation.’ The commission or its designee shall function as mediator in  
2 labor disputes involving transit employees upon request of one or both of the parties,  
3 or upon initiation of the commission. The function of the mediator is to encourage  
4 voluntary settlement by the parties. No mediator has the power of compulsion.

5           4. ‘Grievance arbitration.’ Parties to a dispute pertaining to the meaning or  
6 application of the terms of a written collective bargaining agreement involving a  
7 collective bargaining unit containing a transit employee may agree in writing to have  
8 the commission or any other appropriate agency serve as arbitrator or may designate  
9 any other competent, impartial, and disinterested person to serve as an arbitrator.

10          5. ‘Voluntary impasse resolution procedures.’ In addition to the other impasse  
11 resolution procedures provided in this paragraph, a municipal employer that  
12 employs a transit employee and labor organization may at any time, as a permissive  
13 subject of bargaining, agree in writing to a dispute settlement procedure, including  
14 binding interest arbitration, which is acceptable to the parties for resolving an  
15 impasse over terms of any collective bargaining agreement under this subchapter.  
16 The parties shall file a copy of the agreement with the commission. If the parties  
17 agree to any form of binding interest arbitration, the arbitrator shall give weight to  
18 the factors enumerated under subsd. 7. and 7g.

19          6. ‘Interest arbitration.’ a. If in any collective bargaining unit containing  
20 transit employees a dispute has not been settled after a reasonable period of  
21 negotiation and after mediation by the commission under subd. 3. and other  
22 settlement procedures, if any, established by the parties have been exhausted, and  
23 the parties are deadlocked with respect to any dispute between them over wages,  
24 hours, or conditions of employment to be included in a new collective bargaining  
25 agreement, either party, or the parties jointly, may petition the commission, in

1 writing, to initiate compulsory, final, and binding arbitration, as provided in this  
2 paragraph. At the time the petition is filed, the petitioning party shall submit in  
3 writing to the other party and the commission its preliminary final offer containing  
4 its latest proposals on all issues in dispute. Within 14 calendar days after the date  
5 of that submission, the other party shall submit in writing its preliminary final offer  
6 on all disputed issues to the petitioning party and the commission. If a petition is  
7 filed jointly, both parties shall exchange their preliminary final offers in writing and  
8 submit copies to the commission when the petition is filed.

9 am. Upon receipt of a petition under subd. 6. a. to initiate arbitration, the  
10 commission shall determine, with or without a formal hearing, whether arbitration  
11 should be commenced. If in determining whether an impasse exists the commission  
12 finds that the procedures under this paragraph have not been complied with and  
13 compliance would tend to result in a settlement, it may order compliance before  
14 ordering arbitration. The validity of any arbitration award or collective bargaining  
15 agreement is not affected by failure to comply with the procedures. Prior to the close  
16 of the investigation each party shall submit in writing to the commission its single  
17 final offer containing its final proposals on all issues in dispute that are subject to  
18 interest arbitration under this subdivision. If a party fails to submit a single,  
19 ultimate final offer, the commission shall use the last written position of the party.  
20 Such final offers may include only mandatory subjects of bargaining, except that a  
21 permissive subject of bargaining may be included by a party if the other party does  
22 not object and is then treated as a mandatory subject. At that time, the parties shall  
23 submit to the commission a stipulation, in writing, with respect to all matters that  
24 they agree to include in the new or amended collective bargaining agreement. The  
25 commission, after determining that arbitration should be commenced, shall issue an

1 order requiring arbitration and immediately submit to the parties a list of 7  
2 arbitrators. The parties shall alternately strike names from the list until one name  
3 is left that person shall be appointed arbitrator. The petitioning party shall notify  
4 the commission in writing of the identity of the arbitrator. The commission shall then  
5 formally appoint the arbitrator and submit to him or her the final offers of the  
6 parties. The final offers are public documents and the commission shall make them  
7 available. In lieu of a single arbitrator and upon request of both parties, the  
8 commission shall appoint a tripartite arbitration panel consisting of one member  
9 selected by each of the parties and a neutral person designated by the commission  
10 who shall serve as a chairperson. An arbitration panel has the same powers and  
11 duties provided in this section as any other appointed arbitrator, and all arbitration  
12 decisions by a panel shall be determined by majority vote. In lieu of selection of the  
13 arbitrator by the parties and upon request of both parties, the commission shall  
14 establish a procedure for randomly selecting names of arbitrators. Under the  
15 procedure, the commission shall submit a list of 7 arbitrators to the parties. Each  
16 party shall strike one name from the list. From the remaining 5 names, the  
17 commission shall randomly appoint an arbitrator. Unless both parties to an  
18 arbitration proceeding otherwise agree in writing, every individual whose name is  
19 submitted by the commission for appointment as an arbitrator must be a resident of  
20 this state at the time of submission and every individual who is designated as an  
21 arbitration panel chairperson must be a resident of this state at the time of  
22 designation.

23 b. The arbitrator shall, within 10 days of his or her appointment under subd.  
24 6. am., establish a date and place for the arbitration hearing. Upon petition of at least  
25 5 citizens of the jurisdiction served by the municipal employer, filed within 10 days

1 after the date on which the arbitrator is appointed, the arbitrator shall hold a public  
2 hearing in the jurisdiction to provide both parties the opportunity to present  
3 supporting arguments for their positions and to provide to members of the public the  
4 opportunity to offer their comments. The final offers of the parties, as transmitted  
5 by the commission to the arbitrator, are the basis for continued negotiations, if any,  
6 between the parties with respect to the issues in dispute. At any time prior to the  
7 arbitration hearing, either party, with the consent of the other party, may modify its  
8 final offer in writing.

9 c. Before issuing his or her arbitration decision, the arbitrator shall, on his or  
10 her own motion or at the request of either party, conduct a meeting open to the public  
11 to provide the opportunity to both parties to present supporting arguments for their  
12 complete offer on all matters to be covered by the proposed agreement. The  
13 arbitrator shall adopt without further modification the final offer of one of the parties  
14 on all disputed issues submitted under subd. 6. am., except those items that the  
15 commission determines not to be mandatory subjects of bargaining and those items  
16 that have not been treated as mandatory subjects by the parties, and including any  
17 prior modifications of the offer mutually agreed upon by the parties under subd. 6.

18 b. The decision shall be final and binding on both parties and shall be incorporated  
19 into a written collective bargaining agreement. The arbitrator shall serve a copy of  
20 his or her decision on both parties and the commission.

21 e. Arbitration proceedings may not be interrupted or terminated by reason of  
22 any prohibited practice complaint filed by either party at any time.

23 f. The parties shall divide the costs of arbitration equally. The arbitrator shall  
24 submit a statement of his or her costs to both parties and to the commission.

1           g. If a question arises as to whether any proposal made in negotiations by either  
2 party is a mandatory, permissive, or prohibited subject of bargaining, the  
3 commission shall determine the issue under par. (b). If either party to the dispute  
4 petitions the commission for a declaratory ruling under par. (b), the proceedings  
5 under subd. 6. c. shall be delayed until the commission renders a decision in the  
6 matter, but not during any appeal of the commission order. The arbitrator's award  
7 shall be made in accordance with the commission's ruling, subject to automatic  
8 amendment by any subsequent court reversal.

9           7. 'Factor given greatest weight.' In making any decision under the arbitration  
10 procedures under this paragraph, the arbitrator or arbitration panel shall consider  
11 and shall give the greatest weight to the economic conditions in the jurisdiction of  
12 the municipal employer. The arbitrator or arbitration panel shall give an accounting  
13 of the consideration of this factor in the arbitrator's or panel's decision.

14           7g. 'Factor given greater weight.' In making any decision under the arbitration  
15 procedures under this paragraph, the arbitrator or arbitration panel shall consider  
16 and shall give greater weight to any state law or directive lawfully issued by a state  
17 legislative or administrative officer, body, or agency that places limitations on  
18 expenditures that may be made or revenues that may be collected by a municipal  
19 employer than to any of the factors specified in subd. 7r.

20           7r. 'Other factors considered.' In making any decision under the arbitration  
21 procedures under by this paragraph, the arbitrator or arbitration panel shall give  
22 weight to the following factors:

23           a. The lawful authority of the municipal employer.

24           b. Stipulations of the parties.

1           c. The interests and welfare of the public and the financial ability of the unit  
2 of government to meet the costs of any proposed settlement.

3           d. Comparison of wages, hours and conditions of employment of the transit  
4 employees involved in the arbitration proceedings with the wages, hours, and  
5 conditions of employment of other employees performing similar services.

6           e. Comparison of the wages, hours and conditions of employment of the transit  
7 employees involved in the arbitration proceedings with the wages, hours, and  
8 conditions of employment of other employees generally in public employment in the  
9 same community and in comparable communities.

10          f. Comparison of the wages, hours and conditions of employment of the transit  
11 employees involved in the arbitration proceedings with the wages, hours, and  
12 conditions of employment of other employees in private employment in the same  
13 community and in comparable communities.

14          g. The average consumer prices for goods and services, commonly known as the  
15 cost of living.

16          h. The overall compensation presently received by the transit employees,  
17 including direct wage compensation, vacation, holidays, and excused time,  
18 insurance and pensions, medical and hospitalization benefits, the continuity and  
19 stability of employment, and all other benefits received.

20          i. Changes in any of the foregoing circumstances during the pendency of the  
21 arbitration proceedings.

22          j. Such other factors, not confined to the foregoing, which are normally or  
23 traditionally taken into consideration in the determination of wages, hours and  
24 conditions of employment through voluntary collective bargaining, mediation,



1 fact-finding, arbitration or otherwise between the parties, in the public service or in  
2 private employment.

3 8. 'Rule making.' The commission shall adopt rules for the conduct of all  
4 arbitration proceedings under subd. 6., including, but not limited to, rules for:

5 a. The appointment of tripartite arbitration panels when requested by the  
6 parties.

7 b. The expeditious rendering of arbitration decisions, such as waivers of briefs  
8 and transcripts.

9 c. The removal of individuals who have repeatedly failed to issue timely  
10 decisions from the commission's list of qualified arbitrators.

11 d. Proceedings for the enforcement of arbitration decisions.

12 8m. 'Term of agreement; reopening of negotiations.' Except for the initial  
13 collective bargaining agreement between the parties and except as the parties  
14 otherwise agree, every collective bargaining agreement covering transit employees  
15 shall be for a term of 2 years, but in no case may a collective bargaining agreement  
16 for any collective bargaining unit consisting of transit employees subject to this  
17 paragraph be for a term exceeding 3 years. No arbitration award involving transit  
18 employees may contain a provision for reopening of negotiations during the term of  
19 a collective bargaining agreement, unless both parties agree to such a provision. The  
20 requirement for agreement by both parties does not apply to a provision for  
21 reopening of negotiations with respect to any portion of an agreement that is  
22 declared invalid by a court or administrative agency or rendered invalid by the  
23 enactment of a law or promulgation of a federal regulation.

24 9. 'Application.' Chapter 788 does not apply to arbitration proceedings under  
25 this paragraph.

1           **SECTION 2408b.** 111.70 (4) (d) 2. a. of the statutes, as affected by 2011 Wisconsin  
2 Act 10, is repealed and recreated to read:

3           111.70 **(4)** (d) 2. a. The commission shall determine the appropriate collective  
4 bargaining unit for the purpose of collective bargaining and shall whenever possible  
5 avoid fragmentation by maintaining as few collective bargaining units as practicable  
6 in keeping with the size of the total municipal workforce. The commission may  
7 decide whether, in a particular case, the municipal employees in the same or several  
8 departments, divisions, institutions, crafts, professions, or other occupational  
9 groupings constitute a collective bargaining unit. Before making its determination,  
10 the commission may provide an opportunity for the municipal employees concerned  
11 to determine, by secret ballot, whether they desire to be established as a separate  
12 collective bargaining unit. The commission may not decide, however, that any group  
13 of municipal employees constitutes an appropriate collective bargaining unit if the  
14 group includes both professional employees and nonprofessional employees, unless  
15 a majority of the professional employees vote for inclusion in the unit. The  
16 commission may not decide that any group of municipal employees constitutes an  
17 appropriate collective bargaining unit if the group includes both school district  
18 employees and general municipal employees who are not school district employees.  
19 The commission may not decide that any group of municipal employees constitutes  
20 an appropriate collective bargaining unit if the group includes both public safety  
21 employees and general municipal employees, if the group include includes both  
22 transit employees and general municipal employees, or if the group includes both  
23 transit employees and public safety employees. The commission may not decide that  
24 any group of municipal employees constitutes an appropriate collective bargaining  
25 unit if the group includes both craft employees and noncraft employees unless a

1 majority of the craft employees vote for inclusion in the unit. The commission shall  
2 place the professional employees who are assigned to perform any services at a  
3 charter school, as defined in s. 115.001 (1), in a separate collective bargaining unit  
4 from a unit that includes any other professional employees whenever at least 30%  
5 of those professional employees request an election to be held to determine that issue  
6 and a majority of the professional employees at the charter school who cast votes in  
7 the election decide to be represented in a separate collective bargaining unit.

8 **SECTION 2408ch.** 111.70 (4) (d) 3. b. of the statutes, as created by 2011  
9 Wisconsin Act 10, is repealed and recreated to read:

10 111.70 (4) (d) 3. b. Annually, the commission shall conduct an election to certify  
11 the representative of the collective bargaining unit that contains a general municipal  
12 employee. The election shall occur no later than December 1 for a collective  
13 bargaining unit containing school district employees and no later than May 1 for a  
14 collective bargaining unit containing general municipal employees who are not  
15 school district employees. The commission shall certify any representative that  
16 receives at least 51 percent of the votes of all of the general municipal employees in  
17 the collective bargaining unit. If no representative receives at least 51 percent of the  
18 votes of all of the general municipal employees in the collective bargaining unit, at  
19 the expiration of the collective bargaining agreement, the commission shall decertify  
20 the current representative and the general municipal employees shall be  
21 nonrepresented. Notwithstanding sub. (2), if a representative is decertified under  
22 this subd. 3. b., the affected general municipal employees may not be included in a  
23 substantially similar collective bargaining unit for 12 months from the date of  
24 decertification. The commission shall assess and collect a certification fee for each

1 election conducted under this subd. 3. b. Fees collected under this subd. 3. b. shall  
2 be credited to the appropriation account under s. 20.425 (1) (i).

3 **SECTION 2408cv.** 111.70 (4) (jm) 4w. of the statutes is created to read:

4 111.70 (4) (jm) 4w. In determining the proper compensation to be received by  
5 members of the police department under subd. 4., the arbitrator shall give greater  
6 weight to the economic conditions in the 1st class city than the arbitrator gives to the  
7 factors under subd. 5. The arbitrator shall give an accounting of the consideration  
8 of this factor in the arbitrator's decision.

9 **SECTION 2408cx.** 111.70 (4) (jm) 5. (intro.) of the statutes is amended to read:

10 111.70 (4) (jm) 5. (intro.) In determining the proper compensation to be received  
11 by members of the police department under subd. 4., in addition to the factor under  
12 subd. 4w., the arbitrator shall utilize:

13 **SECTION 2409bg.** 111.70 (4) (mb) 2. b. of the statutes, as created by 2011  
14 Wisconsin Act 10, is repealed and recreated to read:

15 111.70 (4) (mb) 2. b. If there is a decrease or no change in the consumer price  
16 index change, provides for any change in total base wages for authorized positions  
17 in the proposed collective bargaining agreement from the total base wages for  
18 authorized positions 180 days before the expiration of the previous collective  
19 bargaining agreement.

20 **SECTION 2409br.** 111.70 (4) (mbb) of the statutes is created to read:

21 111.70 (4) (mbb) For purposes of determining compliance with par. (mb), the  
22 commission shall provide, upon request, to a municipal employer or to any  
23 representative of a collective bargaining unit containing a general municipal  
24 employee, the consumer price index change during any 12-month period. The  
25 commission may get the information from the department of revenue.

1           **SECTION 2409cp.** 111.70 (4) (mc) 1., 2. and 3. of the statutes are repealed.

2           **SECTION 2409cy.** 111.70 (4) (mc) 5. and 6. of the statutes are created to read:

3           111.70 **(4)** (mc) 5. If the collective bargaining unit contains a public safety  
4 employee who is initially employed on or after the effective date of this subdivision  
5 .... [LRB inserts date], the requirement under ss. 40.05 (1) (b), 59.875, and 62.623  
6 that the municipal employer may not pay, on behalf of that public safety employee  
7 any employee required contributions or the employee share of required  
8 contributions, and the impact of this requirement on the wages, hours, and  
9 conditions of employment of that public safety employee. If a public safety employee  
10 is initially employed by a municipal employer before the effective date of this  
11 subdivision .... [LRB inserts date], this subdivision does not apply to that public  
12 safety employee if he or she is employed as a public safety employee by a successor  
13 municipal employer in the event of a combined department that is created on or after  
14 that date.

15           6. The design and selection of health care coverage plans by the municipal  
16 employer for public safety employees, and the impact of the design and selection of  
17 the health care coverage plans on the wages, hours, and conditions of employment  
18 of the public safety employee.

19           **SECTION 2409db.** 111.70 (4) (p) of the statutes, as affected by 2011 Wisconsin  
20 Act 10, is repealed and recreated to read:

21           111.70 **(4)** (p) *Permissive subjects of collective bargaining; public safety and*  
22 *transit employees.* A municipal employer is not required to bargain with public safety  
23 employees or transit employees on subjects reserved to management and direction  
24 of the governmental unit except insofar as the manner of exercise of such functions

1 affects the wages, hours, and conditions of employment of the public safety  
2 employees or of the transit employees in a collective bargaining unit.

3 **SECTION 2409fg.** 111.70 (7m) (c) 1. a. of the statutes, as affected by 2011  
4 Wisconsin Act 10, is repealed and recreated to read:

5 111.70 **(7m)** (c) 1. a. Any labor organization that represents public safety  
6 employees or transit employees which violates sub. (4) (L) may not collect any dues  
7 under a collective bargaining agreement or under a fair–share agreement from any  
8 employee covered by either agreement for a period of one year. At the end of the  
9 period of suspension, any such agreement shall be reinstated unless the labor  
10 organization is no longer authorized to represent the public safety employees or  
11 transit employees covered by the collective bargaining agreement or fair–share  
12 agreement or the agreement is no longer in effect.

13 **SECTION 2409gr.** 111.70 (8) (a) of the statutes, as affected by 2011 Wisconsin  
14 Act 10, is repealed and recreated to read:

15 111.70 **(8)** (a) This section, except sub. (4) (cg) and (cm), applies to law  
16 enforcement supervisors employed by a 1st class city. This section, except sub. (4)  
17 (cm) and (jm), applies to law enforcement supervisors employed by a county having  
18 a population of 500,000 or more. For purposes of such application, the terms  
19 “municipal employee” and “public safety employee” include such a supervisor.

20 **SECTION 2409hg.** 111.71 (2) of the statutes, as affected by 2011 Wisconsin Act  
21 10, is repealed and recreated to read:

22 111.71 **(2)** The commission shall assess and collect a filing fee for filing a  
23 complaint alleging that a prohibited practice has been committed under s. 111.70 (3).  
24 The commission shall assess and collect a filing fee for filing a request that the  
25 commission act as an arbitrator to resolve a dispute involving the interpretation or

1 application of a collective bargaining agreement under s. 111.70 (4) (c) 2., (cg) 4., or  
2 (cm) 4. The commission shall assess and collect a filing fee for filing a request that  
3 the commission initiate fact–finding under s. 111.70 (4) (c) 3. The commission shall  
4 assess and collect a filing fee for filing a request that the commission act as a  
5 mediator under s. 111.70 (4) (c) 1., (cg) 3., or (cm) 3. The commission shall assess and  
6 collect a filing fee for filing a request that the commission initiate compulsory, final  
7 and binding arbitration under s. 111.70 (4) (cg) 6. or (jm) or 111.77 (3). For the  
8 performance of commission actions under ss. 111.70 (4) (c) 1., 2. and 3., (cg) 3., 4., and  
9 6., (cm) 3. and 4., and (jm) and 111.77 (3), the commission shall require that the  
10 parties to the dispute equally share in the payment of the fee and, for the  
11 performance of commission actions involving a complaint alleging that a prohibited  
12 practice has been committed under s. 111.70 (3), the commission shall require that  
13 the party filing the complaint pay the entire fee. If any party has paid a filing fee  
14 requesting the commission to act as a mediator for a labor dispute and the parties  
15 do not enter into a voluntary settlement of the dispute, the commission may not  
16 subsequently assess or collect a filing fee to initiate fact–finding or arbitration to  
17 resolve the same labor dispute. If any request for the performance of commission  
18 actions concerns issues arising as a result of more than one unrelated event or  
19 occurrence, each such separate event or occurrence shall be treated as a separate  
20 request. The commission shall promulgate rules establishing a schedule of filing fees  
21 to be paid under this subsection. Fees required to be paid under this subsection shall  
22 be paid at the time of filing the complaint or the request for fact–finding, mediation  
23 or arbitration. A complaint or request for fact–finding, mediation or arbitration is  
24 not filed until the date such fee or fees are paid, except that the failure of the  
25 respondent party to pay the filing fee for having the commission initiate compulsory,

1 final and binding arbitration under s. 111.70 (4) (cg) 6. or (jm) or 111.77 (3) may not  
2 prohibit the commission from initiating such arbitration. The commission may  
3 initiate collection proceedings against the respondent party for the payment of the  
4 filing fee. Fees collected under this subsection shall be credited to the appropriation  
5 account under s. 20.425 (1) (i).

6 **SECTION 2409hrm.** 111.71 (4m) of the statutes is created to read:

7 111.71 (4m) The commission shall collect on a systematic basis information on  
8 the operation of the arbitration law under s. 111.70 (4) (cg). The commission shall  
9 report on the operation of the law to the legislature on an annual basis. The report  
10 shall be submitted to the chief clerk of each house of the legislature for distribution  
11 to the legislature under s. 13.172 (2).

12 **SECTION 2409igm.** 111.71 (5m) of the statutes is created to read:

13 111.71 (5m) The commission shall, on a regular basis, provide training  
14 programs to prepare individuals for service as arbitrators or arbitration panel  
15 members under s. 111.70 (4) (cg). The commission shall engage in appropriate  
16 promotional and recruitment efforts to encourage participation in the training  
17 programs by individuals throughout the state, including at least 10 residents of each  
18 congressional district. The commission may also provide training programs to  
19 individuals and organizations on other aspects of collective bargaining, including on  
20 areas of management and labor cooperation directly or indirectly affecting collective  
21 bargaining. The commission may charge a reasonable fee for participation in the  
22 programs.

23 **SECTION 2409it.** 111.77 (6) of the statutes is renumbered 111.77 (6) (bm), and

24 111.77 (6) (bm) (intro.), as renumbered, is amended to read:



1           111.77 (6) (bm) (intro.) In reaching a decision, in addition to the factors under  
2 par. (am), the arbitrator shall give weight to the following factors:

3           **SECTION 2409iv.** 111.77 (6) (am) of the statutes is created to read:

4           111.77 (6) (am) In reaching a decision, the arbitrator shall give greater weight  
5 to the economic conditions in the jurisdiction of the municipal employer than the  
6 arbitrator gives to the factors under par. (bm). The arbitrator shall give an  
7 accounting of the consideration of this factor in the arbitrator’s decision.

8           **SECTION 2409jn.** 111.77 (9) of the statutes is amended to read:

9           111.77 (9) Section 111.70 (4) (c) 3. (cg), and (cm) ~~shall~~ does not apply to  
10 employments covered by this section.

11           **SECTION 2410a.** 111.81 (7) (ar) of the statutes is created to read:

12           111.81 (7) (ar) Any employee who is employed by the University of Wisconsin  
13 System, except an employee who is assigned to the University of  
14 Wisconsin–Madison, and except academic faculty under s. 36.13 and academic staff  
15 under s. 36.15.

16           **SECTION 2410b.** 111.81 (7) (at) of the statutes is created to read:

17           111.81 (7) (at) Any employee who is employed by the University of Wisconsin  
18 System and assigned to the University of Wisconsin–Madison except academic  
19 faculty under s. 36.13 and academic staff under s. 36.15.

20           **SECTION 2410c.** 111.815 (1) of the statutes is amended to read:

21           111.815 (1) In the furtherance of this subchapter, the state shall be considered  
22 as a single employer and employment relations policies and practices throughout the  
23 state service shall be as consistent as practicable. The office shall negotiate and  
24 administer collective bargaining agreements except that the department of health  
25 services, subject to the approval of the federal centers for medicare and medicaid

1 services to use collective bargaining as the method of setting rates for  
2 reimbursement of home care providers, shall negotiate and administer collective  
3 bargaining agreements entered into with the collective bargaining unit specified in  
4 s. 111.825 (2g). To coordinate the employer position in the negotiation of agreements,  
5 the office, or the department of health services with regard to collective bargaining  
6 agreements entered into with the collective bargaining unit specified in s. 111.825  
7 (2g), shall maintain close liaison with the legislature relative to the negotiation of  
8 agreements and the fiscal ramifications of those agreements. Except with respect  
9 to the collective bargaining units specified in s. 111.825 (1m), ~~(2) (f), (1r), (1t), and~~  
10 ~~(2g)~~, the office is responsible for the employer functions of the executive branch under  
11 this subchapter, and shall coordinate its collective bargaining activities with  
12 operating state agencies on matters of agency concern. The legislative branch shall  
13 act upon those portions of tentative agreements negotiated by the office that require  
14 legislative action. With respect to the collective bargaining units specified in s.  
15 111.825 (1m), the University of Wisconsin Hospitals and Clinics Board is responsible  
16 for the employer functions under this subchapter. With respect to the collective  
17 bargaining units specified in s. 111.825 (1r), the Board of Regents of the University  
18 of Wisconsin System is responsible for the employer functions under this subchapter.  
19 With respect to the collective bargaining units specified in s. 111.825 (1t), the  
20 chancellor of the University of Wisconsin–Madison is responsible for the employer  
21 functions under this subchapter. With respect to the collective bargaining unit  
22 specified in s. 111.825 ~~(2) (f) (1r) (ef)~~, the governing board of the charter school  
23 established by contract under s. 118.40 (2r) (cm) is responsible for the employer  
24 functions under this subchapter. With respect to the collective bargaining unit

1 specified in s. 111.825 (2g), the department of health services is responsible for the  
2 employer functions of the executive branch under this subchapter.

3 **SECTION 2410d.** 111.815 (2) of the statutes is amended to read:

4 111.815 (2) In the furtherance of the policy under s. 111.80 (4), the director of  
5 the office shall, together with the appointing authorities or their representatives,  
6 represent the state in its responsibility as an employer under this subchapter except  
7 with respect to negotiations in the collective bargaining units specified in s. 111.825  
8 (1m), ~~(2) (f)~~, (1r), (1t), and (2g). The director of the office shall establish and maintain,  
9 wherever practicable, consistent employment relations policies and practices  
10 throughout the state service.

11 **SECTION 2410e.** 111.825 (1r) of the statutes is created to read:

12 111.825 (1r) Except as provided in sub. (2), collective bargaining units for  
13 employees who are employed by the University of Wisconsin System, other than  
14 employees who are assigned to the University of Wisconsin–Madison, are structured  
15 with one collective bargaining unit for each of the following occupational groups:

16 (a) Administrative support.

17 (b) Blue collar and nonbuilding trades.

18 (c) Building trades crafts.

19 (cm) Law enforcement.

20 (d) Security and public safety.

21 (e) Technical.

22 (f) Professional:

23 1. Fiscal and staff services.

24 2. Research, statistics, and analysis.

25 3. Legal.

1 4. Patient treatment.

2 5. Patient care.

3 6. Social services.

4 7. Education.

5 8. Engineering.

6 9. Science.

7 **SECTION 2410f.** 111.825 (1t) of the statutes is created to read:

8 111.825 (1t) Except as provided in sub. (2), collective bargaining units for  
9 employees employed by the University of Wisconsin System and assigned to the  
10 University of Wisconsin–Madison are structured with one collective bargaining unit  
11 for each of the following occupational groups:

12 (a) Administrative support.

13 (b) Blue collar and nonbuilding trades.

14 (c) Building trades crafts.

15 (cm) Law enforcement.

16 (d) Security and public safety.

17 (e) Technical.

18 (f) Professional:

19 1. Fiscal and staff services.

20 2. Research, statistics, and analysis.

21 3. Legal.

22 4. Patient treatment.

23 5. Patient care.

24 6. Social services.

25 7. Education.

1           8. Engineering.

2           9. Science.

3           **SECTION 2410g.** 111.825 (2) (a) of the statutes is renumbered 111.825 (1t) (em)  
4 and amended to read:

5           111.825 (1t) (em) The program, project, and teaching assistants of the  
6 University of Wisconsin–Madison and,

7           (1r) (em) The program, project, and teaching assistants of the University of  
8 Wisconsin–Extension.

9           **SECTION 2410h.** 111.825 (2) (b), (c) and (f) of the statutes are renumbered  
10 111.825 (1r) (eb), (ec) and (ef).

11           **SECTION 2410i.** 111.825 (2) (g) of the statutes is renumbered 111.825 (1t) (er)  
12 and amended to read:

13           111.825 (1t) (er) Research assistants of the University of Wisconsin–Madison  
14 and,

15           (1r) (er) Research assistants of the University of Wisconsin–Extension.

16           **SECTION 2410j.** 111.825 (2) (h) and (i) of the statutes are renumbered 111.825  
17 (1r) (eh) and (ei).

18           **SECTION 2410k.** 111.825 (3) of the statutes is amended to read:

19           111.825 (3) The commission shall assign employees to the appropriate  
20 collective bargaining units set forth in subs. (1), (1m), (1r), (1t), (2), and (2g).

21           **SECTION 2410L.** 111.825 (3m) of the statutes is created to read:

22           111.825 (3m) If, on or after the effective date of this subsection .... [LRB inserts  
23 date], the University of Wisconsin–Madison or the Board of Regents of the University  
24 of Wisconsin System creates a new position title or classification for a position, the  
25 commission shall, within 30 days of being notified of the creation, determine if the

1 title or classification would make the person who holds the position an employee  
2 under s. 111.81 (7) (ar) or (at) and assign any new position title or classification that  
3 would make the position holder an employee to the appropriate collective bargaining  
4 unit under s. 111.825 (1r) or (1t).

5 **SECTION 2410m.** 111.825 (4) of the statutes is amended to read:

6 111.825 (4) Any labor organization may petition for recognition as the exclusive  
7 representative of a collective bargaining unit specified in sub. (1), (1m), (1r), (1t), (2),  
8 or (2g) in accordance with the election procedures set forth in s. 111.83, provided the  
9 petition is accompanied by a 30% showing of interest in the form of signed  
10 authorization cards. Each additional labor organization seeking to appear on the  
11 ballot shall file petitions within 60 days of the date of filing of the original petition  
12 and prove, through signed authorization cards, that at least 10% of the employees  
13 in the collective bargaining unit want it to be their representative.

14 **SECTION 2410n.** 111.825 (6) of the statutes is amended to read:

15 111.825 (6) The commission shall ~~only~~ assign only an employee of the  
16 department of administration, department of transportation, University of  
17 Wisconsin–Madison, or board of regents of the University of Wisconsin System who  
18 engages in the detection and prevention of crime, who enforces the laws and who is  
19 authorized to make arrests for violations of the laws; an employee of the department  
20 of administration, department of transportation, University of Wisconsin–Madison,  
21 or board of regents of the University of Wisconsin System who provides technical law  
22 enforcement support to such employees; and an employee of the department of  
23 transportation who engages in motor vehicle inspection or operator’s license  
24 examination to the a collective bargaining unit under sub. (1) (cm), (1r) (cm), or (1t)  
25 (cm), whichever is appropriate.

1           **SECTION 2410o.** 111.825 (7) of the statutes is created to read:

2           111.825 (7) Notwithstanding sub. (3), if on the effective date of this subsection  
3           .... [LRB inserts date], an employee of the University of Wisconsin System is assigned  
4           to a collective bargaining unit under sub. (1) or (2) (a), (b), (c), (g), (h), or (i) the  
5           commission shall assign the person to the corresponding collective bargaining unit  
6           under sub. (1r) or (1t), whichever is appropriate. Except as otherwise provided in this  
7           subchapter, the commission may not assign any other persons to the collective  
8           bargaining units under sub. (1r) or (1t).

9           **SECTION 2410oe.** 111.83 (3) (b) of the statutes, as created by 2011 Wisconsin  
10          Act 10, is repealed and recreated to read:

11          111.83 (3) (b) Annually, no later than December 1, the commission shall  
12          conduct an election to certify the representative of a collective bargaining unit that  
13          contains a general employee. There shall be included on the ballot the names of all  
14          labor organizations having an interest in representing the general employees  
15          participating in the election. The commission may exclude from the ballot one who,  
16          at the time of the election, stands deprived of his or her rights under this subchapter  
17          by reason of a prior adjudication of his or her having engaged in an unfair labor  
18          practice. The commission shall certify any representative that receives at least 51  
19          percent of the votes of all of the general employees in the collective bargaining unit.  
20          If no representative receives at least 51 percent of the votes of all of the general  
21          employees in the collective bargaining unit, at the expiration of the collective  
22          bargaining agreement, the commission shall decertify the current representative  
23          and the general employees shall be nonrepresented. Notwithstanding s. 111.82, if  
24          a representative is decertified under this paragraph, the affected general employees  
25          may not be included in a substantially similar collective bargaining unit for 12

1 months from the date of decertification. The commission's certification of the results  
2 of any election is conclusive unless reviewed as provided by s. 111.07 (8). The  
3 commission shall assess and collect a certification fee for each election conducted  
4 under this paragraph. Fees collected under this paragraph shall be credited to the  
5 appropriation account under s. 20.425 (1) (i).

6 **SECTION 2410pm.** 111.83 (5) (a) of the statutes is amended to read:

7 111.83 (5) (a) This subsection applies only to the collective bargaining unit  
8 specified in s. 111.825 ~~(2) (c)~~ (1r) (ec).

9 **SECTION 2410q.** 111.83 (5) (b) of the statutes is amended to read:

10 111.83 (5) (b) Upon filing of a petition with the commission indicating a  
11 showing of interest of at least 30% of the employees at an institution who are  
12 included within a collective bargaining unit to be represented by a labor  
13 organization, the commission shall hold an election in which the employees in that  
14 unit at that institution may vote on the question of representation. The labor  
15 organization named in any such petition shall be included on the ballot. Within 60  
16 days of the time that an original petition is filed, another petition may be filed with  
17 the commission indicating a showing of interest of at least 10% of the employees at  
18 the same institution who are included in the same collective bargaining unit to be  
19 represented by another labor organization, in which case the name of that labor  
20 organization shall be included on the ballot. If more than one original petition is filed  
21 within a 30-day period concerning employees in the collective bargaining unit  
22 specified in s. 111.825 ~~(2) (c)~~ (1r) (ec), the results of all elections held pursuant to the  
23 petitions shall be announced by the commission at the same time. The ballot shall  
24 be prepared in accordance with sub. (3), except as otherwise provided in this  
25 subsection.



1           **SECTION 2410r.** 111.83 (5) (c) of the statutes is amended to read:

2           111.83 **(5)** (c) Notwithstanding s. 111.825 ~~(2)~~ ~~(c)~~ (1r) ~~(ec)~~, the employees at any  
3 institution included within the collective bargaining unit at which no petition is filed  
4 and no election is held or at which the employees indicate, by a majority of those  
5 voting in an election, a desire not to participate in collective bargaining are not  
6 considered to be a part of that collective bargaining unit.

7           **SECTION 2410s.** 111.83 (7) of the statutes is renumbered 111.83 (7) (a).

8           **SECTION 2410t.** 111.83 (7) (b) of the statutes is created to read:

9           111.83 **(7)** (b) Notwithstanding subs. (1), (3) and (6) and s. 111.825 (4), if on the  
10 effective date of this paragraph ... [LRB inserts date], there is a representative  
11 recognized or certified to represent the employees in any of the collective bargaining  
12 units specified in s. 111.825 (1) (a) to (f), that representative shall become the  
13 representative of the employees in the corresponding collective bargaining units  
14 specified in s. 111.825 (1r) (a) to (f) or (1t) (a) to (f), whichever is appropriate, without  
15 the necessity of filing a petition or conducting an election, subject to the right of any  
16 person to file a petition under this section during October 2014 or at any subsequent  
17 time when sub. (6) applies.

18           **SECTION 2410u.** 111.84 (2) (c) of the statutes is amended to read:

19           111.84 **(2)** (c) To refuse to bargain collectively on matters set forth in s. 111.91  
20 (1) with the duly authorized officer or agent of the employer which is the recognized  
21 or certified exclusive collective bargaining representative of employees specified in  
22 s. 111.81 (7) (a) in an appropriate collective bargaining unit or with the certified  
23 exclusive collective bargaining representative of employees specified in s. 111.81 (7)  
24 ~~(b)~~ (ar) to (g) in an appropriate collective bargaining unit. Such refusal to bargain

1 shall include, but not be limited to, the refusal to execute a collective bargaining  
2 agreement previously orally agreed upon.

3 **SECTION 2410v.** 111.85 (5) of the statutes is renumbered 111.85 (5) (a).

4 **SECTION 2410w.** 111.85 (5) (b) of the statutes is created to read:

5 111.85 (5) (b) Notwithstanding sub. (1), if on the effective date of this paragraph  
6 .... [LRB inserts date], there is a fair-share or maintenance of membership  
7 agreement in effect in any of the collective bargaining units specified in s. 111.825  
8 (1) (a) to (f), that fair-share or maintenance of membership agreement shall apply  
9 to the corresponding collective bargaining unit under s. 111.825 (1r) (a) to (f) or (1t)  
10 (a) to (f), whichever is appropriate, without the necessity of filing a petition or  
11 conducting a referendum, subject to the right of the employees in each collective  
12 bargaining unit to file a petition requesting a referendum under sub. (2) (a).

13 **SECTION 2424hr.** 111.91 (1) (cm) of the statutes, as affected by 2011 Wisconsin  
14 Act 10, is amended to read:

15 111.91 (1) (cm) Except as provided in sub. (2) (~~g~~) and (~~h~~) and ss. 40.02 (22) (e)  
16 and 40.23 (1) (f) 4., all laws governing the Wisconsin retirement system under ch. 40  
17 and all actions of the employer that are authorized under any such law which apply  
18 to nonrepresented individuals employed by the state shall apply to similarly situated  
19 public safety employees, unless otherwise specifically provided in a collective  
20 bargaining agreement that applies to the public safety employees.

21 **SECTION 2424jp.** 111.91 (2) (fm) of the statutes is created to read:

22 111.91 (2) (fm) If the collective bargaining unit contains a public safety  
23 employee initially employed on or after the effective date of this paragraph .... [LRB  
24 inserts date], the requirement under s. 40.05 (1) (b) that the employer may not pay,  
25 on behalf of that public safety employee, any employee required contributions or the

1 employee share of required contributions and the impact of this requirement on the  
2 wages, hours, and conditions of employment of that public safety employee.

3 **SECTION 2425p.** 111.91 (3) (b) 2. of the statutes, as created by 2011 Wisconsin  
4 Act 10, is repealed and recreated to read:

5 111.91 (3) (b) 2. If there is a decrease or no change in the consumer price index  
6 change, provides for any change in total base wages for authorized positions in the  
7 proposed collective bargaining agreement from the total base wages for authorized  
8 positions 180 days before the expiration of the previous collective bargaining  
9 agreement.

10 **SECTION 2426c.** 111.91 (4) of the statutes is amended to read:

11 111.91 (4) The director of the office, in connection with the development of  
12 tentative collective bargaining agreements to be submitted under s. 111.92 (1) (a) 1,  
13 shall endeavor to obtain tentative agreements with each recognized or certified labor  
14 organization representing employees or supervisors of employees specified in s.  
15 111.81 (7) (a) and with each certified labor organization representing employees  
16 specified in s. 111.81 (7) (b) to (e) which do not contain any provision for the payment  
17 to any employee of a cumulative or noncumulative amount of compensation in  
18 recognition of or based on the period of time an employee has been employed by the  
19 state.

20 **SECTION 2426g.** 111.92 (1) (a) of the statutes is renumbered 111.92 (1) (a) 1. and  
21 amended to read:

22 111.92 (1) (a) 1. Any tentative agreement reached between the office, or, as  
23 provided in s. 111.815 (1), the department of health services, acting for the state, and  
24 any labor organization representing a collective bargaining unit specified in s.  
25 111.825 (1), (2) ~~(a) to~~ (d) or (e), or (2g) shall, after official ratification by the labor

1 organization, be submitted by the office or department of health services to the joint  
2 committee on employment relations, which shall hold a public hearing before  
3 determining its approval or disapproval.

4 4. If the committee approves ~~the~~ a tentative agreement under subd. 1., 2., or  
5 3., it shall introduce in a bill or companion bills, to be put on the calendar or referred  
6 to the appropriate scheduling committee of each house, that portion of the tentative  
7 agreement which requires legislative action for implementation, such as salary and  
8 wage adjustments, changes in fringe benefits, and any proposed amendments,  
9 deletions or additions to existing law. Such bill or companion bills are not subject to  
10 ss. 13.093 (1), 13.50 (6) (a) and (b) and 16.47 (2). The committee may, however, submit  
11 suitable portions of the tentative agreement to appropriate legislative committees  
12 for advisory recommendations on the proposed terms. The committee shall  
13 accompany the introduction of such proposed legislation with a message that informs  
14 the legislature of the committee's concurrence with the matters under consideration  
15 and which recommends the passage of such legislation without change. If the joint  
16 committee on employment relations does not approve the tentative agreement, it  
17 shall be returned to the parties for renegotiation. If the legislature does not adopt  
18 without change that portion of the tentative agreement introduced by the joint  
19 committee on employment relations, the tentative agreement shall be returned to  
20 the parties for renegotiation.

21 **SECTION 2426L.** 111.92 (1) (a) 2. and 3. of the statutes are created to read:

22 111.92 **(1)** (a) 2. Any tentative agreement reached between the Board of  
23 Regents of the University of Wisconsin System, acting for the state, and any labor  
24 organization representing a collective bargaining unit specified in s. 111.825 (1r)  
25 shall, after official ratification by the labor organization, be submitted by the Board

1 of Regents of the University of Wisconsin System to the joint committee on  
2 employment relations, which shall hold a public hearing before determining its  
3 approval or disapproval.

4 3. Any tentative agreement reached between the University of  
5 Wisconsin–Madison, acting for the state, and any labor organization representing a  
6 collective bargaining unit specified in s. 111.825 (1t) shall, after official ratification  
7 by the labor organization and approval by the Board of Regents of the University of  
8 Wisconsin System, be submitted by the University of Wisconsin–Madison to the joint  
9 committee on employment relations, which shall hold a public hearing before  
10 determining its approval or disapproval.

11 **SECTION 2426p.** 111.92 (1) (c) of the statutes is amended to read:

12 111.92 (1) (c) Any tentative agreement reached between the governing board  
13 of the charter school established by contract under s. 118.40 (2r) (cm), acting for the  
14 state, and any labor organization representing a collective bargaining unit specified  
15 in s. 111.825 (2)–(f) (1r) (ef) shall, after official ratification by the labor organization  
16 and approval by the chancellor of the University of Wisconsin–Parkside, be executed  
17 by the parties.

18 **SECTION 2426t.** 111.93 (3) of the statutes is amended to read:

19 111.93 (3) Except as provided in ss. 7.33 (4), 40.05, 40.80 (3), 111.91 (1) (cm),  
20 230.35 (2d) and (3) (e) 6., and 230.88 (2) (b), if a collective bargaining agreement  
21 exists between the employer and a labor organization representing employees in a  
22 collective bargaining unit, the provisions of that agreement shall supersede the  
23 provisions of civil service and other applicable statutes, as well as rules and policies  
24 of the University of Wisconsin–Madison and the board of regents of the University  
25 of Wisconsin System, related to wages, fringe benefits, hours, and conditions of

1 employment whether or not the matters contained in those statutes, rules, and  
2 policies are set forth in the collective bargaining agreement.

3 **SECTION 2426x.** 111.935 (2) of the statutes is amended to read:

4 111.935 (2) Notwithstanding s. 111.83 (2), the commission shall establish a  
5 procedure whereby research assistants may determine whether to form themselves  
6 into collective bargaining units under s. 111.825 (2) ~~(g), (h), or (i)~~ (1r) (eh), (ei), or (er)  
7 or (1t) (er) by authorization cards in lieu of secret ballot. The procedure shall provide  
8 that once a majority of research assistants have indicated their preference on the  
9 authorization cards to form themselves into a collective bargaining unit, the  
10 collective bargaining unit is established.

11 **SECTION 2432.** 114.31 (6) of the statutes is amended to read:

12 114.31 (6) TECHNICAL SERVICES TO MUNICIPALITIES. The secretary may, insofar  
13 as is reasonably possible, offer the engineering or other technical service of the  
14 department, to any municipality desiring them in connection with the construction,  
15 maintenance or operation or proposed construction, maintenance or operation of an  
16 airport. The secretary may assess reasonable costs for services including services  
17 performed while acting as agent for a municipality. Such assessment shall include  
18 properly allocated administrative costs. Municipalities are authorized to cooperate  
19 with the secretary in the development of aeronautics and aeronautical facilities in  
20 this state. The ~~department of commerce~~ Wisconsin Economic Development  
21 Corporation and all other agencies are authorized and directed to make available  
22 such facilities and services, and to cooperate as far as possible to promote the best  
23 interests of aeronautics of the state.

24 **SECTION 2433.** 114.33 (10) of the statutes is amended to read:

1           114.33 (10) Subject to the approval of the governor under this subsection, the  
2 secretary may sell at public or private sale property of whatever nature owned by the  
3 state and under the jurisdiction of the secretary when the secretary determines that  
4 the property is no longer necessary for the state's use for airport purposes and, if real  
5 property, the real property is not the subject of a petition under s. ~~560.9810~~ 16.310.  
6 The secretary shall present to the governor a full and complete report of the property  
7 to be sold, the reason for the sale, and the minimum price for which the property  
8 should be sold, together with an application for the governor's approval of the sale.  
9 The governor shall investigate the proposed sale as he or she deems necessary and  
10 approve or disapprove the application. Upon approval and receipt of the full  
11 purchase price, the secretary shall by appropriate deed or other instrument transfer  
12 the property to the purchaser. The funds derived from the sale shall be deposited in  
13 the appropriate airport fund, and the expense incurred by the secretary in  
14 connection with the sale shall be paid from that fund. This subsection does not apply  
15 to real property that is sold under s. 16.848.

16           **SECTION 2437.** 115.28 (12) of the statutes is created to read:

17           115.28 (12) STUDENT INFORMATION SYSTEM. (a) Working with the office of the  
18 governor, establish a student information system to collect and maintain  
19 information about pupils enrolled in public schools, including their academic  
20 performance and demographic information, aggregated by school district, school,  
21 and teacher.

22           (b) Ensure that within 5 years of the establishment of the system under par.  
23 (a), every school district is using the system. The state superintendent may  
24 promulgate rules authorizing the department to charge a fee to any person that uses

1 the system. All fees shall be credited to the appropriation account under s. 20.255  
2 (1) (jm).

3 **SECTION 2438.** 115.28 (24) of the statutes is amended to read:

4 115.28 (24) PRIORITY IN AWARDING GRANTS. Give priority in awarding grants to  
5 school boards under ~~ss. s. 115.36 and 115.361~~, and in awarding grants from federal  
6 funds received under 20 USC 2301 to 2471, 20 USC 4601 to 4665 and 29 USC 2862  
7 (b) (1) (B), to programs that provide more than one of the educational services  
8 specified under s. 115.36, ~~115.361~~, 115.915, 118.01 (2) (d) 7. or 8. or 118.153 or 20 USC  
9 2301 to 2471, 20 USC 4601 to 4665 or 29 USC 2862 (b) (1) (B).

10 **SECTION 2439.** 115.28 (35) of the statutes is repealed.

11 **SECTION 2440.** 115.28 (39) of the statutes is amended to read:

12 115.28 (39) ALCOHOL AND OTHER DRUG ABUSE REPORT. ~~By July 1, 1998, and~~  
13 ~~biennially~~ Biennially by July 1 thereafter, evaluate the effectiveness of the programs  
14 under ~~ss. s. 115.36 and 115.361~~ and submit a report to the legislature under s. 13.172  
15 (2). ~~To satisfy this reporting requirement as it pertains to s. 115.361, the department~~  
16 ~~may incorporate into the report under this subsection the report required under s.~~  
17 ~~115.361 (2).~~

18 **SECTION 2441.** 115.28 (45) of the statutes is repealed.

19 **SECTION 2442.** 115.28 (46) of the statutes is repealed.

20 **SECTION 2443.** 115.28 (47) of the statutes is repealed.

21 **SECTION 2446.** 115.33 (2) (a) (intro.) of the statutes is amended to read:

22 115.33 (2) (a) (intro.) The state superintendent may request the department  
23 of ~~commerce~~ safety and professional services to inspect a public school if any of the  
24 following occurs:

25 **SECTION 2447.** 115.33 (2) (b) of the statutes is amended to read:



1           115.33 **(2)** (b) The department of ~~commerce~~ safety and professional services  
2 shall inspect the school within 30 days after receiving a request from the state  
3 superintendent under par. (a).

4           **SECTION 2448.** 115.33 (3) (a) of the statutes is amended to read:

5           115.33 **(3)** (a) If the state superintendent determines that a school is not in  
6 compliance, and the department of ~~commerce~~ safety and professional services, based  
7 on its inspection of the school, concurs in the determination, the state  
8 superintendent may order the school board to repair, improve, remodel or close the  
9 school by a stated date. An order issued under this paragraph constitutes a  
10 preliminary finding of noncompliance with the standard under s. 121.02 (1) (i).

11           **SECTION 2449.** 115.33 (3) (b) 1. of the statutes is amended to read:

12           115.33 **(3)** (b) 1. If the state superintendent determines that a school is not in  
13 compliance and is not worth repairing, and the department of ~~commerce~~ safety and  
14 professional services, based on its inspection of the school, concurs in the  
15 determination, the state superintendent may order the school board to develop a  
16 plan that describes how the school board will achieve compliance with the standard  
17 under s. 121.02 (1) (i). The plan shall specify the time within which compliance with  
18 the standard under s. 121.02 (1) (i) shall be achieved. The state superintendent shall  
19 hold a public hearing on the plan in the school district and may, as a result of the  
20 hearing, recommend changes to the plan. The state superintendent may withhold  
21 up to 25% of the school district's state aid if the school district fails to achieve  
22 compliance with the standard under s. 121.02 (1) (i) within the period specified in the  
23 plan.

24           **SECTION 2451.** 115.361 of the statutes is repealed.

25           **SECTION 2453.** 115.39 of the statutes is repealed.

1           **SECTION 2454.** 115.405 (2m) of the statutes is repealed.

2           **SECTION 2457.** 115.45 of the statutes is repealed.

3           **SECTION 2458.** 115.53 (3) (a) and (b) of the statutes are consolidated,  
4 renumbered 115.53 (3) and amended to read:

5           115.53 (3) Arrange for otological or ophthalmic examination of any pupil or  
6 prospective pupil of the school operated by the Wisconsin Educational Services  
7 Program for the Deaf and Hard of Hearing. ~~The examination shall be paid for from~~  
8 ~~the appropriation in s. 20.255 (1) (b), (gh) or (gs).~~ (b) Arrange for ophthalmic or  
9 otological examination of any pupil or prospective pupil of or the school operated by  
10 the Wisconsin Center for the Blind and Visually Impaired. The examination shall  
11 be paid for from the appropriation ~~in~~ under s. 20.255 (1) (b), (gh), (gL), or (gs).

12           **SECTION 2459.** 115.53 (4) (unnumbered first par.) and (a) of the statutes are  
13 consolidated, renumbered 115.53 (4) and amended to read:

14           115.53 (4) Apply to the board of directors of the University of Wisconsin  
15 Hospitals and Clinics Authority for admission to the University of Wisconsin  
16 Hospitals and Clinics of any pupil at the school operated by the Wisconsin  
17 Educational Services Program for the Deaf and Hard of Hearing or the school  
18 operated by the Wisconsin Center for the Blind and Visually Impaired. (a) The  
19 application shall be accompanied by the report of a physician appointed by the  
20 director of the Wisconsin Educational Services Program for the Deaf and Hard of  
21 Hearing or the director of the Wisconsin Center for the Blind and Visually Impaired  
22 and shall be in the same form as reports of other physicians for admission of patients  
23 to such hospital.

24           **SECTION 2460.** 115.53 (4) (b) of the statutes is repealed.

25           **SECTION 2472.** 118.07 (2) (b) of the statutes is amended to read:

1           118.07 (2) (b) In each community having a recognized fire department, the  
2 person having direct charge of any public or private school shall annually file a report  
3 pertaining to such drills, on a form furnished by the department of ~~commerce~~ safety  
4 and professional services, with the chief of the fire department. When no fire drill  
5 is held during any month, or when only one or no tornado or other hazard drill is held  
6 in a year, the person having direct charge of the school shall state the reasons in the  
7 report.

8           **SECTION 2473.** 118.075 (2) (a) 2. of the statutes is amended to read:

9           118.075 (2) (a) 2. The secretary of ~~commerce~~ safety and professional services  
10 or his or her designee.

11           **SECTION 2476m.** 118.125 (4) of the statutes is amended to read:

12           118.125 (4) TRANSFER OF RECORDS. Within 5 working days, a school district and  
13 a private school participating in the program under s. 118.60 or in the program under  
14 s. 119.23 shall transfer to another school, including a private or tribal school, or  
15 school district all pupil records relating to a specific pupil if the transferring school  
16 district or private school has received written notice from the pupil if he or she is an  
17 adult or his or her parent or guardian if the pupil is a minor that the pupil intends  
18 to enroll in the other school or school district or written notice from the other school  
19 or school district that the pupil has enrolled or from a court that the pupil has been  
20 placed in a juvenile correctional facility, as defined in s. 938.02 (10p), or a secured  
21 residential care center for children and youth, as defined in s. 938.02 (15g). In this  
22 subsection, “school” and “school district” include any juvenile correctional facility,  
23 secured residential care center for children and youth, adult correctional institution,  
24 mental health institute, or center for the developmentally disabled that provides an

1 educational program for its residents instead of or in addition to that which is  
2 provided by public, private, and tribal schools.

3 **SECTION 2476p.** 118.134 (3) (a) of the statutes is amended to read:

4 118.134 (3) (a) The state superintendent shall issue a decision and order within  
5 45 days after the hearing. If the state superintendent finds that the use of the  
6 race–based nickname, logo, mascot, or team name does not promote discrimination,  
7 pupil harassment, or stereotyping, the state superintendent shall dismiss the  
8 complaint. Except as provided in ~~par.~~ pars. (b) and (d), if the state superintendent  
9 finds that the use of the race–based nickname, logo, mascot, or team name promotes  
10 discrimination, pupil harassment, or stereotyping, the state superintendent shall  
11 order the school board to terminate its use of the race–based nickname, logo, mascot,  
12 or team name within 12 months after issuance of the order.

13 **SECTION 2476r.** 118.134 (3) (d) of the statutes is created to read:

14 118.134 (3) (d) No school district required by a decision and order issued under  
15 this subsection on or before the effective date of this paragraph .... [LRB inserts date],  
16 to terminate the use of a race–based nickname, logo, mascot, or team name shall be  
17 required to comply with the terms of that decision and order until January 15, 2013.

18 **SECTION 2477.** 118.135 (2) of the statutes is amended to read:

19 118.135 (2) A pupil who complies with a request under sub. (1) shall provide  
20 evidence of an eye examination or evaluation by December 31 following the pupil's  
21 enrollment in kindergarten. The school board or charter school shall provide pupils  
22 with the form distributed by the department of ~~regulation and licensing~~ safety and  
23 professional services under s. 440.03 (16) for that purpose.

24 **SECTION 2482m.** 118.153 (3) (c) 2. of the statutes is amended to read:

1           118.153 **(3)** (c) 2. The school board may contract with the agencies identified  
2           under subd. 1. for ~~not more than 30% of~~ the children at risk enrolled in the school  
3           district if the school board determines that the agencies can adequately serve such  
4           children.

5           **SECTION 2488b.** 118.30 (1g) (a) 4. of the statutes is created to read:

6           118.30 **(1g)** (a) 4. The governing body of each private school participating in the  
7           program under s. 118.60 shall adopt pupil academic standards in mathematics,  
8           science, reading and writing, geography, and history. The governing body of the  
9           private school may adopt the pupil academic standards issued by the governor as  
10          executive order no. 326, dated January 13, 1998.

11          **SECTION 2488e.** 118.30 (1t) of the statutes is created to read:

12          118.30 **(1t)** Annually, the governing body of each private school participating  
13          in the program under s. 118.60 shall do all of the following:

14          (a) Administer the 4th grade examination adopted or approved by the state  
15          superintendent under sub. (1) to all pupils attending the 4th grade in the private  
16          school under s. 118.60.

17          (b) Administer the 8th grade examination adopted or approved by the state  
18          superintendent under sub. (1) to all pupils attending the 8th grade in the private  
19          school under s. 118.60.

20          (c) Administer the 10th grade examination adopted or approved by the state  
21          superintendent under sub. (1) to all pupils attending the 10th grade in the private  
22          school under s. 118.60.

23          (d) Administer to pupils attending the private school under s. 118.60 all other  
24          examinations in reading, mathematics, and science that are required to be  
25          administered to public school pupils under 20 USC 6311 (b) (3).

1           **SECTION 2488h.** 118.30 (2) (b) 1. of the statutes is amended to read:

2           118.30 (2) (b) 1. If a pupil is enrolled in a special education program under  
3           subch. V of ch. 115, the school board, operator of the charter school under s. 118.40  
4           (2r), governing body of the private school participating in the program under s.  
5           118.60, or governing body of the private school participating in the program under  
6           s. 119.23 shall comply with s. 115.77 (1m) (bg).

7           **SECTION 2488L.** 118.30 (2) (b) 2. of the statutes is amended to read:

8           118.30 (2) (b) 2. According to criteria established by the state superintendent  
9           by rule, the school board, operator of the charter school under s. 118.40 (2r),  
10          governing body of the private school participating in the program under s. 118.60, or  
11          governing body of the private school participating in the program under s. 119.23  
12          may determine not to administer an examination under this section to a  
13          limited-English speaking pupil, as defined under s. 115.955 (7), may permit the  
14          pupil to be examined in his or her native language, or may modify the format and  
15          administration of an examination for such pupils.

16          **SECTION 2488p.** 118.30 (2) (b) 6. of the statutes is created to read:

17          118.30 (2) (b) 6. Upon the request of a pupil's parent or guardian, the governing  
18          body of a private school participating in the program under s. 118.60 shall excuse the  
19          pupil from taking an examination administered under sub. (1t) (a) to (c).

20          **SECTION 2488pq.** 118.30 (5) of the statutes is created to read:

21          118.30 (5) Beginning in the 2014–15 school year, the department shall ensure  
22          that benchmark assessments are administered to pupils annually under this section  
23          prior to the administration of summative assessments under this section.

24          **SECTION 2488pt.** 118.30 (5m) of the statutes is created to read:

1           **118.30 (5m)** When determining the percentage of pupils participating in the  
2 program under s. 119.23 who performed at designated proficiency levels on the  
3 examinations administered as required under sub. (1s), the department shall  
4 consider only the pupils participating in the program under s. 119.23 to whom the  
5 examinations were administered at each grade level, and shall exclude from  
6 consideration those pupils participating in the program under s. 119.23 who were  
7 excused from taking the examinations under sub. (2) (b) 5.

8           **SECTION 2488r.** 118.33 (1) (f) 2r. of the statutes is created to read:

9           **118.33 (1) (f) 2r.** The governing body of each private school participating in the  
10 program under s. 118.60 shall develop a policy specifying criteria for granting a high  
11 school diploma to pupils attending the private school under s. 118.60. The criteria  
12 shall include the pupil's academic performance and the recommendations of  
13 teachers.

14           **SECTION 2488u.** 118.33 (1) (f) 3. of the statutes is amended to read:

15           **118.33 (1) (f) 3.** Beginning on September 1, 2005, neither a school board nor an  
16 operator of a charter school under s. 118.40 (2r) may grant a high school diploma to  
17 any pupil unless the pupil has satisfied the criteria specified in the school board's or  
18 charter school's policy under subd. 1. or 2. Beginning on September 1, 2010, the  
19 governing body of a private school participating in the program under s. 119.23 may  
20 not grant a high school diploma to any pupil attending the private school under s.  
21 119.23 unless the pupil has satisfied the criteria specified in the governing body's  
22 policy under subd. 2m. The governing body of a private school participating in the  
23 program under s. 118.60 may not grant a high school diploma to any pupil attending  
24 the private school under s. 118.60 unless the pupil has satisfied the criteria specified  
25 in the governing body's policy under subd. 2r.

1           **SECTION 2488y.** 118.33 (6) (cr) of the statutes is created to read:

2           118.33 **(6)** (cr) 1. The governing body of each private school participating in the  
3 program under s. 118.60 shall adopt a written policy specifying criteria for promoting  
4 a pupil who is attending the private school under s. 118.60 from the 4th grade to the  
5 5th grade and from the 8th grade to the 9th grade. The criteria shall include the  
6 pupil's score on the examination administered under s. 118.30 (1t) (a) or (b), unless  
7 the pupil has been excused from taking the examination under s. 118.30 (2) (b); the  
8 pupil's academic performance; the recommendations of teachers, which shall be  
9 based solely on the pupil's academic performance; and any other academic criteria  
10 specified by the governing body of the private school.

11           2. The governing body of a private school participating in the program under  
12 s. 118.60 may not promote a 4th grade pupil who is attending the private school  
13 under s. 118.60 to the 5th grade, and may not promote an 8th grade pupil who is  
14 attending the private school under s. 118.60 to the 9th grade, unless the pupil  
15 satisfies the criteria for promotion specified in the governing body's policy under  
16 subd. 1.

17           **SECTION 2489.** 118.35 (4) of the statutes is amended to read:

18           118.35 **(4)** From the appropriation under s. 20.255 (2) (fy), the department shall  
19 award grants to nonprofit organizations, cooperative educational service agencies,  
20 institutions within the University of Wisconsin System, and the school district  
21 operating under ch. 119 for the purpose of providing ~~advanced curriculum and~~  
22 ~~assessments for~~ to gifted and talented pupils those services and activities not  
23 ordinarily provided in a regular school program that allow such pupils to fully  
24 develop their capabilities.



1           **SECTION 2499.** 118.40 (2r) (e) 1. a. of the statutes is renumbered 118.40 (2r) (e)  
2           1m. and amended to read:

3           118.40 **(2r)** (e) 1m. In the ~~2009–10~~ 2011–12 and ~~2010–11~~ 2012–13 school years,  
4           from the appropriation under s. 20.255 (2) (fm), the department shall pay to the  
5           operator of the charter school an amount equal to the sum of the amount paid per  
6           pupil under this ~~subdivision~~ paragraph in the previous school year and the increase  
7           in the per pupil amount paid to private schools under s. 119.23 (4) (b) 2. or (bg) in the  
8           current school year as compared to the previous school year, multiplied by the  
9           number of pupils attending the charter school.

10           **SECTION 2500.** 118.40 (2r) (e) 1. b. of the statutes is renumbered 118.40 (2r) (e)  
11           2m. and amended to read:

12           118.40 **(2r)** (e) 2m. In the ~~2011–12~~ 2013–14 school year and in each school year  
13           thereafter, from the appropriation under s. 20.255 (2) (fm), the department shall pay  
14           to the operator of the charter school an amount equal to the sum of the amount paid  
15           per pupil under this ~~subdivision~~ paragraph in the previous school year and the per  
16           pupil revenue limit adjustment under s. 121.91 (2m) in the current school year,  
17           multiplied by the number of pupils attending the charter school.

18           **SECTION 2501.** 118.40 (2r) (e) 1. c. of the statutes is renumbered 118.40 (2r) (e)  
19           3m. and amended to read:

20           118.40 **(2r)** (e) 3m. The amount paid per pupil under this ~~subdivision~~  
21           paragraph may not be less than the amount paid per pupil under this ~~subdivision~~  
22           paragraph in the previous school year. The department shall pay 25% of the total  
23           amount in September, 25% in December, 25% in February, and 25% in June. The  
24           department shall send the check to the operator of the charter school.

1           **SECTION 2502m.** 118.40 (2r) (e) 2. of the statutes is renumbered 118.40 (2r) (e)  
2           4. and amended to read:

3           118.40 **(2r)** (e) 4. If the chancellor of the University of Wisconsin–Parkside  
4           establishes or contracts for the establishment of a charter school under this  
5           subsection, in March the department shall pay to the unified school district in which  
6           the charter school is located, from the appropriation under s. 20.255 (2) (fm), an  
7           amount equal to the amount of school aid per pupil to which the unified school district  
8           is eligible in the current school year multiplied by the number of pupils attending the  
9           charter school who were previously enrolled in the unified school district, except that  
10          the payment may not exceed \$1,000,000 in the 2011–12 school year and may not  
11          exceed \$750,000 in the 2012–13 school year. No aid may be paid under this  
12          subdivision after the 2012–13 school year.

13          **SECTION 2503.** 118.40 (2r) (f) of the statutes is repealed.

14          **SECTION 2507.** 118.40 (8) (h) of the statutes is repealed.

15          **SECTION 2507b.** 118.43 (2) (b) 2. of the statutes is amended to read:

16          118.43 **(2)** (b) 2. The school board is not receiving a grant under the preschool  
17          to grade 5 program on behalf of the school under s. 115.45, 2009 stats.

18          **SECTION 2507e.** 118.43 (2) (bg) 2. of the statutes is amended to read:

19          118.43 **(2)** (bg) 2. The school board is not receiving a grant under the preschool  
20          to grade 5 program on behalf of the school under s. 115.45, 2009 stats.

21          **SECTION 2507h.** 118.43 (2) (br) 2. of the statutes is amended to read:

22          118.43 **(2)** (br) 2. The school board is not receiving a grant under the preschool  
23          to grade 5 program on behalf of any of the schools under s. 115.45, 2009 stats.

24          **SECTION 2507j.** 118.43 (2) (bt) 2. of the statutes is amended to read:

1           118.43 (2) (bt) 2. The school board is not receiving a grant under the preschool  
2 to grade 5 program on behalf of any of the schools under s. 115.45, 2009 stats.

3           **SECTION 2507L.** 118.43 (2) (bv) of the statutes is created to read:

4           118.43 (2) (bv) In the 2011–12 school year, the school board of an eligible school  
5 district may enter into a 5–year achievement guarantee contract with the  
6 department on behalf of one or more schools in the school district if, in the 2010–11  
7 school year, the school board received a grant under the preschool to grade 5 program  
8 on behalf of the schools under s. 115.45, 2009 stats.

9           **SECTION 2507n.** 118.43 (2) (g) of the statutes is amended to read:

10          118.43 (2) (g) The department may renew an achievement guarantee contract  
11 under pars. (b), (bg), (br), ~~and (bt)~~, and (bv) for one or more terms of 5 school years.  
12 Except as provided in sub. (3m), as a condition of receiving payments under a  
13 renewal of an achievement guarantee contract, a school board shall maintain the  
14 reduction of class size achieved during the last school year of the original  
15 achievement guarantee contract for the grades specified for the last school year of the  
16 contract.

17          **SECTION 2507p.** 118.43 (3) (intro.) of the statutes is amended to read:

18          118.43 (3) CONTRACT REQUIREMENTS. (intro.) Except as provided in pars. (am),  
19 (ar), ~~and (at)~~, and (av), an achievement guarantee contract shall require the school  
20 board to do all of the following in each participating school:

21          **SECTION 2507r.** 118.43 (3) (av) of the statutes is created to read:

22          118.43 (3) (av) *Class size; additional contracts.* For contracts that begin in the  
23 2011–12 school year, reduce each class size to 18 in the following manner:

- 24           1. In the 2011–12 school year, in at least grades kindergarten and one.  
25           2. In the 2012–13 school year, in at least grades kindergarten to 2.

1           3. In the 2013–14 to 2015–16 school years, in at least grades kindergarten to  
2           3.

3           **SECTION 2507u.** 118.43 (3m) (b) of the statutes is amended to read:

4           118.43 **(3m)** (b) A school board operating under an achievement guarantee  
5 contract entered into under sub. (3) (at) or (av) may combine 2 classes subject to the  
6 class size limitation in any school covered by the contract having at least 2 regular  
7 classroom teachers when the classes are combined if the combined class size is not  
8 greater than 30.

9           **SECTION 2507y.** 118.43 (6) (b) 10. of the statutes is amended to read:

10           118.43 **(6)** (b) 10. In the 2010–11 school year and any subsequent school year,  
11 \$2,250 multiplied by the number of low–income pupils enrolled in grades eligible for  
12 funding in each school in the school district covered by contracts under sub. (3) (at)  
13 and (av) and by renewals of contracts under sub. (2) (g).

14           **SECTION 2513b.** 118.51 (3) (a) 6. of the statutes is amended to read:

15           118.51 **(3)** (a) 6. If an application is accepted, on or before the first Friday  
16 following the first Monday in June following receipt of a notice of acceptance, ~~or~~  
17 ~~within 10 days of receiving a notice of acceptance if a pupil is selected from a waiting~~  
18 ~~list under s. 118.40 (8) (h) 5.,~~ the pupil's parent shall notify the nonresident school  
19 board of the pupil's intent to attend school in that school district in the following  
20 school year.

21           **SECTION 2514.** 118.51 (3) (a) 7. of the statutes is repealed.

22           **SECTION 2515.** 118.51 (3) (b) of the statutes is amended to read:

23           118.51 **(3)** (b) *Notice to resident school district.* Annually by June 30, each  
24 nonresident school board that has accepted a pupil under this section for attendance  
25 in the following school year shall report the name of the pupil to the pupil's resident

1 school board. ~~If a pupil is selected from a waiting list under s. 118.40 (8) (h) 5., the~~  
2 ~~nonresident school board shall report the name of the pupil to the pupil's resident~~  
3 ~~school board within 10 days of receiving notice of the pupil's selection from the~~  
4 ~~department.~~

5 **SECTION 2532m.** 118.60 of the statutes is created to read:

6 **118.60 Parental choice programs for eligible school districts. (1)** In this  
7 section:

8 (a) “Administrator” means the superintendent, supervising principal,  
9 executive director, or other person who acts as the administrative head of a private  
10 school participating in the program under this section.

11 (am) “Eligible school district” means a school district that satisfies all of the  
12 following:

13 1. The school district’s equalized value per member, as determined in  
14 accordance with s. 121.15 (4) on October 15 of the 2nd fiscal year of the current fiscal  
15 biennium for the distribution of equalization aid in that year, is no more than 80  
16 percent of the statewide average.

17 2. The school district’s shared cost per member, as determined in accordance  
18 with s. 121.07 on October 15 of the 2nd fiscal year of the current fiscal biennium, for  
19 the distribution of aid in that year is no more than 91 percent of the statewide  
20 average.

21 3. The school district is eligible, in the 2nd fiscal year of the current fiscal  
22 biennium, to receive aid under s. 121.136.

23 4. The school district is located in whole or in part in a city of the 2nd class.

24 (b) “Membership” has the meaning given in s. 121.004 (5).

1 (c) “Preaccreditation” means the review and approval of an educational plan.  
2 Review of an education plan includes consideration of whether the school submitting  
3 the plan meets the requirements under s. 118.165 (1). The fact that a private school  
4 has obtained preaccreditation does not require an accreditation organization to  
5 accredit the private school.

6 (d) “Progress records” has the meaning given in s. 118.125 (1) (c).

7 (e) “Summer average daily membership equivalent” has the meaning given in  
8 s. 121.004 (8).

9 (f) “Summer choice average daily membership equivalent” means the summer  
10 average daily membership equivalent of pupils who were attending a private school  
11 under this section on the 2nd Friday of January of the school term immediately  
12 preceding that summer or whose applications have been accepted under sub. (3) for  
13 attendance at the private school in the school term immediately following that  
14 summer.

15 (g) “Teacher” means a person who has primary responsibility for the academic  
16 instruction of pupils.

17 **(1m)** By November 15 of the 2nd fiscal year of each fiscal biennium, the  
18 department shall prepare a list that identifies eligible school districts. The  
19 department shall post the list on the department’s Internet site and shall notify in  
20 writing the school district clerk of each eligible school district. A school district that  
21 qualifies as an eligible school district under this section remains an eligible school  
22 district.

23 **(2)** (a) Subject to par. (b), any pupil in grades kindergarten to 12 who resides  
24 within an eligible school district may attend any private school if all of the following  
25 apply:

1           1. a. The pupil is a member of a family that has a total family income that does  
2 not exceed an amount equal to 3.0 times the poverty level determined in accordance  
3 with criteria established by the director of the federal office of management and  
4 budget. In this subdivision and sub. (3m), family income includes income of the  
5 pupil's parents or legal guardians. The family income of the pupil shall be  
6 determined as provided in subd. 1. b. A pupil attending a private school under this  
7 section whose family income increases may continue to attend a private school under  
8 this section.

9           b. The private school submits to the department of revenue the names,  
10 addresses, social security numbers, and other state and federal tax identification  
11 numbers, if any, of the pupil's parents or legal guardians. The department of revenue  
12 shall review the information submitted under this subd. 1. b. and shall determine  
13 whether the pupil is eligible to participate in the program under this section on the  
14 basis of family income. Family income for a family in which the pupil's parents are  
15 married or in which the pupil's legal guardians are married shall be reduced by  
16 \$7,000 before the determination is made under this subd. 1. b. The department of  
17 revenue may take no other action on the basis of the information submitted under  
18 this subd. 1. b. The department of public instruction may not request any additional  
19 verification of income from the family of a pupil once the department of revenue has  
20 determined whether the pupil is eligible to participate in the program under this  
21 section on the basis of family income. The department of public instruction shall  
22 establish a procedure for determining family income eligibility for those pupils for  
23 whom no social security number or state or federal tax identification number has  
24 been provided.

25           2. The pupil satisfies one or more of the following:

1           a. The pupil was enrolled in a public school in an eligible school district in the  
2 previous school year.

3           b. The pupil was not enrolled in school in the previous school year.

4           c. The pupil attended a private school under this section in the previous school  
5 year.

6           d. The pupil is applying to attend kindergarten, first grade, or 9th grade in a  
7 private school participating in the program under this section.

8           3. a. Except as provided in subd. 3. b., the private school notified the state  
9 superintendent of its intent to participate in the program under this section, and  
10 paid the nonrefundable fee set by the department as required under s. 119.23 (2) (a)  
11 3., by February 1 of the previous school year. The notice shall specify the number of  
12 pupils participating in the program under this section for which the school has space.

13           b. For a private school that intends to participate in the program under this  
14 section in an eligible school district identified under 2011 Wisconsin Act .... (this act),  
15 section 9137 (3u), the private school notified the state superintendent of its intent  
16 to participate, and paid the nonrefundable fee set by the department under subd. 3.  
17 a. by August 1, 2011. The notice shall specify the number of pupils participating in  
18 the program under this section for which the school has space.

19           4. The private school complies with 42 USC 2000d.

20           5. The private school meets all health and safety laws or codes that apply to  
21 public schools.

22           6. a. Except as provided in subd. 6. c., all of the private school's teachers have  
23 a bachelor's degree from an accredited institution of higher education.

24           b. All of the private school's administrators have at least a bachelor's degree  
25 from an accredited institution of higher education.



1           c. Any teacher employed by the private school on July 1 of the first school year  
2 that begins after a school district is identified as an eligible school district under sub.  
3 (1m) or 2011 Wisconsin Act .... (this act), section 9137 (3u), who has been teaching  
4 for at least the 5 consecutive years immediately preceding that July 1, and who does  
5 not satisfy the requirements under subd. 6. a. on that July 1, applies to the  
6 department on a form prepared by the department for a temporary, nonrenewable  
7 waiver from the requirements under subd. 6. a. The department shall promulgate  
8 rules to implement this subd. 6. c., including the form of the application and the  
9 process by which the waiver application will be reviewed. The application form shall  
10 require the applicant to submit a plan for satisfying the requirements under subd.  
11 6. a., including the name of the accredited institution of higher education at which  
12 the teacher is pursuing or will pursue the bachelor's degree and the anticipated date  
13 on which the teacher expects to complete the bachelor's degree. No waiver granted  
14 under this subd. 6. c. is valid after July 31 of the 5th school year that begins after a  
15 school district is identified as an eligible school district under sub. (1m) or 2011  
16 Wisconsin Act .... (this act), section 9137 (3u).

17           7. For a private school that is a first-time participant in the program under this  
18 section, and that is not accredited by the Wisconsin North Central Association, the  
19 Wisconsin Religious and Independent School Accreditation, the Independent  
20 Schools Association of the Central States, the archdiocese within which the private  
21 school is located, or by any other organization recognized by the National Council for  
22 Private Schools Accreditation, the private school obtains preaccreditation by the  
23 Institute for the Transformation of Learning at Marquette University, the Wisconsin  
24 North Central Association, the Wisconsin Religious and Independent Schools  
25 Accreditation, the Independent Schools Association of the Central States, the

1 archdiocese within which the private school is located, or any other organization  
2 recognized by the National Council for Private School Accreditation by September  
3 1 before the first school term of participation in the program under this section that  
4 begins after August 31, 2011; by August 1 before the first school term of participation  
5 in the program under this section that begins in the first school year that begins after  
6 a school district is identified as an eligible school district under sub. (1m) or by May  
7 1 if the private school begins participation in the program under this section during  
8 summer school. The private school shall achieve accreditation by the Wisconsin  
9 North Central Association, the Wisconsin Religious and Independent Schools  
10 Accreditation, the Independent Schools Association of the Central States, the  
11 archdiocese within which the private school is located, or any other organization  
12 recognized by the National Council for Private School Accreditation, by December 31  
13 of the 3rd school year following the first school year in which the private school begins  
14 participation in the program under this section. If the private school is accredited  
15 under this subdivision, the private school is not required to obtain preaccreditation  
16 as a prerequisite to providing instruction under this section in additional grades or  
17 in an additional or new school.

18 8. Notwithstanding s. 118.165 (1) (c), the private school annually provides at  
19 least 1,050 hours of direct pupil instruction in grades 1 to 6 and at least 1,137 hours  
20 of direct pupil instruction in grades 7 to 12. Hours provided under this subdivision  
21 include recess and time for pupils to transfer between classes but do not include the  
22 lunch periods.

23 (b) 1. In the first school year that begins after a school district is identified as  
24 an eligible school district under sub. (1m) or 2011 Wisconsin Act .... (this act), section  
25 9137 (3u), no more than 250 pupils, as counted under s. 121.004 (7), may attend

1 private schools under this section. Priority shall be given to pupils who were eligible  
2 for a free or reduced-price lunch in the federal school lunch program under 42 USC  
3 1758 (b) in the immediately preceding school year.

4 2. In the 2nd school year that begins after a school district is identified as an  
5 eligible school district under sub. (1m) or 2011 Wisconsin Act .... (this act), section  
6 9137 (3u), no more than 500 pupils, as counted under s. 121.004 (7), may attend  
7 private schools under this section. Priority shall be given to pupils who attended a  
8 private school under this section in the immediately preceding school year.

9 3. Whenever the state superintendent determines that the limit is reached  
10 under subd. 1. or 2., he or she shall issue an order prohibiting the participating  
11 private schools from accepting additional pupils until he or she determines that the  
12 number of pupils attending private schools under this section has fallen below the  
13 limit. If the number of pupils attending private schools under this section falls below  
14 the limit under this paragraph, the state superintendent shall issue an order  
15 notifying participating private schools that they may begin accepting additional  
16 pupils, and, notwithstanding sub. (3) (a), participating private schools that wish to  
17 accept additional pupils under this section shall accept pupils as follows:

18 a. The private school shall give first priority to pupils who are attending a  
19 private school under this section.

20 b. The private school shall give 2nd priority to the siblings of pupils who are  
21 attending a private school under this section.

22 c. The private school shall give 3rd priority to pupils selected at random under  
23 a procedure established by the department by rule.

1 (c) 1. Notwithstanding par. (a) 6., a teacher employed by a private school  
2 participating in the program under this section who teaches only courses in  
3 rabbinical studies is not required to have a bachelor's degree.

4 2. Notwithstanding par. (a) 6., an administrator of a private school  
5 participating in the program under this section that prepares and trains pupils  
6 attending the school in rabbinical studies is not required to have a bachelor's degree.

7 **(3)** (a) The pupil or the pupil's parent or guardian shall submit an application,  
8 on a form provided by the state superintendent, to the participating private school  
9 that the pupil wishes to attend. If more than one pupil from the same family applies  
10 to attend the same private school, the pupils may use a single application. Within  
11 60 days after receiving the application, the private school shall notify each applicant,  
12 in writing, whether his or her application has been accepted. If the private school  
13 rejects an application, the notice shall include the reason. A private school may reject  
14 an applicant only if it has reached its maximum general capacity or seating capacity.  
15 The state superintendent shall ensure that the private school determines which  
16 pupils to accept on a random basis, except that the private school may give preference  
17 in accepting applications to siblings of pupils accepted on a random basis.

18 (b) If the private school rejects an applicant because it has too few available  
19 spaces, the pupil may transfer his or her application to a participating private school  
20 that has space available.

21 **(3m)** (a) A private school participating in the program under this section may  
22 not charge or receive any additional payment for a pupil participating in the program  
23 under this section other than the payment the school receives under sub. (4) and, if  
24 applicable, sub. (4m), if either of the following applies:

25 1. The pupil is enrolled in a grade from kindergarten to 8.

1           2. The pupil is enrolled in a grade from 9 to 12 and the family income of the  
2 pupil, as determined under sub. (2) (a) 1., does not exceed an amount equal to 2.2  
3 times the poverty level determined in accordance with criteria established by the  
4 director of the federal office of management and budget.

5           (b) A private school participating in the program under this section may, in  
6 addition to the payment it receives for a pupil under sub. (4) and, if applicable, sub.  
7 (4m), charge the pupil tuition and fees in an amount determined by the school if both  
8 of the following apply:

9           1. The pupil is enrolled in a grade from 9 to 12.

10          2. The family income of the pupil, as determined under sub. (2) (a) 1., exceeds  
11 an amount equal to 2.2 times the poverty level determined in accordance with  
12 criteria established by the director of the federal office of management and budget.

13          (c) A private school participating in the program under this section shall  
14 determine whether the private school may charge additional tuition and fees to a  
15 pupil on the basis of the pupil's family income as permitted under par. (b). The  
16 private school shall establish a process for accepting an appeal to the governing body  
17 of the private school of the determination made under this paragraph.

18          **(4)** (a) Annually, on or before October 15, a private school participating in the  
19 program under this section shall file with the department a report stating its  
20 summer average daily membership equivalent and its summer choice average daily  
21 membership equivalent for the purpose of sub. (4m).

22          (b) Except as provided in par. (bg), upon receipt from the pupil's parent or  
23 guardian of proof of the pupil's enrollment in the private school during a school term,  
24 the state superintendent shall pay to the private school in which the pupil is enrolled

1 on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255  
2 (2) (fr), an amount equal to the lesser of the following:

3 1. The amount equal to the private school's operating and debt service cost per  
4 pupil that is related to educational programming, as determined by the department.

5 2. The amount paid per pupil under this subsection in the previous school year  
6 multiplied by the sum of 1.0 plus the percentage change from the previous school  
7 year to the current school year in the total amount appropriated under s. 20.255 (2)  
8 (ac) expressed as a decimal, but not less than zero.

9 (bg) In the 2011–12 and 2012–13 school years, upon receipt from the pupil's  
10 parent or guardian of proof of the pupil's enrollment in the private school during a  
11 school term, the state superintendent shall pay to the private school in which the  
12 pupil is enrolled on behalf of the pupil's parent or guardian, from the appropriation  
13 under s. 20.255 (2) (fr), an amount equal to the private school's operating and debt  
14 service cost per pupil that is related to educational programming, as determined by  
15 the department, or \$6,442, whichever is less.

16 (c) The state superintendent shall pay 25 percent of the total amount under this  
17 subsection in September, 25 percent in November, 25 percent in February, and 25  
18 percent in May. Each installment may consist of a single check for all pupils  
19 attending the private school under this section. The state superintendent shall  
20 include the entire amount under sub. (4m) in the November installment, but the  
21 payment shall be made in a separate check from the payment under this subsection.

22 (d) In determining a private school's operating and debt service cost per pupil  
23 under par. (b) 1. and (4m) (a), the department shall do all of the following:

24 1. Subtract only the following, up to the actual cost of the service or material  
25 related to each item:

- 1 a. Fees charged pupils for books and supplies used in classes and programs.
- 2 b. Rentals for school buildings.
- 3 c. Food service revenues.
- 4 d. Governmental financial assistance.
- 5 e. Interest and other income resulting from the investment of debt proceeds.

6 2. If legal title to the private school's buildings and premises is held in the name  
7 of the private school's parent organization or other related party, there is no other  
8 mechanism to include the private school's facilities costs in the calculation of its  
9 operating and debt service cost, and the private school requests that the department  
10 do so, include an amount equal to 10.5 percent of the fair market value of the school  
11 and its premises. A request made by a private school under this subdivision remains  
12 effective in subsequent school years and may not be withdrawn by the private school.

13 3. If immediately prior to the effective date of this subdivision .... [LRB inserts  
14 date], a private school's operating and debt service costs, as determined by the  
15 department, included the amount described in subd. 2., continue to include the  
16 amount described in subd. 2. in subsequent school years.

17 **(4m)** In addition to the payment under sub. (4) the state superintendent shall  
18 pay to each private school participating in the program under this section, on behalf  
19 of the parent or guardian of each pupil attending the private school under this  
20 section, in the manner described in sub. (4) (c), the amount determined as follows:

21 (a) Determine the private school's operating and debt service cost per pupil in  
22 summer school that is related to educational programming.

23 (b) Multiply the amount under par. (a) by 0.40.

1 (c) Multiply the product under par. (b) by the quotient determined by dividing  
2 the summer choice average daily membership equivalent of the private school by the  
3 total number of pupils for whom payments are being made under sub. (4).

4 **(4r)** If, after the 3rd Friday in September in any school year, a private school  
5 participating in the program under this section closes, for each installment under  
6 sub. (4) (c) that was not paid to the private school in that school year, the state  
7 superintendent shall pay to the board, from the appropriation under s. 20.255 (2) (fv),  
8 the amount determined, for each pupil who had been attending the private school  
9 under this section in that school year and who enrolls in the school district operating  
10 under this chapter in that school year, as follows:

11 (a) Multiply the amount determined under sub. (4) (b) or (bg) by 0.616.

12 (b) Multiply the product under par. (a) by 0.25.

13 **(5)** The state superintendent shall ensure that pupils and parents and  
14 guardians of pupils who reside in an eligible school district are informed annually  
15 of the private schools participating in the program under this section.

16 **(6)** The school board of an eligible school district shall provide transportation  
17 to pupils attending a private school under this section if required under s. 121.54 and  
18 may claim transportation aid under s. 121.58 for pupils so transported.

19 **(6m)** Each private school participating in the program under this section shall  
20 do all of the following:

21 (a) Provide to each pupil, or the parent or guardian of each minor pupil, who  
22 applies to attend the private school all of the following:

23 1. The name, address, and telephone number of the private school and the  
24 name of one or more contact persons at the school.



1           2. A list of the names of the members of the private school's governing body and  
2 of the private school's shareholders, if any.

3           3. A notice stating whether the private school is an organization operated for  
4 profit or not for profit. If the private school is a nonprofit organization, the private  
5 school shall also provide the applicant with a copy of the certificate issued under  
6 section 501 (c) (3) of the Internal Revenue Code verifying that the private school is  
7 a nonprofit organization that is exempt from federal income tax.

8           4. A copy of the appeals process used if the private school rejects the applicant.

9           5. A copy of the policy developed by the private school under s. 118.33 (1) (f) 2r.

10          6. A copy of the nonharassment policy used by the private school, together with  
11 the procedures for reporting and obtaining relief from harassment.

12          7. A copy of the suspension and expulsion policies and procedures, including  
13 procedures for appealing a suspension or expulsion, used by the private school.

14          8. A copy of the policy used by the private school for accepting or denying the  
15 transfer of credits earned by a pupil attending the private school under this section  
16 for the satisfactory completion of coursework at another school.

17          9. A copy of the policy governing visitors and visits to the private school,  
18 developed as required under sub. (7) (b) 2m.

19          (b) Annually, by August 1st, provide to the department the material specified  
20 in par. (a) and all of the following information:

21           1. The number of pupils attending the private school under this section in the  
22 previous school year.

23           2. The number of pupils attending the private school other than under this  
24 section in the previous school year.

1           3. For each of the previous 5 school years in which the private school has  
2 participated in the program under this section, all of the following information:

3           a. The number of pupils who attended the private school under this section and  
4 other than under this section in the 12th grade and the number of those pupils who  
5 graduated from the private school.

6           b. The number of pupils who attended the private school under this section and  
7 other than under this section in the 8th grade and the number of those pupils who  
8 advanced from grade 8 to grade 9.

9           c. The number of pupils who attended the private school under this section and  
10 other than under this section in the 4th grade and the number of those pupils who  
11 advanced from grade 4 to grade 5.

12           d. To the extent permitted under 20 USC 1232g and 43 CFR part 99, pupil  
13 scores on all standardized tests administered under sub. (7) (e).

14           4. A copy of the academic standards adopted under sub. (7) (b) 2.

15           (c) Provide to the department a signed statement from each individual who is  
16 a member of the private school's governing body verifying that the individual is a  
17 member of the governing body.

18           (d) Upon request by any pupil, or the parent or guardian of any minor pupil,  
19 who is attending or who applies to attend the private school, provide the material  
20 specified in pars. (a) and (b).

21           (7) (a) Each private school participating in the program under this section shall  
22 meet at least one of the following standards:

23           1. At least 70 percent of the pupils in the program advance one grade level each  
24 year.

1           2. The private school's average attendance rate for the pupils in the program  
2 is at least 90 percent.

3           3. At least 80 percent of the pupils in the program demonstrate significant  
4 academic progress.

5           4. At least 70 percent of the families of pupils in the program meet parent  
6 involvement criteria established by the private school.

7           (am) Each private school participating in the program under this section is  
8 subject to uniform financial accounting standards established by the department.  
9 Annually by September 1 following a school year in which a private school  
10 participated in the program under this section, the private school shall submit to the  
11 department all of the following:

12           1. An independent financial audit of the private school conducted by an  
13 independent certified public accountant, accompanied by the auditor's statement  
14 that the report is free of material misstatements and fairly presents pupil costs  
15 under sub. (4) (b) 1. The audit under this subdivision shall be limited in scope to those  
16 records that are necessary for the department to make payments under subs. (4) and  
17 (4m). The auditor shall conduct his or her audit, including determining sample sizes  
18 and evaluating financial viability, in accordance with the auditing standards  
19 established by the American Institute of Certified Public Accountants. The  
20 department may not require an auditor to comply with standards that exceed the  
21 scope of the standards established by the American Institute of Certified Public  
22 Accountants.

23           2. Evidence of sound fiscal and internal control practices, as prescribed by the  
24 department by rule. An auditor engaged to evaluate the private school's fiscal and  
25 internal control practices shall conduct his or her evaluation, including determining

1 sample sizes, in accordance with attestation standards established by the American  
2 Institute of Certified Public Accountants.

3 (b) Each private school participating in the program under this section shall  
4 do all of the following:

5 1. Administer to any pupils attending the 3rd grade in the private school under  
6 this section a standardized reading test developed by the department.

7 2. Adopt the pupil academic standards required under s. 118.30 (1g) (a) 4.

8 2m. Develop a written policy governing visitors and visits to the private school.

9 3. Ensure that any teacher's aide employed by the private school has graduated  
10 from high school, been granted a declaration of equivalency of high school  
11 graduation, or been issued a general educational development certificate of high  
12 school equivalency.

13 3m. Annually, schedule 2 meetings at which members of the governing body of  
14 the private school will be present and at which pupils, and the parents or guardians  
15 of pupils, applying to attend the private school or attending the private school may  
16 meet and communicate with the members of the governing body. The private school  
17 shall, within 30 days after the start of the school term, notify the department in  
18 writing of the scheduled meeting dates and shall, at least 30 days before the  
19 scheduled meeting date, notify in writing each pupil, or the parent or guardian of  
20 each minor pupil, applying to attend the private school or attending the private  
21 school of the meeting date, time, and place.

22 4. Maintain progress records for each pupil attending the private school under  
23 this section while the pupil attends the school and, except as provided under subd.  
24 7., for at least 5 years after the pupil ceases to attend the school.

1           5. Upon request, provide a pupil or the parent or guardian of a minor pupil who  
2 is attending the private school under this section with a copy of the pupil's progress  
3 records.

4           6. Issue a high school diploma or certificate to each pupil who attends the  
5 private school under this section and satisfactorily completes the course of  
6 instruction and any other requirements necessary for high school graduation.

7           7. a. Except as provided in subd. 7. b., if the private school ceases operating as  
8 a private school, immediately transfer all of the progress records of the pupils who  
9 attended the school under this section to the school board of the eligible school  
10 district within which the pupils reside. The private school shall send written notice  
11 to each pupil, or to the parent or guardian of a minor pupil, of the transfer of progress  
12 records under this subd. 7. a.

13           b. If the private school is affiliated with an organization that will maintain the  
14 progress records of each pupil who attended the school under this section for at least  
15 5 years after the private school ceases operation as a private school, the private  
16 school may transfer a pupil's records to the organization if the pupil, or the parent  
17 or guardian of a minor pupil, consents in writing to the release of the progress records  
18 to the affiliated organization. The private school shall send to the department a copy  
19 of the consent form for each pupil who consents to the transfer of progress records  
20 under this subd. 7. b. The written notice shall be signed by the pupil, or the parent  
21 or guardian of a minor pupil, and shall include the name, phone number, mailing  
22 address, and other relevant contact information of the organization that will  
23 maintain the progress records, and a declaration by the affiliated organization that  
24 the organization agrees to maintain the progress records for at least 5 years after the  
25 private school ceases operation as a private school.

1 (c) A private school may not require a pupil attending the private school under  
2 this section to participate in any religious activity if the pupil's parent or guardian  
3 submits to the pupil's teacher or the private school's principal a written request that  
4 the pupil be exempt from such activities.

5 (d) By September 1 before the first school term of participation in the program  
6 that begins in the 2011–12 school year, by August 1 before the first school term of  
7 participation in the program that begins in the 2012–13 school year or any school  
8 year thereafter, or by May 1 if the private school begins participating in the program  
9 during summer school, each private school participating in the program under this  
10 section shall submit to the department all of the following:

11 1. a. In this subdivision, "municipality" has the meaning given in s. 5.02 (11).

12 b. A copy of the school's current certificate of occupancy issued by the  
13 municipality within which the school is located. If the private school moves to a new  
14 location, the private school shall submit a copy of the new certificate of occupancy  
15 issued by the municipality within which the school is located to the department  
16 before the attendance of pupils at the new location and before the next succeeding  
17 date specified in s. 121.05 (1) (a). A temporary certificate of occupancy does not meet  
18 the requirement of this subdivision.

19 2. Evidence of financial viability, as prescribed by the department by rule.

20 3. Proof that the private school's administrator has participated in a fiscal  
21 management training program approved by the department.

22 (e) Each private school participating in the program under this section shall  
23 administer the examinations required under s. 118.30 (1t) to pupils attending the  
24 school under the program. The private school may administer additional  
25 standardized tests to such pupils.

1 (g) 1. By the first day of the 3rd month beginning after the month in which the  
2 department establishes the model management plan and practices for maintaining  
3 indoor environmental quality in public and private schools under s. 118.075 (3), or  
4 by October 1 of a private school's first school year of participation in the program  
5 under this section, whichever is later, the private school shall provide for the  
6 development of a plan for maintaining indoor environmental quality in the private  
7 school.

8 2. By the first day of the 12th month beginning after the month in which the  
9 department establishes the model management plan and practices for maintaining  
10 indoor environmental quality in public and private schools under s. 118.075 (3), or  
11 by the beginning of the 2nd school year of participation in the program under this  
12 section, whichever is later, the private school shall implement a plan for maintaining  
13 indoor environmental quality in the private school.

14 3. Each private school participating in the program under this section shall  
15 provide a copy of the plan implemented under subd. 2. to any person upon request.

16 **(8)** There is created a pupil assignment council composed of one representative  
17 from each private school participating in the program under this section. Annually  
18 by June 30, the council shall make recommendations to the participating private  
19 schools to achieve, to the extent possible, a balanced representation of pupils  
20 participating in the program under this section.

21 **(9)** If any accrediting agency specified under sub. (2) (a) 7. determines during  
22 the accrediting or preaccrediting process that a private school does not meet all of the  
23 requirements under s. 118.165 (1), it shall report that failure to the department.

24 **(10)** (a) The state superintendent may issue an order barring a private school  
25 from participating in the program under this section in the current school year if the

1 state superintendent determines that the private school has done any of the  
2 following:

3 1. Misrepresented information required under sub. (7) (d).

4 2. Failed to provide the notice or pay the fee required under sub. (2) (a) 3., or  
5 provide the information required under sub. (7) (am) or (d), by the date or within the  
6 period specified.

7 3. Failed to refund to the state any overpayment made under sub. (4) (b) or (bg)  
8 or (4m) by the date specified by department rule.

9 4. Failed to meet at least one of the standards under sub. (7) (a) by the date  
10 specified by department rule.

11 5. Failed to provide the information required under sub. (6m).

12 6. Failed to comply with the requirements under sub. (7) (b) or (c).

13 7. Violated sub. (7) (b) 4., 5., or 6.

14 (am) If the state superintendent determines that any of the following have  
15 occurred, he or she may issue an order barring the private school from participating  
16 in the program under this section in the following school year:

17 2. The private school's application for accreditation has been denied by the  
18 accrediting organization.

19 3. The private school has not achieved accreditation within the period allowed  
20 under sub. (2) (a) 7.

21 (b) The state superintendent may issue an order immediately terminating a  
22 private school's participation in the program under this section if he or she  
23 determines that conditions at the private school present an imminent threat to the  
24 health or safety of pupils.



1 (c) Whenever the state superintendent issues an order under par. (a), (am), or  
2 (b), he or she shall immediately notify the parent or guardian of each pupil attending  
3 the private school under this section.

4 (d) The state superintendent may withhold payment from a private school  
5 under subs. (4) and (4m) if the private school violates this section.

6 **(11)** The department shall do all of the following:

7 (a) Promulgate rules to implement and administer this section. The  
8 department may not by rule establish standards under sub. (7) (am) that exceed the  
9 standards established by the American Institute of Certified Public Accountants.

10 (b) Notify each private school participating in the program under this section  
11 of any proposed changes to the program or to administrative rules governing the  
12 program, including changes to application or filing deadlines but not including  
13 changes to provisions governing health or safety, prior to the beginning of the school  
14 year in which the change takes effect.

15 **SECTION 2533.** 119.04 (1) of the statutes is amended to read:

16 119.04 **(1)** Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),  
17 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,  
18 115.345, 115.361, 115.365 (3), 115.38 (2), 115.445, 115.45, 118.001 to 118.04, 118.045,  
19 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145 (4),  
20 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.225,  
21 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.255, 118.258, 118.291, 118.30 to 118.43,  
22 118.46, 118.51, 118.52, 118.55, 120.12 (5) and (15) to (27), 120.125, 120.13 (1), (2) (b)  
23 to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.14, 120.21 (3),  
24 and 120.25 are applicable to a 1st class city school district and board.

25 **SECTION 2536.** 119.23 (2) (a) (intro.) of the statutes is amended to read:

1           119.23 (2) (a) (intro.) ~~Subject to par. (b), any~~ Any pupil in grades kindergarten  
2 to 12 who resides within the city may attend, ~~at no charge,~~ any private school located  
3 ~~in the city~~ if all of the following apply:

4           **SECTION 2536c.** 119.23 (2) (a) 1. of the statutes is renumbered 119.23 (2) (a) 1.  
5 a. and amended to read:

6           119.23 (2) (a) 1. a. The pupil is a member of a family that has a total family  
7 income that does not exceed an amount equal to ~~1.75~~ 3.0 times the poverty level  
8 determined in accordance with criteria established by the director of the federal  
9 office of management and budget. In this subdivision and sub. (3m), family income  
10 includes income of the pupil's parents or legal guardians. The family income of the  
11 pupil shall be determined as provided in subd. 1. b. A pupil attending a private school  
12 under this section whose family income increases may continue to attend a private  
13 school under this section ~~if the pupil is a member of a family that has a total family~~  
14 ~~income that does not exceed an amount equal to 2.2 times the poverty level~~  
15 ~~determined in accordance with criteria established by the director of the federal~~  
16 ~~office of management and budget. For purposes of admission to a private school~~  
17 ~~under this section, siblings of pupils attending a private school under this section are~~  
18 ~~subject to the higher income limit. If a pupil attending a private school under this~~  
19 ~~section ceases to attend a private school under this section, the lower income limit~~  
20 ~~applies unless the pupil is a sibling of a pupil attending a private school under this~~  
21 ~~section.~~

22           **SECTION 2536g.** 119.23 (2) (a) 1. b. of the statutes is created to read:

23           119.23 (2) (a) 1. b. The private school submits to the department of revenue the  
24 names, addresses, social security numbers, and other state and federal tax  
25 identification numbers, if any, of the pupil's parents or legal guardians. The

1 department of revenue shall review the information submitted under this subd. 1.  
2 b. and shall determine whether the pupil is eligible to participate in the program  
3 under this section on the basis of family income. Family income for a family in which  
4 the pupil's parents are married or in which the pupil's legal guardians are married  
5 shall be reduced by \$7,000 before the determination is made under this subd. 1. b.  
6 The department of revenue may take no other action on the basis of the information  
7 submitted under this subd. 1. b. The department of public instruction may not  
8 request any additional verification of income from the family of a pupil once the  
9 department of revenue has determined whether the pupil is eligible to participate  
10 in the program under this section on the basis of family income. The department of  
11 public instruction shall establish a procedure for determining family income  
12 eligibility for those pupils for whom no social security number or state or federal tax  
13 identification number has been provided.

14 **SECTION 2536h.** 119.23 (2) (a) 3. of the statutes is amended to read:

15 119.23 (2) (a) 3. The Except as provided in subd. 3m. b., the private school  
16 notified the state superintendent of its intent to participate in the program under  
17 this section, and paid a nonrefundable fee set by the department, by February 1 of  
18 the previous school year. The notice shall specify the number of pupils participating  
19 in the program under this section for which the school has space. The department  
20 shall by rule set the fee charged under this subdivision at an amount such that the  
21 total fee revenue covers the costs of employing one full-time auditor to evaluate the  
22 financial information submitted by the private schools under sub. (7) (am) and (d) 2.  
23 and 3. and under s. 118.60 (7) (am) and (d) 2. and 3.

24 **SECTION 2536p.** 119.23 (2) (a) 3m. of the statutes is created to read:

1           119.23 (2) (a) 3m. a. In this subdivision, “municipality” has the meaning given  
2 in s. 5.02 (11).

3           b. For a private school located in a municipality other than the city that intends  
4 to participate in the program under this section in the 2011–12 school year, the  
5 private school notified the state superintendent of its intent to participate, and paid  
6 the nonrefundable fee set by the department under subd. 3. by August 1, 2011. The  
7 notice shall specify the number of pupils participating in the program under this  
8 section for which the school has space.

9           **SECTION 2536t.** 119.23 (2) (a) 7. a. of the statutes is amended to read:

10           119.23 (2) (a) 7. a. Subject to subd. 7. c., for a private school participating in the  
11 program under this section on July 1, 2009, the private school achieves accreditation  
12 by the Wisconsin North Central Association, the Wisconsin Religious and  
13 Independent Schools Accreditation, the Independent Schools Association of the  
14 Central States, the Archdiocese of Milwaukee, or any other organization recognized  
15 by the National Council for Private School Accreditation, by December 31 of the 3rd  
16 school year following the first school year that begins after June 30, 2006, in which  
17 it participates in the program under this section, or the private school was approved  
18 for scholarship funding for the 2005–06 school year by Partners Advancing Values  
19 in Education. If the private school is accredited as provided under this subd. 7. a.,  
20 the private school is not required to obtain preaccreditation ~~from the Institute for the~~  
21 ~~Transformation of Learning at Marquette University~~ under subd. 7. b. as a  
22 prerequisite to providing instruction under this section in additional grades or in an  
23 additional or new school.

24           **SECTION 2536x.** 119.23 (2) (a) 7. b. of the statutes is amended to read:

1           119.23 (2) (a) 7. b. Subject to subd. 7. c., for a private school that is a first-time  
2 participant in the program under this section on or after July 1, 2009, and that is not  
3 accredited as provided under subd. 7. a., the private school obtains preaccreditation  
4 ~~from~~ by the Institute for the Transformation of Learning at Marquette University,  
5 the Wisconsin North Central Association, the Wisconsin Religious and Independent  
6 Schools Accreditation, the Independent Schools Association of the Central States,  
7 the Archdiocese of Milwaukee, or any other organization recognized by the National  
8 Council for Private School Accreditation by August 1 before the first school term of  
9 participation in the program under this section that begins after July 1, 2009, or by  
10 May 1 if the private school begins participating in the program during summer  
11 school, and achieves accreditation by the Wisconsin North Central Association, the  
12 Wisconsin Religious and Independent Schools Accreditation, the Independent  
13 Schools Association of the Central States, the Archdiocese of Milwaukee, or any  
14 other organization recognized by the National Council for Private School  
15 Accreditation, by December 31 of the 3rd school year following the first school year  
16 that begins after July 1, 2009, in which it participates in the program under this  
17 section. If the private school is accredited under this subd. 7. b., the private school  
18 is not required to obtain preaccreditation ~~from the Institute for the Transformation~~  
19 ~~of Learning at Marquette University~~ as a prerequisite to providing instruction under  
20 this section in additional grades or in an additional or new school.

21           **SECTION 2539.** 119.23 (2) (b) of the statutes is repealed.

22           **SECTION 2540b.** 119.23 (3) (a) of the statutes is amended to read:

23           119.23 (3) (a) The pupil or the pupil's parent or guardian shall submit an  
24 application, on a form provided by the state superintendent, to the participating  
25 private school that the pupil wishes to attend. If more than one pupil from the same

1 family applies to attend the same private school, the pupils may use a single  
2 application. Within 60 days after receiving the application, the private school shall  
3 notify the each applicant, in writing, whether the his or her application has been  
4 accepted. If the private school rejects an application, the notice shall include the  
5 reason. A private school may reject an applicant only if it has reached its maximum  
6 general capacity or seating capacity. The state superintendent shall ensure that the  
7 private school determines which pupils to accept on a random basis, except that the  
8 private school may give preference in accepting applications to siblings of pupils  
9 accepted on a random basis.

10 **SECTION 2540m.** 119.23 (3m) of the statutes is created to read:

11 119.23 (3m) (a) A private school participating in the program under this section  
12 may not charge or receive any additional payment for a pupil participating in the  
13 program under this section other than the payment the school receives under sub.  
14 (4) and, if applicable, sub. (4m), if either of the following applies:

15 1. The pupil is enrolled in a grade from kindergarten to 8.

16 2. The pupil is enrolled in a grade from 9 to 12 and the family income of the  
17 pupil, as determined under sub. (2) (a) 1., does not exceed an amount equal to 2.2  
18 times the poverty level determined in accordance with criteria established by the  
19 director of the federal office of management and budget.

20 (b) A private school participating in the program under this section may, in  
21 addition to the payment it receives for a pupil under sub. (4) and, if applicable, sub.  
22 (4m), charge the pupil tuition and fees in an amount determined by the school if both  
23 of the following apply:

24 1. The pupil is enrolled in a grade from 9 to 12.

1           2. The family income of the pupil, as determined under sub. (2) (a) 1., exceeds  
2 an amount equal to 2.2 times the poverty level determined in accordance with  
3 criteria established by the director of the federal office of management and budget.

4           (c) A private school participating in the program under this section shall  
5 determine whether the private school may charge additional tuition and fees to a  
6 pupil on the basis of the pupil's family income as permitted under par. (b). The  
7 private school shall establish a process for accepting an appeal to the governing body  
8 of the private school of the determination made under this paragraph.

9           **SECTION 2541m.** 119.23 (4) (b) (intro.) of the statutes is amended to read:

10           119.23 (4) (b) (intro.) Except as provided in par. (bg), upon receipt from the  
11 pupil's parent or guardian of proof of the pupil's enrollment in the private school  
12 during a school term, the state superintendent shall pay to the ~~parent or guardian~~  
13 private school in which the pupil is enrolled on behalf of the pupil's parent or  
14 guardian, from the appropriation under s. 20.255 (2) (fu), an amount equal to the  
15 lesser of the following:

16           **SECTION 2542.** 119.23 (4) (bg) of the statutes is amended to read:

17           119.23 (4) (bg) In the ~~2009–10~~ 2011–12 and ~~2010–11~~ 2012–13 school years,  
18 upon receipt from the pupil's parent or guardian of proof of the pupil's enrollment in  
19 the private school during a school term, the state superintendent shall pay to the  
20 private school in which the pupil is enrolled on behalf of the pupil's parent or  
21 guardian, from the appropriation under s. 20.255 (2) (fu), an amount equal to the  
22 private school's operating and debt service cost per pupil that is related to  
23 educational programming, as determined by the department, or \$6,442, whichever  
24 is less.

25           **SECTION 2542c.** 119.23 (4) (c) of the statutes is amended to read:

1           119.23 (4) (c) The state superintendent shall pay 25% of the total amount under  
2 this subsection in September, 25% in November, 25% in February, and 25% in May.  
3 Each installment may consist of a single check for all pupils attending the private  
4 school under this section. The state superintendent ~~may~~ shall include the entire  
5 amount under sub. (4m) in ~~one of those installments or apportion the entire amount~~  
6 ~~among one or more of those installments.~~ Except as provided in sub. (4r), the  
7 department shall send the check to the private school. Except as provided in sub.  
8 (4r), the parent or guardian shall restrictively endorse the check for the use of the  
9 private school the November installment, but the payment shall be made in a  
10 separate check from the payment under this subsection.

11           **SECTION 2542g.** 119.23 (4) (d) of the statutes is created to read:

12           119.23 (4) (d) In determining a private school's operating and debt service cost  
13 per pupil under par. (b) 1. and (4m) (a), the department shall do all of the following:

14           1. Subtract only the following, up to the actual cost of the service or material  
15 related to each item:

16           a. Fees charged pupils for books and supplies used in classes and programs.

17           b. Rentals for school buildings.

18           c. Food service revenues.

19           d. Governmental financial assistance.

20           e. Interest and other income resulting from the investment of debt proceeds.

21           2. If legal title to the private school's buildings and premises is held in the name  
22 of the private school's parent organization or other related party, there is no other  
23 mechanism to include the private school's facilities costs in the calculation of its  
24 operating and debt service cost, and the private school requests that the department  
25 do so, include an amount equal to 10.5 percent of the fair market value of the school



1 and its premises. A request made by a private school under this subdivision remains  
2 effective in subsequent school years and may not be withdrawn by the private school.

3 3. If immediately prior to the effective date of this subdivision ... [LRB inserts  
4 date], a private school's operating and debt service costs, as determined by the  
5 department, included the amount described in subd. 2., continue to include the  
6 amount described in subd. 2. in subsequent school years.

7 **SECTION 2542n.** 119.23 (4m) of the statutes is renumbered 119.23 (4m) (intro.)  
8 and amended to read:

9 119.23 (4m) (intro.) In addition to the payment under sub. (4) the state  
10 superintendent shall pay to ~~the parent or guardian of each pupil enrolled in a private~~  
11 school participating in the program under this section, on behalf of the parent or  
12 guardian of each pupil attending the private school under this section, in the manner  
13 described in sub. (4) (c), ~~an the amount determined by multiplying 40% of the~~  
14 payment under sub. (4) as follows:

15 (c) Multiply the product under par. (b) by the quotient determined by dividing  
16 the summer choice average daily membership equivalent of the private school by the  
17 total number of pupils for whom payments are being made under sub. (4).

18 **SECTION 2542r.** 119.23 (4m) (a) and (b) of the statutes are created to read:

19 119.23 (4m) (a) Determine the private school's operating and debt service cost  
20 per pupil in summer school that is related to educational programming.

21 (b) Multiply the amount under par. (a) by 0.40.

22 **SECTION 2544w.** 119.23 (7) (am) 1. and 2. of the statutes are amended to read:

23 119.23 (7) (am) 1. An independent financial audit of the private school  
24 conducted by an independent certified public accountant, accompanied by the  
25 auditor's statement that the report is free of material misstatements and fairly

1 presents pupil costs under sub. (4) (b) 1. The audit under this subdivision shall be  
2 limited in scope to those records that are necessary for the department to make  
3 payments under subs. (4) and (4m). The auditor shall conduct his or her audit,  
4 including determining sample sizes and evaluating financial viability, in accordance  
5 with the auditing standards established by the American Institute of Certified  
6 Public Accountants. The department may not require an auditor to comply with  
7 standards that exceed the scope of the standards established by the American  
8 Institute of Certified Public Accountants.

9 2. Evidence of sound fiscal and internal control practices, as prescribed by the  
10 department by rule. An auditor engaged to evaluate the private school's fiscal and  
11 internal control practices shall conduct his or her evaluation, including determining  
12 sample sizes, in accordance with attestation standards established by the American  
13 Institute of Certified Public Accountants.

14 **SECTION 2544x.** 119.23 (7) (b) 8. of the statutes is repealed.

15 **SECTION 2545.** 119.23 (7) (d) 1. of the statutes is renumbered 119.23 (7) (d) 1.

16 b. and amended to read:

17 119.23 (7) (d) 1. b. A copy of the school's current certificate of occupancy issued  
18 by the city municipality within which the school is located. If the private school  
19 moves to a new location, the private school shall submit a copy of the new certificate  
20 of occupancy issued by the city municipality within which the school is located to the  
21 department before the attendance of pupils at the new location and before the next  
22 succeeding date specified in s. 121.05 (1) (a). A temporary certificate of occupancy  
23 does not meet the requirement of this subdivision.

24 **SECTION 2546.** 119.23 (7) (d) 1. a. of the statutes is created to read:

1           119.23 (7) (d) 1. a. In this subdivision, “municipality” has the meaning given  
2 in s. 5.02 (11).

3           **SECTION 2549e.** 119.23 (9) (a) of the statutes is renumbered 119.23 (9) and  
4 amended to read:

5           119.23 (9) If any accrediting agency specified under sub. (2) (a) 7. a. or b.  
6 determines during the accrediting or preaccrediting process that a private school  
7 does not meet all of the requirements under s. 118.165 (1), ~~or if the Institute for the~~  
8 ~~Transformation of Learning at Marquette University determines during the~~  
9 ~~preaccreditation process that a private school does not meet all of the requirements~~  
10 ~~under s. 118.165 (1)~~, it shall report that failure to the department.

11           **SECTION 2549m.** 119.23 (9) (b) of the statutes is repealed.

12           **SECTION 2549s.** 119.23 (10) (a) 2. of the statutes is amended to read:

13           119.23 (10) (a) 2. Failed to provide the notice or pay the fee required under sub.  
14 (2) (a) 3. or 3m. b., or provide the information required under sub. (7) (am) or (d), by  
15 the date or within the period specified.

16           **SECTION 2549u.** 119.23 (10) (d) of the statutes is amended to read:

17           119.23 (10) (d) The state superintendent may withhold payment from a ~~parent~~  
18 ~~or guardian~~ private school under subs. (4) and (4m) if the private school attended by  
19 ~~the child of the parent or guardian~~ violates this section.

20           **SECTION 2550.** 119.23 (11) of the statutes is renumbered 119.23 (11) (intro.) and  
21 amended to read:

22           119.23 (11) The department shall promulgate do all of the following:

23           (a) Promulgate rules to implement and administer this section. The  
24 department may not by rule establish standards under sub. (7) (am) that exceed the  
25 standards established by the American Institute of Certified Public Accountants.

1           **SECTION 2551.** 119.23 (11) (b) of the statutes is created to read:

2           119.23 **(11)** (b) Notify each private school participating in the program under  
3 this section of any proposed changes to the program or to administrative rules  
4 governing the program, including changes to application or filing deadlines but not  
5 including changes to provisions governing health or safety, prior to the beginning of  
6 the school year in which the change takes effect.

7           **SECTION 2552.** 119.245 of the statutes is repealed.

8           **SECTION 2553.** 119.495 (2) of the statutes is amended to read:

9           119.495 **(2)** The board shall include in its budget transmitted to the common  
10 council under s. 119.16 (8) (b) a written notice specifying the amount of borrowing  
11 to be authorized in the budget for the ensuing year. The common council shall issue  
12 the notes and levy a direct annual irrevocable tax sufficient to pay the principal and  
13 interest on the notes as they become due. The common council may issue the notes  
14 by private sale. The common council shall make every effort to involve a minority  
15 investment firm certified under s. 560.036 16.287 as managing underwriter of the  
16 notes or to engage a minority financial adviser certified under s. 560.036 16.287 to  
17 advise the city regarding any public sale of the notes.

18           **SECTION 2554.** 119.496 (2) of the statutes is amended to read:

19           119.496 **(2)** The board shall include in its budget transmitted to the common  
20 council under s. 119.16 (8) (b) a written notice specifying the amount of borrowing  
21 to be authorized in the budget for the ensuing year. The common council shall issue  
22 the notes and levy a direct annual irrevocable tax sufficient to pay the principal and  
23 interest on the notes as they become due. The common council may issue the notes  
24 by private sale. The common council shall establish goals of involving minority  
25 investment firms certified under s. 560.036 16.287 as managing underwriters for at

1 least 50% of the total amount financed by the notes and of engaging a minority  
2 financial adviser certified under s. 560.036 16.287 to advise the city regarding any  
3 public sale of the notes.

4 **SECTION 2571.** 121.08 (4) (a) 1. of the statutes is amended to read:

5 121.08 (4) (a) 1. ~~In the 2009–10 and 2010–11 school year, add~~ Add the amounts  
6 paid under s. 118.40 (2r) in the current school year, ~~and in the 2011–12 school year~~  
7 ~~and each school year thereafter, add the amounts paid under s. 118.40 (2r) in the~~  
8 ~~2010–11 school year.~~

9 **SECTION 2571d.** 121.08 (4) (a) 2. of the statutes is amended to read:

10 121.08 (4) (a) 2. Divide the sum under subd. 1. by the total amount of state aid  
11 that all school districts are eligible to be paid from the appropriation under s. 20.255  
12 (2) (ac), calculated as if the reduction under par. (b) or (br) had not occurred.

13 **SECTION 2571h.** 121.08 (4) (a) 3. of the statutes is amended to read:

14 121.08 (4) (a) 3. Multiply the amount of state aid that the school district is  
15 eligible to be paid from the appropriation under s. 20.255 (2) (ac), calculated as if the  
16 reduction under par. (b) or (br) had not occurred, by the quotient under subd. 2.

17 **SECTION 2571q.** 121.08 (4) (br) of the statutes is created to read:

18 121.08 (4) (br) The amount of state aid that an eligible school district is eligible  
19 to be paid from the appropriation under s. 20.255 (2) (ac) shall also be reduced by the  
20 amount calculated by multiplying the amounts paid under s. 118.60 (4) and (4m) in  
21 the first school year that begins after a school district is identified as an eligible  
22 school district under s. 118.60 (1m) or 2011 Wisconsin Act ... (this act), section 9137  
23 (3u), and in each school year thereafter by 38.4 percent.

24 **SECTION 2571t.** 121.08 (4) (d) of the statutes is amended to read:

1           121.08 (4) (d) The state superintendent shall ensure that the total amount of  
2 aid reduction under pars. (a) ~~and~~, (b), and (br) lapses to the general fund.

3           **SECTION 2573g.** 121.90 (2) (am) 5. of the statutes is created to read:

4           121.90 (2) (am) 5. Amounts received in the 2011–12 school year under 2011  
5 Wisconsin Act .... (this act), section 9137 (3q).

6           **SECTION 2574a.** 121.905 (1) of the statutes is amended to read:

7           121.905 (1) In this section, “revenue ceiling” means \$9,000 in the 2009–10  
8 2011–12 school year and in the 2010–11 2012–13 school year and \$9,800 \$9,100 in  
9 the 2013–14 school year and in any subsequent school year.

10          **SECTION 2575b.** 121.905 (3) (c) 3r. of the statutes is amended to read:

11          121.905 (3) (c) 3r. For the limit for the 2011–12 school year, ~~add \$275 to~~ multiply  
12 the result under par. (b) by 0.945.

13          **SECTION 2576b.** 121.905 (3) (c) 4. of the statutes is amended to read:

14          121.905 (3) (c) 4. For the limit for the 2012–13 school year ~~or for any school year~~  
15 ~~thereafter, add the result under s. 121.91 (2m) (h) 2. \$50~~ to the result under par. (b).

16          **SECTION 2576c.** 121.905 (3) (c) 5. of the statutes is created to read:

17          121.905 (3) (c) 5. For the limit for the 2013–14 school year and any school year  
18 thereafter, make no adjustment to the result under par. (b).

19          **SECTION 2580.** 121.91 (2m) (g) 2. of the statutes is repealed.

20          **SECTION 2581.** 121.91 (2m) (g) 3. of the statutes is amended to read:

21          121.91 (2m) (g) 3. Multiply the result under subd. 2. ~~1.~~ 1. by the average of the  
22 number of pupils enrolled in the current and the 2 preceding school years.

23          **SECTION 2582.** 121.91 (2m) (g) 4. of the statutes is created to read:

24          121.91 (2m) (g) 4. Multiply the result under subd. 3. by 0.055.

25          **SECTION 2583.** 121.91 (2m) (g) 5. of the statutes is created to read:

1           121.91 **(2m)** (g) 5. Subtract the product under subd. 4. from the result under  
2   subd. 3.

3           **SECTION 2584.** 121.91 (2m) (h) (intro.) of the statutes is amended to read:

4           121.91 **(2m)** (h) (intro.) Except as provided in subs. (3), (4), and (8), no school  
5   district may increase its revenues for the 2012–13 school year ~~or for any school year~~  
6   ~~thereafter~~ to an amount that exceeds the amount calculated as follows:

7           **SECTION 2585.** 121.91 (2m) (h) 2. of the statutes is repealed.

8           **SECTION 2586g.** 121.91 (2m) (h) 3. of the statutes is amended to read:

9           121.91 **(2m)** (h) 3. Add \$50 to the result under subd. 1. ~~to the result under subd.~~  
10   ~~2.~~

11          **SECTION 2586r.** 121.91 (2m) (i) of the statutes is created to read:

12          121.91 **(2m)** (i) Except as provided in subs. (3), (4), and (8), no school district  
13   may increase its revenues for the 2013–14 school year or for any school year  
14   thereafter to an amount that exceeds the amount calculated as follows:

15           1. Divide the sum of the amount of state aid received in the previous school year  
16   and property taxes levied for the previous school year, excluding property taxes  
17   levied for the purpose of s. 120.13 (19) and excluding funds described under sub. (4)  
18   (c), by the average of the number of pupils enrolled in the 3 previous school years.

19           2. Multiply the result under subd. 1. by the average of the number of pupils  
20   enrolled in the current and the 2 preceding school years.

21          **SECTION 2587g.** 121.91 (2m) (r) 1. b. of the statutes is amended to read:

22          121.91 **(2m)** (r) 1. b. Add an amount equal to the amount of revenue increase  
23   per pupil allowed under this subsection for the previous school year multiplied by the  
24   sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal  
25   to the result under subd. 1. a., except that in calculating the limit for the 2009–10

1 ~~or 2010–11 school year, add \$200 to the result under subd. 1. a., and in calculating~~  
2 ~~the limit for the 2011–12 school year, add \$275 to multiply the result under subd. 1.~~  
3 ~~a. by 0.945, in calculating the limit for the 2012–13 school year, add \$50 to the result~~  
4 ~~under subd. 1. a., and in calculating the limit for the 2013–14 school year and any~~  
5 ~~school year thereafter, make no adjustment to the result under subd. 1. a.~~

6 **SECTION 2587r.** 121.91 (2m) (s) 1. b. of the statutes is amended to read:

7 121.91 **(2m)** (s) 1. b. Add an amount equal to the amount of revenue increase  
8 per pupil allowed under this subsection for the previous school year multiplied by the  
9 sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal  
10 to the result under subd. 1. a., except that in calculating the limit for the 2009–10  
11 ~~or 2010–11 school year, add \$200 to the result under subd. 1. a., and in calculating~~  
12 ~~the limit for the 2011–12 school year, add \$275 to multiply the result under subd. 1.~~  
13 ~~a. by 0.945, in calculating the limit for the 2012–13 school year, add \$50 to the result~~  
14 ~~under subd. 1. a., and in calculating the limit for the 2013–14 school year and any~~  
15 ~~school year thereafter, make no adjustment to the result under subd. 1. a.~~

16 **SECTION 2596.** 121.91 (2m) (t) 1. (intro.) of the statutes is amended to read:

17 121.91 **(2m)** (t) 1. (intro.) If 2 or more school districts are consolidated under  
18 s. 117.08 or 117.09, except as follows, in the 2011–12 school year, the consolidated  
19 school district's revenue limit shall be determined as provided under par. (e) except  
20 as follows (g), in the 2012–13 school year, the consolidated school district's revenue  
21 limit shall be determined as provided under par. (h), and in the 2013–14 school year  
22 and in each school year thereafter, the consolidated school district's revenue limit  
23 shall be determined as provided under par. (i):

24 **SECTION 2598.** 121.91 (4) (L) of the statutes is repealed.

25 **SECTION 2599.** 121.91 (4) (m) of the statutes is repealed.



1           **SECTION 2600.** 121.91 (4) (n) of the statutes is repealed.

2           **SECTION 2600m.** 121.91 (4) (o) 1. of the statutes is amended to read:

3           121.91 **(4)** (o) 1. If a school board adopts a resolution to do so, the limit otherwise  
4 applicable to a school district under sub. (2m) in any school year is increased by the  
5 amount spent by the school district in that school year on a project to implement  
6 energy efficiency measures, and renewable or to purchase energy efficiency products,  
7 that result including the payment of debt service on bonds or notes issued to finance  
8 the project, if the project results in the avoidance of, or reduction in, energy costs.  
9 ~~The department shall promulgate rules to implement this subdivision, including~~  
10 ~~eligibility standards for school districts or operational costs, the project is governed~~  
11 ~~by a performance contract entered into under s. 66.0133, and the bonds or notes~~  
12 ~~issued to finance the project, if any, are issued for periods not exceeding 20 years.~~  
13 If a school board issues bonds or notes to finance a project described in this  
14 subdivision, a resolution adopted by a school board under this subdivision is valid for  
15 each school year in which the school board pays debt service on the bonds or notes.

16           **SECTION 2601m.** 121.91 (4) (q) of the statutes is created to read:

17           121.91 **(4)** (q) 1. The limit otherwise applicable to a school district under sub.  
18 (2m) is increased by an amount equal to the amount of any refunded or rescinded  
19 property taxes paid by the school board in the year of the levy if the valuation  
20 represented by the refunded or rescinded property taxes result in a redetermination  
21 of the school district's equalized valuation by the department of revenue under s.  
22 74.41.

23           2. Any additional revenue received by a school district under this paragraph  
24 shall not be included in the base for determining the school district's limit under sub.  
25 (2m) for the following school year.

1           **SECTION 2602.** 121.91 (7) of the statutes is amended to read:

2           121.91 (7) Except as provided in sub. (4) (f) 2. ~~and (L) to, (o), and (q) and~~ (8),  
3 if an excess revenue is approved under sub. (3) for a recurring purpose or allowed  
4 under sub. (4), the excess revenue shall be included in the base for determining the  
5 limit for the next school year for purposes of this section. If an excess revenue is  
6 approved under sub. (3) for a nonrecurring purpose, the excess revenue shall not be  
7 included in the base for determining the limit for the next school year for purposes  
8 of this section.

9           **SECTION 2603g.** 121.91 (8) of the statutes is amended to read:

10           121.91 (8) If a school district's initial revenue limit for the current school year,  
11 as calculated under s. 121.905 or sub. (2m), whichever is appropriate, before making  
12 any adjustments under sub. (3) or (4), is less than the amount determined by  
13 multiplying the amount under sub. (2m) ~~(g) 1. or (h) 1.~~ (i) 1. by the average of the  
14 number of pupils enrolled in the 3 preceding school years, the school district's initial  
15 revenue limit for the current school year, before making any adjustments under sub.  
16 (3) or (4), is the amount determined by multiplying the amount under sub. (2m) ~~(g)~~  
17 ~~1. or (h) 1.~~ (i) 1. by the average of the number of pupils enrolled in the 3 preceding  
18 school years. Any additional revenue received by a school district as a result of this  
19 subsection shall not be included in the base for determining the school district's limit  
20 under sub. (2m) for the following school year. This subsection does not apply to a  
21 school district's revenue limit calculated for the 2011–12 and 2012–13 school years.

22           **SECTION 2603m.** 125.01 of the statutes is amended to read:

23           **125.01 Legislative intent.** This chapter shall be construed as an enactment  
24 of the legislature's support for the 3–tier system for alcohol beverages production,  
25 distribution, and sale that, through uniform statewide regulation, provides this

1 state regulatory authority over the production, storage, distribution, transportation,  
2 sale, and consumption of alcohol beverages by and to its citizens, for the benefit of  
3 the public health and welfare and this state’s economic stability. Without the 3–tier  
4 system, the effective statewide regulation and collection of state taxes on alcohol  
5 beverages sales would be seriously jeopardized. It is further the intent of the  
6 legislature that without a specific statutory exception, all sales of alcohol beverages  
7 shall occur through the 3–tier system, from manufacturers to ~~licensed~~ wholesalers  
8 holding a permit to retailers to consumers. Face–to–face retail sales at licensed  
9 premises directly advance the state’s interest in preventing alcohol sales to underage  
10 or intoxicated persons and the state’s interest in efficient and effective collection of  
11 tax.

12 **SECTION 2604bc.** 125.02 (15) of the statutes is renumbered 125.02 (15) (intro.)  
13 and amended to read:

14 125.02 (15) (intro.) “Primary source of supply” means any of the following:

15 (b) With respect to intoxicating liquor, the manufacturer, the rectifier, or the  
16 exclusive agent designated by the manufacturer or rectifier.

17 **SECTION 2604be.** 125.02 (15) (a) of the statutes is created to read:

18 125.02 (15) (a) With respect to fermented malt beverages, the brewer or  
19 brewpub that manufactured the fermented malt beverages or the exclusive agent  
20 designated by this brewer or brewpub.

21 **SECTION 2604bg.** 125.02 (21) of the statutes is amended to read:

22 125.02 (21) “Wholesaler” means a person, other than a brewer, brewpub,  
23 manufacturer, or rectifier, who sells alcohol beverages to a licensed retailer or to  
24 another person who holds a permit ~~or license~~ to sell alcohol beverages at wholesale.

25 **SECTION 2604bi.** 125.04 (12) (a) of the statutes is amended to read:

1           125.04 (12) (a) *From place to place.* Every alcohol beverage license or permit  
2 may be transferred to another place or premises within the same municipality. An  
3 alcohol beverage warehouse permit under s. 125.19, a winery permit under s. 125.53  
4 or an intoxicating liquor wholesaler’s permit under s. 125.54 may be transferred to  
5 another premises within this state. ~~A Class “A” license and a wholesaler’s license~~  
6 ~~identified in s. 125.25 (2) (b) 2. may be transferred together as provided in s. 125.25~~  
7 ~~(2) (b) 4. if the receiving municipality approves the transfer. Transfers shall be made~~  
8 ~~by the issuing authority upon payment of a fee of \$10 to the issuing authority and,~~  
9 ~~for transfers as provided in s. 125.25 (2) (b) 4., transfers shall be received and the~~  
10 ~~validity of the transferred licenses recognized by the receiving municipality upon~~  
11 ~~approval of the transfer by the receiving municipality and payment to the receiving~~  
12 ~~municipality of an additional fee of \$10 for each transferred license. No retail~~  
13 ~~licensee, retail permittee, intoxicating liquor wholesaler or holder of a warehouse or~~  
14 ~~winery permit is entitled to more than one transfer during the license or permit year.~~  
15 This paragraph does not apply to a license issued under s. 125.51 (4) (v) or to a reserve  
16 “Class B” license, as defined in s. 125.51 (4) (a).

17           **SECTION 2604bk.** 125.05 (1) (d) of the statutes is amended to read:

18           125.05 (1) (d) *Wholesalers’ licenses permits.* If the election results prohibit the  
19 retail sale of fermented malt beverages, the ~~municipality may nevertheless issue~~  
20 ~~wholesalers’ licenses to qualified persons on the department shall include as a~~  
21 ~~condition of any wholesaler’s permit issued under s. 125.28 for a premises within the~~  
22 ~~municipality that the wholesaler may not sell or deliver fermented malt beverages~~  
23 ~~within the municipality to any person residing therein.~~

24           **SECTION 2604bL.** 125.07 (3) (a) 3. of the statutes is amended to read:

1           125.07 (3) (a) 3. Hotels, drug stores, grocery stores, bowling centers, movie  
2 theaters, billiards centers having on the premises 12 or more billiards tables that are  
3 not designed for coin operation and that are 8 feet or longer in length, indoor golf  
4 simulator facilities, service stations, vessels, cars operated by any railroad, regularly  
5 established athletic fields, outdoor volleyball courts that are contiguous to a licensed  
6 premises, stadiums, public facilities as defined in s. 125.51 (5) (b) 1. d. which are  
7 owned by a county or municipality or centers for the visual or performing arts.

8           **SECTION 2604bm.** 125.07 (3) (a) 13. of the statutes is amended to read:

9           125.07 (3) (a) 13. An underage person who enters or remains in a banquet or  
10 hospitality room on brewery premises ~~operated under a Class “B” or “Class B” license~~  
11 for the purpose of attending a brewery tour.

12           **SECTION 2604bo.** 125.10 (4) of the statutes is amended to read:

13           125.10 (4) REGULATION OF CLOSED RETAIL PREMISES. A municipality may not  
14 prohibit the permittee, licensee, employees, salespersons, employees of wholesalers  
15 licensed issued a permit under s. 125.28 (1) or 125.54 (1); employees of permittees  
16 under s. 125.295 with respect to the permittee’s own retail premises; or service  
17 personnel from being present on premises operated under a Class “A”, “Class A” or  
18 “Class C” license or under a Class “B” or “Class B” license or permit during hours  
19 when the premises are not open for business if those persons are performing  
20 job-related activities.

21           **SECTION 2604bs.** 125.25 (1) of the statutes is amended to read:

22           125.25 (1) Every municipal governing body may issue Class “A” licenses for the  
23 sale of fermented malt beverages from premises within the municipality. ~~Subject to~~  
24 ~~s. 125.34 (5) and (6), a~~ A Class “A” license authorizes retail sales of fermented malt  
25 beverages for consumption off the premises where sold and in original packages,

1 containers, and bottles. A Class “A” license also authorizes the licensee to provide,  
2 free of charge, to customers and visitors who have attained the legal drinking age  
3 fermented malt beverages taste samples that are not in original packages,  
4 containers, or bottles and that do not exceed 3 fluid ounces each, for consumption on  
5 the Class “A” premises. No Class “A” licensee may provide more than 2 taste samples  
6 per day to any one person. Taste samples may be provided under this subsection only  
7 between the hours of 11 a.m. and 7 p.m. Any other provision of this chapter  
8 applicable to retail sales of fermented malt beverages by a Class “A” licensee also  
9 applies to the provision of taste samples, free of charge, of fermented malt beverages  
10 by a Class “A” licensee. A license may be issued after July 1. That license shall expire  
11 on the following June 30.

12 **SECTION 2604bu.** 125.25 (2) (b) 1. of the statutes is amended to read:

13 125.25 (2) (b) 1. ~~Beginning on May 5, 1994, a~~ A Class “A” license may not be  
14 issued to a person holding a wholesaler’s license permit issued under s. 125.28 or to  
15 a person who has a direct or indirect ownership interest in a premises operating  
16 under a wholesaler’s license permit issued under s. 125.28.

17 **SECTION 2604db.** 125.25 (2) (b) 2., 3. and 4. of the statutes are repealed.

18 **SECTION 2604dd.** 125.25 (3) of the statutes is amended to read:

19 125.25 (3) Class “A” licenses shall particularly describe the premises for which  
20 issued and are not transferable, except under ~~sub. (2) (b) 4.~~ and s. 125.04 (12). A Class  
21 “A” license is subject to revocation for violation of any of the terms or provisions  
22 thereof.

23 **SECTION 2604df.** 125.26 (1) of the statutes is amended to read:

24 125.26 (1) Every municipal governing body may issue Class “B” licenses for the  
25 sale of fermented malt beverages from premises within the municipality and may

1 authorize an official or body of the municipality to issue temporary Class “B” licenses  
2 under sub. (6). ~~Subject to s. 125.34 (5) and (6), a~~ A Class “B” license authorizes retail  
3 sales of fermented malt beverages to be consumed either on the premises where sold  
4 or off the premises. A license may be issued after July 1. That license shall expire  
5 on the following June 30. Persons holding a Class “B” license may sell beverages  
6 containing less than 0.5% of alcohol by volume without obtaining a license under s.  
7 66.0433 (1).

8 **SECTION 2604dh.** 125.26 (2) (b) 1. of the statutes is amended to read:

9 125.26 **(2)** (b) 1. Except as provided in ~~ss. s. 125.295 and 125.31~~, Class “B”  
10 licenses may not be issued to brewers or brewpubs.

11 **SECTION 2604dj.** 125.26 (2) (b) 2. a. of the statutes is renumbered 125.26 (2)  
12 (b) 2. and amended to read:

13 125.26 **(2)** (b) 2. ~~Except as provided in s. 125.29, beginning on May 5, 1994, a~~  
14 A Class “B” license may not be issued to a person holding a wholesaler’s license  
15 permit issued under s. 125.28 or to a person who has a direct or indirect ownership  
16 interest in a premises operating under a wholesaler’s ~~license~~ permit issued under s.  
17 125.28.

18 **SECTION 2604dm.** 125.26 (2) (b) 2. b. and c. of the statutes are repealed.

19 **SECTION 2604do.** 125.275 (2) (b) 1. of the statutes is renumbered 125.275 (2)  
20 (b) and amended to read:

21 125.275 **(2)** (b) ~~Beginning on May 5, 1994, an~~ An industrial fermented malt  
22 beverages permit may not be issued to a person holding a wholesaler’s ~~license~~ permit  
23 issued under s. 125.28 or to a person who has a direct or indirect ownership interest  
24 in a premises operating under a wholesaler’s ~~license~~ permit issued under s. 125.28.

25 **SECTION 2604dp.** 125.275 (2) (b) 2. and 3. of the statutes are repealed.

1           **SECTION 2604dq.** 125.28 (title) of the statutes is amended to read:

2           **125.28** (title) **Wholesalers' licenses permits.**

3           **SECTION 2604ds.** 125.28 (1) of the statutes is amended to read:

4           125.28 **(1)** (a) Subject to par. (b), ~~every municipal governing body the~~  
5 ~~department~~ may issue licenses permits to wholesalers for the sale of fermented malt  
6 beverages from premises within ~~the municipality~~ this state, which premises shall  
7 comply with the requirements under s. 125.34 (2). Subject to s. 125.34, and except  
8 as provided in pars. (e) and (f), a wholesaler's license permit authorizes sales of  
9 fermented malt beverages only in original packages or containers to retailers or  
10 wholesalers, ~~not to be consumed in or about the wholesaler's premises.~~

11           (b) If a wholesaler does not maintain any warehouse in this state but is licensed  
12 and maintains a warehouse in an adjoining state that allows wholesalers licensed  
13 holding a wholesaler's permit in this state to deliver fermented malt beverages to  
14 retailers in the adjoining state without warehousing in that state and that further  
15 requires that all fermented malt beverages be first unloaded and physically at rest  
16 at, and distributed from the warehouse of the licensed wholesaler in that state, the  
17 wholesaler's license permit shall be issued by the ~~governing body of the municipality~~  
18 ~~in which some part of the wholesaler's business is conducted in this state~~  
19 department. Notwithstanding s. 125.04 (5) (a) 2. and (c) and (6), the ~~municipal~~  
20 ~~governing body~~ department may issue the wholesaler's license permit to a  
21 wholesaler described in this paragraph who is a natural person and not a resident  
22 of this state or that is a corporation or limited liability company and has not  
23 appointed an agent in this state.

24           (c) No additional license or permit is required for the solicitation of orders for  
25 sale to or by ~~licensed~~ wholesalers holding a permit under this section.



1 (d) Wholesalers ~~licensed~~ holding a permit under this section, employees of such  
2 wholesalers, and individuals representing such wholesalers may not provide or  
3 participate in providing taste samples under ss. 125.25 (1) and 125.33 (12).

4 **SECTION 2604du.** 125.28 (1) (e) and (f) of the statutes are created to read:

5 125.28 (1) (e) Notwithstanding ss. 125.04 (9) and 125.09 (1), if a wholesaler was  
6 issued a retail license prior to January 1, 2011, then the wholesaler may, under its  
7 wholesaler’s permit, continue to sell at retail fermented malt beverages to  
8 individuals as was permitted under the previously issued retail license.

9 (f) A wholesaler’s permit authorizes the wholesaler to sell or give fermented  
10 malt beverages to its employees. Fermented malt beverages may be consumed on a  
11 wholesaler’s premises at events not open to the general public.

12 **SECTION 2604ed.** 125.28 (2) (a) of the statutes is amended to read:

13 125.28 (2) (a) A wholesaler’s license permit may be issued to any person  
14 qualified under s. 125.04 (5) except a person acting as an agent for, or in the employ  
15 of, another person. Notwithstanding s. 125.04 (5) (a) 5., a person is not required to  
16 complete a responsible beverage server training course to be qualified for a ~~license~~  
17 permit under this section.

18 **SECTION 2604ef.** 125.28 (2) (b) (intro.) of the statutes is amended to read:

19 125.28 (2) (b) (intro.) ~~Except as provided in par. (c) and s. 125.29, beginning on~~  
20 ~~May 5, 1994, a~~ A wholesaler’s license permit may not be issued to any of the  
21 following:

22 **SECTION 2604eg.** 125.28 (2) (b) 1. b. and c. and 2. of the statutes are amended  
23 to read:

24 125.28 (2) (b) 1. b. A Class “B” license issued under s. 125.26, ~~except as provided~~  
25 ~~in s. 125.29 (4).~~

1 c. A Class “B” permit issued under s. 125.27, ~~except as provided in s. 125.29 (4).~~

2 2. ~~A Except as provided in s. 125.33 (2m), a person who has a direct or indirect~~  
3 ownership interest in a premises operating under one or more of the licenses or  
4 permits listed in subd. 1. a. to e. f.

5 **SECTION 2604eh.** 125.28 (2) (b) 1. f. of the statutes is created to read:

6 125.28 (2) (b) 1. f. A brewer’s permit issued under s. 125.29.

7 **SECTION 2604ej.** 125.28 (2) (c) of the statutes is repealed.

8 **SECTION 2604em.** 125.28 (2) (d) and (e) of the statutes are created to read:

9 125.28 (2) (d) Notwithstanding par. (b) 1. f. and 2., a wholesaler may not hold  
10 any ownership interest in any brewer, except a wholesaler that holds an ownership  
11 interest in a brewer on the effective date of this paragraph .... [LRB inserts date], may  
12 continue to hold that interest.

13 (e) 1. Any person holding an unexpired wholesaler’s license issued under s.  
14 125.28, 2009 stats., prior to January 1, 2012, shall be treated as holding a valid  
15 wholesaler’s permit under this section until January 1, 2013. On January 1, 2013,  
16 all wholesaler’s licenses issued under s. 125.28, 2009 stats., shall be void.

17 2. After January 1, 2012, the department shall issue to each person holding an  
18 unexpired wholesaler’s license issued under s. 125.28, 2009 stats., a wholesaler’s  
19 permit if the person does not hold a license or permit prohibited under par. (b). The  
20 issuance of a wholesaler’s permit by the department to any person shall invalidate  
21 any previous wholesaler’s license issued under s. 125.28, 2009 stats., to the person.

22 **SECTION 2604eo.** 125.28 (3) of the statutes is amended to read:

23 125.28 (3) Wholesalers’ licenses permits shall particularly describe the  
24 premises for which issued and are not transferable, except as provided in ~~ss. s.~~ s. 125.04

1 (12) and ~~125.25 (2) (b)~~ 4. A wholesaler's license permit is subject to revocation for  
2 violation of any of the terms or provisions thereof.

3 **SECTION 2604eq.** 125.28 (4) of the statutes is amended to read:

4 125.28 (4) The amount of the license permit fee shall be ~~determined~~ established  
5 by the ~~municipal governing body issuing the license but~~ department and shall be an  
6 amount that is sufficient to fund one special agent position dedicated to alcohol and  
7 tobacco enforcement at the department, but the permit fee may not exceed \$25  
8 \$2,500 per year or fractional part thereof. All permit fees received under this  
9 subsection shall be credited to the appropriation account under s. 20.566 (1) (hd).

10 **SECTION 2604es.** 125.28 (5) of the statutes is created to read:

11 125.28 (5) (a) The premises described in a permit issued under this section  
12 shall be capable of warehousing fermented malt beverages. Any fermented malt  
13 beverages sold by the wholesaler shall be physically unloaded at the premises  
14 described in the permit, or at any warehouse premises for which the wholesaler also  
15 holds a permit under this section and a permit issued under s. 125.19, prior to being  
16 delivered to a retail licensee or to another wholesaler.

17 (b) A wholesaler under this section shall annually sell and deliver fermented  
18 malt beverages to at least 25 retail licensees or other wholesalers that do not have  
19 any direct or indirect interest in each other or in the wholesaler. The department  
20 may not issue a permit under this section unless the applicant represents to the  
21 department an intention to satisfy this requirement, and may not renew a permit  
22 issued under this section unless the wholesaler demonstrates that this requirement  
23 has been satisfied.

1 (c) No fermented malt beverages retail licensee or wholesaler may receive a  
2 benefit from a violation under par. (a) or (b) with knowledge of the circumstances  
3 giving rise to the violation.

4 (d) 1. A wholesaler that violates this subsection shall be fined not more than  
5 \$10,000. In addition, a court shall order the wholesaler to forfeit an amount equal  
6 to any profit gained by the wholesaler or retail licensee that violates par. (c), or by  
7 both, resulting from the violation, and the court shall further order that the  
8 wholesaler's permit be revoked.

9 2. A court shall order a retail licensee or wholesaler that violates this  
10 subsection to forfeit an amount equal to any profit gained by the retail licensee or  
11 wholesaler resulting from the violation, and the court shall further order that the  
12 retail license or wholesaler's permit be revoked.

13 3. This paragraph shall not affect the authority of any municipality or the  
14 department to revoke, suspend, or refuse to renew or issue a license or permit under  
15 s. 125.12.

16 (e) The department shall promulgate rules to administer and enforce the  
17 requirements under this subsection. The rules shall ensure coordination between  
18 the department's issuance and renewal of permits under this section and its  
19 enforcement of the requirements of this subsection, and shall require that all  
20 applications for issuance or renewal of permits under this section be processed by  
21 department personnel generally familiar with activities of fermented malt beverages  
22 wholesalers. The department shall establish by rule minimum requirements for  
23 warehouse facilities on premises described in permits issued under this section and  
24 for periodic site inspections by the department of such warehouse facilities.

25 **SECTION 2604eu.** 125.29 (1) of the statutes is amended to read:

1           125.29 (1) PERMIT. No person may operate as a brewer unless that person  
2 obtains a permit from the department. ~~Each wholesaler required to register under~~  
3 ~~s. 139.09 shall obtain a permit under this subsection.~~ A permit under this section  
4 may only be issued to a person who holds a valid certificate issued under s. 73.03 (50).

5           **SECTION 2604fc.** 125.29 (2) (title) of the statutes is repealed and recreated to  
6 read:

7           125.29 (2) (title) INTEREST RESTRICTIONS.

8           **SECTION 2604fe.** 125.29 (2) of the statutes is renumbered 125.29 (2) (a) and  
9 amended to read:

10           125.29 (2) (a) ~~Except as provided in s. 125.31, no~~ No person holding a Class “A”  
11 license, Class “B” license or permit, or wholesaler’s permit issued under this chapter  
12 may register as a brewer.

13           **SECTION 2604fg.** 125.29 (2) (b) of the statutes is created to read:

14           125.29 (2) (b) 1. Except as provided in subd. 2. or 3., no brewer may hold any  
15 ownership interest in any wholesaler.

16           2. A brewer may hold an ownership interest of less than 50 percent in a  
17 wholesaler if this ownership interest will not occur for more than 3 years.

18           3. If a wholesaler that has been granted distribution rights by a brewer for a  
19 brand in a designated sales territory is unable to service the designated sales  
20 territory for any reason, including the discontinuation of the wholesaler’s  
21 distribution rights, bankruptcy, or criminal prosecution of the wholesaler in  
22 connection with operation of the wholesaler, and the reason is not the result of an  
23 action by the brewer, then a brewer shall be allowed, for a period of not more than  
24 one year, to take temporary control and operation of the wholesaler.

25           **SECTION 2604fi.** 125.29 (3) of the statutes is repealed and recreated to read:

1           125.29 (3) AUTHORIZED ACTIVITIES. The department shall issue brewer’s permits  
2 to eligible applicants authorizing all of the following:

3           (a) The manufacture of fermented malt beverages on the brewery premises.

4           (b) The bottling, packaging, possession, and storage of fermented malt  
5 beverages on the brewery premises.

6           (c) The transportation of fermented malt beverages between the brewery  
7 premises and any depot or warehouse maintained by the brewer.

8           (d) The sale, shipment, transportation, and delivery, in original unopened  
9 packages or containers, to wholesalers, from the brewery premises, of fermented  
10 malt beverages that have been manufactured by the brewer on those premises or on  
11 other premises of the brewer.

12           (e) Notwithstanding ss. 125.04 (9) and 125.09 (1), the retail sale of fermented  
13 malt beverages that have been manufactured on the brewery premises or on other  
14 premises of the brewer for on–premise consumption by individuals at the brewery  
15 premises or an off–site retail outlet established by the brewer.

16           (f) Notwithstanding ss. 125.04 (9) and 125.09 (1), the retail sale to individuals  
17 of fermented malt beverages, in original unopened packages or containers, that have  
18 been manufactured on the brewery premises or on other premises of the brewer for  
19 off–premise consumption by individuals, if the sale occurs at the brewery premises  
20 or at an off–site retail outlet established by the brewer.

21           (g) Notwithstanding ss. 125.04 (9) and 125.09 (1), the retail sale of fermented  
22 malt beverages, for on–premise consumption or for off–premise consumption in  
23 original unopened packages or containers, that have been manufactured on another  
24 brewery premises in this state if the fermented malt beverages have been purchased  
25 by the brewer from a wholesaler holding a permit under s. 125.28 or from another

1 brewery located in this state that manufactures 300,000 or less barrels of beer in a  
2 calendar year.

3 (h) Notwithstanding ss. 125.04 (9) and 125.09 (1), the retail sale of intoxicating  
4 liquor, for on–premise consumption by individuals at the brewery premises or an  
5 off–site retail outlet established by the brewer, if the brewer held, on June 1, 2011,  
6 a license or permit authorizing the retail sale of intoxicating liquor and if the  
7 intoxicating liquor has been purchased by the brewer from a wholesaler holding a  
8 permit under s. 125.54.

9 (i) The provision of free taste samples on the brewery premises, at an off–site  
10 retail outlet established by the brewer, or as authorized under s. 125.33 (12).

11 (j) The ownership, maintenance, or operation of places for the sale of fermented  
12 malt beverages at the state fair park or on any county fairgrounds located in this  
13 state.

14 **SECTION 2604fk.** 125.29 (3m) of the statutes is created to read:

15 125.29 **(3m)** SALES TO RETAILERS. (a) Except as provided in pars. (b) and (c), no  
16 brewer may sell fermented malt beverages to a retail licensee.

17 (b) A brewer that manufactures 300,000 or less barrels of fermented malt  
18 beverages in a calendar year from all locations may sell, ship, transport and deliver  
19 to retailers, from the brewery premises, fermented malt beverages, in original  
20 unopened packages or containers, that have been manufactured on the brewery  
21 premises, if the brewer complies with the requirements in ss. 125.33 and 125.34, as  
22 applicable, to the same extent as if the brewer were a wholesaler.

23 (c) If a wholesaler that has been granted distribution rights by a brewer for a  
24 brand in a designated sales territory is unable to service the designated sale territory  
25 for any reason, including the discontinuation of the wholesaler’s distribution rights,

1 bankruptcy, or criminal prosecution of the wholesaler in connection with operation  
2 of the wholesaler, and the reason is not the result of an action by the brewer, then a  
3 brewer shall be allowed, for a period of not more than one year, to sell or ship any  
4 brand of fermented malt beverages to retailers located in the wholesaler’s designated  
5 sales territory.

6 **SECTION 2604fm.** 125.29 (4) of the statutes is repealed.

7 **SECTION 2604fo.** 125.29 (6) of the statutes is repealed and recreated to read:

8 125.29 (6) RESTAURANTS. A brewer may operate a restaurant on the brewery  
9 premises and at an off-site retail outlet established by the brewer. A brewer may not  
10 hold a restaurant permit for the operation of a restaurant at any other location except  
11 that a brewer may possess or hold an indirect interest in a Class “B” license for not  
12 more than 20 restaurants in each of which the sale of alcohol beverages accounts for  
13 less than 60 percent of the restaurant’s gross receipts if no fermented malt beverages  
14 manufactured by the brewer are offered for sale in any of these restaurants.

15 **SECTION 2604fq.** 125.295 (2) (a) 6. c. of the statutes is amended to read:

16 125.295 (2) (a) 6. c. A wholesaler’s ~~license~~ permit issued under s. 125.28.

17 **SECTION 2604fs.** 125.30 (1) of the statutes is amended to read:

18 125.30 (1) The department shall issue out-of-state shippers’ permits which,  
19 except as provided in s. ~~125.34 (6) (c)~~ sub. (4), authorize the permittee to ship  
20 fermented malt beverages only to holders of a wholesaler’s ~~license~~ permit issued  
21 under s. 125.28. Except with respect to any shipment from a warehouse in an  
22 adjoining state by a wholesaler issued a wholesale ~~license~~ permit under s. 125.28 (1)  
23 (b), no person may receive fermented malt beverages in this state which have been  
24 directly shipped from outside this state by any person other than the holder of a  
25 permit issued under this section. Subject to s. 125.34 (2) ~~and (6) (c)~~, all shipments



1 of fermented malt beverages to a wholesaler of fermented malt beverages in this  
2 state, whether shipped to the wholesaler from inside this state or from outside this  
3 state, shall be unloaded in, physically at rest in, and only then distributed from the  
4 wholesaler's warehouse in this state.

5 **SECTION 2604fu.** 125.30 (3) of the statutes is amended to read:

6 125.30 (3) Out-of-state shippers' permits may be issued only to a person who  
7 holds a valid certificate issued under s. 73.03 (50) ~~and~~, who is qualified under s.  
8 125.04 (5), who does not maintain an office or street address in this state, and who  
9 is the primary source of supply for the brand of fermented malt beverages. An  
10 out-of-state shipper's permit may not be issued to a person determined by the  
11 department to be primarily engaged in wholesale or retail sales in another state.  
12 Notwithstanding s. 125.04 (5) (a), natural persons obtaining out-of-state shippers'  
13 permits are not required to be residents of this state. Notwithstanding s. 125.04 (5)  
14 (a) 5., a person is not required to complete a responsible beverage server training  
15 course to be qualified for a permit under this section. Notwithstanding s. 125.04 (6),  
16 corporations or limited liability companies obtaining out-of-state shippers' permits  
17 are not required to appoint agents.

18 **SECTION 2604gd.** 125.30 (4) of the statutes is created to read:

19 125.30 (4) An out-of-state brewer that manufactures 300,000 barrels or less  
20 of fermented malt beverages in a calendar year from all locations and that holds an  
21 out-of-state shipper's permit may sell and ship fermented malt beverages directly  
22 to retail licensees if the out-of-state brewer registers with the department, files  
23 whatever periodic reports with the department as the department may require, and  
24 complies with the requirements in ss. 125.33 and 125.34, as applicable, to the same

1 extent as if the out-of-state brewer were a wholesaler holding a permit under s.  
2 125.28.

3 **SECTION 2604ge.** 125.31 of the statutes is repealed.

4 **SECTION 2604gfe.** 125.32 (3) (c) of the statutes is amended to read:

5 125.32 **(3)** (c) Hotels and restaurants the principal business of which is the  
6 furnishing of food and lodging to patrons, bowling centers, movie theaters, indoor  
7 horseshoe-pitching facilities, curling clubs, golf courses and golf clubhouses may  
8 remain open for the conduct of their regular business but may not sell fermented  
9 malt beverages during the hours specified in par. (a).

10 **SECTION 2604gfg.** 125.32 (3m) (h) of the statutes is created to read:

11 125.32 **(3m)** (h) A movie theater.

12 **SECTION 2604gg.** 125.33 (1) (a) of the statutes is amended to read:

13 125.33 **(1)** (a) Except as provided in this section and ~~ss. s. 125.295 and 125.31,~~  
14 no brewer, brewpub, or wholesaler may furnish, give, lend, lease, or sell any  
15 furniture, fixtures, fittings, equipment, money, or other thing of value to any campus  
16 or Class “B” licensee or permittee, or to any person for the use, benefit, or relief of any  
17 campus or Class “B” licensee or permittee, or guarantee the repayment of any loan  
18 or the fulfillment of any financial obligation of any campus or Class “B” licensee or  
19 permittee. Such actions may not be taken by the brewer, brewpub, or wholesaler  
20 directly or indirectly, or through a subsidiary or affiliate corporation or limited  
21 liability company, or by any officer, director, stockholder, partner, or member thereof.

22 **SECTION 2604gk.** 125.33 (7) (a) 1. a. of the statutes is amended to read:

23 125.33 **(7)** (a) 1. a. Receive, purchase, or acquire fermented malt beverages from  
24 any licensee, ~~or~~ wholesale permittee or from any brewpub acting under authority of  
25 s. 125.295 (1) (g), except for cash or credit for a period of not more than 15 days.

1           **SECTION 2604gm.** 125.33 (7) (a) 1. b. of the statutes is amended to read:

2           125.33 (7) (a) 1. b. Receive, purchase, or acquire fermented malt beverages from  
3 any licensee or wholesale permittee, or from any brewpub acting under authority of  
4 s. 125.295 (1) (g), if at the time of the receipt, purchase, or acquisition he or she is  
5 indebted to any licensee, wholesale permittee, or brewpub for fermented malt  
6 beverages received, purchased, acquired, or delivered more than 15 days earlier.

7           **SECTION 2604go.** 125.33 (7) (c) of the statutes is amended to read:

8           125.33 (7) (c) ~~Wholesalers and brewpubs holding retail licenses and permits~~  
9 ~~Brewpubs.~~ For purposes of this subsection, a person holding both a fermented malt  
10 beverage ~~wholesale license and a fermented malt beverage retail license is deemed~~  
11 ~~a fermented malt beverage retailer.~~ For purposes of this subsection, a brewpub,  
12 when acting under authority of a retail license with respect to fermented malt  
13 beverages not manufactured by the brewpub, is deemed a fermented malt beverages  
14 retailer. This paragraph does not affect any provision of this subsection with respect  
15 to a brewpub acting under authority of s. 125.295 (1) (g).

16           **SECTION 2604gq.** 125.33 (9) of the statutes is amended to read:

17           125.33 (9) **CAMPUSES AND RETAILERS TO PURCHASE FROM WHOLESALERS.** Except as  
18 provided in s. ss. 125.29 (3m) (b) and (c), 125.295 (1) (g), and 125.30 (4), no campus  
19 or retail licensee or permittee may purchase or possess fermented malt beverages  
20 purchased from any person other than a wholesaler holding a license permit under  
21 this chapter for the sale of fermented malt beverages. Any person who violates this  
22 subsection may be fined not more than \$10,000 or imprisoned for not more than 9  
23 months or both.

24           **SECTION 2604gs.** 125.33 (10) (a) 3. of the statutes is amended to read:

1           125.33 (10) (a) 3. “Successor wholesaler” means any wholesaler who enters into  
2 an agreement, whether oral or written, to obtain a supply of a brand of fermented  
3 malt beverages that is a discontinued brand, or otherwise acquires the right to act  
4 as a wholesaler for a discontinued brand, from a brewer, brewpub, brewer’s agent,  
5 brewpub’s agent, or holder of an out-of-state shipper’s permit ~~after the brewer,~~  
6 ~~brewpub, brewer’s agent, brewpub’s agent, or holder of an out-of-state shipper’s~~  
7 ~~permit has terminated, cancelled, or failed to renew an agreement, whether oral or~~  
8 ~~written, with a terminated wholesaler to supply that same brand of fermented malt~~  
9 ~~beverages for purposes of selling the discontinued brand in a specifically defined~~  
10 ~~territory, if the discontinued brand was sold by a terminated wholesaler in any~~  
11 ~~portion of this same territory at a time immediately before the brand of fermented~~  
12 ~~malt beverages became a discontinued brand.~~

13           **SECTION 2604gu.** 125.33 (11) of the statutes is amended to read:

14           125.33 (11) SOURCE OF FERMENTED MALT BEVERAGES. (a) Subject to s. 125.34 (3),  
15 no wholesaler ~~who holds a retail license issued under this chapter~~ authorized to  
16 make retail sales under s. 125.28 (1) (e) may sell a brand of fermented malt beverages  
17 to ~~another~~ a retail licensee unless the wholesaler has an agreement for general  
18 wholesale distribution of that brand of fermented malt beverages with the brewer,  
19 brewpub, brewer’s agent, brewpub’s agent, or holder of an out-of-state shipper’s  
20 permit supplying that brand.

21           (b) If a wholesaler ~~who holds a retail license issued under this chapter~~ violates  
22 par. (a), any other wholesaler aggrieved by such violation or the brewer or brewpub  
23 may bring an action against such wholesaler in any court of competent jurisdiction  
24 for damages sustained by the aggrieved wholesaler or the brewer or brewpub as a  
25 consequence of the violation, together with the actual costs of the action.

1 Notwithstanding s. 814.04 (1), a wholesaler or the brewer or brewpub who prevails  
2 in an action under this paragraph may recover reasonable actual attorney fees  
3 incurred in the action.

4 **SECTION 2604hc.** 125.33 (12) of the statutes is amended to read:

5 125.33 **(12)** PROVIDING TASTE SAMPLES ON CLASS “A” PREMISES. Notwithstanding  
6 s. 125.34 (6) ~~(a)~~, with the consent of the Class “A” licensee, a brewer may provide, free  
7 of charge, on Class “A” premises, taste samples of fermented malt beverages to any  
8 person who has attained the legal drinking age for consumption on the premises  
9 during hours in which the Class “A” licensee is authorized under s. 125.25 (1) to  
10 provide taste samples or, if more restrictive, only during hours established by  
11 ordinance by a municipality under s. 125.32 (3) (d). The provision of taste samples  
12 under this subsection shall be subject to the same limitations that apply to taste  
13 samples provided by a Class “A” licensee under s. 125.25 (1). No brewer may provide  
14 as taste samples under this subsection any fermented malt beverages that the  
15 brewer did not purchase from the Class “A” licensee on whose premises the taste  
16 samples are provided. A brewer may provide taste samples under this subsection  
17 through an individual representing the brewer who is hired by the brewer and who  
18 is not employed by or an agent of a wholesaler ~~other than, if the brewer holds a~~  
19 ~~wholesale license, the brewer.~~ All provisions of this subsection that apply to a brewer  
20 apply equally to any individual representing a brewer.

21 **SECTION 2604he.** 125.33 (13) of the statutes is created to read:

22 125.33 **(13)** WHOLESALERS’ SOURCE OF SUPPLY. No wholesaler may purchase  
23 fermented malt beverages for resale unless the wholesaler purchases them either  
24 from the primary source of supply for the brand of fermented malt beverages sought  
25 to be sold or from a wholesaler within this state that holds a permit issued under s.

1 125.28. No wholesaler may sell fermented malt beverages purchased by the  
2 wholesaler to any other licensee or permittee under this chapter if the fermented  
3 malt beverages have not been purchased by the wholesaler from the primary source  
4 of supply or from a wholesaler within the state holding a permit issued under s.  
5 125.28.

6 **SECTION 2604hg.** 125.34 (1) (g) of the statutes is amended to read:

7 125.34 (1) (g) “Wholesaler” means a licensee permittee under s. 125.28 and  
8 ~~includes a brewer or out-of-state shipper that holds a wholesaler’s license under s.~~  
9 ~~125.28.~~

10 **SECTION 2604hk.** 125.34 (2) (a) of the statutes is renumbered 125.34 (2) and  
11 amended to read:

12 125.34 (2) Except as provided in sub. ~~(6) (b) and s. ss. 125.29 (3m) (b) and (c).~~  
13 125.295 (1) (e) and (g), and 125.30 (4), no fermented malt beverages may be sold,  
14 transported, or delivered to a retailer unless, prior to such sale, transport, or delivery,  
15 the fermented malt beverages are first unloaded at, physically at rest at, and only  
16 then distributed from a wholesaler’s warehouse premises covered by both a  
17 wholesaler’s license permit issued under s. 125.28 and an alcohol beverage  
18 warehouse permit issued under s. 125.19, which premises shall be in this state and  
19 ~~shall be a physically separate location from any retail premises or brewery premises.~~  
20 This paragraph does not apply to a wholesaler issued a wholesaler’s license permit  
21 under s. 125.28 (1) (b) with respect to fermented malt beverages transported and  
22 delivered from a warehouse in an adjoining state unless the wholesaler’s warehouse  
23 in the adjoining state is located on premises in the adjoining state used for the  
24 manufacture of fermented malt beverages.

25 **SECTION 2604hm.** 125.34 (2) (bg), (bm) and (c) of the statutes are repealed.

1           **SECTION 2604ho.** 125.34 (3) (a) 1. of the statutes is amended to read:

2           125.34 **(3)** (a) 1. ~~Subject to subd. 3., a~~ A wholesaler may not sell, transport, or  
3 deliver any brand of fermented malt beverages unless the wholesaler has entered  
4 into a written agreement with the brewer, brewpub, or out-of-state shipper  
5 supplying the brand that grants to the wholesaler distribution rights for the brand  
6 and identifies the designated sales territory for which such distribution rights are  
7 granted, including the precise geographical area comprising the designated sales  
8 territory.

9           **SECTION 2604hq.** 125.34 (3) (a) 3. of the statutes is repealed.

10          **SECTION 2604hs.** 125.34 (4) (a) of the statutes is amended to read:

11          125.34 **(4)** (a) Any retailer located outside the wholesaler's designated sales  
12 territory for the brand. This paragraph does not apply if another wholesaler that has  
13 been granted distribution rights for the brand in the designated sales territory where  
14 the sale, transportation, or delivery occurs is unable to service this designated sales  
15 territory and the brewer, brewpub, or out-of-state shipper granting distribution  
16 rights has, notwithstanding sub. (3) (a), given consent for the sale, transportation,  
17 or delivery, which consent shall be limited to the time period that another wholesaler  
18 is unable to service this designated sales territory. ~~This paragraph does not apply if  
19 the wholesaler is also a brewer and another wholesaler to whom this brewer has  
20 granted distribution rights for the brand in the designated sales territory where the  
21 sale, transportation, or delivery occurs has, notwithstanding sub. (3) (a), given  
22 consent for the sale, transportation, or delivery or refused to service this territory.~~

23          **SECTION 2604jc.** 125.34 (5) of the statutes is amended to read:

24          125.34 **(5)** Except as provided in sub. ~~(6) (b) and s. ss. 125.29 (3m) (b) and (c),~~  
25 125.295 (1) (e) and (g), and 125.30 (4), deliveries of fermented malt beverages to

1 retailers may be made only by wholesalers and shall be made to retailers only at their  
2 retail premises. No retailer may transport fermented malt beverages from one retail  
3 premises to another retail premises for purposes of selling the fermented malt  
4 beverages at the other retail premises unless both retail premises are operated by  
5 a brewer or brewpub holding the retail licenses.

6 **SECTION 2604je.** 125.34 (6) (a) of the statutes is renumbered 125.34 (6) and  
7 amended to read:

8 125.34 (6) Except as provided in pars. (b) and (c) and ss. ~~125.06 (1) and 125.31~~  
9 ~~(1) and (3)~~ ss. 125.29 (3), (3m) (b) and (c) and 125.30 (4), a brewer or out-of-state  
10 shipper may sell, transport, and deliver fermented malt beverages only to a  
11 wholesaler, ~~which may be the brewer or out-of-state shipper itself if, in its activities~~  
12 ~~as a wholesaler, it complies with the requirements under subs. (2) to (5).~~

13 **SECTION 2604jg.** 125.34 (6) (b) of the statutes is repealed.

14 **SECTION 2604ji.** 125.34 (6) (c) of the statutes is repealed.

15 **SECTION 2604k.** 125.68 (4) (c) 4. of the statutes is amended to read:

16 125.68 (4) (c) 4. Hotels and restaurants the principal business of which is the  
17 furnishing of food, drinks or lodging to patrons, bowling centers, movie theaters,  
18 indoor horseshoe-pitching facilities, curling clubs, golf courses and golf clubhouses  
19 may remain open for the conduct of their regular business but may not sell  
20 intoxicating liquor during the closing hours under subd. 1. or, with respect to the sale  
21 of intoxicating liquor authorized under s. 125.51 (3r) (a), under subd. 3.

22 **SECTION 2605.** 132.001 (1m) of the statutes is created to read:

23 132.001 (1m) “Department” means the department of financial institutions.

24 **SECTION 2606.** 132.01 (1) of the statutes is amended to read:



1           132.01 (1) Any person, firm, partnership, corporation, association, or union of  
2 workingmen, which has heretofore adopted or used or shall hereafter adopt or use  
3 any mark for the purpose of designating, making known, or distinguishing any  
4 goods, wares, merchandise, service, business, or other product of labor or  
5 manufacture as having been made, manufactured, produced, prepared, packed, or  
6 put on sale by such person, firm, partnership, corporation, association, or union of  
7 workingmen, or by a member or members thereof, he, she, or they, if residents of this  
8 or any other state of the United States, and such foreign corporations as may have  
9 been duly licensed to transact business in the state of Wisconsin, may file an original,  
10 a copy, or photographs, or cuts with specifications of the same for record ~~in the office~~  
11 ~~of the secretary of state~~ with the department, by leaving 2 such originals, copies,  
12 photographs, or cuts with specifications, the same being counterparts, facsimiles, or  
13 drawings thereof, with ~~said secretary~~ the department and by filing therewith a  
14 sworn statement, in such form as may be prescribed by the ~~secretary of state~~  
15 department, specifying the name of the person, firm, partnership, corporation,  
16 association, or union of workingmen, on whose behalf such mark is to be filed, the  
17 class of merchandise and a separate description of the goods to which the same has  
18 been or is intended to be appropriated, the residence, location, or place of business  
19 of such party, that the party, on whose behalf such mark is to be filed, has the right  
20 to the use of the same, and that no other person, or persons, firm, partnership,  
21 corporation, association, or union of workingmen has such right either in the  
22 identical form or in any such near resemblance thereto as may be calculated to  
23 deceive, and that the originals, copies, photographs, or cuts, counterparts,  
24 facsimiles, or drawings filed therewith are correct.

25           **SECTION 2607.** 132.01 (3) of the statutes is amended to read:

1           132.01 (3) For an original or renewal registration, or the recording of an  
2 assignment, there shall be paid to the ~~secretary of state~~ department the fee of \$15.

3           **SECTION 2608.** 132.01 (5) of the statutes is amended to read:

4           132.01 (5) The ~~secretary of state~~ department may not register any mark which  
5 consists of or comprises a replica or simulation of the flag, coat of arms, or insignia  
6 of the United States of America, or of any state or municipality or any foreign nation.

7           **SECTION 2609.** 132.01 (6) of the statutes is amended to read:

8           132.01 (6) (a) A registration recorded or renewed under this section or s. 132.04  
9 or 132.11 before May 1, 1990, is effective for 20 years. A registration may be renewed  
10 on or after May 1, 1990, for 10–year periods upon application to the ~~secretary of state~~  
11 department and payment of the same fee required for a registration. Application for  
12 renewal shall be made within 6 months before the expiration of the 20–year  
13 registration period or 10–year renewal period specified in this paragraph.

14           (b) A registration recorded under this section or s. 132.04 or 132.11 on or after  
15 May 1, 1990, is effective for 10 years. A registration may be renewed for 10–year  
16 periods upon application to the ~~secretary of state~~ department and payment of the  
17 same fee required for a registration. Application for renewal shall be made within  
18 6 months before the expiration of the 10–year period specified in this paragraph.

19           **SECTION 2610.** 132.01 (7) (intro.) of the statutes is amended to read:

20           132.01 (7) (intro.) The ~~secretary of state~~ department shall do all of the  
21 following:

22           **SECTION 2611.** 132.01 (7) (b) of the statutes is amended to read:

23           132.01 (7) (b) Cancel from his or her register a registration of a mark under this  
24 section upon the request of the registrant of the mark. The ~~secretary of state~~  
25 department may not charge a fee for canceling a registration under this paragraph.

1           **SECTION 2612.** 132.01 (8) of the statutes is amended to read:

2           132.01 **(8)** Any person, firm, partnership, corporation, association or union who  
3 claims a right to the use of subject matter conflicting with any registration by another  
4 may bring action against such other in the circuit court for the county in which such  
5 other resides, or in the circuit court for Dane County, and in any such action the right  
6 to the use and registration of such subject matter shall be determined as between the  
7 parties, and registration shall be granted or withheld or canceled by the ~~secretary~~  
8 ~~of state~~ department in accordance with the final judgment in any such action.  
9 Nonuser for a period of at least 2 years continuing to the date of commencement of  
10 any action in which abandonment is in issue shall be prima facie evidence of  
11 abandonment to the extent of such nonuser.

12           **SECTION 2613.** 132.01 (9) of the statutes is amended to read:

13           132.01 **(9)** Title to any registration hereunder shall pass to any person, firm or  
14 corporation succeeding to the registrant's business to which such registration  
15 pertains. Written assignments of any such registration from a registrant to such a  
16 successor may be filed with and shall be recorded by the ~~secretary of state~~  
17 department upon payment of the fee specified in sub. (3). When such assignment is  
18 recorded, a new registration shall be entered in the name of the assignee, and on such  
19 registration and any subsequent certificates or registration of an assigned  
20 registration the ~~secretary of state~~ department shall show the previous ownership  
21 and dates of assignment thereof.

22           **SECTION 2614.** 132.031 of the statutes is amended to read:

23           **132.031 Certificate; evidence.** The ~~secretary of state~~ department shall  
24 deliver to the person, corporation, association or union so filing or causing to be filed  
25 any such mark, or any assignment of such subject matter previously registered, or

1 to any person, corporation, association or union renewing a registration, as many  
2 duly attested certificates of the registration or renewal of the same as may be desired.  
3 Any such certificate shall, in all suits and prosecutions arising out of or depending  
4 upon any rights claimed under such mark, be prima facie evidence of the adoption  
5 thereof and of the facts prerequisite to registrations thereof as required by s. 132.01.

6 **SECTION 2615.** 132.04 (1) of the statutes is amended to read:

7 132.04 (1) Any person who is the owner of cans, tubs, firkins, boxes, bottles,  
8 casks, barrels, kegs, cartons, tanks, fountains, vessels or containers with his or her  
9 names, brands, designs, trademarks, devices or other marks of ownership stamped,  
10 impressed, labeled, blown in or otherwise marked thereon, may file with the  
11 ~~secretary of state~~ department and record with the register of deeds of any county in  
12 which the person has his or her principal place of business, a written statement or  
13 description verified by affidavit of the owner or his or her agent, of the names, brands,  
14 designs, trademarks, devices or other marks of ownership used by him or her, and  
15 of the articles upon which they are used, or if the principal place of business is outside  
16 the state, then a written statement or verified description may be recorded with the  
17 register of deeds of any county. The statement shall be published as a class 3 notice,  
18 under ch. 985, in the county, and a copy of the publication, proved as provided in s.  
19 985.12, shall also be filed with the ~~secretary of state~~ department and recorded with  
20 the register of deeds.

21 **SECTION 2616.** 132.04 (2) of the statutes is amended to read:

22 132.04 (2) All such written statements or descriptions and all such certificates  
23 of publication so filed or recorded shall be subject at all reasonable hours to public  
24 inspection. The ~~secretary of state~~ department and the register of deeds shall deliver  
25 to all applicants certified copies of all such written statements or descriptions or

1 names, brands, designs, trademarks, devices, or other marks of ownership and of all  
2 certificates of publication filed or recorded with them and such certified copies shall  
3 be admissible in evidence in all prosecutions under ss. 132.04 to 132.08, and shall be  
4 prima facie evidence that this section has been complied with, and of the title of the  
5 owner named therein to the property upon which the name, brand, design,  
6 trademark, device, or other marks of ownership of the owner appear as described  
7 therein.

8 **SECTION 2617.** 132.04 (3) of the statutes is amended to read:

9 132.04 (3) The ~~secretary of state~~ department shall receive a fee of \$15 and the  
10 register of deeds shall receive the fee specified in s. 59.43 (2) (ag) or (e) for each  
11 statement and certificate of publication filed or recorded and shall also receive the  
12 fee specified in s. 59.43 (2) (b) for each certified copy of such statement and certificate  
13 of publication, to be paid for by the person filing, recording or applying for the same.

14 **SECTION 2618.** 132.04 (4) of the statutes is amended to read:

15 132.04 (4) (a) The ~~secretary of state~~ department and register of deeds shall  
16 cancel a statement or description under this section upon the request of the person  
17 named in the records of the ~~secretary of state~~ department or register of deeds as the  
18 owner of marks of ownership described in the statement or description.

19 (b) The ~~secretary of state~~ department and register of deeds may not charge a  
20 fee for canceling a statement or description under par. (a).

21 **SECTION 2619.** 132.11 (1) (intro.) of the statutes is amended to read:

22 132.11 (1) (intro.) The ~~secretary of state~~ department shall do all of the  
23 following:

24 **SECTION 2620.** 132.11 (1) (c) of the statutes is amended to read:

1           132.11 (1) (c) Cancel the description of a name, brand or trademark recorded  
2 under par. (a) upon the request of the person, firm or corporation named in the  
3 records of the ~~secretary of state~~ department as the owner of the name, brand or  
4 trademark. The ~~secretary of state~~ department may not charge a fee for canceling a  
5 description under this paragraph.

6           **SECTION 2621.** 132.16 (1m) of the statutes is amended to read:

7           132.16 (1m) Any organization may register, ~~in the office of the secretary of~~  
8 ~~state,~~ with the department a facsimile, duplicate, or description of any of the  
9 organization's identifying information and may, by reregistration, alter or cancel the  
10 organization's identifying information.

11           **SECTION 2622.** 132.16 (2) of the statutes is amended to read:

12           132.16 (2) Application for registration or reregistration under sub. (1m) shall  
13 be made by the organization's chief officer or officers upon forms provided by the  
14 ~~secretary of state~~ department. The registration shall be for the use, benefit, and on  
15 behalf of the organization and the organization's current and future individual  
16 members throughout this state.

17           **SECTION 2623.** 132.16 (3) of the statutes is amended to read:

18           132.16 (3) The ~~secretary of state~~ department shall keep a properly indexed file  
19 of all registrations under this section, which shall also show any alterations or  
20 cancelations by reregistration.

21           **SECTION 2624.** 132.16 (5) of the statutes is amended to read:

22           132.16 (5) Upon granting registration under this section, the ~~secretary of state~~  
23 department shall issue ~~his or her~~ a certificate to the petitioners, setting forth the fact  
24 of the registration.

25           **SECTION 2625.** 132.16 (6) of the statutes is amended to read:

1           132.16 **(6)** The fees of the ~~secretary of state~~ department for registration or  
2 reregistration under this section, searches made by the ~~secretary of state~~  
3 department, and certificates issued by the ~~secretary of state~~ department under this  
4 section, shall be the same as provided by law for similar services. The fees collected  
5 under this section shall be paid by the ~~secretary of state~~ department into the state  
6 treasury.

7           **SECTION 2626.** 137.01 (1) (a) of the statutes is amended to read:

8           137.01 **(1)** (a) The governor shall appoint notaries public who shall be United  
9 States residents and at least 18 years of age. Applicants who are not attorneys shall  
10 file an application with the ~~secretary of state~~ department of financial institutions  
11 and pay a \$20 fee.

12           **SECTION 2627.** 137.01 (1) (b) of the statutes is amended to read:

13           137.01 **(1)** (b) The secretary of state financial institutions shall satisfy himself  
14 or herself that the applicant has the equivalent of an 8th grade education, is familiar  
15 with the duties and responsibilities of a notary public and, subject to ss. 111.321,  
16 111.322 and 111.335, does not have an arrest or conviction record.

17           **SECTION 2628.** 137.01 (1) (d) of the statutes is amended to read:

18           137.01 **(1)** (d) Qualified applicants shall be notified by the ~~secretary of state~~  
19 department of financial institutions to take and file the official oath and execute and  
20 file an official bond in the sum of \$500, with a surety executed by a surety company  
21 and approved by the secretary of state financial institutions.

22           **SECTION 2629.** 137.01 (1) (e) of the statutes is amended to read:

23           137.01 **(1)** (e) The qualified applicant shall file his or her signature, post-office  
24 address and an impression of his or her official seal, or imprint of his or her official  
25 rubber stamp with the ~~secretary of state~~ department of financial institutions.

1           **SECTION 2630.** 137.01 (1) (g) of the statutes is amended to read:

2           137.01 **(1)** (g) At least 30 days before the expiration of a commission the  
3 ~~secretary of state~~ department of financial institutions shall mail notice of the  
4 expiration date to the holder of a commission.

5           **SECTION 2631.** 137.01 (2) (a) of the statutes is amended to read:

6           137.01 **(2)** (a) Except as provided in par. (am), any United States resident who  
7 is licensed to practice law in this state is entitled to a permanent commission as a  
8 notary public upon application to the ~~secretary of state~~ department of financial  
9 institutions and payment of a \$50 fee. The application shall include a certificate of  
10 good standing from the supreme court, the signature and post-office address of the  
11 applicant and an impression of the applicant's official seal, or imprint of the  
12 applicant's official rubber stamp.

13           **SECTION 2632.** 137.01 (2) (am) of the statutes is amended to read:

14           137.01 **(2)** (am) If a United States resident has his or her license to practice law  
15 in this state suspended or revoked, upon reinstatement of his or her license to  
16 practice law in this state, the person may be entitled to receive a certificate of  
17 appointment as a notary public for a term of 4 years. An eligible notary appointed  
18 under this paragraph is entitled to reappointment for 4-year increments. At least  
19 30 days before the expiration of a commission under this paragraph the ~~secretary of~~  
20 ~~state~~ department of financial institutions shall mail notice of the expiration date to  
21 the holder of the commission.

22           **SECTION 2633.** 137.01 (2) (b) of the statutes is amended to read:

23           137.01 **(2)** (b) The secretary of state financial institutions shall issue a  
24 certificate of appointment as a notary public to persons who qualify under the



1 requirements of this subsection. The certificate shall state that the notary  
2 commission is permanent or is for 4 years.

3 **SECTION 2634.** 137.01 (2) (c) of the statutes is amended to read:

4 137.01 **(2)** (c) The supreme court shall file with the ~~secretary of state~~  
5 department of financial institutions notice of the surrender, suspension or revocation  
6 of the license to practice law of any attorney who holds a permanent commission as  
7 a notary public. Such notice shall be deemed a revocation of said commission.

8 **SECTION 2635.** 137.01 (6) (a) of the statutes is amended to read:

9 137.01 **(6)** (a) The secretary of state financial institutions may certify to the  
10 official qualifications of any notary public and to the genuineness of the notary  
11 public's signature and seal or rubber stamp.

12 **SECTION 2636.** 137.01 (6m) of the statutes is amended to read:

13 137.01 **(6m)** CHANGE OF RESIDENCE. A notary public does not vacate his or her  
14 office by reason of his or her change of residence within the United States. Written  
15 notice of any change of address shall be given to the ~~secretary of state~~ department  
16 of financial institutions within 10 days of the change.

17 **SECTION 2637.** 137.01 (7) of the statutes is amended to read:

18 137.01 **(7)** OFFICIAL RECORDS TO BE FILED. When any notary public ceases to hold  
19 office, the notary public, or in case of the notary public's death the notary public's  
20 personal representative, shall deposit the notary public's official records and papers  
21 ~~in the office of the secretary of state~~ with the department of financial institutions.  
22 If the notary or personal representative, after the records and papers come to his or  
23 her hands, neglects for 3 months to deposit them, he or she shall forfeit not less than  
24 \$50 nor more than \$500. If any person knowingly destroys, defaces, or conceals any  
25 records or papers of any notary public, the person shall forfeit not less than \$50 nor

1 more than \$500, and shall be liable for all damages resulting to the party injured.  
2 The ~~secretary of state~~ department of financial institutions shall receive and safely  
3 keep all such papers and records.

4 **SECTION 2637b.** 138.045 of the statutes is created to read:

5 **138.045 Method of calculating interest.** Interest on any note, bond, or  
6 other instrument computed on the declining unpaid principal balance from time to  
7 time outstanding may be computed and charged on actual unpaid balances at 1/360  
8 of the annual rate for the actual number of days outstanding if the use of this  
9 calculation method is disclosed in the note, bond, or other instrument. This section  
10 does not apply to pawnbrokers' loans under s. 138.10.

11 **SECTION 2637d.** 138.09 (1a) (a) of the statutes is amended to read:

12 138.09 **(1a)** (a) Banks, savings banks, savings and loan associations, trust  
13 companies, credit unions, or any of their affiliates.

14 **SECTION 2637gc.** 138.14 (1) (bd) of the statutes is created to read:

15 138.14 **(1)** (bd) “Consumer report” has the meaning given in 15 USC 1681a (d).

16 **SECTION 2637gd.** 138.14 (1) (be) of the statutes is created to read:

17 138.14 **(1)** (be) “Consumer reporting agency” has the meaning given in 15 USC  
18 1681a (f).

19 **SECTION 2637gf.** 138.14 (1) (k) 1. of the statutes is amended to read:

20 138.14 **(1)** (k) 1. A transaction between an individual with an account at a  
21 financial establishment and another person, including a person who is not physically  
22 located in this state, in which the person agrees to accept from the individual one or  
23 more checks, to hold the check or checks for a period of time before negotiating or  
24 presenting the check or checks for payment, and to loan to the individual, for a term

1 of 90 days or less, before negotiating or presenting the check or checks for payment,  
2 an amount that is agreed to by the individual.

3 **SECTION 2637gg.** 138.14 (1) (k) 2. of the statutes is amended to read:

4 138.14 (1) (k) 2. A transaction between an individual with an account at a  
5 financial establishment and another person, including a person who is not physically  
6 located in this state, in which the person agrees to accept the individual's  
7 authorization to initiate one or more electronic fund transfers from the account, to  
8 wait a period of time before initiating the electronic fund transfer or transfers, and  
9 to loan to the individual, for a term of 90 days or less, before initiating the electronic  
10 fund transfer or transfers, an amount that is agreed to by the individual.

11 **SECTION 2637gi.** 138.14 (3) of the statutes is amended to read:

12 138.14 (3) EXEMPTIONS. This section does not apply to banks, savings banks,  
13 savings and loan associations, trust companies, credit unions, or any of their  
14 affiliates.

15 **SECTION 2637gk.** 138.14 (7) (e) 6. of the statutes is amended to read:

16 138.14 (7) (e) 6. The number of payday loans made during the preceding year  
17 that resulted in repayment under sub. (11g) (a).

18 **SECTION 2637gm.** 138.14 (9g) (a) 6. of the statutes is amended to read:

19 138.14 (9g) (a) 6. Disclose to the applicant the payment requirements that may  
20 apply under sub. (11g) (a) if the loan is not paid in full at the end of the loan term.

21 **SECTION 2637go.** 138.14 (9m) of the statutes is created to read:

22 138.14 (9m) INCOME VERIFICATION. Before entering into a payday loan with an  
23 applicant that has not previously been a customer of the licensee, the licensee may  
24 request the applicant's consumer report from a consumer reporting agency as part  
25 of the licensee's underwriting process and the licensee may rely on the consumer

1 report as a permissible method of income verification in making the payday loan.  
2 The licensee may also rely on the same consumer report in underwriting and making  
3 subsequent payday loans to the same customer.

4 **SECTION 2637gq.** 138.14 (9r) (c) 4. of the statutes is amended to read:

5 138.14 **(9r)** (c) 4. The percentage of customers originating payday loans that  
6 resulted in repayment under sub. (11g) (a).

7 **SECTION 2637gs.** 138.14 (10) (a) 2. of the statutes is amended to read:

8 138.14 **(10)** (a) 2. If a payday loan is not paid in full on or before the maturity  
9 date, a licensee may charge, after the maturity date, interest at a rate not exceeding  
10 2.75 percent per month, except that if a licensee makes a subsequent payday loan to  
11 the customer under sub. (12) (a), and the customer does not pay the subsequent loan  
12 in full on or before the maturity date of the subsequent loan, the licensee may charge,  
13 after the maturity date of the subsequent loan, interest at a rate not exceeding 2.75  
14 percent per month on the subsequent loan and the licensee may not charge any  
15 interest under this subdivision on the prior loan. Interest earned under this  
16 subdivision shall be calculated at the rate of one-thirtieth of the monthly rate  
17 charged for each calendar day that the balance of the loan is outstanding. Interest  
18 may not be assessed on any interest earned under this subdivision.

19 **SECTION 2637gu.** 138.14 (10) (am) of the statutes is amended to read:

20 138.14 **(10)** (am) *Penalties.* Except as provided in par. (b) 2., no licensee may  
21 impose any penalty on a customer arising from the customer's prepayment of or  
22 default or late payment on a payday loan, including any payment under sub. (11g)  
23 (a).

24 **SECTION 2637hc.** 138.14 (11g) of the statutes is renumbered 138.14 (11g) (a)  
25 and amended to read:

1           138.14 **(11g)** (a) If Except as provided in par. (b), if a customer fails to repay a  
2           payday loan in full at the end of the loan term, the licensee that made the loan shall  
3           offer the customer the opportunity to repay the outstanding balance of the loan in  
4           4 equal installments with due dates coinciding with the customer’s pay period  
5           schedule.

6           **SECTION 2637he.** 138.14 (11g) (b) of the statutes is created to read:

7           138.14 **(11g)** (b) If a licensee offers a customer the opportunity to make  
8           repayment under par. (a), then, during the 12–month period following the offer, no  
9           licensee, including the licensee making the offer, is required to offer the customer  
10          another opportunity to repay a payday loan under par. (a).

11          **SECTION 2637hg.** 138.14 (12) (b) of the statutes is amended to read:

12          138.14 **(12)** (b) No licensee may make a payday loan to a customer that results  
13          in the customer having an outstanding aggregate liability in principal, interest, and  
14          all other fees and charges, to all licensees who have made payday loans to the  
15          customer of more than \$1,500 or 35 percent of the customer’s gross monthly income,  
16          whichever is less. As provided in sub. (9m), a licensee may rely on a consumer report  
17          to verify a customer’s income for purposes of this paragraph.

18          **SECTION 2637hi.** 138.14 (14) (d) 4. of the statutes is amended to read:

19          138.14 **(14)** (d) 4. ~~Designate~~ Automatically designate a payday loan as paid in  
20          the database 5 days after the maturity date of the loan unless a licensee reports to  
21          the database provider before that time that the loan remains open because of the  
22          customer’s failure to make payment; that the loan is open because the customer’s  
23          check or an electronic redeposit is in the process of clearing the banking system; that  
24          the loan remains open because the customer’s check is being returned to the licensee  
25          for insufficient funds, a closed account, or a stop payment order; or that any other

1 factors determined by the division are applicable. If a licensee makes such a report,  
2 the database provider shall designate the payday loan as an open transaction until  
3 the database provider is notified that the transaction is closed.

4 **SECTION 2637hk.** 138.14 (14) (h) of the statutes is amended to read:

5 138.14 (14) (h) The division shall, by order or rule, specify a database  
6 transaction fee of no more than \$1 that the database provider shall charge to  
7 licensees to cover the costs of developing and implementing the database, and  
8 accessing the database to verify that a customer does not have any payday loans with  
9 the licensee or others that in combination with a new transaction will create a  
10 violation of this section. The database fee is payable directly to the division in a  
11 manner prescribed by the division and, if the department has contracted with a  
12 3rd-party provider to operate the database, the division shall remit the fee to the  
13 3rd-party provider as specified in the contract.

14 **SECTION 2637hm.** 138.14 (14) (j) of the statutes is created to read:

15 138.14 (14) (j) If the database, as determined by the division, is not fully  
16 operational, or the licensee is unable to access the database and, as determined  
17 under rules promulgated by the division, the alternate process established under  
18 par. (d) 2. is also unavailable, a licensee may rely upon the written verification of the  
19 customer in a statement provided in substantially the following form in at least  
20 12-point type:

21 “I DO NOT HAVE ANY OUTSTANDING PAYDAY LOANS WITH THIS  
22 LICENSEE AND I DO NOT HAVE MORE PAYDAY LOANS WITH ANY OTHER  
23 LICENSED PAYDAY LOAN PROVIDER IN THIS STATE.”

24 **SECTION 2637kd.** 138.16 (1) (a) of the statutes is created to read:

1           138.16 (1) (a) “Division” means the division of banking attached to the  
2 department of financial institutions.

3           **SECTION 2637ke.** 138.16 (1) (bm) of the statutes is created to read:

4           138.16 (1) (bm) “Licensed location” means the location specified in a license  
5 issued under s. 138.09 (1m) (a).

6           **SECTION 2637kf.** 138.16 (1) (c) of the statutes is amended to read:

7           138.16 (1) (c) “Title loan” means a loan of \$25,000 or less to a borrower, who  
8 obtains or seeks to obtain the loan for personal, family, or household purposes, that  
9 is, or is to be, secured by an interest, other than a purchase money security interest,  
10 in the borrower’s motor vehicle, and that has an original term of not more than 6  
11 months.

12           **SECTION 2637kg.** 138.16 (1m) of the statutes is created to read:

13           138.16 (1m) CERTIFICATE OF AUTHORIZATION. (a) Before a licensed lender may  
14 make title loans under this section, the licensed lender shall first obtain from the  
15 division, for each licensed location at which any title loan is to be made, a certificate  
16 authorizing the licensed lender to make title loans from that location.

17           (b) At the time of making an application for a certificate under par. (a), an  
18 applicant shall pay to the division an initial annual fee of \$5,000. The valid period  
19 for the certificate shall be a calendar year and each certificate shall expire on the last  
20 day of the calendar year. To renew a certificate, the certificate holder shall, on or  
21 before December 10 of the year in which the certificate is to expire, pay to the division  
22 an annual renewal fee of \$5,000 for the following calendar year.

23           **SECTION 2637kh.** 138.16 (2) of the statutes is renumbered 138.16 (2) (a) and  
24 amended to read:

1           138.16 (2) (a) No licensed lender may make a title loan to a borrower that  
2 results in the borrower having liability for the loan, in principal, of more than 50  
3 percent of the retail value of the motor vehicle used as security for the loan. The  
4 division shall promulgate rules for determining the retail value of a motor vehicle for  
5 purposes of this paragraph, including rules specifying nationally recognized pricing  
6 guides that may be used for determining retail value at the time of loan origination.

7           **SECTION 2637ki.** 138.16 (2) (b) of the statutes is created to read:

8           138.16 (2) (b) 1. This section imposes no limit on the interest that a licensed  
9 lender may charge before the maturity date of a title loan.

10          2. If a title loan is not paid in full on or before the maturity date, a licensed  
11 lender may charge, after the maturity date, interest at a rate not exceeding 2.75  
12 percent per month. Interest earned under this subdivision shall be calculated at the  
13 rate of one-thirtieth of the monthly rate charged for each calendar day that the  
14 balance of the loan is outstanding. Interest may not be assessed on any interest  
15 earned under this subdivision.

16          **SECTION 2637kj.** 138.16 (3) of the statutes is created to read:

17          138.16 (3) RESCISSION. A borrower may rescind a title loan, before the close of  
18 business on the next day of business after the loan is made, or, if the place of business  
19 where the loan is made is open 24 hours, before 5 p.m. on the next day of business  
20 after the loan is made, by returning to the licensed lender the proceeds of the loan.  
21 The licensed lender may not charge the borrower any fee for rescinding the title loan  
22 as provided in this subsection.

23          **SECTION 2637kk.** 138.16 (4) of the statutes is created to read:



1           138.16 (4) OTHER REQUIREMENTS. (a) A licensed lender may not make a title loan  
2 to a borrower that is secured by an interest in a motor vehicle if the motor vehicle is  
3 subject to another security interest.

4           (b) A licensed lender may not require a borrower to provide the licensed lender  
5 with a key or copy of a key to a motor vehicle used as security for a title loan as a  
6 condition for making the title loan to the borrower.

7           (c) A licensed lender or person acting on behalf of a licensed lender may not take  
8 possession of a motor vehicle used as security for a title loan to a borrower without  
9 sending notice to the borrower at least 20 days prior to taking possession. The notice  
10 shall state the intent to take possession and describe the basis for the right to take  
11 possession. This paragraph does not apply to possession that is obtained by a  
12 borrower's voluntary surrender of a motor vehicle.

13           (d) A licensed lender or other person may charge a borrower a reasonable  
14 storage fee for a motor vehicle of the borrower of which the licensed lender or person  
15 acting on behalf of the licensed lender has obtained possession, including possession  
16 that is obtained by voluntary surrender.

17           (e) A licensed lender shall return to a borrower the amount of any proceeds from  
18 the disposition of a motor vehicle used as security for a title loan to the borrower that  
19 exceed the borrower's liability to the licensed lender for the loan.

20           (f) A borrower is not liable to a licensed lender for any deficiency resulting from  
21 the licensed lender's disposition of a motor vehicle used as security for a title loan,  
22 unless the borrower has done any of the following:

23           1. Impaired the licensed lender's security interest by intentionally damaging  
24 or destroying the motor vehicle.

25           2. Intentionally concealed the motor vehicle.

1           3. Pledged to the licensed lender a motor vehicle that is already encumbered  
2 by an undisclosed prior lien.

3           4. Subsequent to obtaining the title loan, pledged or sold to a third party a  
4 motor vehicle used as security for a title loan without the licensed lender’s written  
5 consent.

6           **SECTION 2637m.** 139.01 (4) of the statutes is amended to read:

7           139.01 (4) “License,” and “fermented malt beverages” have the same meaning  
8 as in s. 125.02, and “licensed premises” are premises described in licenses and  
9 permits issued by the department, cities, villages, or towns under the authority of  
10 said section.

11           **SECTION 2637n.** 139.76 (1) of the statutes is amended to read:

12           139.76 (1) An excise tax is imposed upon the sale, offering or exposing for sale,  
13 possession with intent to sell or removal for consumption or sale or other disposition  
14 for any purpose of tobacco products by any person engaged as a distributor of them  
15 at the rate, for tobacco products, not including moist snuff, of 71 percent of the  
16 manufacturer’s established list price to distributors without diminution by volume  
17 or other discounts on domestic products and, for moist snuff, at the rate of 100  
18 percent of the manufacturer’s established list price to distributors without  
19 ~~diminution by volume or other discounts on domestic products~~ \$1.76 per ounce, and  
20 at a proportionate rate for any other quantity or fractional part in excess of 1.2  
21 ounces. The tax imposed on a can or package of moist snuff that weighs less than 1.2  
22 ounces shall be equal to the amount of the tax imposed on a can or package that  
23 weighs 1.2 ounces. The tax imposed under this subsection on cigars shall not exceed  
24 an amount equal to 50 cents for each cigar. On products imported from another  
25 country, not including moist snuff, the rate of tax is 71 percent of the amount obtained

1 by adding the manufacturer's list price to the federal tax, duties and transportation  
2 costs to the United States. ~~On moist snuff imported from another country, the rate~~  
3 ~~of the tax is 100 percent of the amount obtained by adding the manufacturer's list~~  
4 ~~price to the federal tax, duties, and transportation costs to the United States.~~ The  
5 tax attaches at the time the tobacco products are received by the distributor in this  
6 state. The tax shall be passed on to the ultimate consumer of the tobacco products.  
7 All tobacco products received in this state for sale or distribution within this state,  
8 except tobacco products actually sold as provided in sub. (2), shall be subject to such  
9 tax.

10 **SECTION 2637p.** 139.78 (1) of the statutes is amended to read:

11 139.78 (1) A tax is imposed upon the use or storage by consumers of tobacco  
12 products in this state at the rate, for tobacco products, not including moist snuff, of  
13 71 percent of the cost of the tobacco products and, for moist snuff, at the rate of 100  
14 percent of the manufacturer's established list price to distributors without  
15 diminution by volume or other discounts on domestic products \$1.76 per ounce, and  
16 at a proportionate rate for any other quantity or fractional part in excess of 1.2  
17 ounces. The tax imposed on a can or package of moist snuff that weighs less than 1.2  
18 ounces shall be equal to the amount of the tax imposed on a can or package that  
19 weighs 1.2 ounces. The tax imposed under this subsection on cigars shall not exceed  
20 an amount equal to 50 cents for each cigar. The tax does not apply if the tax imposed  
21 by s. 139.76 (1) on the tobacco products has been paid or if the tobacco products are  
22 exempt from the tobacco products tax under s. 139.76 (2).

23 **SECTION 2638.** 145.01 (4) of the statutes is amended to read:

24 145.01 (4) DEPARTMENT. "Department" means the department of commerce  
25 safety and professional services.

1           **SECTION 2639.** 145.02 (4) (a) of the statutes is amended to read:

2           145.02 **(4)** (a) The department shall prescribe rules as to the qualifications,  
3 examination and licensing of master and journeyman plumbers and restricted  
4 plumber licensees, for the licensing of utility contractors, for the registration of  
5 plumbing apprentices and pipe layers and for the registration and training of  
6 registered learners. The plumbers council, created under s. ~~15.157 (6)~~ 15.407 (16),  
7 shall advise the department in formulating the rules.

8           **SECTION 2640.** 145.17 (2) of the statutes is amended to read:

9           145.17 **(2)** The department shall prescribe rules as to the qualifications,  
10 examination and licensing of journeymen automatic fire sprinkler system fitters and  
11 automatic fire sprinkler contractors and for the registration and training of  
12 automatic fire sprinkler system apprentices. The automatic fire sprinkler system  
13 contractors and journeymen council, created under s. ~~15.157 (9)~~ 15.407 (17), shall  
14 advise the department in formulating the rules.

15           **SECTION 2641.** 145.20 (5) (c) of the statutes is amended to read:

16           145.20 **(5)** (c) The department of natural resources may suspend or revoke a  
17 license issued under s. 281.48 or a certificate issued under s. 281.17 (3) to the  
18 operator of a septage servicing vehicle if the department of natural resources finds  
19 that the licensee or operator falsified information on inspection forms. The  
20 department of ~~commerce~~ safety and professional services may suspend or revoke the  
21 license of a plumber licensed under this chapter if the department finds that the  
22 plumber falsified information on inspection forms.

23           **SECTION 2642.** 145.245 (12m) (e) of the statutes is amended to read:

24           145.245 **(12m)** (e) The department of ~~commerce~~ safety and professional  
25 services and the department of administration may enter into a financial assistance

1 agreement with a governmental unit that applies for a loan under this subsection  
2 and meets the eligibility requirements for a loan, including the requirements under  
3 par. (d).

4 **SECTION 2643.** 145.245 (12m) (f) of the statutes is amended to read:

5 145.245 (12m) (f) The department of administration, in consultation with the  
6 department of ~~commerce~~ safety and professional services, may establish those terms  
7 and conditions of a financial assistance agreement that relate to its financial  
8 management, including what type of municipal obligation is required for the  
9 repayment of the financial assistance. In setting the terms and conditions, the  
10 department of administration may consider factors that the department of  
11 administration finds are relevant, including the type of obligation evidencing the  
12 loan, the pledge of security for the obligation and the applicant's creditworthiness.

13 **SECTION 2644.** 145.245 (12m) (g) of the statutes is amended to read:

14 145.245 (12m) (g) The department of administration shall make and disburse  
15 a loan to an applicant that has entered into a financial assistance agreement under  
16 par. (e). The department of administration, in consultation with the department of  
17 ~~commerce~~ safety and professional services, shall establish procedures for disbursing  
18 loans.

19 **SECTION 2645.** 145.245 (12m) (h) of the statutes is amended to read:

20 145.245 (12m) (h) If a governmental unit fails to make a principal repayment  
21 after its due date, the department of administration shall place on file a certified  
22 statement of all amounts due under this subsection. After consulting the  
23 department of ~~commerce~~ safety and professional services, the department of  
24 administration may collect all amounts due by deducting those amounts from any  
25 state payments due the governmental unit or may add a special charge to the amount

1 of taxes apportioned to and levied upon the county under s. 70.60. If the department  
2 of administration collects amounts due, it shall remit those amounts to the fund to  
3 which they are due and notify the department of ~~commerce~~ safety and professional  
4 services of that action.

5 **SECTION 2646.** 146.085 (3) of the statutes is amended to read:

6 146.085 (3) ENFORCEMENT. The department, the department of ~~commerce~~  
7 safety and professional services, and the public service commission shall enforce this  
8 section within their respective jurisdictions.

9 **SECTION 2646t.** 146.38 (1) (b) 2. of the statutes, as created by 2011 Wisconsin  
10 Act 2, is amended to read:

11 146.38 (1) (b) 2. A facility, association, or business entity, as specified in s.  
12 146.81 (1) (i) to (q) and including a residential care apartment complex, as defined  
13 in s. 50.01 (1d).

14 **SECTION 2647.** 146.40 (4r) (em) of the statutes is amended to read:

15 146.40 (4r) (em) If the department receives a report under par. (a) or (am) and  
16 determines that an individual who is the subject of the report holds a credential that  
17 is related to the individual's employment at, or contract with, the entity, the  
18 department shall refer the report to the department of ~~regulation and licensing~~  
19 safety and professional services.

20 **SECTION 2648L.** 146.66 of the statutes is created to read:

21 **146.66 Low-income dental clinics. (1)** From the appropriation account  
22 under s. 20.435 (1) (dk), in each fiscal year, the department shall award grants to no  
23 fewer than 9 nonprofit dental clinics that meet the eligibility requirements under  
24 sub. (2) and are located in this state.

1           **(2)** To be eligible for a grant under sub. (1), a nonprofit dental clinic must satisfy  
2 all of the following requirements:

3           (a) The clinic does not receive federal funds under 42 USC 254b.

4           (b) The clinic's primary purpose is to provide dental care to low-income  
5 patients, which may include any of the following individuals:

6           1. Recipients of medical assistance, as defined in s. 49.43 (8).

7           2. Low-income individuals who do not qualify for medical assistance, as  
8 defined in s. 49.43 (8).

9           3. Individuals under the age of 18.

10          4. Individuals over the age of 65.

11          5. Individuals with disabilities.

12           **(3)** The department shall seek federal funding to support the operations of  
13 dental clinics that receive grants under sub. (1) and shall request that the federal  
14 department of health and human services encourage collaborative arrangements  
15 between private dentists and health centers that receive federal funds under 42 USC  
16 254b.

17           **SECTION 2648q.** 146.82 (2) (a) 22. of the statutes is created to read:

18           146.82 **(2)** (a) 22. By a person specified in subd. 21. to a correctional officer of  
19 the department of corrections who has custody of or is responsible for the supervision  
20 of a prisoner, to a person designated by a jailer to have custodial authority over a  
21 prisoner, or to a law enforcement officer or other person who is responsible for  
22 transferring a prisoner to or from a prison or jail, if the patient health care record  
23 indicates that the prisoner has a communicable disease and disclosure of that  
24 information is necessary for the health and safety of the prisoner or of other

1 prisoners, of the person whom the information is disclosed, or of any employee of the  
2 prison or jail.

3 **SECTION 2649x.** 146.83 (1d) of the statutes is renumbered 146.83 (1c) and  
4 amended to read:

5 146.83 (1c) Except as provided in s. 51.30 or 146.82 (2), any patient or person  
6 authorized by the patient may, upon submitting a statement of informed consent,  
7 inspect the health care records of a health care provider pertaining to that patient.  
8 ~~Except as provided in sub. (1g), the health care provider shall make the records~~  
9 ~~available for inspection by the patient or person authorized by the patient during~~  
10 ~~regular business hours, after the health care provider receives notice from the~~  
11 ~~patient or person authorized by the patient. A health care provider may not charge~~  
12 ~~a fee for inspection under this subsection at any time during regular business hours,~~  
13 ~~upon reasonable notice.~~

14 **SECTION 2653.** 146.83 (1f) (a) of the statutes is repealed.

15 **SECTION 2654.** 146.83 (1f) (b) of the statutes is repealed.

16 **SECTION 2655.** 146.83 (1f) (c) of the statutes is repealed.

17 **SECTION 2656.** 146.83 (1f) (d) 1. of the statutes is renumbered 146.83 (1f) (am)  
18 and amended to read:

19 146.83 (1f) (am) If a patient or person authorized by the patient requests copies  
20 of the patient's health care records under this ~~subsection~~ section for use in appealing  
21 a denial of social security disability insurance, under 42 USC 401 to 433, or  
22 supplemental security income, under 42 USC 1381 to 1385, the health care provider  
23 may charge the patient or person authorized by the patient no more than the amount  
24 that the federal social security administration reimburses the department for copies  
25 of patient health care records.



1           **SECTION 2657.** 146.83 (1f) (d) 2. of the statutes is renumbered 146.83 (1f) (cm)  
2 and amended to read:

3           146.83 **(1f)** (cm) Except as provided in sub. (1g), a health care provider may not  
4 charge a patient or a person authorized by the patient more than 25 percent of the  
5 applicable fee under sub. (3f) for providing one set of copies of a patient's health care  
6 records under this ~~subsection~~ section if the patient is eligible for medical assistance,  
7 as defined in s. 49.43 (8). A health care provider may require that a patient or person  
8 authorized by the patient provide proof that the patient is eligible for medical  
9 assistance before providing copies under this ~~subdivision~~ without paragraph at a  
10 reduced charge. A health care provider may charge the fees 100 percent of the  
11 applicable fee under ~~par. (e)~~ sub. (3f) for providing a 2nd or additional set of copies  
12 of patient health care records for a patient who is eligible for medical assistance.

13           **SECTION 2658x.** 146.83 (1g) of the statutes is amended to read:

14           146.83 **(1g)** ~~The time limit for making records available for inspection under~~  
15 ~~sub. (1d), the time limits for providing copies of records under sub. (1f) (a) and (b),~~  
16 ~~and the requirement under sub. (1f) (d) 2. (cm) to provide one set of copies of records~~  
17 ~~without~~ at a reduced charge if the patient is eligible for medical assistance ~~do~~ does  
18 not apply if the health care provider is the department or the department of  
19 corrections.

20           **SECTION 2659x.** 146.83 (1h) (a) of the statutes is repealed.

21           **SECTION 2659y.** 146.83 (1h) (b) of the statutes is repealed.

22           **SECTION 2659z.** 146.83 (1h) (c) of the statutes is renumbered 146.83 (1f) (bm).

23           **SECTION 2660.** 146.83 (1k) of the statutes is repealed.

24           **SECTION 2661.** 146.83 (1m) of the statutes is renumbered 146.83 (1m) (a).

25           **SECTION 2662.** 146.83 (1m) (b) of the statutes is created to read:

1           146.83 **(1m)** (b) The health care provider under par. (a) may be charged  
2 reasonable costs for the provision of the patient’s health care records.

3           **SECTION 2663m.** 146.83 (3f) of the statutes is created to read:

4           146.83 **(3f)** (a) Except as provided in sub. (1f) or s. 51.30 or 146.82 (2), if a person  
5 requests copies of a patient’s health care records, provides informed consent, and  
6 pays the applicable fees under par. (b), the health care provider shall provide the  
7 person making the request copies of the requested records.

8           (b) Except as provided in sub. (1f), a health care provider may charge no more  
9 than the total of all of the following that apply for providing the copies requested  
10 under par. (a):

11           1. For paper copies: \$1 per page for the first 25 pages; 75 cents per page for  
12 pages 26 to 50; 50 cents per page for pages 51 to 100; and 30 cents per page for pages  
13 101 and above.

14           2. For microfiche or microfilm copies, \$1.50 per page.

15           3. For a print of an X-ray, \$10 per image.

16           4. If the requester is not the patient or a person authorized by the patient, for  
17 certification of copies, a single \$8 charge.

18           5. If the requester is not the patient or a person authorized by the patient, a  
19 single retrieval fee of \$20 for all copies requested.

20           6. Actual shipping costs and any applicable taxes.

21           (c) 1. In this paragraph, “consumer price index” means the average of the  
22 consumer price index for all urban consumers, U.S. city average, as determined by  
23 the bureau of labor statistics of the U.S. department of labor.

24           2. On each July 1, beginning on July 1, 2012, the department shall adjust the  
25 dollar amounts specified under par. (b) by the percentage difference between the

1 consumer price index for the 12-month period ending on December 31 of the  
2 preceding year and the consumer price index for the 12-month period ending on  
3 December 31 of the year before the preceding year. The department shall notify the  
4 legislative reference bureau of the adjusted amounts and the legislative reference  
5 bureau shall publish the adjusted amounts in the Wisconsin Administrative  
6 Register.

7 **SECTION 2664.** 146.84 (2) (a) 1. of the statutes is amended to read:

8 146.84 **(2)** (a) 1. Requests or obtains confidential information under s. 146.82  
9 or 146.83 ~~(1d), (1f), or (1h)~~ (1c) or (3f) under false pretenses.

10 **SECTION 2664b.** 146.89 (1) (d) 2. of the statutes is amended to read:

11 146.89 **(1)** (d) 2. A private school, as defined in s. 115.001 (3r), that participates  
12 in the choice program under s. 118.60 or the Milwaukee Parental Choice Program  
13 under s. 119.23.

14 **SECTION 2664d.** 146.89 (1) (g) 3. of the statutes is amended to read:

15 146.89 **(1)** (g) 3. A private school, as defined in s. 115.001 (3r), that participates  
16 in the choice program under s. 118.60 or the Milwaukee Parental Choice Program  
17 under s. 119.23.

18 **SECTION 2664f.** 146.89 (3) (b) 9. of the statutes is created to read:

19 146.89 **(3)** (b) 9. Any outpatient surgery that is permitted under the volunteer  
20 health care provider's license under sub. (1) (r) 1. and for which the provider has the  
21 necessary training, experience, equipment, and facilities.

22 **SECTION 2664h.** 146.89 (3r) (b) 1. of the statutes is amended to read:

23 146.89 **(3r)** (b) 1. Except as specified in par. (c), the health care services  
24 specified in sub. (3) (b) 1. to 5. and 7., other than referrals to reproductive health care  
25 specialists, and in sub. (3) (b) 8. and 9.

1           **SECTION 2664j.** 146.89 (3r) (c) 2. of the statutes is amended to read:

2           146.89 **(3r)** (c) 2. Surgery, except as provided in par. (b) 2. and 5. and sub. (3)  
3           (b) 9.

4           **SECTION 2665.** 150.31 (5m) of the statutes is amended to read:

5           150.31 **(5m)** The department shall decrease the statewide bed limit specified  
6           in sub. (1) to account for any reduction in the approved bed capacity of a skilled  
7           nursing facility operated by the department of veterans affairs under s. 45.50 ~~(1)~~, as  
8           specified in s. 45.50 (10).

9           **SECTION 2666.** 150.84 (3) of the statutes is amended to read:

10          150.84 **(3)** “Health care provider” means any person licensed, registered,  
11          permitted or certified by the department or by the department of ~~regulation and~~  
12          licensing safety and professional services to provide health care services in this state.

13          **SECTION 2667.** 153.60 (1) of the statutes is amended to read:

14          153.60 **(1)** The department shall, by the first October 1 after the  
15          commencement of each fiscal year, estimate the total amount of expenditures under  
16          this subchapter for the department for that fiscal year for data collection, database  
17          development and maintenance, generation of data files and standard reports,  
18          orientation and training provided under s. 153.05 (9) (a) and contracting with the  
19          data organization under s. 153.05 (2r). The department shall assess the estimated  
20          total amount for that fiscal year, less the estimated total amount to be received for  
21          purposes of administration of this subchapter under s. 20.435 (1) (hi) during the  
22          fiscal year and the unencumbered balance of the amount received for purposes of  
23          administration of this subchapter under s. 20.435 (1) (hi) from the prior fiscal year,  
24          to health care providers, other than hospitals and ambulatory surgery centers, who  
25          are in a class of health care providers from whom the department collects data under

1 this subchapter in a manner specified by the department by rule. The department  
2 shall work together with the department of ~~regulation and licensing~~ safety and  
3 professional services to develop a mechanism for collecting assessments from health  
4 care providers other than hospitals and ambulatory surgery centers. No health care  
5 provider that is not a facility may be assessed under this subsection an amount that  
6 exceeds \$75 per fiscal year. All payments of assessments shall be credited to the  
7 appropriation under s. 20.435 (1) (hg).

8 **SECTION 2668.** 157.061 (5) of the statutes is amended to read:

9 157.061 (5) “Department” means the department of ~~regulation and licensing~~  
10 safety and professional services.

11 **SECTION 2669.** 157.11 (9m) of the statutes is amended to read:

12 157.11 (9m) ACTION BY DISTRICT ATTORNEY. If any money or property is not  
13 turned over when required by this section, or default occurs under a bond, the district  
14 attorney, upon the request of the department of ~~regulation and licensing~~ safety and  
15 professional services, shall bring action to recover.

16 **SECTION 2670.** 157.12 (1) of the statutes is amended to read:

17 157.12 (1) DEFINITION. Notwithstanding s. 157.061 (5), in this section,  
18 “department” means the department of ~~commerce~~ safety and professional services.

19 **SECTION 2671.** 157.12 (3) (b) of the statutes is amended to read:

20 157.12 (3) (b) The cemetery’s treasurer is the custodian of the fund. The  
21 treasurer shall file with the cemetery, at the cemetery’s expense, a bond with sureties  
22 approved by the department of ~~regulation and licensing~~ safety and professional  
23 services to indemnify the cemetery against loss if the treasurer fails to maintain the  
24 fund. No indemnity is required if the terms of sale of a mausoleum space require the  
25 purchaser to pay directly to a trust company in the state, designated by the cemetery

1 as custodian of the fund. The fund shall be invested as provided in s. 157.19. Income  
2 from investment may be used only to maintain the mausoleum, except that if the  
3 amount of income exceeds the amount necessary to properly maintain the  
4 mausoleum the excess amount may be used to maintain any portion of the cemetery.

5 **SECTION 2672.** 157.65 (1) (a) of the statutes is amended to read:

6 157.65 (1) (a) If the department of ~~regulation and licensing~~ safety and  
7 professional services has reason to believe that any person is violating or has violated  
8 this subchapter or any rule promulgated under this subchapter and that the  
9 continuation of that activity might cause injury to the public interest, the  
10 department of ~~regulation and licensing~~ safety and professional services may  
11 investigate.

12 **SECTION 2673.** 157.65 (1) (b) of the statutes is amended to read:

13 157.65 (1) (b) If the department of ~~commerce~~ safety and professional services  
14 has reason to believe that any person is violating s. 157.12 or any rule promulgated  
15 under s. 157.12 and that the continuation of that activity might cause injury to the  
16 public interest, the department of ~~commerce~~ safety and professional services may  
17 investigate.

18 **SECTION 2674.** 157.65 (2) of the statutes is amended to read:

19 157.65 (2) The department of justice or any district attorney, upon informing  
20 the department of justice, may commence an action in circuit court in the name of  
21 the state to restrain by temporary or permanent injunction any violation of this  
22 subchapter. The court may, prior to entry of final judgment, make such orders or  
23 judgments as may be necessary to restore to any person any pecuniary loss suffered  
24 because of the acts or practices involved in the action, if proof of such loss is submitted  
25 to the satisfaction of the court. The department of justice may subpoena persons and

1 require the production of books and other documents, and may request the board  
2 described in s. 15.405 (3m) or the department of ~~commerce~~ safety and professional  
3 services to exercise its authority under sub. (1) to aid in the investigation of alleged  
4 violations of this subchapter.

5 **SECTION 2675.** 160.01 (7) of the statutes is amended to read:

6 160.01 (7) “Regulatory agency” means the department of agriculture, trade and  
7 consumer protection, the department of ~~commerce~~ safety and professional services,  
8 the department of transportation, the department of natural resources and other  
9 state agencies which regulate activities, facilities or practices which are related to  
10 substances which have been detected in or have a reasonable probability of entering  
11 the groundwater resources of the state.

12 **SECTION 2677.** 165.25 (4) (ag) of the statutes is amended to read:

13 165.25 (4) (ag) The department of justice shall furnish legal services upon  
14 request of the department of ~~commerce~~ safety and professional services under s.  
15 167.35 (7).

16 **SECTION 2678.** 165.25 (4) (am) of the statutes is amended to read:

17 165.25 (4) (am) The department of justice shall furnish legal services to the  
18 department of ~~regulation and licensing~~ safety and professional services in all  
19 proceedings under s. 440.21 (3), together with any other services, including  
20 stenographic and investigational, as are necessarily connected with the legal  
21 services.

22 **SECTION 2681.** 165.25 (12) of the statutes is created to read:

23 165.25 (12) REPRESENTATION ARISING FROM AGREEMENTS WITH MINNESOTA.  
24 Represent any employee of the state of Minnesota who is named as a defendant in  
25 any civil action brought under the laws of this state as a result of performing services

1 for this state under a valid agreement between this state and the state of Minnesota  
2 providing for interchange of employees or services and any employee of this state who  
3 is named as a defendant as a result of performing services for the state of Minnesota  
4 under such an agreement in any action brought under the laws of this state. Witness  
5 fees in any action specified in this subsection shall be paid in the same manner as  
6 provided in s. 885.07. The attorney general may compromise and settle any action  
7 specified in this subsection to the same extent as provided in s. 165.25 (6) (a).

8 **SECTION 2682.** 165.70 (3m) of the statutes is repealed.

9 **SECTION 2682m.** 165.77 (7) of the statutes is amended to read:

10 165.77 (7) Whenever a Wisconsin law enforcement agency or a health care  
11 professional collects evidence in a case of alleged or suspected sexual assault, the  
12 agency or professional shall follow the procedures specified in the department's rules  
13 under sub. (8). The laboratories shall perform, in a timely manner, deoxyribonucleic  
14 acid analysis of specimens provided by law enforcement agencies under sub. (2). The  
15 laboratories shall not include data obtained from deoxyribonucleic acid analysis of  
16 those specimens in the data bank under sub. (3).

17 **SECTION 2683.** 165.82 (1) (a) of the statutes, as affected by 2009 Wisconsin Act  
18 28, is repealed.

19 **SECTION 2684.** 165.82 (1) (am) of the statutes, as created by 2009 Wisconsin Act  
20 28, is amended to read:

21 165.82 (1) (am) For each record check, except a fingerprint card record check,  
22 ~~requested by a governmental agency, \$7.~~

23 **SECTION 2685.** 165.82 (1) (b) of the statutes is repealed.

24 **SECTION 2686.** 165.825 of the statutes is amended to read:



1           **165.825 Information link; department of health services.** The  
2 department of justice shall cooperate with the departments of regulation and  
3 licensing safety and professional services and health services in developing and  
4 maintaining a computer linkup to provide access to the information obtained from  
5 a criminal history search.

6           **SECTION 2687.** 167.10 (3) (b) 2. of the statutes is amended to read:

7           167.10 **(3)** (b) 2. The possession or use of explosives in accordance with rules  
8 or general orders of the department of ~~commerce~~ safety and professional services.

9           **SECTION 2688.** 167.10 (6m) (a) of the statutes is amended to read:

10           167.10 **(6m)** (a) No person may manufacture in this state fireworks or a device  
11 listed under sub. (1) (e), (f) or (i) to (n) without a fireworks manufacturing license  
12 issued by the department of ~~commerce~~ safety and professional services under par.  
13 (d).

14           **SECTION 2689.** 167.10 (6m) (b) of the statutes is amended to read:

15           167.10 **(6m)** (b) No person may manufacture in this state fireworks or a device  
16 listed under sub. (1) (e), (f) or (i) to (n) unless the person complies with the rules of  
17 the department of ~~commerce~~ safety and professional services promulgated under  
18 par. (e).

19           **SECTION 2690.** 167.10 (6m) (c) of the statutes is amended to read:

20           167.10 **(6m)** (c) Any person who manufactures in this state fireworks or a  
21 device listed under sub. (1) (e), (f) or (i) to (n) shall provide the department of  
22 ~~commerce~~ safety and professional services with a copy of each federal license issued  
23 under 18 USC 843 to that person.

24           **SECTION 2691.** 167.10 (6m) (d) of the statutes is amended to read:

1           167.10 **(6m)** (d) The department of ~~commerce~~ safety and professional services  
2 shall issue a license to manufacture fireworks or devices listed under sub. (1) (e), (f)  
3 or (i) to (n) to a person who complies with the rules of the department promulgated  
4 under par. (e). The department may not issue a license to a person who does not  
5 comply with the rules promulgated under par. (e). The department may revoke a  
6 license under this subsection for the refusal to permit an inspection at reasonable  
7 times by the department or for a continuing violation of the rules promulgated under  
8 par. (e).

9           **SECTION 2692.** 167.10 (6m) (e) of the statutes is amended to read:

10           167.10 **(6m)** (e) The department of ~~commerce~~ safety and professional services  
11 shall promulgate rules to establish safety standards for the manufacture in this state  
12 of fireworks and devices listed under sub. (1) (e), (f) or (i) to (n).

13           **SECTION 2693.** 167.10 (6m) (f) of the statutes is amended to read:

14           167.10 **(6m)** (f) The department of ~~commerce~~ safety and professional services  
15 may inspect at reasonable times the premises on which each person licensed under  
16 this subsection manufactures fireworks or devices listed under sub. (1) (e), (f) or (i)  
17 to (n).

18           **SECTION 2694.** 167.21 (1) (b) of the statutes is amended to read:

19           167.21 **(1)** (b) “Department” means the department of ~~commerce~~ safety and  
20 professional services.

21           **SECTION 2695.** 167.27 (5) of the statutes is amended to read:

22           167.27 **(5)** Whenever any mine shaft, exploration shaft or test well is  
23 abandoned or its use discontinued, the operator or contractor shall promptly fill  
24 same to grade or enclose the same with a fence of strong woven wire not less than 46  
25 inches wide with one barbwire above or cap same with a reinforced concrete slab at

1 least 6 inches thick or with a native boulder at least 3 times the diameter of the top  
2 of the shaft or test well bore. The strands of the woven wire shall not be smaller than  
3 No. 12 wire and the cross wires and meshes shall not be smaller than No. 16 wire;  
4 the strands shall not be more than 12 inches apart, and the meshes shall not exceed  
5 8 inches square. All wires must be tightly stretched and securely fastened to  
6 sufficient posts firmly set not more than 8 feet apart. In case any person shall neglect  
7 to repair or rebuild such fence which the person is so required to build and maintain,  
8 any person may complain to the department of ~~commerce~~ safety and professional  
9 services or to the local governing body, which shall give notice in writing to the person  
10 who is required to build and maintain such fence. The department of ~~commerce~~  
11 safety and professional services or the local governing body shall then proceed to  
12 examine the fence, and if it shall determine that such fence is insufficient, it shall  
13 notify the person responsible for its erection and maintenance and direct the person  
14 to repair or rebuild the fence within such time as it shall deem reasonable. Any  
15 person refusing to comply with such order shall be subject to the penalties provided.

16 **SECTION 2696.** 167.27 (8) of the statutes is amended to read:

17 167.27 (8) Any violation of this section coming to the attention of the  
18 department of ~~commerce~~ safety and professional services or municipal authorities  
19 shall be reported to the attorney general or district attorney for prosecution.

20 **SECTION 2697.** 167.31 (4) (a) 4. b. of the statutes is amended to read:

21 167.31 (4) (a) 4. b. He or she holds a certificate of proficiency to carry a firearm  
22 issued by the department of ~~regulation and licensing~~ safety and professional  
23 services.

24 **SECTION 2698.** 167.31 (4) (a) 4. e. of the statutes is amended to read:

1           167.31 **(4)** (a) 4. e. His or her firearm is in plain view, as defined by rule by the  
2 department of regulation and licensing safety and professional services.

3           **SECTION 2699.** 167.35 (1) (b) of the statutes is amended to read:

4           167.35 **(1)** (b) “Department” means the department of ~~commerce~~ safety and  
5 professional services unless the context requires otherwise.

6           **SECTION 2700.** 167.35 (7) (b) of the statutes is amended to read:

7           167.35 **(7)** (b) The department of revenue, in the course of conducting any  
8 inspection or examination authorized under s. 139.39, may inspect cigarettes to  
9 determine if the cigarettes are marked as provided under sub. (4), and the  
10 department of revenue shall notify the department of ~~commerce~~ safety and  
11 professional services of any unmarked cigarettes.

12           **SECTION 2701.** 167.35 (7) (c) of the statutes is amended to read:

13           167.35 **(7)** (c) Authorized personnel from the department of justice, from the  
14 department of ~~commerce~~ safety and professional services, and from the department  
15 of revenue, and any sheriff, police officer, or other law enforcement personnel, within  
16 their respective jurisdictions, may enter and inspect any premises where cigarettes  
17 are made, sold, offered for sale, or stored to determine if the cigarettes comply with  
18 this section. An inspection under this paragraph includes examining the books,  
19 papers, invoices, and other records of any person who is subject to this section and  
20 who is in control, possession, or occupancy of the premises.

21           **SECTION 2702.** 168.01 (1) of the statutes is amended to read:

22           168.01 **(1)** “Department” means the department of ~~commerce~~ safety and  
23 professional services.

24           **SECTION 2702p.** 169.19 (3) (d) of the statutes is created to read:

1           169.19 (3) (d) A municipality or county may not limit the number of wild birds  
2 that are released into the wild under the authority of a bird hunting preserve license.

3           **SECTION 2703.** 170.12 (3) (dm) of the statutes is repealed.

4           **SECTION 2704m.** 175.405 of the statutes is created to read:

5           **175.405 Sexual assault; evidence where no suspect has been identified.**

6           **(1)** In this section, “law enforcement agency” has the meaning given in s. 165.83 (1)  
7 (b).

8           **(2)** Whenever a Wisconsin law enforcement agency collects, in a case of alleged  
9 or suspected sexual assault, evidence upon which deoxyribonucleic acid analysis can  
10 be performed, and the person who committed the alleged or suspected sexual assault  
11 has not been identified, the agency shall follow the procedures specified in s. 165.77  
12 (8) and shall, in a timely manner, submit the evidence it collects to a crime laboratory,  
13 as identified in s. 165.75.

14           **SECTION 2705.** 182.0175 (1m) (e) 2. of the statutes is amended to read:

15           182.0175 **(1m)** (e) 2. The department of ~~commerce~~ safety and professional  
16 services may promulgate a rule that requires retail suppliers, as defined in s. 101.16  
17 (1) (d), of propane to inform their customers each year of the obligation of owners of  
18 transmission facilities under this section.

19           **SECTION 2707.** 186.235 (15) (b) of the statutes is amended to read:

20           186.235 **(15)** (b) Witness fees shall be the same as fees under s. 814.67 (1) (b)  
21 and (c). The fees of witnesses who are called by the office in the interests of the state  
22 shall be paid by the state upon presentation of proper vouchers approved by the office  
23 of credit unions and charged to the appropriation under s. 20.144 ~~(2)~~ (1) (g). A witness  
24 subpoenaed by the office at the instance of a party other than the office shall not be

1 entitled to payment of fees by the state unless the office certifies that the testimony  
2 was material to the purpose for which the subpoena was issued.

3 **SECTION 2707d.** 186.314 (intro.) (except 186.314 (title)) of the statutes is  
4 renumbered 186.314 (1m) (intro.).

5 **SECTION 2707e.** 186.314 (1) to (4) of the statutes are renumbered 186.314 (1m)  
6 (a) to (d).

7 **SECTION 2707f.** 186.314 (1m) (title) of the statutes is created to read:  
8 186.314 (1m) (title) TO FEDERAL CREDIT UNION.

9 **SECTION 2707g.** 186.314 (2m) of the statutes is created to read:  
10 186.314 (2m) TO SAVINGS BANK OR STATE BANK. (a) In this subsection:

11 1. “Savings bank” has the meaning given in s. 214.01 (1) (t) and includes a  
12 mutual savings bank and a stock savings bank as well as a savings bank that is a  
13 subsidiary of, or is otherwise controlled by, a savings bank holding company.

14 2. “Savings bank holding company” has the meaning given in s. 214.01 (1) (tm).

15 3. “State bank” means a bank organized under ch. 221.

16 (b) A credit union may convert to a savings bank or state bank by complying  
17 with pars. (c) to (e).

18 (c) The proposition for a conversion shall first be approved by a majority  
19 recommendation of the directors of the credit union. After the board of directors  
20 approves the conversion proposal, the directors shall, by a majority vote of the  
21 directors, set a date for a meeting of credit union members to vote on the conversion.  
22 Credit union members may also vote by written ballot to be filed on or before the  
23 meeting date. Written notice stating the credit union’s intent to convert to a savings  
24 bank or state bank shall be sent to each member at the member’s address appearing  
25 on the records of the credit union. This notice shall be sent to each credit union

1 member 3 times, once not more than 95 calendar days nor less than 90 calendar days  
2 before the date of the meeting to vote on the conversion, once not more than 65  
3 calendar days nor less than 60 calendar days before the date of the meeting to vote  
4 on the conversion, and once not more than 35 calendar days nor less than 30 calendar  
5 days before the date of the meeting to vote on the conversion. A ballot may be  
6 included in the same envelope as the 3rd notice. Each notice shall adequately  
7 describe the purpose and subject matter of the vote to be taken at the meeting set by  
8 the board of directors or by submission of a written ballot. Each notice shall clearly  
9 inform members that they may vote at the meeting or by submitting the written  
10 ballot. Each notice shall state the date, time, and place of the meeting. If a written  
11 ballot is included with the 3rd notice, the 1st and 2nd notices shall state in a clear  
12 and conspicuous manner that a written ballot will be mailed together with another  
13 notice between 30 and 35 days before the date of the membership vote on conversion.  
14 If a written ballot is included in the same envelope with the 3rd notice, the 3rd notice  
15 shall so state in a clear and conspicuous manner. Approval of the proposition for  
16 conversion shall be by affirmative vote, in person or in writing, of a majority of the  
17 credit union members voting at the meeting or by written ballot.

18 (d) A credit union that proposes to convert to a savings bank or state bank under  
19 this subsection shall file with the office of credit unions a notice of its intent to convert  
20 and, within 10 days after the member vote on the conversion under par. (c), a  
21 statement of the results of the member vote. If the credit union members vote to  
22 approve the proposition for conversion, the member vote shall be verified by the office  
23 of credit unions.

24 (e) Upon approval by the credit union members of the proposition for  
25 conversion under par. (c), the credit union shall take all necessary action under ch.

1 214 or 221 to complete the conversion to a savings bank or state bank. Within 90 days  
2 after receipt from the division of banking of a certificate of incorporation as a savings  
3 bank or state bank, the credit union shall file a copy of the certificate with the office  
4 of credit unions and the office of credit unions shall issue to a converting credit union  
5 a certificate of conversion to a savings bank or state bank.

6 (f) Upon conversion, the credit union shall cease to be a credit union, shall be  
7 a savings bank or state bank, shall no longer be subject to this chapter, and shall be  
8 subject to ch. 214 or 221 and all other provisions of law governing savings banks or  
9 state banks. Upon conversion, the legal existence of the savings bank or state bank  
10 shall be a continuation of the credit union, and all property and every right, privilege,  
11 interest, and asset of the credit union immediately, without any conveyance,  
12 transfer, or further act of the savings bank or state bank, vests in the savings bank  
13 or state bank. The resulting savings bank or state bank shall succeed to and be  
14 vested with all the rights, assets, obligations, and relations of the credit union, and  
15 all actions and other judicial proceedings to which the credit union is a party may be  
16 prosecuted and defended, to the same extent as though the conversion had not taken  
17 place.

18 (g) Upon conversion of a credit union into a stock savings bank or state bank,  
19 the stock savings bank or state bank may distribute shares of the capital stock of the  
20 stock savings bank or state bank, or may distribute cash, or both, to the former  
21 members of the converted credit union in recognition of their ownership of the equity  
22 of the converted credit union.

23 (h) 1. In this paragraph, “senior management official” means a chief executive  
24 officer, an assistant chief executive officer, a chief financial officer, and any other



1 senior executive officer as defined by the appropriate federal banking agency as  
2 directed under 12 USC 1831i (f).

3 2. No director or senior management official of a credit union may receive any  
4 economic benefit in connection with a conversion of the credit union to a savings bank  
5 or state bank except that a director or senior management official may receive  
6 director fees as well as compensation and other benefits paid to directors and senior  
7 management officials of the converted savings bank or state bank in the ordinary  
8 course of business.

9 **SECTION 2707m.** 196.31 (2m) of the statutes is amended to read:

10 196.31 **(2m)** From the appropriation under s. 20.155 (1) (j), the commission  
11 ~~shall~~ may make an annual grant grants that, in the aggregate, do not exceed an  
12 annual total of \$300,000 to ~~–a–~~ one or more nonstock, nonprofit ~~corporation~~  
13 corporations that is are described under section 501 (c) (3) of the Internal Revenue  
14 Code, and that ~~has~~ have a history of advocating at the commission on behalf of  
15 residential ratepayers ~~for affordable rates~~ ratepayers of this state, for the purpose  
16 of offsetting the general expenses of the ~~corporation~~ corporations, including salary,  
17 benefit, rent, and utility expenses. The commission may impose conditions on grants  
18 made under this subsection and may revoke a grant if the commission finds that such  
19 a condition is not being met.

20 **SECTION 2708.** 196.374 (2) (a) 2. e. of the statutes is amended to read:

21 196.374 **(2)** (a) 2. e. Components to implement energy efficiency or renewable  
22 energy measures in facilities of manufacturing businesses in this state that are  
23 consistent with ~~the objectives under s. 560.128 (1) (a)~~ the implementation of energy  
24 efficiency or renewable energy measures in manufacturing facilities to enhance their  
25 competitiveness, the retooling of existing facilities to manufacture products that

1 support the green economy, the expansion or establishment of domestic clean energy  
2 manufacturing operations, and creating or retaining jobs for workers engaged in  
3 such activities.

4 **SECTION 2709.** 196.374 (2) (a) 4. of the statutes is repealed.

5 **SECTION 2710.** 196.374 (3) (a) of the statutes is amended to read:

6 196.374 **(3)** (a) *In general.* The commission shall have oversight of programs  
7 under sub. (2). The commission shall maximize coordination of program delivery,  
8 including coordination between programs under subs. (2) (a) 1., (b) 1. and 2., and (c)  
9 and (7), ordered programs, low-income weatherization programs under s. 16.957,  
10 renewable resource programs under s. 196.378, and other energy efficiency or  
11 renewable resource programs. The commission shall cooperate with the department  
12 of natural resources to ensure coordination of energy efficiency and renewable  
13 resource programs with air quality programs and to maximize and document the air  
14 quality improvement benefits that can be realized from energy efficiency and  
15 renewable resource programs. ~~The commission shall cooperate with the department~~  
16 ~~of commerce to ensure coordination of energy efficiency and renewable resource~~  
17 ~~programs under sub. (2) (a) 2. e. with the loan program under s. 560.128 (1) (a).~~

18 **SECTION 2710c.** 196.374 (3) (b) 2. (intro.) of the statutes is renumbered 196.374  
19 (3) (b) 2. and amended to read:

20 196.374 **(3)** (b) 2. The commission shall require each energy utility to spend 1.2  
21 percent of its annual operating revenues to fund the utility's programs under sub. (2)  
22 (b) 1., the utility's ordered programs, the utility's share of the statewide energy  
23 efficiency and renewable resource programs under sub. (2) (a) 1., and the utility's  
24 share, as determined by the commission under subd. 4., of the costs incurred by the  
25 commission in administering this section. ~~Subject to approval under subd. 3., the~~

1 ~~commission may require each energy utility to spend a larger percentage of its~~  
2 ~~annual operating revenues to fund these programs and costs. The commission may~~  
3 ~~make such a requirement based on the commission's consideration of all of the~~  
4 ~~following:~~

5 **SECTION 2710e.** 196.374 (3) (b) 2. a. to h. of the statutes are repealed.

6 **SECTION 2710g.** 196.374 (3) (b) 3. of the statutes is repealed.

7 **SECTION 2711.** 196.49 (4) of the statutes is amended to read:

8 196.49 (4) The commission may not issue a certificate under sub. (1), (2), or (3)  
9 for the construction of electric generating equipment and associated facilities unless  
10 the commission determines that brownfields, as defined in s. 238.13 (1) (a) or s.  
11 560.13 (1) (a), 2009 stats., are used to the extent practicable.

12 **SECTION 2712.** 196.491 (2) (b) 2. of the statutes is amended to read:

13 196.491 (2) (b) 2. Department of ~~commerce~~ safety and professional services.

14 **SECTION 2713.** 196.491 (2) (e) of the statutes is amended to read:

15 196.491 (2) (e) Any state agency, as defined in s. ~~560.9810~~ 16.310 (1), county,  
16 municipality, town, or person may submit written comments to the commission on  
17 a strategic energy assessment within 90 days after copies of the draft are issued  
18 under par. (b).

19 **SECTION 2714.** 196.491 (3) (a) 2m. b. of the statutes is amended to read:

20 196.491 (3) (a) 2m. b. The applicant proposes alternative construction sites for  
21 the facility that are contiguous or proximate, provided that at least one of the  
22 proposed sites is a brownfield, as defined in s. ~~560.13~~ 238.13 (1) (a), or the site of a  
23 former or existing large electric generating facility.

24 **SECTION 2715.** 196.491 (3) (d) 8. of the statutes is amended to read:

1           196.491 **(3)** (d) 8. For a large electric generating facility, brownfields, as defined  
2 in s. 560.13 ~~238.13~~ (1) (a), are used to the extent practicable.

3           **SECTION 2715s.** 200.09 (1) of the statutes is amended to read:

4           200.09 **(1)** A district formed under this subchapter shall be governed by a  
5 5–member commission appointed for staggered 5–year terms. Except as provided in  
6 sub. (11), commissioners shall be appointed by the county board of the county in  
7 which the district is located. If the district contains territory of more than one county,  
8 the county boards of the counties not having the greatest population in the district  
9 shall appoint one commissioner each and the county board of the county having the  
10 greatest population in the district shall appoint the remainder. Of the initial  
11 appointments, the appointments for the shortest terms shall be made by the counties  
12 having the least amount of population, in reverse order of their population included  
13 in the district. Commissioners shall be residents of the district. Initial appointments  
14 shall be made no sooner than 60 days and no later than 90 days after issuance of the  
15 department order forming a district or after completion of any court proceedings  
16 challenging such order. ~~A per diem compensation not to exceed \$50 may be paid to~~  
17 ~~commissioners. Commissioners may be reimbursed for actual expenses incurred as~~  
18 ~~commissioners in carrying out the work of the commission.~~

19           **SECTION 2715u.** 200.09 (7) of the statutes is amended to read:

20           200.09 **(7)** A per diem compensation ~~not to exceed \$50~~ may be paid to  
21 commissioners in an amount the commission specifies by resolution. Any change in  
22 the per diem amount after its initial establishment applies only to subsequently  
23 appointed or reappointed commissioners. Commissioners shall be reimbursed for  
24 actual expenses incurred as commissioners in carrying out the work of the  
25 commission.

1           **SECTION 2716.** 200.49 (1) (b) of the statutes is amended to read:

2           200.49 **(1)** (b) “Minority group member” has the meaning given under s.  
3           ~~560.036~~ 16.287 (1) (f).

4           **SECTION 2717.** 200.57 (1) (a) of the statutes is amended to read:

5           200.57 **(1)** (a) “Disabled veteran–owned financial adviser” and “disabled  
6           veteran–owned investment firm” mean a financial adviser and investment firm,  
7           respectively, certified by the department of ~~e~~ommerce administration under s.  
8           ~~560.0335~~ 16.283 (3).

9           **SECTION 2718.** 200.57 (1) (b) of the statutes is amended to read:

10           200.57 **(1)** (b) “Minority financial adviser” and “minority investment firm”  
11           mean a financial adviser and investment firm, respectively, certified by the  
12           department of ~~e~~ommerce administration under s. ~~560.036~~ 16.287 (2).

13           **SECTION 2718m.** 214.40 (3) of the statutes is amended to read:

14           214.40 **(3)** A stock financial institution seeking to convert to a savings bank  
15           under s. 214.66 (1m) shall, before declaring a dividend on its capital stock, transfer  
16           not less than 50% of its net profits of the preceding half year to its paid–in surplus  
17           until it has paid–in surplus equal to 20% of capital stock.

18           **SECTION 2719.** 214.48 (4) (a) of the statutes is amended to read:

19           214.48 **(4)** (a) An independent qualified appraiser, designated by the board of  
20           directors, who is properly licensed and certified by the department of ~~regulation and~~  
21           ~~licensing~~ safety and professional services or by another entity authorized to govern  
22           appraisal licensure and certification and who meets the requirements of title XI of  
23           the financial institutions reform, recovery and enforcement act of 1989, 12 USC 3331  
24           to 3351 and regulations adopted pursuant to those sections.

1           **SECTION 2719d.** 214.66 (intro.) (except 214.66 (title)) of the statutes is  
2           renumbered 214.66 (1m) (intro.).

3           **SECTION 2719e.** 214.66 (1) to (7) of the statutes are renumbered 214.66 (1m)  
4           (a) to (g).

5           **SECTION 2719f.** 214.66 (1m) (title) of the statutes is created to read:

6           **214.66 (1m)** (title) FROM SAVINGS AND LOAN ASSOCIATION OR FEDERAL SAVINGS BANK.

7           **SECTION 2719g.** 214.66 (2) of the statutes is created to read:

8           **214.66 (2)** FROM CREDIT UNION. A credit union under ch. 186 may become a  
9           savings bank by doing all of the following:

10           (a) Applying to the division for authority to organize as a savings bank and  
11           satisfying all requirements under this chapter for organizing as a savings bank.

12           (b) Satisfying all requirements under s. 186.314 (2m) for conversion to a  
13           savings bank.

14           (c) Recording the savings bank's articles of incorporation in the county in which  
15           its home office is located.

16           **SECTION 2719w.** 218.0171 (1) (h) 2. of the statutes is amended to read:

17           **218.0171 (1) (h) 2.** The motor vehicle is out of service for an aggregate of at least  
18           30 days because of warranty nonconformities. Time during which repair services are  
19           not available to the consumer because of flood or other natural disaster, war,  
20           invasion, fire, or strike may not be included in the 30-day time period under this  
21           subdivision.

22           **SECTION 2720.** 218.0171 (2) (c) of the statutes is amended to read:

23           **218.0171 (2) (c)** To receive a comparable new motor vehicle or a refund due  
24           under par. (b) 1. or 2., a consumer described under sub. (1) (b) 1., 2. or 3. shall offer  
25           to the manufacturer of the motor vehicle having the nonconformity to transfer title

1 of that motor vehicle to that manufacturer. No later than 30 days after that offer, the  
2 manufacturer shall provide the consumer with the comparable new motor vehicle or  
3 refund. When the manufacturer provides the new motor vehicle or refund, the  
4 consumer shall return the motor vehicle having the nonconformity to the  
5 manufacturer and provide the manufacturer with the certificate of title and all  
6 endorsements necessary to transfer title to the manufacturer. If another person is  
7 in possession of the certificate of title, as shown by the records of the department of  
8 transportation, that person shall, upon request of the consumer, provide the  
9 certificate to the manufacturer or to the consumer.

10 **SECTION 2721.** 218.0171 (2) (cm) 2. of the statutes is amended to read:

11 218.0171 (2) (cm) 2. To receive a refund due under par. (b) 3., a motor vehicle  
12 lessor shall offer to the manufacturer of the motor vehicle having the nonconformity  
13 to transfer title of that motor vehicle to that manufacturer. No later than 30 days  
14 after that offer, the manufacturer shall provide the refund to the motor vehicle lessor.  
15 When the manufacturer provides the refund, the motor vehicle lessor shall provide  
16 to the manufacturer the certificate of title and all endorsements necessary to  
17 transfer title to the manufacturer. If another person is in possession of the certificate  
18 of title, as shown by the records of the department of transportation, that person  
19 shall, upon request of the motor vehicle lessor, provide the certificate to the  
20 manufacturer or to the motor vehicle lessor.

21 **SECTION 2722.** 218.11 (2) (am) 3. of the statutes is amended to read:

22 218.11 (2) (am) 3. The department of ~~commerce~~ may not disclose any  
23 information received under subd. 1. to any person except to the department of  
24 children and families for purposes of administering s. 49.22 or to the department of  
25 revenue for the sole purpose of requesting certifications under s. 73.0301.

1           **SECTION 2723.** 218.12 (2) (am) 2. of the statutes is amended to read:

2           218.12 **(2)** (am) 2. The department of ~~commerce~~ may not disclose a social  
3 security number obtained under par. (a) to any person except to the department of  
4 children and families for the sole purpose of administering s. 49.22 or to the  
5 department of revenue for the sole purpose of requesting certifications under s.  
6 73.0301.

7           **SECTION 2724.** 218.23 (1) of the statutes is amended to read:

8           218.23 **(1)** Whenever a licensed motor vehicle salvage dealer acquires a motor  
9 vehicle for the purpose of wrecking it, the dealer shall mail or deliver the certificate  
10 of title or if the transfer to the salvage dealer was by a bill of sale, the bill of sale, for  
11 such vehicle to the department within 30 days after the vehicle is delivered to the  
12 salvage yard unless the previous owner already has done so or, if another person is  
13 in possession of the certificate of title, as shown by the records of the department of  
14 transportation, that person already has done so. If ~~he or she~~ the dealer subsequently  
15 wishes to transfer such vehicle to another person, ~~he or she~~ the dealer shall make  
16 such transfer only by bill of sale. In such bill of sale, ~~he or she~~ the dealer shall  
17 describe the vehicle and shall state that the certificate of title for the vehicle has been  
18 mailed or delivered to the department because the vehicle was to have been junked.

19           **SECTION 2724m.** 221.0219 of the statutes is created to read:

20           **221.0219 Conversion of a credit union to a state bank.** A credit union  
21 under ch. 186 may become a state bank under this chapter by doing all of the  
22 following:

23           **(1)** Applying to the division of banking for authority to organize as a bank  
24 under this chapter and satisfying all requirements under this chapter for organizing  
25 as a bank.



1           **(2)** Satisfying all requirements under s. 186.314 (2m) for conversion to a state  
2 bank.

3           **(3)** Recording the bank's articles of incorporation in the county in which its  
4 home office is located.

5           **SECTION 2725d.** 227.01 (13) (Lm) of the statutes is created to read:

6           227.01 **(13)** (Lm) Relates to the personnel systems developed under s. 36.115.

7           **SECTION 2725f.** 227.01 (13) (Ln) of the statutes is created to read:

8           227.01 **(13)** (Ln) Relates to bidding procedures or changes thereto under s.  
9 36.11 (53).

10          **SECTION 2725t.** 227.01 (13) (t) of the statutes is amended to read:

11          227.01 **(13)** (t) Ascertains and determines prevailing wage rates under ss.  
12 66.0903, ~~66.0904~~, 103.49, 103.50, and 229.8275, except that any action or inaction  
13 which ascertains and determines prevailing wage rates under ss. 66.0903, ~~66.0904~~,  
14 103.49, 103.50, and 229.8275 is subject to judicial review under s. 227.40.

15          **SECTION 2726.** 227.01 (13) (yc) of the statutes is created to read:

16          227.01 **(13)** (yc) Adjusts the total cost threshold for highway projects under ss.  
17 84.013 (2m) and 84.0145 (4).

18          **SECTION 2727.** 227.01 (13) (yL) of the statutes is repealed.

19          **SECTION 2728b.** 227.01 (13) (zi) of the statutes is amended to read:

20          227.01 **(13)** (zi) Lists responsible units, as defined in s. 287.01 (9), ~~and~~  
21 ~~out-of-state units, as defined in s. 287.01 (5)~~, with an effective recycling program  
22 under s. 287.11 (3).

23          **SECTION 2729.** 227.114 (5) of the statutes is repealed.

24          **SECTION 2730e.** 227.115 (1) (a) of the statutes is amended to read:

1           227.115 (1) (a) “Department” means the department of commerce  
2           administration.

3           **SECTION 2730m.** 227.115 (1) (b) of the statutes is amended to read:

4           227.115 (1) (b) “State housing strategy plan” means the plan developed under  
5           s. ~~560.9802~~ 16.302.

6           **SECTION 2730s.** 227.115 (3) (a) 5. of the statutes is amended to read:

7           227.115 (3) (a) 5. Housing costs, as defined in s. ~~560.9801~~ 16.301 (3) (a) and (b).

8           **SECTION 2731.** 227.116 (1) of the statutes is renumbered 227.116 (1r) and  
9           amended to read:

10           227.116 (1r) Each proposed rule submitted to the legislative council under s.  
11           227.15 that includes a requirement for a business to obtain a permit, ~~as defined in~~  
12           ~~s. 560.41 (2)~~, shall specify the number of business days, calculated beginning on the  
13           day a permit application is received, within which the agency will review and make  
14           a determination on a permit application.

15           **SECTION 2732.** 227.116 (1g) of the statutes is created to read:

16           227.116 (1g) In this section, “permit” means any approval of an agency  
17           required as a condition of operating a business in this state.

18           **SECTION 2733.** 227.116 (2) of the statutes is amended to read:

19           227.116 (2) If any existing rule does not comply with sub. (1) (1r), the agency  
20           that promulgated the rule shall submit to the legislative council a proposed revision  
21           of the rule that will bring the rule into compliance with sub. (1) (1r). The legislative  
22           council staff’s review of the proposed revision is limited to determining whether or  
23           not the agency has complied with this subsection.

24           **SECTION 2734.** 227.116 (3) of the statutes is amended to read:

1           227.116 (3) Subsections ~~(1)~~ (1r) and (2) do not apply to a rule if the rule, or a  
2 law under which the rule was promulgated, effective prior to November 17, 1983,  
3 contains a specification of a time period for review and determination on a permit  
4 application.

5           **SECTION 2735.** 227.116 (4) (intro.) of the statutes is amended to read:

6           227.116 (4) (intro.) If an agency fails to review and make a determination on  
7 a permit application within the time period specified in a rule or law, for each such  
8 failure the agency shall prepare a report and submit it to the department of  
9 ~~commerce~~ safety and professional services within 5 business days of the last day of  
10 the time period specified, setting forth all of the following:

11           **SECTION 2736.** 227.116 (5) of the statutes is amended to read:

12           227.116 (5) If an agency fails to review and make a determination on a permit  
13 application within the time period specified in a rule or law, upon completion of the  
14 review and determination for that application, the agency shall notify the  
15 department of ~~commerce~~ safety and professional services.

16           **SECTION 2738k.** 227.137 (3) (f) of the statutes is created to read:

17           227.137 (3) (f) Except as provided in this paragraph, if the economic impact  
18 analysis relates to a proposed rule of the department of safety and professional  
19 services under s. 101.63 (1) establishing standards for the construction of a dwelling,  
20 as defined in s. 101.61 (1), an analysis of whether the proposed rule would increase  
21 the cost of constructing or remodeling such a dwelling by more than \$1,000. This  
22 paragraph applies notwithstanding that the purpose of the one- and 2-family  
23 dwelling code under s. 101.60 includes promoting interstate uniformity in  
24 construction standards. This paragraph does not apply to a proposed rule whose  
25 promulgation has been authorized under s. 227.19 (5) (fm).

1           **SECTION 2738m.** 227.19 (3) (g) of the statutes is amended to read:

2           227.19 (3) (g) The report of the department of ~~commerce~~ administration, as  
3 required by s. 227.115, if a proposed rule directly or substantially affects the  
4 development, construction, cost, or availability of housing in this state.

5           **SECTION 2739c.** 227.19 (4) (d) 7. of the statutes is created to read:

6           227.19 (4) (d) 7. In the case of a proposed rule of the department of safety and  
7 professional services under s. 101.63 (1) establishing standards for the construction  
8 of a dwelling, as defined in s. 101.61 (1), the proposed rule would increase the cost  
9 of constructing or remodeling such a dwelling by more than \$1,000. This subdivision  
10 applies notwithstanding that the purpose of the one- and 2-family dwelling code  
11 under s. 101.60 includes promoting interstate uniformity in construction standards.  
12 This subdivision does not apply to a proposed rule whose promulgation has been  
13 authorized under sub. (5) (fm).

14           **SECTION 2739d.** 227.19 (5) (c) of the statutes, as affected by 2011 Wisconsin Act  
15 21, is amended to read:

16           227.19 (5) (c) *Agency not to promulgate rule during joint committee review.* An  
17 agency may not promulgate a proposed rule or a part of a proposed rule until the joint  
18 committee for review of administrative rules nonconcur in the objection of the  
19 committee, concurs in the approval of the committee, otherwise approves the  
20 proposed rule or part of the proposed rule, or waives its jurisdiction over the proposed  
21 rule or part of the proposed rule under par. (d), until the expiration of the review  
22 period under par. (b) 1., if no committee has objected to the proposed rule or the part  
23 of the proposed rule, ~~or~~ until a bill introduced under par. (e) fails to be enacted, or  
24 until a bill introduced under par. (em) is enacted. An agency may promulgate any  
25 part of a proposed rule to which no objection has been made.

1           **SECTION 2739e.** 227.19 (5) (d) of the statutes, as affected by 2011 Wisconsin Act  
2 21, is amended to read:

3           227.19 (5) (d) *Joint committee action.* The joint committee for review of  
4 administrative rules may nonconcur in a committee's objection to a proposed rule or  
5 a part of a proposed rule, concur in a committee's approval of a proposed rule or a part  
6 of a proposed rule, otherwise approve a proposed rule or a part of a proposed rule, or  
7 waive its jurisdiction over a proposed rule or a part of a proposed rule by voting to  
8 nonconcur, concur, or approve, or to waive its jurisdiction, during the applicable  
9 review period under par. (b). If Except as provided in par. (dm), if the joint committee  
10 for review of administrative rules objects to a proposed rule or a part of a proposed  
11 rule, an agency may not promulgate the proposed rule or part of the proposed rule  
12 objected to until a bill introduced under par. (e) fails to be enacted. The joint  
13 committee for review of administrative rules may object to a proposed rule or a part  
14 of a proposed rule only for one or more of the reasons specified under sub. (4) (d).

15           **SECTION 2739f.** 227.19 (5) (dm) of the statutes is created to read:

16           227.19 (5) (dm) *Rules increasing dwelling construction costs; joint committee*  
17 *action.* If the joint committee for review of administrative rules objects to a proposed  
18 rule or a part of a proposed rule for a reason specified in sub. (4) (d) 7., the department  
19 of safety and professional services may not promulgate the proposed rule or part of  
20 the proposed rule objected to until a bill introduced under par. (em) is enacted. This  
21 paragraph applies notwithstanding that the purpose of the one- and 2-family  
22 dwelling code under s. 101.60 includes promoting interstate uniformity in  
23 construction standards. This paragraph does not apply to a proposed rule whose  
24 promulgation has been previously authorized under par. (fm).

1           **SECTION 2739g.** 227.19 (5) (e) of the statutes, as affected by 2011 Wisconsin Act  
2 21, is amended to read:

3           227.19 (5) (e) *Bills to prevent promulgation.* When the joint committee for  
4 review of administrative rules objects to a proposed rule or a part of a proposed rule  
5 under par. (d) it shall, within 30 days of the date of the objection, meet and take  
6 executive action regarding the introduction, in each house of the legislature, of a bill  
7 to support the objection. The joint committee shall introduce the bills within 5  
8 working days after taking executive action in favor of introduction of the bills unless  
9 the bills cannot be introduced during this time period under the joint rules of the  
10 legislature.

11           **SECTION 2739h.** 227.19 (5) (em) of the statutes is created to read:

12           227.19 (5) (em) *Rules increasing dwelling construction costs; bill to authorize*  
13 *promulgation.* If the joint committee for review of administrative rules objects to a  
14 proposed rule or a part of a proposed rule under par. (dm), any member of the  
15 legislature may introduce a bill to authorize promulgation of the proposed rule or  
16 part of the proposed rule. This paragraph applies notwithstanding that the purpose  
17 of the one- and 2-family dwelling code under s. 101.60 includes promoting interstate  
18 uniformity in construction standards. This paragraph does not apply to a proposed  
19 rule whose promulgation has been previously authorized under par. (fm).

20           **SECTION 2739i.** 227.19 (5) (fm) of the statutes is created to read:

21           227.19 (5) (fm) *Rules increasing dwelling construction costs; timely*  
22 *introduction of bill; effect.* If all bills introduced under par. (em) are defeated, or fail  
23 to be enacted in any other manner, the agency may not promulgate the proposed rule  
24 or part of the proposed rule that was objected to unless subsequent law specifically

1 authorizes its promulgation. If any of those bills becomes law, the agency may  
2 promulgate the proposed rule or part of the proposed rule that was objected to.

3 **SECTION 2739j.** 227.19 (5) (g) (title) of the statutes is created to read:

4 227.19 (5) (g) (title) *Introduction of bills in next session; effect.*

5 **SECTION 2739k.** 227.19 (6) (title) of the statutes is amended to read:

6 227.19 (6) (title) PROMULGATION PREVENTION OR AUTHORIZATION PROCEDURE.

7 **SECTION 2739L.** 227.19 (6) (a) (intro.) of the statutes is amended to read:

8 227.19 (6) (a) (intro.) The legislature may not consider a bill required by or  
9 permitted under sub. (5) (e) or (em) until the joint committee for review of  
10 administrative rules has submitted a written report on the bill. The report shall be  
11 printed as an appendix to each bill and shall contain:

12 **SECTION 2739n.** 227.24 (1) (e) 1d. of the statutes, as created by 2011 Wisconsin  
13 Act 21, is amended to read:

14 227.24 (1) (e) 1d. Prepare a statement of the scope of the proposed emergency  
15 rule as provided in s. 227.135 (1), obtain approval of the statement as provided in s.  
16 227.135 (2), and send the statement to the legislative reference bureau for  
17 publication in the register under as provided in s. 227.135 (3) at the same time that  
18 the proposed emergency rule is published. If the agency changes the scope of a  
19 proposed emergency rule as described in s. 227.135 (4), the agency shall prepare and  
20 obtain approval of a revised statement of the scope of the proposed emergency rule  
21 as provided in s. 227.135 (4). No state employee or official may perform any activity  
22 in connection with the drafting of a proposed emergency rule except for an activity  
23 necessary to prepare the statement of the scope of the proposed emergency rule until  
24 the governor and the individual or body with policy-making powers over the subject  
25 matter of the proposed emergency rule approves the statement.

1           **SECTION 2739p.** 227.24 (1) (e) 1g. of the statutes, as created by 2011 Wisconsin  
2 Act 21, is amended to read:

3           227.24 (1) (e) 1g. Submit the proposed emergency rule in final draft form to the  
4 governor for approval. The governor, in his or her discretion, may approve or reject  
5 the proposed emergency rule. If the governor approves a proposed emergency rule,  
6 the governor shall provide the agency with a written notice of that approval. An  
7 agency may not file an emergency rule ~~for publication~~ with the legislative reference  
8 bureau as provided in s. 227.20 and an emergency rule may not be published until  
9 the governor approves the emergency rule in writing.

10           **SECTION 2740.** 227.59 of the statutes is amended to read:

11           **227.59 Certification of certain cases from the circuit court of Dane**  
12 **County to other circuits.** Any action or proceeding for the review of any order of  
13 an administrative officer, commission, department or other administrative tribunal  
14 of the state required by law to be instituted in or taken to the circuit court of Dane  
15 County except an action or appeal for the review of any order of the department of  
16 workforce development or the department of ~~commerce~~ safety and professional  
17 services or findings and orders of the labor and industry review commission which  
18 is instituted or taken and is not called for trial or hearing within 6 months after the  
19 proceeding or action is instituted, and the trial or hearing of which is not continued  
20 by stipulation of the parties or by order of the court for cause shown, shall on the  
21 application of either party on 5 days' written notice to the other be certified and  
22 transmitted for trial to the circuit court of the county of the residence or principal  
23 place of business of the plaintiff or petitioner, where the action or proceeding shall  
24 be given preference. Unless written objection is filed within the 5-day period, the  
25 order certifying and transmitting the proceeding shall be entered without hearing.



1 The plaintiff or petitioner shall pay to the clerk of the circuit court of Dane County  
2 a fee of \$2 for transmitting the record.

3 **SECTION 2741.** 229.46 (1) (ag) of the statutes is amended to read:

4 229.46 (1) (ag) “Disabled veteran–owned business” means a business certified  
5 by the department of ~~commerce~~ administration under s. 560.0335 16.283 (3).

6 **SECTION 2742.** 229.46 (1) (b) of the statutes is amended to read:

7 229.46 (1) (b) “Minority group member” has the meaning given in s. 560.036  
8 16.287 (1) (f).

9 **SECTION 2743.** 229.70 (1) (ag) of the statutes is amended to read:

10 229.70 (1) (ag) “Disabled veteran–owned business” means a business certified  
11 by the department of ~~commerce~~ administration under s. 560.0335 16.283 (3).

12 **SECTION 2744.** 229.70 (1) (am) of the statutes is amended to read:

13 229.70 (1) (am) “Minority business” has the meaning given in s. 560.036 16.287  
14 (1) (e).

15 **SECTION 2745.** 229.70 (1) (b) of the statutes is amended to read:

16 229.70 (1) (b) “Minority group member” has the meaning given in s. 560.036  
17 16.287 (1) (f).

18 **SECTION 2746.** 229.8273 (1) (am) of the statutes is amended to read:

19 229.8273 (1) (am) “Disabled veteran–owned business” means a business  
20 certified by the department of ~~commerce~~ administration under s. 560.0335 16.283  
21 (3).

22 **SECTION 2747.** 229.8273 (1) (b) of the statutes is amended to read:

23 229.8273 (1) (b) “Minority business” has the meaning given in s. 560.036 16.287  
24 (1) (e).

25 **SECTION 2748.** 229.8273 (1) (c) of the statutes is amended to read:

1           229.8273 (1) (c) “Minority group member” has the meaning given in s. 560.036  
2     16.287 (1) (f).

3           **SECTION 2749.** 229.845 (1) (ag) of the statutes is amended to read:

4           229.845 (1) (ag) “Disabled veteran–owned business” means a business certified  
5     by the department of ~~commerce~~ administration under s. 560.0335 16.283 (3).

6           **SECTION 2750.** 229.845 (1) (am) of the statutes is amended to read:

7           229.845 (1) (am) “Minority business” has the meaning given in s. 560.036  
8     16.287 (1) (e).

9           **SECTION 2751b.** 230.01 (1) of the statutes is amended to read:

10          230.01 (1) It is the purpose of this chapter to provide state agencies and  
11     ~~institutions of higher education~~ with competent personnel who will furnish state  
12     services to citizens as fairly, efficiently and effectively as possible.

13          **SECTION 2751e.** 230.03 (3) of the statutes, as affected by 2011 Wisconsin Act  
14     7, is amended to read:

15          230.03 (3) “Agency” means any board, commission, committee, council, or  
16     department in state government or a unit thereof created by the constitution or  
17     statutes if such board, commission, committee, council, department, unit, or the  
18     head thereof, is authorized to appoint subordinate staff by the constitution or  
19     statute, except the Board of Regents of the University of Wisconsin System, a  
20     legislative or judicial board, commission, committee, council, department, or unit  
21     thereof or an authority created under subch. II of ch. 114 or subch. III of ch. 149 or  
22     under ch. 52, 231, 232, 233, 234, 235, 237, 238, or 279. “Agency” does not mean any  
23     local unit of government or body within one or more local units of government that  
24     is created by law or by action of one or more local units of government.

25          **SECTION 2751g.** 230.03 (6) of the statutes is amended to read:

1           230.03 (6) “Civil service” means all offices and positions of trust or employment  
2 in the service of the state, except offices and positions in the organized militia and  
3 the Board of Regents of the University of Wisconsin System.

4           **SECTION 2751i.** 230.03 (6m) of the statutes is created to read:

5           230.03 (6m) “Classified service” means the classified service of the civil service.

6           **SECTION 2751k.** 230.03 (10h) of the statutes is created to read:

7           230.03 (10h) “Employee” or “state employee” means an employee of an agency.

8           **SECTION 2751m.** 230.03 (13) of the statutes is created to read:

9           230.03 (13) “Unclassified service” means the unclassified service of the civil  
10 service.

11          **SECTION 2751p.** 230.08 (2) (cm) of the statutes is repealed.

12          **SECTION 2751q.** 230.08 (2) (d) of the statutes is repealed.

13          **SECTION 2751s.** 230.08 (2) (dm) of the statutes is repealed.

14          **SECTION 2753m.** 230.08 (2) (e) 3. of the statutes is repealed.

15          **SECTION 2754.** 230.08 (2) (e) 4. of the statutes is created to read:

16          230.08 (2) (e) 4. Employment relations commission — 1.

17          **SECTION 2755a.** 230.08 (2) (e) 6. of the statutes, as affected by 2011 Wisconsin  
18 Act 10, is repealed and recreated to read:

19          230.08 (2) (e) 6. Workforce development — 9.

20          **SECTION 2755am.** 230.08 (2) (e) 8. of the statutes is amended to read:

21          230.08 (2) (e) 8. Natural resources — 7 10.

22          **SECTION 2756.** 230.08 (2) (e) 10. of the statutes is repealed.

23          **SECTION 2757.** 230.08 (2) (e) 11m. of the statutes is created to read:

24          230.08 (2) (e) 11m. Safety and professional services — 8.

25          **SECTION 2758.** 230.08 (2) (g) of the statutes is amended to read:

1           230.08 (2) (g) One stenographer appointed by each elective executive officer,  
2 except the secretary of state and the state treasurer; and one deputy or assistant  
3 appointed by each elective executive officer, except the attorney general and  
4 superintendent of public instruction.

5           **SECTION 2758d.** 230.08 (2) (k) of the statutes is repealed.

6           **SECTION 2758g.** 230.08 (2) (p) of the statutes is amended to read:

7           230.08 (2) (p) All employees of the investment board, ~~except blue collar and~~  
8 ~~clerical employees.~~

9           **SECTION 2760.** 230.08 (2) (v) of the statutes is amended to read:

10          230.08 (2) (v) Not more than 5 2 bureau directors in the department of  
11 ~~regulation and licensing~~ safety and professional services.

12          **SECTION 2761.** 230.08 (2) (yb) of the statutes is created to read:

13          230.08 (2) (yb) The director and the deputy director of the office of business  
14 development in the department of administration.

15          **SECTION 2762.** 230.08 (2) (yc) of the statutes is repealed.

16          **SECTION 2763.** 230.08 (4) (a) of the statutes is amended to read:

17          230.08 (4) (a) The number of administrator positions specified in sub. (2) (e)  
18 includes all administrator positions specifically authorized by law to be employed  
19 outside the classified service in each department, board or commission and the  
20 historical society. In this paragraph, “department” has the meaning given under s.  
21 15.01 (5), “board” means the educational communications board, government  
22 accountability board, investment board, public defender board and technical college  
23 system board and “commission” means the employment relations commission and  
24 the public service commission. Notwithstanding sub. (2) (z), no division

1 administrator position exceeding the number authorized in sub. (2) (e) may be  
2 created in the unclassified service.

3 **SECTION 2763m.** 230.08 (4) (d) of the statutes is created to read:

4 230.08 (4) (d) The division administrator appointed under sub. (2) (e) 4. shall  
5 be an attorney.

6 **SECTION 2763p.** 230.09 (2) (g) of the statutes is amended to read:

7 230.09 (2) (g) When filling a new or vacant position, if the director determines  
8 that the classification for a position is different than that provided for by the  
9 legislature as established by law or in budget determinations, or as authorized by the  
10 joint committee on finance under s. 13.10, or as specified by the governor creating  
11 positions under s. 16.505 (1) (c) or (2), or the University of Wisconsin Hospitals and  
12 Clinics Board creating positions under s. 16.505 (2n) ~~or the board of regents of the~~  
13 ~~University of Wisconsin System creating positions under s. 16.505 (2m),~~ or is  
14 different than that of the previous incumbent, the director shall notify the  
15 administrator and the secretary of administration. The administrator shall  
16 withhold action on the selection and certification process for filling the position. The  
17 secretary of administration shall review the position to determine that sufficient  
18 funds exist for the position and that the duties and responsibilities of the proposed  
19 position reflect the intent of the legislature as established by law or in budget  
20 determinations, the intent of the joint committee on finance acting under s. 13.10,  
21 the intent of the governor creating positions under s. 16.505 (1) (c) or (2), or the  
22 University of Wisconsin Hospitals and Clinics Board creating positions under s.  
23 16.505 (2n) ~~or the intent of the board of regents of the University of Wisconsin System~~  
24 ~~creating positions under s. 16.505 (2m).~~ The administrator may not proceed with the

1 selection and certification process until the secretary of administration has  
2 authorized the position to be filled.

3 **SECTION 2763s.** 230.10 (2) of the statutes is amended to read:

4 230.10 (2) The compensation plan in effect at the time that a representative  
5 is recognized or certified to represent employees in a collective bargaining unit and  
6 the employee salary and benefit provisions under s. 230.12 (3) (e) in effect at the time  
7 that a representative is certified to represent employees in a collective bargaining  
8 unit under subch. V of ch. 111 constitute the compensation plan or employee salary  
9 and benefit provisions for employees in the collective bargaining unit until a  
10 collective bargaining agreement becomes effective for that unit. If a collective  
11 bargaining agreement under subch. V of ch. 111 expires prior to the effective date of  
12 a subsequent agreement, and a representative continues to be recognized or certified  
13 to represent employees specified in s. 111.81 (7) (a) or certified to represent  
14 employees specified in s. 111.81 (7) ~~(b)~~ (ar) to (f) in that collective bargaining unit, the  
15 wage rates of the employees in such a unit shall be frozen until a subsequent  
16 agreement becomes effective, and the compensation plan under s. 230.12 and salary  
17 and benefit changes adopted under s. 230.12 (3) (e) do not apply to employees in the  
18 unit.

19 **SECTION 2764.** 230.12 (1) (a) 1. b. of the statutes is amended to read:

20 230.12 (1) (a) 1. b. The provisions governing the pay of all unclassified positions  
21 ~~except positions for employees of the University of Wisconsin System,~~ for employees  
22 of the legislature who are not identified under s. 20.923 (4), for employees of a service  
23 agency under subch. IV of ch. 13, for employees of the state court system, for  
24 employees of the investment board identified under s. 230.08 (2) (p), for one  
25 stenographer employed by each elective executive officer, except the secretary of

1 state and the state treasurer, under s. 230.08 (2) (g), for 3 sales representatives of  
2 prison industries and one sales manager of prison industries identified under s.  
3 303.01 (10), and for sales and development professional of the historical society  
4 employed under s. 44.20 (4) (a).

5 **SECTION 2764bg.** 230.12 (1) (h) of the statutes is created to read:

6 230.12 (1) (h) *Other pay, benefits, and working conditions.* The compensation  
7 plan may include other provisions relating to pay, benefits, and working conditions  
8 that shall supersede the provisions of the civil service and other applicable statutes  
9 and rules promulgated by the director and the administrator.

10 **SECTION 2764br.** 230.12 (3) (a) of the statutes is amended to read:

11 230.12 (3) (a) *Submission to the joint committee on employment relations.* The  
12 director shall submit to the joint committee on employment relations a proposal for  
13 any required changes in the compensation plan ~~which may include across the board~~  
14 ~~pay adjustments for positions in the classified service.~~ The proposal shall include the  
15 amounts and methods for within range pay progression, for pay transactions, and for  
16 performance awards. The proposal shall be based upon experience in recruiting for  
17 the service, the principle of providing pay equity regardless of gender or race, data  
18 collected as to rates of pay for comparable work in other public services and in  
19 commercial and industrial establishments, recommendations of agencies and any  
20 special studies carried on as to the need for any changes in the compensation plan  
21 to cover each year of the biennium. The proposal shall also take proper account of  
22 prevailing pay rates, costs and standards of living and the state's employment  
23 policies.

24 **SECTION 2764bt.** 230.12 (3) (b) of the statutes is amended to read:

1           230.12 (3) (b) *Public hearing on the proposal; adoption of plan.* The director  
2 shall submit the proposal for any required changes in the compensation plan to the  
3 joint committee on employment relations. The committee shall hold a public hearing  
4 on the proposal. The proposal, as may be modified by the joint committee on  
5 employment relations together with the unchanged provisions of the current  
6 compensation plan, shall, for the ensuing fiscal year or until a new or modified plan  
7 is adopted under this subsection, constitute the state's compensation plan for  
8 ~~positions in the classified service.~~ Any modification of the director's proposed  
9 changes in the compensation plan by the joint committee on employment relations  
10 may be disapproved by the governor within 10 calendar days. A vote of 6 members  
11 of the joint committee on employment relations is required to set aside any such  
12 disapproval of the governor.

13           **SECTION 2764c.** 230.12 (3) (e) (title) of the statutes is amended to read:

14           230.12 (3) (e) (title) *University of Wisconsin System senior executives, faculty,*  
15 *and academic staff employees; Wisconsin Technical College System senior executives.*

16           **SECTION 2764g.** 230.12 (3) (e) 1. of the statutes is amended to read:

17           230.12 (3) (e) 1. The director, after receiving recommendations from the board  
18 of regents and the chancellor of the University of Wisconsin–Madison, shall submit  
19 to the joint committee on employment relations a proposal for adjusting  
20 compensation and employee benefits for University of Wisconsin System employees  
21 ~~under ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d) who are not included in a~~  
22 ~~collective bargaining unit under subch. V or VI of ch. 111 for which a representative~~  
23 ~~is certified. The proposal shall include the salary ranges and adjustments to the~~  
24 ~~salary ranges for the university senior executive salary groups 1 and 2 established~~  
25 ~~under s. 20.923 (4g).~~ The proposal shall be based upon the competitive ability of the



1 board of regents to recruit and retain qualified faculty and academic staff, data  
2 collected as to rates of pay for comparable work in other public services, universities  
3 and commercial and industrial establishments, recommendations of the board of  
4 regents and any special studies carried on as to the need for any changes in  
5 compensation and employee benefits to cover each year of the biennium. The  
6 proposal shall also take proper account of prevailing pay rates, costs and standards  
7 of living and the state's employment policies. The proposal for such pay adjustments  
8 may contain recommendations for across-the-board pay adjustments, merit or other  
9 adjustments and employee benefit improvements. Paragraph (b) and sub. (1) (bf)  
10 shall apply to the process for approval of all pay adjustments for such University of  
11 Wisconsin System employees under ~~ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d).~~  
12 The proposal as approved by the joint committee on employment relations and the  
13 governor shall be based upon a percentage of the budgeted salary base for such  
14 University of Wisconsin System employees under ~~ss. 20.923 (4g), (5) and (6) (m) and~~  
15 ~~230.08 (2) (d).~~ The amount included in the proposal for merit and adjustments other  
16 than across-the-board pay adjustments is available for discretionary use by the  
17 board of regents.

18 **SECTION 2764n.** 230.143 (intro.) of the statutes is renumbered 230.143 and  
19 amended to read:

20 **230.143 Appointment; selective service registration.** A person who is  
21 required to register with the selective service system under 50 USC, Appendix,  
22 sections 451 to 473, but has not registered, may not receive ~~any of the following~~ an  
23 original appointment to a position in the classified service during the period that the  
24 person is required to register.

25 **SECTION 2764r.** 230.143 (1) of the statutes is repealed.

1           **SECTION 2764w.** 230.143 (2) of the statutes is repealed.

2           **SECTION 2765.** 230.339 of the statutes is created to read:

3           **230.339 Rights of certain employees of the department of safety and**  
4 **professional services. (1)** If any of the following employees who hold the position  
5 of bureau director in the classified service at the department of commerce on the day  
6 before the effective date of this subsection .... [LRB inserts date], and who have  
7 achieved permanent status in class on or before that date are transferred to the  
8 position of bureau director in the unclassified service at the department of safety and  
9 professional services, that transferred employee shall retain those protections  
10 afforded employees in the classified service under ss. 230.34 (1) (a) and 230.44 (1) (c)  
11 relating to demotion, suspension, discharge, layoff, or reduction in base pay:

12           (b) Director of the bureau of petroleum environmental cleanup fund  
13 administration in the division of environmental and regulatory services.

14           (c) Director of the bureau of petroleum products and tanks in the division of  
15 environmental and regulatory services.

16           (d) Director of the bureau of integrated services in the division of safety and  
17 buildings.

18           (e) Director of the bureau of program development in the division of safety and  
19 buildings.

20           **(2)** Each employee specified under sub. (1) shall also have reinstatement  
21 privileges to the classified service as provided under s. 230.33 (1).

22           **SECTION 2766.** 230.34 (1) (ar) of the statutes is amended to read:

23           **230.34 (1) (ar)** Paragraphs (a) and (am) apply to all employees with permanent  
24 status in class in the classified service and all employees who have served with the  
25 state as an assistant district attorney for a continuous period of 12 months or more,

1 except that for employees specified in s. 111.81 (7) (a) in a collective bargaining unit  
2 for which a representative is recognized or certified, or for employees specified in s.  
3 111.81 (7) ~~(b)~~ (ar) or (c) in a collective bargaining unit for which a representative is  
4 certified, if a collective bargaining agreement is in effect covering employees in the  
5 collective bargaining unit, the determination of just cause and all aspects of the  
6 appeal procedure shall be governed by the provisions of the collective bargaining  
7 agreement.

8 **SECTION 2767m.** 230.48 (3) (b) of the statutes is amended to read:

9 230.48 **(3)** (b) Cash awards, in ~~the~~ an amount equal to 10 percent of the average  
10 annual savings that result from the suggestion, with a minimum payment of \$50 and  
11 a maximum payment of \$10,000, and payable at the times that the state employees  
12 suggestion board determines.

13 **SECTION 2768.** 231.01 (1) of the statutes is renumbered 231.01 (1t).

14 **SECTION 2769.** 231.01 (1m) of the statutes is created to read:

15 231.01 **(1m)** “Affiliate” means an entity that controls, is controlled by, or is  
16 under common control with another entity.

17 **SECTION 2770.** 231.01 (4t) of the statutes is created to read:

18 231.01 **(4t)** “Entity” means any person other than a natural person.

19 **SECTION 2771.** 231.01 (5r) of the statutes is amended to read:

20 231.01 **(5r)** “Participating child care provider” means a child care provider, or  
21 an affiliate of a child care provider, that undertakes the financing and construction  
22 or acquisition of a project or undertakes the refunding or refinancing of obligations  
23 or of a mortgage or of advances as provided in this chapter.

24 **SECTION 2772.** 231.01 (5w) of the statutes is amended to read:

1           231.01 (5w) “Participating educational institution” means ~~a corporation,~~  
2 ~~agency or association which is~~ an entity authorized by state law to provide or operate  
3 an educational facility, or an affiliate of that entity, and ~~which~~ that undertakes the  
4 financing and construction or acquisition of a project or undertakes the refunding or  
5 refinancing of obligations or of a mortgage or of advances as provided in this chapter.

6           **SECTION 2773.** 231.01 (6) (intro.) and (a) of the statutes are consolidated,  
7 renumbered 231.01 (6) and amended to read:

8           231.01 (6) “Participating health institution” means: ~~(a) A corporation, agency~~  
9 ~~or association~~ an entity authorized by state law to provide or operate a health facility,  
10 or an affiliate of that entity, and ~~which~~ that undertakes the financing and  
11 construction or acquisition of a project or undertakes the refunding or refinancing  
12 of obligations or of a mortgage or of advances as provided in this chapter.

13           **SECTION 2774.** 231.01 (6t) of the statutes is amended to read:

14           231.01 (6t) “Participating research institution” means an entity organized  
15 under the laws of this state that provides or operates a research facility, or an affiliate  
16 of that entity, and that undertakes the financing and construction or acquisition of  
17 a project or undertakes the refunding or refinancing of obligations or of a mortgage  
18 or of advances as provided in this chapter.

19           **SECTION 2775.** 231.01 (7) (c) of the statutes is amended to read:

20           231.01 (7) (c) “Project” may include more than one project, and it may include  
21 any combination of projects undertaken jointly by any participating health  
22 institution, participating educational institution, participating research institution,  
23 or participating child care provider with one or more other participating health  
24 institutions, participating educational institutions, participating research  
25 institutions, or participating child care providers.

1           **SECTION 2776.** 231.01 (7) (cg) of the statutes is created to read:

2           231.01 (7) (cg) “Project” includes any project located within or outside of this  
3 state.

4           **SECTION 2777.** 231.01 (7) (d) 2. of the statutes is amended to read:

5           231.01 (7) (d) 2. Any office or clinic of a person licensed under ch. 446, 447, 448,  
6 449, or 455, or the substantially equivalent laws or rules of another state.

7           **SECTION 2778.** 231.03 (6) (a) 3. c. of the statutes is amended to read:

8           231.03 (6) (a) 3. c. The expenditure, by or on behalf of a hospital, independent  
9 practitioner, partnership, unincorporated medical group or service corporation, as  
10 defined in s. 180.1901 (2), or the substantially equivalent laws or rules of another  
11 state, for clinical medical equipment.

12           **SECTION 2779.** 231.03 (6) (b) of the statutes is amended to read:

13           231.03 (6) (b) Refinance outstanding debt of any participating health  
14 institution if the department of health services certifies that refinancing will result  
15 in a reduction in the participating health institution’s rates below the rates which  
16 would have otherwise prevailed, except that the authority may not refinance any  
17 office or clinic of a person licensed under ch. 446, 447, 448, 449 or 455, or the  
18 substantially equivalent laws or rules of another state, and except that this  
19 certification is not required for the refinancing for a participating health institution  
20 that operates a facility as defined under s. 49.45 (6m) (a) 3, or for a participating  
21 health institution that is located in another state.

22           **SECTION 2780.** 231.06 of the statutes is amended to read:

23           **231.06 Property acquisition.** The authority may acquire, directly or by and  
24 through a participating health institution, participating educational institution,  
25 participating research institution, or participating child care provider as its agent,

1 by purchase or by gift or devise, such lands, structures, property, rights,  
2 rights-of-way, franchises, easements, and other interests in lands, including lands  
3 lying under water and riparian rights, ~~which are located within this state~~ as it deems  
4 necessary or convenient for the construction or operation of a project, upon such  
5 terms and at such prices as it considers reasonable and can be agreed upon between  
6 it and the owner thereof, and take title thereto in the name of the authority or in the  
7 name of a health facility, educational facility, research facility, or child care center  
8 as its agent.

9 **SECTION 2781.** 231.08 (8) of the statutes is created to read:

10 231.08 (8) The proceeds of a bond issued under this section may be used for a  
11 project in this state or any other state, except that if the proceeds of a bond are used  
12 for a project located in another state, that project shall include a substantial  
13 component located in this state, as determined by the executive director.

14 **SECTION 2782.** 231.20 of the statutes is amended to read:

15 **231.20 Waiver of construction and bidding requirements.** In exercising  
16 its powers under s. 101.12, the department of ~~commerce~~ safety and professional  
17 services or any city, village, town, or county may, within its discretion for proper  
18 cause shown, waive any particular requirements relating to public buildings,  
19 structures, grounds, works, and improvements imposed by law upon projects under  
20 this chapter; the requirements of s. 101.13 may not be waived, however. If, however,  
21 the prospective lessee so requests in writing, the authority shall, through the  
22 participating health institution, participating educational institution, participating  
23 research institution, or participating child care provider as its agent, call for  
24 construction bids in such manner as is determined by the authority with the approval  
25 of the lessee.

1           **SECTION 2783.** 231.27 (1) of the statutes is amended to read:

2           231.27 (1) In this section, “minority business”, “minority financial adviser” and  
3           “minority investment firm” mean a business, financial adviser and investment firm,  
4           respectively, certified by the department of ~~commerce~~ administration under s.  
5           ~~560.036~~ 16.287 (2).

6           **SECTION 2784.** 231.29 (1) of the statutes is amended to read:

7           231.29 (1) In this section, “business,” “financial adviser,” and “investment firm”  
8           mean a business, financial adviser, and investment firm certified by the department  
9           of ~~commerce~~ administration under s. ~~560.0335~~ 16.283 (3).

10          **SECTION 2785.** 231.35 (6) (a) of the statutes is amended to read:

11          231.35 (6) (a) The authority shall enter into a guarantee agreement with any  
12          person who makes loans described under sub. (3) (b) and who wishes to have those  
13          loans guaranteed under this section. The guarantee agreement shall comply with  
14          the rules promulgated by the department of ~~commerce~~ administration under sub. (7)  
15          (b).

16          **SECTION 2786.** 231.35 (6) (b) of the statutes is amended to read:

17          231.35 (6) (b) The authority may use money from the rural hospital loan fund  
18          to guarantee loans made for the purposes described in sub. (3) (b), if the authority  
19          sets out the terms and conditions of the guarantee in a guarantee agreement that  
20          complies with the rules promulgated by the department of ~~commerce~~ administration  
21          under sub. (7) (b).

22          **SECTION 2787.** 231.35 (7) (intro.) of the statutes is amended to read:

23          231.35 (7) (intro.) With the advice of the rural health development council, the  
24          department of ~~commerce~~ administration shall promulgate rules specifying all of the  
25          following:

1           **SECTION 2818.** 234.01 (4n) (a) 3m. e. of the statutes is amended to read:

2           234.01 **(4n)** (a) 3m. e. The facility is located in a targeted area, as determined  
3 by the authority after considering the factors set out in s. 560.605 (2m) (c), 2005  
4 stats., s. 560.605 (2m) (d), 2005 stats., s. 560.605 (2m) (e), 2005 stats., s. 560.605 (2m)  
5 (g), 2007 stats., and s. 560.605 (2m) (a), (b), (f), and (h), 2009 stats.

6           **SECTION 2819.** 234.02 (1) of the statutes is amended to read:

7           234.02 **(1)** There is created a public body corporate and politic to be known as  
8 the “Wisconsin Housing and Economic Development Authority.” The members of the  
9 authority shall be the ~~secretary of commerce~~ chief executive officer of the Wisconsin  
10 Economic Development Corporation or his or her designee and the secretary of  
11 administration or his or her designee, and 6 public members nominated by the  
12 governor, and with the advice and consent of the senate appointed, for staggered  
13 4–year terms commencing on the dates their predecessors’ terms expire. In addition,  
14 one senator of each party and one representative to the assembly of each party  
15 appointed as are the members of standing committees in their respective houses  
16 shall serve as members of the authority. A member of the authority shall receive no  
17 compensation for services but shall be reimbursed for necessary expenses, including  
18 travel expenses, incurred in the discharge of duties. Subject to the bylaws of the  
19 authority respecting resignations, each member shall hold office until a successor  
20 has been appointed and has qualified. A certificate of appointment or reappointment  
21 of any member shall be filed with the authority and the certificate shall be conclusive  
22 evidence of the due and proper appointment.

23           **SECTION 2820.** 234.032 (2) (intro.) of the statutes is amended to read:



1           234.032 **(2)** (intro.) The authority, in consultation with the department of  
2           commerce Wisconsin Economic Development Corporation, shall do all of the  
3           following for each economic development program administered by the authority:

4           **SECTION 2821.** 234.034 of the statutes is amended to read:

5           **234.034 Consistency with state housing strategy plan.** Subject to  
6           agreements with bondholders or noteholders, the authority shall exercise its powers  
7           and perform its duties related to housing consistent with the state housing strategy  
8           plan under s. ~~560.9802~~ 16.302.

9           **SECTION 2822.** 234.06 (1) of the statutes is amended to read:

10          234.06 **(1)** The authority may, as authorized in the state housing strategy plan  
11          under s. ~~560.9802~~ 16.302, use the moneys held in the housing development fund to  
12          make temporary loans to eligible sponsors, with or without interest, and with such  
13          security for repayment, if any, as the authority determines reasonably necessary and  
14          practicable, solely from the housing development fund, to defray development costs  
15          for the construction of proposed housing projects for occupancy by persons and  
16          families of low and moderate income. No temporary loan may be made unless the  
17          authority may reasonably anticipate that satisfactory financing may be obtained by  
18          the eligible sponsor for the permanent financing of the housing project.

19          **SECTION 2823.** 234.06 (3) of the statutes is amended to read:

20          234.06 **(3)** The authority may, as authorized in the state housing strategy plan  
21          under s. ~~560.9802~~ 16.302, use the moneys held in the housing development fund to  
22          establish and administer programs of grants to counties, municipalities, and eligible  
23          sponsors of housing projects for persons of low and moderate income, to pay  
24          organizational expenses, administrative costs, social services, technical services,  
25          training expenses, or costs incurred or expected to be incurred by counties,

1 municipalities, or sponsors for land and building acquisition, construction,  
2 improvements, renewal, rehabilitation, relocation, or conservation under a plan to  
3 provide housing or related facilities, if the costs are not reimbursable from other  
4 private or public loan, grant, or mortgage sources.

5 **SECTION 2824.** 234.08 (5) of the statutes is amended to read:

6 234.08 (5) This section does not supersede or impair the power of the  
7 ~~department of commerce~~ Wisconsin Economic Development Corporation to carry out  
8 its program responsibilities relating to economic development which are funded by  
9 bonds or notes issued under this section.

10 **SECTION 2825.** 234.08 (6) of the statutes is amended to read:

11 234.08 (6) The authority may reimburse the ~~department of commerce~~  
12 Wisconsin Economic Development Corporation its operating costs to carry out its  
13 program responsibilities relating to economic development which are funded by  
14 bonds or notes issued under this section.

15 **SECTION 2826.** 234.165 (2) (b) 2. of the statutes is amended to read:

16 234.165 (2) (b) 2. Annually before August 31 the authority shall submit to the  
17 governor a plan for expending or encumbering the actual surplus reported under  
18 subd. 1. The part of the plan related to housing shall be consistent with the state  
19 housing strategy plan under s. ~~560.9802~~ 16.302. The plan submitted under this  
20 subdivision may be attached to and submitted as a part of the report filed under subd.  
21 1.

22 **SECTION 2827.** 234.25 (1) (e) of the statutes is amended to read:

23 234.25 (1) (e) An evaluation of its progress in implementing within its own  
24 housing programs the goals, policies, and objectives of the state housing strategy

1 plan under s. ~~560.9802~~ 16.302, and recommendations for legislation to improve its  
2 ability to carry out its programs consistent with the state housing strategy plan.

3 **SECTION 2828.** 234.255 (title) of the statutes is amended to read:

4 **234.255 (title) Economic development assistance coordination and**  
5 **reporting.**

6 **SECTION 2829.** 234.255 of the statutes is renumbered 234.255 (2) and amended  
7 to read:

8 **234.255 (2)** Annually, no later than October 1, the authority shall submit to the  
9 joint legislative audit committee and to the appropriate standing committees of the  
10 legislature under s. 13.172 (3) a comprehensive report assessing economic  
11 development programs, as defined in s. 234.032 (1), administered by the authority.  
12 The report shall include all of the information required under s. ~~560.01 (2) (am)~~  
13 238.07 (2). The authority shall collaborate with the ~~department of commerce~~  
14 Wisconsin Economic Development Corporation to make readily accessible to the  
15 public on an Internet-based system the information required under this section.

16 **SECTION 2830.** 234.255 (1) of the statutes is created to read:

17 **234.255 (1)** The authority shall coordinate any economic development  
18 assistance with the Wisconsin Economic Development Corporation.

19 **SECTION 2831.** 234.35 (1) of the statutes is amended to read:

20 **234.35 (1)** In this section, “minority business”, “minority financial adviser” and  
21 “minority investment firm” mean a business, financial adviser and investment firm,  
22 respectively, certified by the department of ~~commerce~~ administration under s.  
23 ~~560.036~~ 16.287 (2).

24 **SECTION 2832.** 234.36 (1) of the statutes is amended to read:

1           234.36 (1) In this section, “business,” “financial adviser,” and “investment firm”  
2 mean a business, financial adviser, and investment firm certified by the department  
3 of commerce administration under s. ~~560.0335~~ 16.283 (3).

4           **SECTION 2832g.** 234.622 (4) of the statutes is renumbered 234.622 (4) (intro.)  
5 and amended to read:

6           234.622 (4) (intro.) “Participant” means ~~a~~ all of the following:

7           (a) A natural person 65 years of age or older who has been accepted into the  
8 program.

9           **SECTION 2832r.** 234.622 (4) (b) of the statutes is created to read:

10           234.622 (4) (b) A veteran, as defined in s. 45.01 (12) (a) to (f), who has been  
11 accepted into the program.

12           **SECTION 2833.** 234.65 (1) (a) of the statutes is amended to read:

13           234.65 (1) (a) With the consent of the ~~department of commerce~~ Wisconsin  
14 Economic Development Corporation and subject to par. (f), the authority may issue  
15 its negotiable bonds and notes to finance its economic development activities  
16 authorized or required under this chapter, including financing economic  
17 development loans.

18           **SECTION 2834.** 234.65 (1) (f) of the statutes is amended to read:

19           234.65 (1) (f) The authority may not issue bonds or notes under par. (a) unless  
20 it has contracted to reimburse the ~~department of commerce~~ Wisconsin Economic  
21 Development Corporation a sum certain for the ~~department's~~ corporation's operating  
22 costs in carrying out its responsibilities to effectuate and promote the economic  
23 development programs created with the bonding authority in this chapter and its  
24 responsibilities under s. ~~560.03 (17)~~ 238.25.

25           **SECTION 2835.** 234.65 (1m) of the statutes is amended to read:

1           234.65 **(1m)** ~~The department of commerce~~ Wisconsin Economic Development  
2 Corporation shall, in consultation with the authority, ~~promulgate rules and adopt~~  
3 ~~rules and~~ procedures, ~~in accordance with the procedures under ch. 227,~~ to implement  
4 sub. (3).

5           **SECTION 2836.** 234.65 (3) (a) of the statutes is amended to read:

6           234.65 **(3)** (a) The business that will receive the loan, at least 30 days prior to  
7 signing of the loan contract, has given notice of intent to sign the contract, on a form  
8 prescribed under s. 560.034 238.11 (1), to the ~~department of commerce~~ Wisconsin  
9 Economic Development Corporation and to any collective bargaining agent in this  
10 state with whom the person has a collective bargaining agreement.

11           **SECTION 2837.** 234.65 (3) (am) of the statutes is amended to read:

12           234.65 **(3)** (am) The authority has received an estimate issued under s. 560.034  
13 238.11 (5) (b), and the ~~department of commerce~~ Wisconsin Economic Development  
14 Corporation has estimated whether the project that the authority would finance  
15 under the loan is expected to eliminate, create, or maintain jobs on the project site  
16 and elsewhere in this state and the net number of jobs expected to be eliminated,  
17 created, or maintained as a result of the project.

18           **SECTION 2838.** 234.65 (3m) of the statutes is amended to read:

19           234.65 **(3m)** An economic development loan may not be made unless the  
20 ~~department of commerce~~ Wisconsin Economic Development Corporation complies  
21 with sub. (1m) and certifies that each loan complies with sub. (3).

22           **SECTION 2839.** 234.65 (3r) of the statutes is amended to read:

23           234.65 **(3r)** Any economic development loan ~~which~~ that a business receives  
24 from the authority under this section to finance a project shall require the business  
25 to submit to the ~~department of commerce~~ Wisconsin Economic Development

1 Corporation within 12 months after the project is completed or 2 years after a loan  
2 is issued to finance the project, whichever is sooner, on a form prescribed under s.  
3 ~~560.034~~ 234.11 (1), the net number of jobs eliminated, created, or maintained on the  
4 project site and elsewhere in this state as a result of the project. This subsection does  
5 not apply to an economic development loan to finance an economic development  
6 project described under s. 234.01 (4n) (c).

7 **SECTION 2840.** 234.65 (5) (intro.) of the statutes is amended to read:

8 234.65 (5) (intro.) On or before July 1, 1985, and every July 1 thereafter, the  
9 ~~department of commerce~~ Wisconsin Economic Development Corporation shall  
10 submit to the chief clerk of each house of the legislature, for distribution to the  
11 appropriate standing committees under s. 13.172 (3), a report ~~which shall address~~  
12 that addresses the effects of lending under this section in the following areas:

13 **SECTION 2840m.** 234.75 of the statutes is created to read:

14 **234.75 Public affairs network loan guarantee program. (1) DEFINITION.**

15 In this section, “public affairs network” means a nonprofit corporation organized  
16 under the laws of this state that has as its primary purpose the broadcast of  
17 proceedings of the legislature, including legislative committee meetings, and the  
18 reporting of events and activities related to politics in this state, through television,  
19 radio, the Internet, or similar communications media.

20 **(2) GUARANTEE REQUIREMENTS.** The authority may use money from the  
21 Wisconsin development reserve fund to guarantee the unpaid principal of a loan  
22 under sub. (5) if all of the following apply:

23 (a) The borrower applies for a loan guarantee on a form provided by the  
24 authority.

1           (b) The loan is eligible for a guarantee under sub. (3), and any applicable  
2 requirements under sub. (5) are met.

3           (c) The lender is the authority or a financial institution that enters into an  
4 agreement under s. 234.93 (2) (a).

5           **(3) ELIGIBLE LOANS.** A loan is eligible for guarantee of collection under sub. (5)  
6 from the Wisconsin development reserve fund if all of the following apply:

7           (a) The loan principal equals \$5,000,000 or less.

8           (b) The authority determines that the borrower is a public affairs network.

9           (c) The borrower certifies that loan proceeds will be used for the borrower's  
10 operating expenses or expenses related to a capital project.

11           (d) The borrower certifies that loan proceeds will not be used to refinance  
12 existing debt or for entertainment expenses.

13           (e) The loan term is not less than 13 years, and the borrower is not required to  
14 to pay any principal or interest on the loan within the first 3 years after the loan is  
15 made.

16           (f) The terms of the loan authorize the lender to obtain a security interest in  
17 the real or personal property of the borrower to secure repayment of the loan.

18           **(4) AUTHORITY LOAN.** The authority may make a loan to a public affairs network  
19 if the loan meets the eligibility requirements under sub. (3), except that the total  
20 principal amount of all loans that the authority makes under this subsection may not  
21 exceed \$5,000,000. Recognizing its moral obligation to do so, the legislature  
22 expresses its expectation and aspiration that, if ever called upon to do so, it shall  
23 make an appropriation to make the authority whole for defaults on loans issued  
24 under this subsection.

1           **(5) GUARANTEE OF REPAYMENT.** (a) Subject to par. (b), the authority may  
2           guarantee collection of all or part of the unpaid principal of a loan eligible for  
3           guarantee under sub. (3). If the authority guarantees all or part of a loan under this  
4           subsection, the authority shall establish the amount of the unpaid principal of an  
5           eligible loan that will be guaranteed using the procedures described in the guarantee  
6           agreement under s. 234.93 (2) (a).

7           (b) A loan guarantee under this subsection is subject to all of the following:

8           1. The total principal amount of all loans guaranteed under this subsection may  
9           not exceed \$5,000,000.

10          2. Before the authority guarantees a loan under this subsection, the authority  
11          shall demonstrate to the satisfaction of the secretary of administration that there are  
12          sufficient moneys in the Wisconsin development reserve fund to guarantee the loan,  
13          or that there are sufficient moneys in the housing rehabilitation loan program  
14          administration fund that may be transferred under par. (c) to guarantee the loan.

15          (c) Notwithstanding s. 234.51 (2), the authority may transfer moneys from the  
16          housing rehabilitation loan program administration fund to the Wisconsin  
17          development reserve fund for a loan guarantee under this subsection if all of the  
18          following conditions are met:

19          1. The authority determines that the transfer is necessary to secure the loan  
20          guarantee.

21          2. The transfer of moneys does not exceed \$5,000,000.

22          3. Within 14 days after the transfer, the authority submits a report to the joint  
23          committee on finance that includes the amount of the transfer and a description of  
24          the circumstances surrounding the transfer.

25          **SECTION 2841.** 234.83 (1c) (b) of the statutes is amended to read:



1           234.83 (1c) (b) “Small business” means a business, as defined in s. 560.60 (2)  
2           84.185 (1) (a), that employs 50 or fewer employees on a full-time basis.

3           **SECTION 2842.** 234.84 (1) of the statutes is amended to read:

4           234.84 (1) DEFINITION. In this section, “department” “corporation” means the  
5           ~~department of commerce~~ Wisconsin Economic Development Corporation.

6           **SECTION 2843.** 234.84 (3) (c) of the statutes is amended to read:

7           234.84 (3) (c) The interest rate on the loan, including any origination fees or  
8           other charges, is approved by the ~~department~~ corporation.

9           **SECTION 2844.** 234.84 (4) (a) of the statutes is amended to read:

10           234.84 (4) (a) Subject to par. (b), the authority shall guarantee collection of a  
11           percentage of the principal of, and all interest and any other amounts outstanding  
12           on, any loan eligible for a guarantee under sub. (2). The ~~department~~ corporation  
13           shall establish the percentage of the principal of an eligible loan that will be  
14           guaranteed, using the procedures described in the agreement under s. 234.932 (3)  
15           (a). The ~~department~~ corporation may establish a single percentage for all  
16           guaranteed loans or establish different percentages for eligible loans on an  
17           individual basis.

18           **SECTION 2845.** 234.84 (5) (a) of the statutes is amended to read:

19           234.84 (5) (a) The program under this section shall be administered by the  
20           ~~department~~ corporation with the cooperation of the authority. The ~~department~~  
21           corporation shall enter into a memorandum of understanding with the authority  
22           setting forth the respective responsibilities of the ~~department~~ corporation and the  
23           authority with regard to the administration of the program, including the functions  
24           and responsibilities specified in s. 234.932. The memorandum of understanding

1 shall provide for reimbursement to the ~~department~~ corporation by the authority for  
2 costs incurred by the ~~department~~ corporation in the administration of the program.

3 **SECTION 2846.** 234.84 (5) (b) of the statutes is amended to read:

4 234.84 (5) (b) The ~~department~~ corporation may charge a premium, fee, or other  
5 charge to a borrower of a guaranteed loan under this section for the administration  
6 of the loan guarantee.

7 **SECTION 2846c.** 234.93 (1) (cm) of the statutes is amended to read:

8 234.93 (1) (cm) Any moneys transferred under 1999 Wisconsin Act 9, section  
9 9125 (1), or under s. 234.75 (5) (c). from the housing rehabilitation loan program  
10 administration fund.

11 **SECTION 2846g.** 234.93 (4) (a) 2. of the statutes is amended to read:

12 234.93 (4) (a) 2. To fund guarantees under all of the programs guaranteed by  
13 funds from the Wisconsin development reserve fund, except for the program under  
14 s. 234.935, 1997 stats., and the program under s. 234.75. at a ratio of \$1 of reserve  
15 funding to \$4.50 of total outstanding principal and outstanding guaranteed principal  
16 that the authority may guarantee under all of those programs.

17 **SECTION 2646r.** 234.93 (4) (a) 3. of the statutes is amended to read:

18 234.93 (4) (a) 3. To fund guarantees under the program under s. 234.935, 1997  
19 stats., and the program under s. 234.75 at a ratio of \$1 of reserve funding to \$4 of total  
20 principal and outstanding guaranteed principal that the authority may guarantee  
21 under that program.

22 **SECTION 2847.** 234.932 (1) of the statutes is repealed.

23 **SECTION 2848.** 234.932 (2) (a) of the statutes is amended to read:

1           234.932 (2) (a) Moneys ~~appropriated to the authority under s. 20.490 (6) (a) and~~  
2           ~~(k) or~~ received by the authority for the Wisconsin job training reserve fund from any  
3           other source.

4           **SECTION 2849.** 234.932 (3) (a) (intro.) of the statutes is amended to read:

5           234.932 (3) (a) (intro.) The authority ~~or department~~ shall enter into a  
6           guarantee agreement with any bank, production credit association, credit union,  
7           savings bank, savings and loan association, or other person who wishes to participate  
8           in the loan program guaranteed by the Wisconsin job training reserve fund. The  
9           authority ~~or department~~ may determine all of the following, consistent with the  
10          terms of the loan guarantee program:

11          **SECTION 2850.** 234.932 (3) (a) 2. of the statutes is amended to read:

12          234.932 (3) (a) 2. Any conditions upon which the authority ~~or department~~ may  
13          refuse to enter into such an agreement.

14          **SECTION 2851.** 234.932 (3) (c) of the statutes is amended to read:

15          234.932 (3) (c) The ~~department~~ Wisconsin Economic Development Corporation  
16          may establish an eligibility criteria review panel, consisting of experts in finance and  
17          in the subject area of the job training loan guarantee program, to provide advice  
18          about lending requirements and issues related to the job training loan guarantee  
19          program.

20          **SECTION 2852.** 234.932 (4) of the statutes is amended to read:

21          234.932 (4) INCREASES OR DECREASES IN LOAN GUARANTEES. The authority ~~or~~  
22          ~~department~~ may request the joint committee on finance to take action under s. 13.10  
23          to permit the authority to increase or decrease the total outstanding guaranteed  
24          principal amount of loans that it may guarantee under the job training loan  
25          guarantee program. Included with its request, the authority ~~or department~~ shall

1 provide a projection, for the next June 30, that compares the amounts required on  
2 that date to pay outstanding claims and to fund guarantees under the job training  
3 loan guarantee program, and the balance remaining in the Wisconsin job training  
4 reserve fund on that date after deducting such amounts, if the increase or decrease  
5 is approved, with such amounts and the balance remaining, if the increase or  
6 decrease is not approved.

7 **SECTION 2853.** 234.932 (5) of the statutes is amended to read:

8 234.932 (5) ANNUAL REPORT. Annually, the authority ~~or department~~ shall report  
9 on the number and total dollar amount of guaranteed loans under the job training  
10 loan guarantee program, the default rate on the loans and any other information on  
11 the program that the authority ~~or department~~ determines is significant.

12 **SECTION 2854.** 235.02 (2) (d) of the statutes is amended to read:

13 235.02 (2) (d) The ~~secretary of commerce, or the secretary's~~ chief executive  
14 officer of the Wisconsin Economic Development Corporation, or his or her designee.

15 **SECTION 2855.** 236.12 (2) (a) of the statutes is amended to read:

16 236.12 (2) (a) Two copies for each of the state agencies required to review the  
17 plat to the department which shall examine the plat for compliance with ss. 236.15,  
18 236.16, 236.20 and 236.21 (1) and (2). If the subdivision abuts or adjoins a state trunk  
19 highway or connecting highway, the department shall transmit 2 copies to the  
20 department of transportation so that agency may determine whether it has any  
21 objection to the plat on the basis of its rules as provided in s. 236.13. If the subdivision  
22 is not served by a public sewer and provision for that service has not been made, the  
23 department shall transmit 2 copies to the department of ~~commerce~~ safety and  
24 professional services so that that agency may determine whether it has any objection  
25 to the plat on the basis of its rules as provided in s. 236.13. In lieu of this procedure

1 the agencies may designate local officials to act as their agents in examining the plats  
2 for compliance with the statutes or their rules by filing a written delegation of  
3 authority with the approving body.

4 **SECTION 2856.** 236.13 (1) (d) of the statutes is amended to read:

5 236.13 (1) (d) The rules of the department of ~~commerce~~ safety and professional  
6 services relating to lot size and lot elevation necessary for proper sanitary conditions  
7 in a subdivision not served by a public sewer, where provision for public sewer service  
8 has not been made;

9 **SECTION 2857.** 236.13 (2m) of the statutes is amended to read:

10 236.13 (2m) As a further condition of approval when lands included in the plat  
11 lie within 500 feet of the ordinary high-water mark of any navigable stream, lake  
12 or other body of navigable water or if land in the proposed plat involves lake or stream  
13 shorelands referred to in s. 236.16, the department of natural resources, to prevent  
14 pollution of navigable waters, or the department of ~~commerce~~ safety and professional  
15 services, to protect the public health and safety, may require assurance of adequate  
16 drainage areas for private sewage disposal systems and building setback  
17 restrictions, or provisions by the owner for public sewage disposal facilities for  
18 waters of the state, as defined in s. 281.01 (18), industrial wastes, as defined in s.  
19 281.01 (5), and other wastes, as defined in s. 281.01 (7). The public sewage disposal  
20 facilities may consist of one or more systems as the department of natural resources  
21 or the department of ~~commerce~~ safety and professional services determines on the  
22 basis of need for prevention of pollution of the waters of the state or protection of  
23 public health and safety.

24 **SECTION 2858.** 236.335 of the statutes is amended to read:



1           238.127 **(2)** (j) The corporation shall expend at least \$250,000 annually on the  
2 state main street program.

3           **SECTION 2861.** 238.135 of the statutes is created to read:

4           **238.135 Grants to regional economic development organizations.** The  
5 corporation shall award annual grants to regional economic development  
6 organizations to fund marketing activities. The amount of each grant may not exceed  
7 \$100,000 or the amount of matching funds the organization obtains from sources  
8 other than the corporation or the state, whichever is less.

9           **SECTION 2862.** 238.145 of the statutes is created to read:

10           **238.145 Wisconsin–source assets exclusion; business certification. (1)**  
11 The corporation shall implement a program to certify businesses for purposes of s.  
12 71.05 (25). A business shall submit an application to the corporation in each calendar  
13 year for which the business desires certification.

14           **(2)** The corporation may certify a business if, in the business’s taxable year  
15 ending immediately before the date of the business’s application, all of the following  
16 are true:

17           (a) The amount of payroll compensation paid by the business in this state, as  
18 determined by the corporation, is equal to at least 50 percent of the amount of all  
19 payroll compensation paid by the business, as determined by the corporation.

20           (b) The value of real and tangible personal property owned or rented and used  
21 by the business in this state, as determined by the corporation, is equal to at least  
22 50 percent of the value of all real and tangible personal property owned or rented and  
23 used by the business, as determined by the corporation.

1           **(3)** The corporation shall notify the department of revenue of every certification  
2 issued under this section and of the date on which a certification is revoked or  
3 expires.

4           **(4)** The corporation, in consultation with the department of revenue, may adopt  
5 rules for the administration of this section.

6           **(5)** The corporation shall compile a list of businesses certified under this section  
7 and the taxable years for which the businesses are certified and shall make the list  
8 available to the public at the corporation's Internet Web site.

9           **SECTION 2863.** 238.146 of the statutes is created to read:

10           **238.146 Long-term Wisconsin capital assets deferral; business**  
11 **certification. (1)** The corporation shall implement a program to certify businesses  
12 for purposes of s. 71.05 (26). A business shall submit an application to the  
13 corporation in each calendar year for which the business desires certification.

14           **(2)** The corporation may certify a business if, in the business's taxable year  
15 ending immediately before the date of the business's application, all of the following  
16 are true:

17           (a) The amount of payroll compensation paid by the business in this state, as  
18 determined by the corporation, is equal to at least 50 percent of the amount of all  
19 payroll compensation paid by the business, as determined by the corporation.

20           (b) The value of real and tangible personal property owned or rented and used  
21 by the business in this state, as determined by the corporation, is equal to at least  
22 50 percent of the value of all real and tangible personal property owned or rented and  
23 used by the business, as determined by the corporation.





1 tourism under s. ~~20.215~~ 20.380 (3) is less than the amount appropriated in the  
2 previous fiscal year.

3 **SECTION 2871.** 251.02 (3) of the statutes is amended to read:

4 251.02 (3) A county board may, in conjunction with the county board of another  
5 county one or more other counties, establish a multiple county health department,  
6 which shall meet the requirements of this chapter. A multiple county health  
7 department shall serve all areas of the respective counties that are not served by a  
8 city health department that was established prior to January 1, 1994, by a town or  
9 village health department established under sub. (3m), or by a multiple municipal  
10 local health department established under sub. (3r).

11 **SECTION 2872.** 252.12 (2) (a) 9. of the statutes is amended to read:

12 252.12 (2) (a) 9. ‘Grant for family resource center.’ The department shall award  
13 a grant to develop and implement an African–American family resource center in the  
14 city of Milwaukee that targets activities toward the prevention and treatment of HIV  
15 infection and related infections, including hepatitis C virus infection, of minority  
16 group members, as defined in s. ~~560.036~~ 16.287 (1) (f).

17 **SECTION 2873.** 252.12 (2) (c) 2. of the statutes is amended to read:

18 252.12 (2) (c) 2. From the appropriation account under s. 20.435 (1) (am), the  
19 department shall award \$75,000 in each fiscal year as grants for services to prevent  
20 HIV infection and related infections, including hepatitis C virus infection. Criteria  
21 for award of the grants shall include the criteria specified under subd. 1. The  
22 department shall award 60% of the funding to applying organizations that receive  
23 funding under par. (a) 8. and 40% of the funding to applying community–based  
24 organizations that are operated by minority group members, as defined in s. ~~560.036~~  
25 16.287 (1) (f).

1           **SECTION 2873q.** 252.15 (3m) (d) 17. of the statutes is created to read:

2           252.15 **(3m)** (d) 17. If the subject of the HIV test is a prisoner, by a person  
3 specified in subd. 16. to a correctional officer of the department of corrections who  
4 has custody of or is responsible for the supervision of the test subject, to a person  
5 designated by a jailer to have custodial authority over the test subject, or to a law  
6 enforcement officer or other person who is responsible for transferring the test  
7 subject to or from a prison or jail, if the HIV test result is positive and disclosure of  
8 that information is necessary for the health and safety of the test subject or of other  
9 prisoners, of the person to whom the information is disclosed, or of any employee of  
10 the prison or jail.

11           **SECTION 2874.** 252.15 (5g) (c) of the statutes is amended to read:

12           252.15 **(5g)** (c) A physician, physician assistant, or advanced practice nurse  
13 prescriber, based on information provided to the physician, physician assistant, or  
14 advanced practice nurse prescriber, determines and certifies in writing that the  
15 person has had contact that constitutes a significant exposure. The certification  
16 shall accompany the request for HIV testing and disclosure. If the person is a  
17 physician, physician assistant, or advanced practice nurse prescriber, he or she may  
18 not make this determination or certification. The information that is provided to a  
19 physician, physician assistant, or advanced practice nurse prescriber to document  
20 the occurrence of the contact that constitutes a significant exposure and the  
21 physician's, physician assistant's, or advanced practice nurse prescriber's  
22 certification that the person has had contact that constitutes a significant exposure,  
23 shall be provided on a report form that is developed by the department of ~~commerce~~  
24 safety and professional services under s. 101.02 (19) (a) or on a report form that the  
25 department of ~~commerce~~ safety and professional services determines, under s.

1 101.02 (19) (b), is substantially equivalent to the report form that is developed under  
2 s. 101.02 (19) (a).

3 **SECTION 2875c.** 253.07 (title) of the statutes is repealed and recreated to read:

4 **253.07 (title) Women’s health block grant.**

5 **SECTION 2875f.** 253.07 (1) (a) 3. of the statutes is repealed.

6 **SECTION 2875h.** 253.07 (1) (b) 3. of the statutes is repealed.

7 **SECTION 2875j.** 253.07 (1) (c) of the statutes is created to read:

8 253.07 (1) (c) “Women’s health funds” means state funds appropriated under  
9 s. 20.435 (1) (f) or federal funds received by the state under Title V of the federal  
10 Social Security Act, 42 USC 701 to 713, that are allocated for the purposes described  
11 in this section.

12 **SECTION 2875L.** 253.07 (2) (b) of the statutes is amended to read:

13 253.07 (2) (b) The department shall allocate ~~state and federal family planning~~  
14 women’s health funds under its control in a manner which will promote the  
15 development and maintenance of an integrated system of community health  
16 services. It shall maximize the use of existing community family planning services  
17 by encouraging local contractual arrangements.

18 **SECTION 2875n.** 253.07 (2) (c) of the statutes is amended to read:

19 253.07 (2) (c) The department shall coordinate the delivery of family planning  
20 services by allocating ~~family planning~~ women’s health funds in a manner which  
21 maximizes coordination between the agencies.

22 **SECTION 2875p.** 253.07 (4) of the statutes is amended to read:

23 253.07 (4) ~~FAMILY PLANNING~~ WOMEN’S HEALTH BLOCK GRANT SERVICES. From the  
24 appropriation account under s. 20.435 (1) (f) and subject to sub. (5), the department  
25 shall distribute funds in the following amounts, for all of the following services:

1 (a) ~~For~~ In each fiscal year, \$225,000 to establish and maintain 2 city-based  
2 clinics for delivery of family planning services under this section, in the cities of  
3 Milwaukee, Racine, or Kenosha.

4 (b) ~~For~~ In each fiscal year, \$67,500 to subsidize the provision ~~by family planning~~  
5 ~~agencies under this section~~ of papanicolaou tests to individuals with low income by  
6 entities that receive women's health funds. In this paragraph, "low income" means  
7 adjusted gross income that is less than 200% of the poverty line established under  
8 42 USC 9902 (2).

9 (c) ~~For~~ In each fiscal year, \$54,000 to subsidize the provision ~~by family planning~~  
10 ~~agencies under this section~~ of follow-up cancer screening by entities that receive  
11 women's health funds.

12 (d) ~~For~~ In each fiscal year, \$31,500 as grants ~~to applying family planning~~  
13 ~~agencies under this section~~ for employment in communities of licensed registered  
14 nurses, licensed practical nurses, certified nurse-midwives, or licensed physician  
15 assistants who are members of a racial minority.

16 (e) ~~For~~ In each fiscal year, \$36,000 to initiate, in areas of high incidence of the  
17 disease chlamydia, education, and outreach programs to locate, educate, and treat  
18 individuals at high risk of contracting the disease chlamydia and their partners.

19 **SECTION 2875r.** 253.07 (5) of the statutes is created to read:

20 253.07 (5) WOMEN'S HEALTH FUNDS. (a) The department shall distribute  
21 women's health funds only to public entities. These funds may be allocated for any  
22 activities for which funds were provided under this section before the effective date  
23 of this paragraph .... [LRB inserts date], including pregnancy testing; perinatal care  
24 coordination and follow-up; cervical cancer screening; sexually transmitted

1 infection prevention, testing, treatment, and follow-up; and general health  
2 screening.

3 (b) Subject to par. (c), a public entity that receives women's health funds under  
4 this section may provide some or all of the funds to other public or private entities  
5 provided that the recipient of the funds does not do any of the following:

6 1. Provide abortion services.

7 2. Make referrals for abortion services.

8 3. Have an affiliate that provides abortion services or makes referrals for  
9 abortion services.

10 (c) Providing abortion services, making referrals for abortion services, or  
11 having an affiliate that provides abortion services or makes referrals for abortion  
12 services solely under the circumstances described in s. 20.927 (2) does not disqualify  
13 an entity from receiving women's health funds from a public entity under par. (b).

14 **SECTION 2877.** 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, by rule, for tests performed under this section sufficient to pay for~~  
23 ~~services provided under the contract. The state laboratory of hygiene board~~  
24 ~~department shall include as part of this the fee established by rule amounts the~~  
25 ~~department determines are sufficient to fund the provision of diagnostic and~~

1 counseling services, special dietary treatment, and periodic evaluation of infant  
2 screening programs, the costs of consulting with experts under sub. (5), the costs of  
3 administering the hearing screening program under s. 253.115, and the costs of  
4 administering the congenital disorder program under this section and shall credit  
5 these amounts to the appropriation accounts under s. 20.435 (1) (ja) and (jb).

6 **SECTION 2879.** 253.15 (1) (c) of the statutes is amended to read:

7 253.15 (1) (c) “Health care provider” means any person who is licensed,  
8 registered, permitted, or certified by the department of health services or the  
9 department of ~~regulation and licensing~~ safety and professional services to provide  
10 health care services in this state.

11 **SECTION 2880.** 254.02 (3) (a) of the statutes is amended to read:

12 254.02 (3) (a) The department of agriculture, trade and consumer protection,  
13 the department of corrections, the department of ~~commerce~~ safety and professional  
14 services, and the department of natural resources shall enter into memoranda of  
15 understanding with the department to establish protocols for the department to  
16 review proposed rules of those state agencies relating to air and water quality,  
17 occupational health and safety, institutional sanitation, toxic substances, indoor air  
18 quality, food protection or waste handling and disposal.

19 **SECTION 2881.** 254.176 (2) (e) of the statutes is amended to read:

20 254.176 (2) (e) A person who engages in the business of installing or servicing  
21 heating, ventilating or air conditioning equipment if the person is registered with the  
22 department of ~~commerce~~ safety and professional services and if the person engages  
23 in activities that constitute lead hazard reduction, only to the extent that the  
24 activities are within the scope of his or her registration.

25 **SECTION 2883.** 254.22 (4) of the statutes is amended to read:

1           254.22 (4) Assist the department of ~~commerce~~ safety and professional services  
2 with the enforcement of s. 101.123.

3           **SECTION 2884.** 254.51 (2) of the statutes is amended to read:

4           254.51 (2) The department shall enter into memoranda of understanding with  
5 the department of agriculture, trade and consumer protection, the department of  
6 ~~commerce~~ safety and professional services, and the department of natural resources  
7 regarding the investigation and control of animal–borne and vector–borne disease.

8           **SECTION 2886.** 254.73 (1) of the statutes is amended to read:

9           254.73 (1) Every hotel with sleeping accommodations with more than 12  
10 bedrooms above the first story shall, between the hours of 12 midnight and 6 a.m.  
11 provide a system of security personnel patrol, or of mechanical and electrical devices,  
12 or both, adequate, according to standards established by the department of  
13 ~~commerce~~ safety and professional services, to warn all guests and employees in time  
14 to permit their evacuation in case of fire.

15           **SECTION 2887.** 254.74 (1) (am) of the statutes is amended to read:

16           254.74 (1) (am) Promulgate rules, in consultation with the department of  
17 ~~commerce~~ safety and professional services, under which the department of health  
18 services shall conduct regular inspections of sealed combustion units, as required  
19 under s. 101.149 (5) (c), for carbon monoxide emissions in hotels, tourist rooming  
20 houses, and bed and breakfast establishments. The rules shall specify conditions  
21 under which it may issue orders as specified under s. 101.149 (8) (a). The rules may  
22 not require the department of health services to inspect sealed combustion units  
23 during the period in which the sealed combustion units are covered by a  
24 manufacturer’s warranty against defects.

25           **SECTION 2888.** 254.78 of the statutes is amended to read:



1           **254.78 Authority of department of ~~commerce~~ safety and professional**  
2           **services**. Nothing in this chapter shall affect the authority of the department of  
3           ~~commerce~~ safety and professional services relative to places of employment,  
4           elevators, boilers, fire escapes, fire protection, or the construction of public buildings.

5           **SECTION 2889.** 254.79 of the statutes is amended to read:

6           **254.79 Joint employment.** The department and the department of ~~commerce~~  
7           safety and professional services may employ experts, inspectors or other assistants  
8           jointly.

9           **SECTION 2890e.** 255.054 (1) of the statutes is amended to read:

10           255.054 (1) The Medical College of Wisconsin, Inc., ~~and the University of~~  
11           ~~Wisconsin Comprehensive Cancer Center~~ shall use the moneys appropriated under  
12           ~~ss. s. 20.250 (2) (h) and 20.285 (1) (gn)~~ the University of Wisconsin Carbone Cancer  
13           Center shall use the moneys paid under s. 71.10 (5h) (i) for prostate cancer research  
14           projects. These moneys may not be used to supplant funds available for prostate  
15           cancer research from other sources.

16           **SECTION 2890m.** 255.055 (1) of the statutes is amended to read:

17           255.055 (1) The Medical College of Wisconsin, Inc., ~~and the University of~~  
18           ~~Wisconsin Comprehensive Cancer Center~~ shall use the moneys appropriated under  
19           ~~ss. s. 20.250 (2) (g) and 20.285 (1) (gm)~~ the University of Wisconsin Carbone Cancer  
20           Center shall use the moneys paid under s. 71.10 (5f) (i) for breast cancer research  
21           projects. These moneys may not be used to supplant funds available for breast cancer  
22           research from other sources.

23           **SECTION 2890s.** 255.15 (3) (b) 11. of the statutes is created to read:

24           255.15 (3) (b) 11. To the Board of Regents of the University of Wisconsin System  
25           for advancing the work of the tobacco research and intervention center at the

1 University of Wisconsin–Madison in developing new educational programs to  
2 discourage tobacco use, determining the most effective strategies for preventing  
3 tobacco use, and expanding smoking cessation programs throughout the state.

4 **SECTION 2894s.** 256.125 of the statutes is created to read:

5 **256.125 American Red Cross, Badger Chapter.** The department shall  
6 distribute the moneys appropriated under s. 20.435 (1) (gd) to the Badger Chapter  
7 of the American Red Cross for use through that organization’s Wisconsin Disaster  
8 Relief Fund.

9 **SECTION 2895k.** 256.35 (3m) (h) of the statutes is amended to read:

10 256.35 (3m) (h) *Other charges prohibited.* No local government or state agency,  
11 as defined in s. 560.9810 16.310 (1), except the commission, may require a wireless  
12 provider to collect or pay a surcharge or fee related to wireless emergency telephone  
13 service.

14 **SECTION 2895m.** 281.16 (2) (am) of the statutes is created to read:

15 281.16 (2) (am) 1. In this paragraph:

16 a. “Covered municipality” means a municipality that has been issued an  
17 individual municipal separate storm sewer permit under s. 283.33 or that is covered  
18 by a general municipal separate storm sewer permit under s. 283.35.

19 c. “New development” means development resulting from the conversion of  
20 previously undeveloped land or agricultural land.

21 d. “Redevelopment” means development that replaces older development.

22 2. Except as provided in subd. 3., the department may not enforce a provision  
23 in a rule that establishes a date by which a covered municipality must implement  
24 methods to achieve a specified reduction in the level of total suspended solids carried  
25 by runoff, if the provision requires the covered municipality to achieve a reduction

1 of more than 20 percent. This subdivision does not apply to total suspended solids  
2 carried by runoff from new development or redevelopment in a covered municipality.

3 3. If a covered municipality has achieved, on the effective date of this  
4 subdivision .... [LRB inserts date], a reduction of more than 20 percent of total  
5 suspended solids carried by runoff, the municipality shall, to the maximum extent  
6 practicable, maintain all of the best management practices that the municipality has  
7 implemented on or before the effective date of this subdivision .... [LRB inserts date],  
8 to achieve that reduction.

9 **SECTION 2896.** 281.33 (2) of the statutes is amended to read:

10 281.33 (2) STATE STORM WATER MANAGEMENT PLAN. The department, in  
11 consultation with the department of ~~commerce~~ safety and professional services,  
12 shall promulgate by rule a state storm water management plan. This state plan is  
13 applicable to activities contracted for or conducted by any agency, as defined under  
14 s. 227.01 (1) but also including the office of district attorney, unless that agency  
15 enters into a memorandum of understanding with the department of natural  
16 resources in which that agency agrees to regulate activities related to storm water  
17 management. The department shall coordinate the activities of agencies, as defined  
18 under s. 227.01 (1), in storm water management and make recommendations to  
19 these agencies concerning activities related to storm water management.

20 **SECTION 2897.** 281.33 (3m) (title) of the statutes is repealed.

21 **SECTION 2898c.** 281.33 (3m) (a) of the statutes is renumbered 101.1206 (1) and  
22 amended to read:

23 101.1206 (1) The department shall establish statewide standards for erosion  
24 control at building sites for the construction of public buildings, as defined in s.

1 101.01 (12), and buildings that are places of employment, as defined in s. 101.02  
2 101.01 (11).

3 **SECTION 2899.** 281.33 (3m) (b) of the statutes is renumbered 101.1206 (2) and  
4 amended to read:

5 101.1206 (2) The department shall require the submission of plans for erosion  
6 control at construction sites described in ~~par. (a) sub. (1)~~ to the department or to a  
7 county, city, village, or town to which the department has delegated authority under  
8 ~~par. (d) sub. (4)~~ and shall require approval of those plans by the department or the  
9 county, city, village, or town.

10 **SECTION 2900.** 281.33 (3m) (c) of the statutes is renumbered 101.1206 (3) and  
11 amended to read:

12 101.1206 (3) The department shall require inspection of erosion control  
13 activities and structures at construction sites described in ~~par. (a) sub. (1)~~ by the  
14 department or a county, city, village, or town to which the department has delegated  
15 authority under ~~par. (d) sub. (4)~~.

16 **SECTION 2901.** 281.33 (3m) (d) of the statutes is renumbered 101.1206 (4).

17 **SECTION 2902.** 281.33 (3m) (e) of the statutes is renumbered 101.1206 (5) and  
18 amended to read:

19 101.1206 (5) Except as provided in ~~par. (f) sub. (5m)~~, the authority of a county,  
20 city, village, or town with respect to erosion control at sites described in ~~par. (a) sub.~~  
21 (1) is limited to that authority delegated under ~~par. (d) sub. (4)~~ and any other  
22 authority provided in rules promulgated under this ~~subsection~~ section.

23 **SECTION 2903.** 281.33 (3m) (f) of the statutes is renumbered 101.1206 (5m) and  
24 amended to read:

1           101.1206 **(5m)** Notwithstanding ~~pars. (a) subs. (1) and (e) (5)~~, a county, city,  
2           village, or town that has in effect on January 1, 1994, an ordinance that establishes  
3           standards for erosion control at building sites for the construction of public buildings  
4           and buildings that are places of employment may continue to administer and enforce  
5           that ordinance if the standards in the ordinance are more stringent than the  
6           standards established under ~~par. (a) sub. (1)~~.

7           **SECTION 2904.** 281.33 (3m) (g) of the statutes is renumbered 101.1206 (6) and  
8           amended to read:

9           101.1206 **(6)** The department, or a county, city, village, or town to which the  
10          department delegates the authority to act under this ~~paragraph subsection~~, may  
11          issue a special order directing the immediate cessation of work on a construction site  
12          described in ~~par. (a) sub. (1)~~ until any required plan approval is obtained or until the  
13          site complies with standards established by rules promulgated under this ~~subsection~~  
14          section.

15          **SECTION 2905.** 281.33 (3m) (h) of the statutes is renumbered 101.1206 (7).

16          **SECTION 2906.** 281.344 (8) (a) of the statutes is amended to read:

17          281.344 **(8)** (a) *Goals and objectives.* The department shall specify water  
18          conservation and efficiency goals and objectives for the waters of the state. The  
19          department shall specify goals and objectives for the waters of the Great Lakes basin  
20          that are consistent with the goals under s. 281.343 (4b) (a) and the objectives  
21          identified by the regional body under Article 304 (1) of the Great Lakes — St.  
22          Lawrence River Basin Sustainable Water Resources Agreement. In specifying these  
23          goals and objectives, the department shall consult with the department of ~~commerce~~  
24          safety and professional services and the public service commission.

25          **SECTION 2907.** 281.344 (8) (b) (intro.) of the statutes is amended to read:

1           281.344 **(8)** (b) *Statewide program.* (intro.) In cooperation with the department  
2 of ~~commerce~~ safety and professional services and the public service commission, the  
3 department shall develop and implement a statewide water conservation and  
4 efficiency program that includes all of the following:

5           **SECTION 2908.** 281.344 (8) (b) 3. of the statutes is amended to read:

6           281.344 **(8)** (b) 3. Water conservation and efficiency measures that the  
7 department of ~~commerce~~ safety and professional services requires or authorizes to  
8 be implemented under chs. 101 and 145.

9           **SECTION 2909.** 281.346 (8) (a) of the statutes is amended to read:

10          281.346 **(8)** (a) *Goals and objectives.* The department shall specify water  
11 conservation and efficiency goals and objectives for the waters of the state and for the  
12 waters of the Great Lakes basin. The department shall specify goals and objectives  
13 for the waters of the Great Lakes basin that are consistent with the goals under s.  
14 281.343 (4b) (a) and the objectives identified by the Great Lakes council under s.  
15 281.343 (4b) (a) and (c). In specifying these goals and objectives, the department  
16 shall consult with the department of ~~commerce~~ safety and professional services and  
17 the public service commission and consider the water conservation and efficiency  
18 goals and objectives developed in any pilot program conducted by the department in  
19 cooperation with the regional body.

20          **SECTION 2910.** 281.346 (8) (b) (intro.) of the statutes is amended to read:

21          281.346 **(8)** (b) *Statewide program.* (intro.) In cooperation with the department  
22 of ~~commerce~~ safety and professional services and the public service commission, the  
23 department shall develop and implement a statewide water conservation and  
24 efficiency program that includes all of the following:

25          **SECTION 2911.** 281.346 (8) (b) 3. of the statutes is amended to read:

1           281.346 **(8)** (b) 3. Water conservation and efficiency measures that the  
2 department of commerce safety and professional services requires or authorizes to  
3 be implemented under chs. 101 and 145.

4           **SECTION 2911c.** 281.346 (12) (a) of the statutes is amended to read:

5           281.346 **(12)** (a) A person who has a water supply system with the capacity to  
6 make a withdrawal from the waters of the state averaging 100,000 gallons per day  
7 or more in any 30-day period shall pay to the department an annual fee of \$125,  
8 except that the department may promulgate a rule specifying a different amount and  
9 except that, notwithstanding the department's rule-making authority, no person is  
10 required to pay more than \$1,000 per year under this paragraph.

11           **SECTION 2912.** 281.57 (7) (c) 1. of the statutes is amended to read:

12           281.57 **(7)** (c) 1. Metropolitan sewerage districts that serve 1st class cities are  
13 limited in each fiscal year to receiving total grant awards not to exceed 33% of the  
14 sum of the amounts in the schedule for that fiscal year for the appropriation under  
15 s. ~~20.143 (3)~~ 20.165 (2) (de) and the amount authorized under sub. (10) for that fiscal  
16 year plus the unencumbered balance at the end of the preceding fiscal year for the  
17 amount authorized under sub. (10). This subdivision is not applicable to grant  
18 awards provided during fiscal years 1985–86, 1986–87, 1988–89 and 1989–90.

19           **SECTION 2913.** 281.58 (12) (a) 1. of the statutes is amended to read:

20           281.58 **(12)** (a) 1. Except as modified under par. (f) and except as restricted by  
21 sub. (8) (b), (c), (f) or (h), the interest rate for projects specified in sub. (7) (b) 1. and  
22 2. is ~~55%~~ 60 percent of market interest rate for projects for which the subsidy is  
23 allocated from the amount under s. 281.59 (3e) (b) for a biennium before the ~~2009–11~~  
24 2011–13 biennium and ~~60%~~ 75 percent of market interest rate for projects for which

1 the subsidy is allocated from the amount under s. 281.59 (3e) (b) for the 2009–11  
2 2011–13 biennium or later.

3 **SECTION 2914.** 281.58 (12) (a) 2. of the statutes is amended to read:

4 281.58 (12) (a) 2. Except as modified under par. (f) and except as restricted by  
5 sub. (8) (b), (c), (f) or (h), the interest rate for projects specified in sub. (7) (b) 5. is ~~65%~~  
6 65 percent of market interest rate for projects for which the subsidy is allocated from  
7 the amount under s. 281.59 (3e) (b) for a biennium before the 2011–13 biennium and  
8 75 percent of market interest rate for projects for which the subsidy is allocated from  
9 the amount under s. 281.59 (3e) (b) for the 2011–13 biennium or later.

10 **SECTION 2915.** 281.58 (12) (a) 3. of the statutes is amended to read:

11 281.58 (12) (a) 3. Except as modified under par. (f) and except as restricted by  
12 sub. (8) (b), (c), (f) or (h), the interest rate for projects specified in sub. (7) (b) 4. is ~~70%~~  
13 70 percent of market interest rate for projects for which the subsidy is allocated from  
14 the amount under s. 281.59 (3e) (b) for a biennium before the 2011–13 biennium and  
15 75 percent of market interest rate for projects for which the subsidy is allocated from  
16 the amount under s. 281.59 (3e) (b) for the 2011–13 biennium or later.

17 **SECTION 2916.** 281.58 (12) (f) of the statutes is amended to read:

18 281.58 (12) (f) The department and the department of administration jointly  
19 may request the joint committee on finance to take action under s. 13.101 (11) to  
20 modify the percentage of market interest rates rate established in par. (a) 1. ~~to 3.~~

21 **SECTION 2917.** 281.59 (3e) (b) 1. of the statutes is amended to read:

22 281.59 (3e) (b) 1. Equal to \$134,900,000 \$69,200,000 during the 2009–11  
23 2011–13 biennium.

24 **SECTION 2918.** 281.59 (3e) (b) 3. of the statutes is amended to read:



1           281.59 **(3e)** (b) 3. Equal to \$1,000 for any biennium after the ~~2009–11~~ 2011–13  
2 biennium.

3           **SECTION 2919.** 281.59 (3e) (d) of the statutes is amended to read:

4           281.59 **(3e)** (d) The department may expend, for financial assistance in a  
5 biennium other than financial hardship assistance under s. 281.58 (13) (e), an  
6 amount up to ~~85%~~ 95 percent of the amount approved by the legislature under par.  
7 (b). The department may expend such amount only from the percentage of the  
8 amount approved under par. (b) that is not available under par. (e) for financial  
9 hardship assistance.

10          **SECTION 2920.** 281.59 (3e) (e) of the statutes is amended to read:

11          281.59 **(3e)** (e) The department may expend, for financial hardship assistance,  
12 other than federal financial hardship assistance grants under s. 281.58 (13) (be), in  
13 a biennium under s. 281.58 (13) (e), an amount up to ~~15%~~ 5 percent of the amount  
14 approved by the legislature under par. (b) for that biennium. The department may  
15 expend such amount only from the percentage of the amount approved by the  
16 legislature under par. (b) that is not available under par. (d) for financial assistance.

17          **SECTION 2921.** 281.59 (3s) (b) 1. of the statutes is amended to read:

18          281.59 **(3s)** (b) 1. Equal to \$17,600,000 \$30,700,000 during the ~~2009–11~~  
19 2011–13 biennium.

20          **SECTION 2922.** 281.59 (3s) (b) 2. of the statutes is amended to read:

21          281.59 **(3s)** (b) 2. Equal to \$1,000 for any biennium after the ~~2009–11~~ 2011–13  
22 biennium.

23          **SECTION 2923.** 281.59 (4) (f) of the statutes is amended to read:

24          281.59 **(4)** (f) Revenue obligations may be contracted by the building  
25 commission when it reasonably appears to the building commission that all

1 obligations incurred under this subsection, and all payments under an agreement or  
2 ancillary arrangement entered into under s. 18.55 (6) with respect to revenue  
3 obligations issued under this subsection, can be fully paid on a timely basis from  
4 moneys received or anticipated to be received. Revenue obligations issued under this  
5 subsection for the clean water fund program shall not exceed \$2,363,300,000  
6 \$2,716,300,000 in principal amount, excluding obligations issued to refund  
7 outstanding revenue obligation notes.

8 **SECTION 2924.** 281.60 (6) of the statutes is amended to read:

9 281.60 (6) PRIORITY LIST. The department shall establish a priority list that  
10 ranks each land recycling loan program project. The department shall promulgate  
11 rules for determining project rankings based on the potential of projects to reduce  
12 environmental pollution and threats to human health and, for sites and facilities  
13 that are not landfills, the extent to which projects will prevent the development of  
14 undeveloped land by making land available for redevelopment after a cleanup is  
15 conducted. Before the department establishes the priority list, the department shall  
16 consider the recommendations of the department of administration and the  
17 ~~department of commerce~~ Wisconsin Economic Development Corporation.

18 **SECTION 2925.** 281.61 (8) (a) 2. of the statutes is amended to read:

19 281.61 (8) (a) 2. In any biennium, no local governmental unit may receive more  
20 than 25% of the amount established under s. 281.59 (3s) (b) funds that the  
21 department of administration projects will be available for that biennium.

22 **SECTION 2927b.** 281.68 (2) (a) of the statutes is amended to read:

23 281.68 (2) (a) The department may provide a grant of 75% 67 percent of the cost  
24 of a lake management planning project up to a total of \$10,000 \$25,000 per grant.

1 In each fiscal year, the total amount of moneys awarded as grants for lake  
2 management planning projects may not exceed \$50,000 for any one lake.

3 **SECTION 2929.** 281.75 (18) of the statutes is amended to read:

4 281.75 **(18)** SUSPENSION OR REVOCATION OF LICENSES. The department may  
5 suspend or revoke a license issued under ch. 280 if the department finds that the  
6 licensee falsified information submitted under this section. The department of  
7 ~~commerce~~ safety and professional services may suspend or revoke the license of a  
8 plumber licensed under ch. 145 if the department of ~~commerce~~ safety and  
9 professional services finds that the plumber falsified information submitted under  
10 this section.

11 **SECTION 2932.** 283.15 (2) (a) of the statutes is renumbered 283.15 (2) (am) and  
12 amended to read:

13 283.15 **(2)** (am) 1. ~~When~~ Within 60 days after the department issues, reissues  
14 or modifies a permit to include a water quality based effluent limitation under s.  
15 283.13 (5), the permittee may apply to the department for a variance from the water  
16 quality standard used to derive the limitation.

17 2. After an application for a variance is submitted to the department under  
18 subd. 1., and until the last day for seeking review of the secretary's final decision on  
19 the application or a later date fixed by order of the reviewing court, the water quality  
20 based effluent limitation under s. 283.13 (5) and the corresponding compliance  
21 schedule are not effective. All other provisions of the permit continue in effect except  
22 those for which a petition for review has been submitted under s. 283.63. For those  
23 provisions for which an application for variance has been submitted under this  
24 section, the corresponding or similar provisions of the prior permit continue in effect

1 until the last day for seeking review of the department's final decision or a later date  
2 fixed by order of the reviewing court.

3 **SECTION 2933.** 283.15 (2) (a) of the statutes is created to read:

4 283.15 (2) (a) If a permit contains a variance or if a permittee anticipates that  
5 a reissued permit will include a water quality based effluent limitation under s.  
6 283.13 (5), when the permittee applies for reissuance of the permit the permittee may  
7 apply to the department for renewal of the variance or for a variance from the water  
8 quality standard that would be used to derive the water quality based effluent  
9 limitation.

10 **SECTION 2934.** 283.15 (2) (b) 1. of the statutes is renumbered 283.15 (2) (b) and  
11 amended to read:

12 283.15 (2) (b) The department shall specify by rule the information to be  
13 included in the an application. ~~The permittee shall submit an application for a~~  
14 ~~variance within 60 days after the department issues, reissues or modifies the permit~~  
15 under this subsection.

16 **SECTION 2935.** 283.15 (2) (b) 2. of the statutes is repealed.

17 **SECTION 2936.** 283.15 (2) (b) 3. of the statutes is repealed.

18 **SECTION 2937.** 283.15 (2) (c) of the statutes is amended to read:

19 283.15 (2) (c) The department may request additional information from the  
20 permittee within 30 days after receiving either the an application under par. (b) 1.  
21 ~~or the information under par. (b) 2. (am) 1.~~ The permittee shall provide the additional  
22 information within 30 days after receipt of the department's request. An application  
23 is not complete until the additional information is provided to the department.

24 **SECTION 2938.** 283.15 (2) (e) of the statutes is repealed.

1           **SECTION 2939.** 283.15 (3) of the statutes is renumbered 283.15 (3) (b) and  
2 amended to read:

3           283.15 **(3)** (b) The secretary shall issue a tentative decision on ~~the~~ an  
4 application for a variance under sub. (2) (am) 1. within 120 days after receipt of a  
5 completed application. The department shall circulate the tentative decision to the  
6 permittee and to the parties in s. 283.53 (2) (c). If the tentative decision is to grant  
7 a variance based upon one or more of the conditions specified in sub. (4) (a) 1. a. to  
8 e., the department shall include in the notice under this ~~subsection~~ paragraph a  
9 statement on the effect of the variance, if granted, on the designated use of the water  
10 body during the term of the underlying permit. The department shall provide a  
11 30–day period for written comments on the tentative decision.

12           **SECTION 2940.** 283.15 (3) (a) of the statutes is created to read:

13           283.15 **(3)** (a) The secretary shall issue a tentative decision on an application  
14 for a variance under sub. (2) (a) in the notice under s. 283.39 for the reissuance of the  
15 permit.

16           **SECTION 2941.** 283.15 (4) (a) 1. (intro.) of the statutes is amended to read:

17           283.15 **(4)** (a) 1. (intro.) ~~Within 90 days after expiration of the comment period~~  
18 ~~under sub. (3), the~~ The secretary shall approve all or part of a requested variance,  
19 or modify and approve a requested variance if the permittee demonstrates, by the  
20 greater weight of the credible evidence, that attaining the water quality standard is  
21 not feasible because:

22           **SECTION 2942.** 283.15 (4) (a) 2. of the statutes is amended to read:

23           283.15 **(4)** (a) 2. ~~Within 90 days after the expiration of the comment period~~  
24 ~~under sub. (3), the~~ The secretary shall deny a requested variance if the permittee  
25 fails to make the demonstration required under subd. 1.

1           **SECTION 2943.** 283.15 (4) (a) 3. of the statutes is repealed.

2           **SECTION 2944.** 283.15 (4) (b) of the statutes is repealed.

3           **SECTION 2945.** 283.15 (4) (c) of the statutes is repealed.

4           **SECTION 2946.** 283.15 (5) (b) of the statutes is amended to read:

5           283.15 (5) (b) A variance applies for the term established by the secretary, but  
6 not to exceed 3 5 years. The term of the initial variance and any renewals thereof  
7 may not exceed the time that the secretary determines is necessary to achieve the  
8 water quality based effluent limitation. Initial and interim effluent limitations  
9 established under par. (c) 1. apply, as appropriate, for the term of the underlying  
10 permit as issued, reissued or modified to implement the decision under sub. (4) (b)  
11 (a) 1. or as extended by operation of s. 227.51 (2). Notwithstanding sub. (4) (d), s.  
12 227.51 (2) shall apply for the purposes of continuing the provisions of a permit  
13 pending the issuance or reissuance of a permit. ~~Upon the issuance or reissuance of~~  
14 ~~the new permit, sub. (2) (a) 2. and s. 283.63 (1) (am) apply.~~

15           **SECTION 2947.** 283.15 (5) (c) (intro.) of the statutes is amended to read:

16           283.15 (5) (c) (intro.) The department shall require all of the following in a  
17 permit reissued or modified pursuant to sub. (4) (e) to implement a variance shall  
18 require:

19           **SECTION 2948.** 283.15 (5) (c) 1. of the statutes is amended to read:

20           283.15 (5) (c) 1. Compliance with an initial effluent limitation ~~which~~ that at the  
21 time the variance is approved represents the level currently achievable by the  
22 permittee and that is no less stringent than the effluent limitation achieved under  
23 the permit before reissuance. At the time a variance is approved a compliance  
24 schedule and an interim effluent limitation that is achievable by the permittee  
25 during the term of the variance may be specified. The initial and the interim effluent

1 limitations may not be less stringent than a categorical effluent limitation that  
2 applies to the permittee under s. 283.13 (2) or (4) or 283.19 or a toxic effluent  
3 standard that applies to the permittee under s. 283.21.

4 **SECTION 2949.** 283.15 (5) (c) 2. (intro.) of the statutes is amended to read:

5 283.15 (5) (c) 2. (intro.) Investigation of treatment technologies, process  
6 changes, pollution prevention, wastewater reuse or other techniques that may result  
7 in compliance by the permittee with the water quality standard adopted under s.  
8 281.15, and submission of reports on the investigations at such times as required by  
9 the department. The secretary shall modify or waive the requirements specified in  
10 this subdivision if the secretary determines, based upon comments received on the  
11 tentative decision under sub. (3), that the requirements of this subdivision are:

12 **SECTION 2950.** 283.15 (6) of the statutes is amended to read:

13 283.15 (6) RENEWAL. ~~A variance may be renewed using the procedures in and~~  
14 ~~subject to subs. (2) to (5).~~ A variance may not be renewed if the permittee did not  
15 submit the reports required under sub. (5) (c) 2. or substantially comply with all other  
16 conditions of the variance.

17 **SECTION 2951.** 283.39 (3) (dm) of the statutes is created to read:

18 283.39 (3) (dm) If the applicant applied, under s. 283.15 (2) (a), for a variance,  
19 as defined in s. 283.15 (1), a tentative decision to approve or deny the variance,  
20 including, if the tentative decision is to grant the variance based upon one or more  
21 of the conditions specified in s. 283.15 (4) (a) 1. a. to e., a statement on the effect of  
22 the variance, if granted, on the designated use of the water body during the term of  
23 the permit;

24 **SECTION 2951k.** 283.60 of the statutes is created to read:

1           **283.60 Waiver for certain nutrient management research projects. (1)**

2           The department may waive the requirement for a permit under this chapter for a  
3           research project for the purpose of evaluating advanced agricultural nutrient  
4           management tools and precision agricultural technology, if all of the following  
5           conditions are met:

6           (a) The department determines that the project is unlikely to have a negative  
7           impact on, or to threaten, the environment or public health.

8           (b) The department reviews and approves the project before the project begins.

9           (c) The person who will operate the project agrees to take necessary actions to  
10          maintain compliance with surface water and groundwater requirements under ch.  
11          281 and this chapter, other than the permitting requirement, and to take necessary  
12          actions to regain compliance with those requirements if a violation occurs in the  
13          course of the project.

14          **(2)** A person seeking a waiver under sub. (1) shall apply to the department in  
15          writing. The department shall approve or deny an application in writing no more  
16          than 45 days after receiving a complete application. The department may approve  
17          an application with conditions, including requirements for reporting project  
18          activities to the department and limitations on the duration of the project or the  
19          waiver for the project.

20          **(3)** A project for which the department grants a waiver under sub. (1) is an  
21          agricultural practice for the purposes of s. 823.08.

22          **SECTION 2952.** 285.39 (4) of the statutes is amended to read:

23          **285.39 (4) REPORT ON NEW REPLENISHMENT MECHANISMS.** After expiration of the  
24          replenishment implementation period, if the department reports under sub. (2) (b)  
25          1. or determines at any other time that the growth accommodation is less than 3,500



1 tons, the department shall, with the advice of the department of ~~commerce~~ safety and  
2 professional services, submit a report to the chief clerk of each house of the  
3 legislature for distribution to the appropriate standing committees of the legislature  
4 under s. 13.172 (3) on how to most effectively and equitably replenish the growth  
5 accommodation. The report shall review existing studies and data to evaluate the  
6 accuracy of this state's state implementation plan with respect to the effect of  
7 emissions from inside and outside the volatile organic compound accommodation  
8 area on the ambient air quality within the area.

9 **SECTION 2955.** 285.79 (3) (intro.) of the statutes is amended to read:

10 285.79 (3) ASSISTANCE PROGRAM. (intro.) The department shall, ~~in cooperation~~  
11 ~~with the small business ombudsman clearinghouse under s. 560.03 (9)~~, develop and  
12 administer a small business stationary source technical and environmental  
13 compliance assistance program. The program shall include all of the following:

14 **SECTION 2956.** 287.01 (5) of the statutes is repealed.

15 **SECTION 2957b.** 287.01 (8) of the statutes is amended to read:

16 287.01 (8) "Region" means the area within the boundaries of a responsible unit  
17 ~~or an out-of-state unit.~~

18 **SECTION 2960.** 287.03 (1) (f) of the statutes is repealed.

19 **SECTION 2961.** 287.07 (3) (intro.) of the statutes is renumbered 287.07 (3) and  
20 amended to read:

21 287.07 (3) ~~GENERAL DISPOSAL RESTRICTIONS~~ WASTE TIRES. Beginning on January  
22 1, 1995, no person may dispose of a waste tire, as defined in s. 289.55 (1) (c), in a solid  
23 waste disposal facility or burn a waste tire without energy recovery in a solid waste  
24 treatment facility in this state ~~any of the following:~~

25 **SECTION 2962.** 287.07 (3) (a) to (k) of the statutes are repealed.

1           **SECTION 2963b.** 287.07 (4) (intro.) of the statutes is amended to read:

2           **287.07 (4) GENERAL INCINERATION DISPOSAL RESTRICTIONS.** (intro.) Beginning on  
3 January 1, 1995, no person may dispose of in a solid waste disposal facility, convert  
4 into fuel, or burn ~~with energy recovery~~ at a solid waste treatment facility in this state  
5 any of the following:

6           **SECTION 2963e.** 287.07 (4e) of the statutes is created to read:

7           **287.07 (4e) GENERAL RESTRICTIONS ON PLACING IN CONTAINER.** (a) Beginning on  
8 the effective date of this paragraph .... [LRB inserts date], no person may place in a  
9 container the contents of which will be disposed of in a solid waste treatment facility,  
10 converted into fuel, or burned at a solid waste treatment facility any of the items  
11 identified in sub. (4) (a) to (k).

12           (b) Beginning on the effective date of this paragraph .... [LRB inserts date], no  
13 person may place a waste tire in a container the contents of which will be disposed  
14 of in a solid waste disposal facility or burned without energy recovery in a solid waste  
15 treatment facility.

16           **SECTION 2965.** 287.07 (7) (b) 2. of the statutes is amended to read:

17           **287.07 (7) (b) 2.** A prohibition in sub. (3) ~~(b), (c), (e), (f), (g), (h) or (j)~~ or (4) (b),  
18 (c), (f), (g), (h) or (i) does not apply to a person who converts into fuel or burns at an  
19 operating solid waste treatment facility a type of material identified in one of those  
20 paragraphs that was converted into fuel or burned at the operating solid waste  
21 treatment facility during April, 1990, and either is generated in the operating solid  
22 waste treatment facility's current service area or is generated by the owner of the  
23 operating solid waste treatment facility.

24           **SECTION 2966.** 287.07 (7) (c) 1. cg. of the statutes is amended to read:

1           287.07 (7) (c) 1. cg. “Medical waste” means containers, packages and materials  
2 identified under sub. ~~(3)~~ or (4) that contain infectious waste or that are from a  
3 treatment area and are mixed with infectious waste.

4           **SECTION 2967.** 287.07 (7) (c) 2. (intro.) of the statutes is amended to read:

5           287.07 (7) (c) 2. (intro.) The prohibitions in subs. ~~(3)~~ and (4) and (4e) do not  
6 apply with respect to any of the following:

7           **SECTION 2968.** 287.07 (7) (c) 2. b. of the statutes is amended to read:

8           287.07 (7) (c) 2. b. The disposal of, in a solid waste disposal facility, or the  
9 placing of, in a container the contents of which will be disposed of in a solid waste  
10 facility. a container, package or material identified under sub. ~~(3)~~ or (4) that  
11 contained infectious waste or that is from a treatment area and is mixed with  
12 infectious waste generated in the treatment area, if the container, package or  
13 material has been treated, pursuant to standards established under ch. 289, to  
14 render the infectious waste noninfectious.

15           **SECTION 2969b.** 287.07 (7) (d) of the statutes is amended to read:

16           287.07 (7) (d) The department may grant, to a responsible unit ~~or out-of-state~~  
17 ~~unit~~, an exception to a prohibition in sub. (3) or (4) for up to one year for a material  
18 identified in sub. (3) or (4) in the event of an unexpected emergency condition.

19           **SECTION 2970.** 287.07 (7) (f) of the statutes is amended to read:

20           287.07 (7) (f) The prohibitions in subs. (2) ~~and (3)~~ to (4) do not apply to the  
21 beneficial reuse of a material within a solid waste disposal facility if the beneficial  
22 reuse of the material is approved in the solid waste disposal facility’s plan of  
23 operation under s. 289.30.

24           **SECTION 2972.** 287.07 (7) (h) 1. (intro.) of the statutes is amended to read:

1           287.07 (7) (h) 1. (intro.) The department may grant a waiver or conditional  
2 waiver to a restriction under sub. (3) (e) ~~or (h)~~ or (4) (c) or (i) for plastics other than  
3 polyethylene terephthalate or high-density polyethylene if the department  
4 determines all of the following:

5           **SECTION 2977b.** 287.11 (1) of the statutes is amended to read:

6           287.11 (1) DEPARTMENT REVIEW. Upon request of a responsible unit ~~or an~~  
7 ~~out-of-state unit~~, the department shall review documentation of the responsible  
8 unit's solid waste management program created under s. 287.09 (2) (a) ~~or the~~  
9 ~~out-of-state unit's solid waste management program~~ and determine whether the  
10 program is an effective recycling program. The department shall complete its review  
11 and make a determination within 90 days after receiving the documentation.

12           **SECTION 2977d.** 287.11 (2e) of the statutes is repealed.

13           **SECTION 2977f.** 287.11 (2m) (b) (intro.) of the statutes is amended to read:

14           287.11 (2m) (b) (intro.) The department shall, at the request of a responsible  
15 unit ~~or out-of-state unit~~ that has been determined to have an effective recycling  
16 program under this section, grant a variance to the applicable requirements in sub.  
17 (2) (b) and (er) for up to one year for a material identified in s. 287.07 (3) or (4) that  
18 is generated in the responsible unit's ~~or out-of-state unit's~~ region if the department  
19 determines that the cost of selling processed material exceeds any of the following:

20           **SECTION 2977h.** 287.11 (2m) (c) of the statutes is amended to read:

21           287.11 (2m) (c) The department may on its own initiative grant, to one or more  
22 responsible units ~~or out-of-state units~~ that have been determined to have effective  
23 recycling programs under this section, a variance to the applicable requirements in  
24 sub. (2) (b) and (er) for up to one year for a material identified in s. 287.07 (3) or (4)  
25 that is generated in the responsible units' ~~or out-of-state units'~~ regions if the

1 department determines that the cost of selling processed material exceeds the  
2 amount under par. (b) 1. or 2.

3 **SECTION 2977j.** 287.11 (2p) (c) of the statutes is amended to read:

4 287.11 (2p) (c) The department may grant a responsible unit ~~or an out-of-state~~  
5 ~~unit~~ an exception to an applicable requirement in sub. (2) (b) or (er) for up to one year  
6 for a material that is subject to an exception under s. 287.07 (7) (d).

7 **SECTION 2977L.** 287.11 (3) of the statutes is amended to read:

8 287.11 (3) LIST. The department shall prepare and periodically update a list  
9 of responsible units ~~and out-of-state units~~ that have an effective recycling program.

10 **SECTION 2977n.** 287.11 (4) of the statutes is repealed.

11 **SECTION 2977p.** 287.17 (1) (np) of the statutes is amended to read:

12 287.17 (1) (np) “School” means a public school, as defined in s. 115.01 (1), a  
13 private school participating in the program under s. 118.60. or a private school  
14 participating in the program under s. 119.23.

15 **SECTION 2980b.** 287.23 (1) (c) of the statutes is repealed.

16 **SECTION 2980c.** 287.23 (1m) of the statutes is repealed.

17 **SECTION 2980d.** 287.23 (3) (a) of the statutes is repealed.

18 **SECTION 2980f.** 287.23 (3) (ac) of the statutes is repealed.

19 **SECTION 2980h.** 287.23 (5) of the statutes is repealed.

20 **SECTION 2980j.** 287.23 (5e) of the statutes is repealed.

21 **SECTION 2980L.** 287.23 (5m) of the statutes is repealed.

22 **SECTION 2980n.** 287.23 (5p) (a) to (c) of the statutes are amended to read:

23 287.23 (5p) (a) If a responsible unit submits its application under sub. (4) after  
24 October 1 but no later than October 10, the amount of the responsible unit’s grant  
25 is 95% of the amount determined under sub. ~~(5) or (5m)~~ (5b).

1 (b) If a responsible unit submits its application under sub. (4) after October 10  
2 but no later than October 20, the amount of the responsible unit's grant is 90% of the  
3 amount determined under sub. ~~(5) or (5m)~~ (5b).

4 (c) If a responsible unit submits its application under sub. (4) after October 20  
5 but no later than October 30, the amount of the responsible unit's grant is 75% of the  
6 amount determined under sub. ~~(5) or (5m)~~ (5b).

7 **SECTION 2980p.** 287.23 (6) (a) of the statutes is renumbered 287.23 (6) and  
8 amended to read:

9 287.23 (6) DISBURSEMENT. ~~Except as provided in par. (b), the~~ The department  
10 shall disburse a grant to the applicant after approval, but no later than June 1 of the  
11 year for which the grant is made.

12 **SECTION 2980r.** 287.23 (6) (b) of the statutes is repealed.

13 **SECTION 2981.** 287.235 of the statutes is repealed.

14 **SECTION 2981g.** 287.24 of the statutes is created to read:

15 **287.24 Recycling consolidation grants. (1)** In this section, "population"  
16 means the number of persons residing in a region, as determined by the department  
17 based upon the most recent decennial or special census or the most recent,  
18 subsequent population estimate under s. 16.96.

19 **(2)** The department shall make a grant from the appropriation account under  
20 s. 20.370 (6) (bw) for a year to a responsible unit that has been determined under s.  
21 287.11 to have an effective recycling program if any of the following applies:

22 (a) The responsible unit is a county.

23 (b) The responsible unit is a federally recognized Indian tribe or band.

24 (c) The responsible unit has a population of 25,000 or more and consists of one  
25 or more municipalities.

1 (d) The responsible unit is not eligible under par. (a), (b), or (c) but one of the  
2 following applies:

3 1. By October 1 in the year preceding the year for which the grant is made, the  
4 responsible unit consists of what had been at least 2 responsible units.

5 2. By October 1 in the year preceding the year for which the grant is made, the  
6 responsible unit enters into a cooperative agreement with another responsible unit  
7 for the joint provision of at least one of the following elements of an effective recycling  
8 program:

9 a. Performing comprehensive program planning.

10 b. Collecting and transporting recyclable materials.

11 c. Sorting recyclable materials at a materials recovery facility.

12 d. Developing and distributing educational materials relating to waste  
13 reduction, reuse, and recycling.

14 e. Carrying out a program of technical assistance to businesses and owners and  
15 occupants of multifamily dwellings to increase the availability and convenience of  
16 recycling.

17 f. Any other program element approved by the department.

18 **(3)** Subject to sub. (4), the department shall determine the amount of a grant  
19 to a responsible unit under this section as follows:

20 (a) Divide the amount available under s. 20.370 (6) (bw) for the year by the total  
21 population of the responsible units eligible under sub. (2).

22 (b) Multiply the amount determined under par. (a) by the population of the  
23 responsible unit.

24 **(4)** A grant under this section plus a grant under s. 287.23 may not exceed the  
25 allowable expenses under s. 287.23 (3) (b).

1           **SECTION 2982.** 287.25 of the statutes is repealed.

2           **SECTION 2983.** 287.26 of the statutes is repealed.

3           **SECTION 2984.** 287.31 (6) of the statutes is amended to read:

4           287.31 (6) USE OF REVENUES. The newspaper recycling fees collected under sub.  
5 (5) shall be deposited in the ~~recycling and renewable energy~~ environmental fund  
6 under s. 25.49.

7           **SECTION 2984n.** 289.63 (6) (title) of the statutes is amended to read:

8           289.63 (6) (title) EXEMPTION FROM GROUNDWATER AND WELL COMPENSATION FEES;  
9 FOR CERTAIN MATERIALS USED IN OPERATION OF THE FACILITY.

10          **SECTION 2984p.** 289.63 (6) of the statutes is renumbered 289.63 (6) (a).

11          **SECTION 2984r.** 289.63 (6) (b) of the statutes is created to read:

12          289.63 (6) (b) 1. In this paragraph, “natural disaster” means a severe natural  
13 or human–caused flood or a severe tornado, heavy rain, or storm.

14          2. Solid waste materials that are generated as the result of a natural disaster  
15 are not subject to the groundwater and well compensation fees imposed under sub.  
16 (1) if all of the following apply:

17           a. The natural disaster resulted in a federal or state disaster declaration.

18           b. The solid waste materials were generated within a municipality that was  
19 included in the federal or state disaster declaration.

20           c. The solid waste materials resulting from the natural disaster were disposed  
21 of in the solid waste disposal facility within 60 days after the occurrence of the  
22 natural disaster.

23           d. The solid waste materials were removed as part of the disaster recovery  
24 effort and were segregated from other solid wastes when delivered to the solid waste  
25 disposal facility.



1           **SECTION 2984t.** 289.64 (4) (title) of the statutes is amended to read:

2           289.64 (4) (title) EXEMPTION FROM SOLID WASTE FACILITY SITING BOARD FEE; FOR  
3           CERTAIN MATERIALS USED IN OPERATION OF THE FACILITY.

4           **SECTION 2984v.** 289.64 (4) of the statutes is renumbered 289.64 (4) (a).

5           **SECTION 2984x.** 289.64 (4) (b) of the statutes is created to read:

6           289.64 (4) (b) 1. In this paragraph, “natural disaster” means a severe natural  
7           or human–caused flood or a severe tornado, heavy rain, or storm.

8           2. Solid waste materials that are generated as the result of a natural disaster  
9           are not subject to the solid waste facility siting board fee imposed under sub. (1) if  
10          all of the following apply:

11          a. The natural disaster resulted in a federal or state disaster declaration.

12          b. The solid waste materials were generated within a municipality that was  
13          included in the federal or state disaster declaration.

14          c. The solid waste materials were disposed of in the solid waste disposal facility  
15          within 60 days after the occurrence of the natural disaster.

16          d. The solid waste materials were removed as part of the disaster recovery  
17          effort and were segregated from other solid wastes when delivered to the solid waste  
18          disposal facility.

19          **SECTION 2984z.** 289.645 (4) (f) of the statutes is created to read:

20          289.645 (4) (f) 1. In this paragraph, “natural disaster” means a severe natural  
21          or human–caused flood or a severe tornado, heavy rain, or storm.

22          2. Solid waste materials that are generated as the result of a natural disaster  
23          are not subject to the recycling fee imposed under sub. (1) if all of the following apply:

24          a. The natural disaster resulted in a federal or state disaster declaration.

1           b. The solid waste materials were generated within a municipality that was  
2 included in the federal or state disaster declaration.

3           c. The solid waste materials were disposed of in the solid waste disposal facility  
4 within 60 days after the occurrence of the natural disaster.

5           d. The solid waste materials were removed as part of the disaster recovery  
6 effort and were segregated from other solid wastes when delivered to the solid waste  
7 disposal facility.

8           **SECTION 2985b.** 289.645 (6) of the statutes is amended to read:

9           289.645 **(6)** USE OF RECYCLING FEES. The fees collected under sub. (2) shall be  
10 deposited in the ~~recycling and renewable energy~~ environmental fund.

11           **SECTION 2985f.** 289.67 (1) (a) of the statutes is amended to read:

12           289.67 **(1)** (a) *Imposition of fee.* Except as provided under ~~par.~~ pars. (f) and (fm),  
13 a generator of solid or hazardous waste shall pay an environmental repair fee for  
14 each ton or equivalent volume of solid or hazardous waste which is disposed of at a  
15 licensed solid or hazardous waste disposal facility. If a person arranges for collection  
16 or disposal services on behalf of one or more generators, that person shall pay the  
17 environmental repair fee to the licensed solid or hazardous waste disposal facility or  
18 to any intermediate hauler used to transfer wastes from collection points to a  
19 licensed facility. An intermediate hauler who receives environmental repair fees  
20 under this paragraph shall pay the fees to the licensed solid or hazardous waste  
21 disposal facility. Tonnage or equivalent volume shall be calculated in the same  
22 manner as the calculation made for tonnage fees under s. 289.62 (1).

23           **SECTION 2985g.** 289.67 (1) (fm) of the statutes is created to read:

1           289.67 (1) (fm) *Exemption from environmental repair fee; certain materials*  
2           *resulting from natural disasters.* 1. In this paragraph, “natural disaster” means a  
3           severe natural or human–caused flood or a severe tornado, heavy rain, or storm.

4           2. Solid waste materials that are generated as the result of a natural disaster  
5           are not subject to the environmental repair fee imposed under par. (a) if all of the  
6           following apply:

7           a. The natural disaster resulted in a federal or state disaster declaration.

8           b. The solid waste materials were generated within a municipality that was  
9           included in the federal or state disaster declaration.

10          c. The solid waste materials were disposed of in the solid waste disposal facility  
11          within 60 days after the occurrence of the natural disaster.

12          d. The solid waste materials were removed as part of the disaster recovery  
13          effort and were segregated from other solid wastes when delivered to the solid waste  
14          disposal facility.

15          **SECTION 2986.** 292.11 (2) (e) of the statutes is amended to read:

16          292.11 (2) (e) The department shall report notifications that it receives under  
17          this subsection related to discharges from petroleum storage tanks, as defined in s.  
18          101.144 (1) (bm), to the department of ~~commerce~~ safety and professional services.

19          **SECTION 2987.** 292.11 (7) (d) 1m. b. of the statutes is amended to read:

20          292.11 (7) (d) 1m. b. An area designated by the local governmental unit if the  
21          area consists of 2 or more properties affected by a contiguous region of groundwater  
22          contamination or contains 2 or more properties that are brownfields, as defined in  
23          s. ~~560.13~~ 238.13 (1) (a).

24          **SECTION 2988.** 292.12 (1) (a) of the statutes is amended to read:

1           292.12 (1) (a) “Agency with administrative authority” means the department  
2 of agriculture, trade and consumer protection with respect to a site over which it has  
3 jurisdiction under s. 94.73 (2), the department of ~~commerce~~ safety and professional  
4 services with respect to a site over which it has jurisdiction under s. 101.144 (2) (a),  
5 or the department of natural resources with respect to a site over which it has  
6 jurisdiction under s. 292.11 (7).

7           **SECTION 2989.** 292.255 of the statutes is amended to read:

8           **292.255 Report on brownfield efforts.** The department of natural  
9 resources, the department of administration, and the ~~department of commerce~~  
10 Wisconsin Economic Development Corporation shall submit a report evaluating the  
11 effectiveness of this state’s efforts to remedy the contamination of, and to redevelop,  
12 brownfields, as defined in s. ~~560.13~~ 238.13 (1) (a).

13           **SECTION 2990.** 292.33 (6) of the statutes is amended to read:

14           292.33 (6) EXCEPTION. A local governmental unit may not recover costs under  
15 this section for remedial activities conducted on a property or portion of a property  
16 with respect to a discharge after the department of natural resources, the  
17 department of ~~commerce~~ safety and professional services, or the department of  
18 agriculture, trade and consumer protection has indicated that no further remedial  
19 activities are necessary on the property or portion of the property with respect to the  
20 discharge.

21           **SECTION 2990r.** 292.75 of the statutes is renumbered 238.133, and 238.133 (2),  
22 (3) (intro.), (4), (5) (intro.) and (c), (6) and (7), as renumbered, are amended to read:

23           238.133 (2) DUTIES OF THE ~~DEPARTMENT~~ CORPORATION. (a) The ~~department~~  
24 corporation shall administer a program to award brownfield site assessment grants

1 from the appropriation under s. ~~20.370 (6) (et)~~ 20.192 (1) (s) to local governmental  
2 units for the purposes of conducting any of the eligible activities under sub. (3).

3 (b) The ~~department~~ corporation may not award a grant to a local governmental  
4 unit under this section if that local governmental unit caused the environmental  
5 contamination that is the basis for the grant request.

6 (c) The ~~department~~ corporation may only award grants under this section if the  
7 person that caused the environmental contamination that is the basis for the grant  
8 request is unknown, cannot be located or is financially unable to pay the cost of the  
9 eligible activities.

10 (d) The ~~department~~ corporation shall ~~promulgate rules~~ establish criteria as  
11 necessary to administer the program. ~~Rules promulgated by the department~~ The  
12 corporation ~~under this paragraph~~ may limit the total amount of funds that may be  
13 used to cover the costs of each category of eligible activity described in sub. (3).

14 **(3) ELIGIBLE ACTIVITIES.** (intro.) The ~~department~~ corporation may award grants  
15 to local governmental units to cover the costs of the following activities:

16 **(4) APPLICATION FOR GRANT.** The applicant shall submit an application on a form  
17 prescribed by the ~~department~~ corporation and shall include any information that the  
18 ~~department~~ corporation finds necessary to calculate the amount of a grant.

19 **(5) GRANT CRITERIA.** (intro.) The ~~department~~ corporation shall consider the  
20 following criteria when determining whether to award a grant:

21 (c) Other criteria that the ~~department~~ corporation finds necessary to calculate  
22 the amount of a grant.

23 **(6) LIMITATION OF GRANT.** The total amount of all grants awarded to a local  
24 governmental unit in a fiscal year under this section shall be limited to an amount

1 equal to 15% of the available funds appropriated under s. ~~20.370 (6) (et)~~ 20.192 (1)  
2 (s) for the fiscal year.

3 **(7) MATCHING FUNDS.** The ~~department~~ corporation may not distribute a grant  
4 ~~unless the applicant contributes matching funds equal to 20% of the grant. Matching~~  
5 ~~funds may be in the form of cash or in-kind contribution or both~~ that exceeds 67  
6 percent of eligible project costs.

7 **SECTION 2991b.** 292.79 of the statutes is repealed.

8 **SECTION 2992.** 293.11 of the statutes is amended to read:

9 **293.11 Mine effect responsibility.** The department shall serve as the central  
10 unit of state government to ensure that the air, lands, waters, plants, fish and  
11 wildlife affected by prospecting or mining in this state will receive the greatest  
12 practicable degree of protection and reclamation. The administration of  
13 occupational health and safety laws and rules that apply to mining shall remain  
14 exclusively the responsibility of the department of ~~commerce~~ safety and professional  
15 services. The powers and duties of the geological and natural history survey under  
16 s. 36.25 (6) shall remain exclusively the responsibility of the geological and natural  
17 history survey. Nothing in this section prevents the department of ~~commerce~~ safety  
18 and professional services and the geological and natural history survey from  
19 cooperating with the department in the exercise of their respective powers and  
20 duties.

21 **SECTION 2993.** 299.13 (1m) (intro.) of the statutes is amended to read:

22 **299.13 (1m) PROMOTION OF POLLUTION PREVENTION.** (intro.) In carrying out the  
23 duties under this section and ~~ss.~~ s. 36.25 (30) and ~~560.19,~~ the department, ~~the~~  
24 ~~department of commerce~~ and the center shall promote all of the following techniques  
25 for pollution prevention:

1           **SECTION 2994.** 299.83 (8) (f) of the statutes is amended to read:

2           299.83 **(8)** (f) The department and the department of ~~commerce~~ safety and  
3 professional services shall jointly provide information about participation contracts  
4 and environmental management systems to potential participants in the program  
5 and to other interested persons. The department shall consult with the department  
6 of ~~commerce~~ safety and professional services about the administration of the  
7 program.

8           **SECTION 2995h.** 301.03 (5d) of the statutes is created to read:

9           301.03 **(5d)** Ensure that the superintendent or other person in charge of each  
10 state correctional institution designates a person to meet with correctional officers  
11 employed at the institution to discuss potential or ongoing safety concerns at the  
12 institution and to develop solutions to the concerns.

13           **SECTION 2995k.** 301.03 (5h) of the statutes is created to read:

14           301.03 **(5h)** Develop, with the assistance of the office of state employment  
15 relations, a policy for staff assignments that shall consider an employee's seniority  
16 when assigning shifts.

17           **SECTION 2999.** 301.26 (3) (c) of the statutes is amended to read:

18           301.26 **(3)** (c) Within the limits of the appropriations under s. 20.410 (3) (cd),  
19 ~~(ko), and (o)~~ and (ko), the department shall allocate funds to each county for services  
20 under this section.

21           **SECTION 3000.** 301.26 (4) (b) of the statutes is amended to read:

22           301.26 **(4)** (b) Assessment of costs under par. (a) shall be made periodically on  
23 the basis of the per person per day cost estimate specified in par. (d) 2. ~~and 3.~~ and  
24 4. Except as provided in pars. (bm), (c), and (cm), liability shall apply to county  
25 departments under s. 46.21, 46.22, or 46.23 in the county of the court exercising

1 jurisdiction under chs. 48 and 938 for each person receiving services from the  
2 department of corrections under s. 48.366, 938.183, or 938.34 or the department of  
3 health services under s. 46.057 or 51.35 (3). Except as provided in pars. (bm), (c), and  
4 (cm), in multicounty court jurisdictions, the county of residency within the  
5 jurisdiction shall be liable for costs under this subsection. Assessment of costs under  
6 par. (a) shall also be made according to the general placement type or level of care  
7 provided, as defined by the department, and prorated according to the ratio of the  
8 amount designated under sub. (3) (c) to the total applicable estimated costs of care,  
9 services, and supplies provided by the department of corrections under ss. 48.366,  
10 938.183, and 938.34 and the department of health services under s. 46.057 or 51.35  
11 (3).

12 **SECTION 3001.** 301.26 (4) (cm) 3. of the statutes is amended to read:

13 301.26 (4) (cm) 3. The per person daily reimbursement rate for juvenile  
14 correctional services under this paragraph shall be equal to the per person daily cost  
15 assessment to counties under par. (d) 2. ~~and 3.~~ and 4. for juvenile correctional  
16 services.

17 **SECTION 3002.** 301.26 (4) (ct) of the statutes is created to read:

18 301.26 (4) (ct) 1. Subject to subd. 2. and notwithstanding ss. 16.50 (2), 16.52,  
19 20.002 (11), and 20.903, if there is a deficit in the appropriation account under s.  
20 20.410 (3) (hm) at the close of a fiscal year, any unencumbered balance in the  
21 appropriation account under s. 20.410 (3) (ho) at the close of that fiscal year, less the  
22 amounts required by s. 20.410 (3) (ho) to be remitted to counties or transferred to the  
23 appropriation account under s. 20.410 (3) (kx), and any unencumbered balance in the  
24 appropriation account under s. 20.410 (3) (hr) at the close of that fiscal year, shall be  
25 transferred to the appropriation account under s. 20.410 (3) (hm), up to the amount



1 that when added to other amounts credited to that appropriation account in that  
2 fiscal year equals the amount shown in the schedule under s. 20.005 (3) for that  
3 appropriation account for that fiscal year.

4 2. The total amount transferred at the end of a fiscal year under subd. 1. may  
5 not exceed the amount of the deficit in the appropriation account under s. 20.410 (3)  
6 (hm) for that fiscal year, and if that deficit is less than the total amount of the  
7 unencumbered balances available for transfer under subd. 1., the amount  
8 transferred from the appropriation accounts under s. 20.410 (3) (ho) and (hr) shall  
9 be in proportion to the respective unencumbered balance available for transfer from  
10 each of those appropriation accounts.

11 **SECTION 3002m.** 301.26 (4) (cx) of the statutes is created to read:

12 301.26 (4) (cx) If, notwithstanding ss. 16.50 (2), 16.52, 20.002 (11), and 20.903,  
13 there is a deficit in the appropriation account under s. 20.410 (3) (hm) at the close  
14 of a fiscal biennium, the governor shall, to address that deficit, increase each of the  
15 rates specified under s. 301.26 (4) (d) 2. and 3. for care in a Type 1 juvenile  
16 correctional institution and for care for juveniles transferred from a correctional  
17 institution by \$17, in addition to any increase due to actual costs, in the executive  
18 budget bill for each fiscal biennium, until the deficit under s. 20.410 (3) (hm) is  
19 eliminated.

20 **SECTION 3003.** 301.26 (4) (d) 2. of the statutes is amended to read:

21 301.26 (4) (d) 2. Beginning on January July 1, 2010 2011, and ending on June  
22 30, 2010 2012, the per person daily cost assessment to counties shall be ~~\$270~~ \$284  
23 for care in a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), ~~\$270~~  
24 \$284 for care for juveniles transferred from a juvenile correctional institution under  
25 s. 51.35 (3), ~~\$298 for care in a residential care center for children and youth, \$190 for~~

1 care in a group home for children, \$72 for care in a foster home, \$124 for care in a  
2 treatment foster home under rules promulgated under s. 48.62 (8) (c), \$101 \$99 for  
3 departmental corrective sanctions services, and \$40 for departmental aftercare  
4 services.

5 **SECTION 3004.** 301.26 (4) (d) 3. of the statutes is amended to read:

6 301.26 (4) (d) 3. Beginning on July 1, ~~2010~~ 2012, and ending on June 30, ~~2011~~  
7 2013, the per person daily cost assessment to counties shall be ~~\$275~~ \$289 for care in  
8 a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), ~~\$275~~ \$289 for care  
9 for juveniles transferred from a juvenile correctional institution under s. 51.35 (3),  
10 ~~\$313 for care in a residential care center for children and youth, \$200 for care in a~~  
11 ~~group home for children, \$75 for care in a foster home, \$130 for care in a treatment~~  
12 ~~foster home under rules promulgated under s. 48.62 (8) (c), \$103~~ \$100 for  
13 departmental corrective sanctions services, and ~~\$41~~ \$40 for departmental aftercare  
14 services.

15 **SECTION 3005.** 301.26 (4) (d) 4. of the statutes is created to read:

16 301.26 (4) (d) 4. The per person daily cost assessment to counties for care in a  
17 foster home, group home, or residential care center for children and youth shall be  
18 an amount equal to the amount the provider charges the department for that care  
19 as authorized by the department of children and families.

20 **SECTION 3006.** 301.26 (6) (a) of the statutes is amended to read:

21 301.26 (6) (a) The intent of this subsection is to develop criteria to assist the  
22 legislature in allocating funding, excluding funding for base allocations, from the  
23 appropriations under s. 20.410 (3) (cd), ~~(ke)~~, and ~~(e)~~ and (ko) for purposes described  
24 in this section.

25 **SECTION 3007.** 301.26 (7) (intro.) of the statutes is amended to read:

1           301.26 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability  
2 of federal funds and of the appropriations under s. 20.410 (3) (cd), ~~(ke)~~, and ~~(e)~~ and  
3 (ko), the department shall allocate funds for community youth and family aids for the  
4 period beginning on July 1, ~~2009~~ 2011, and ending on June 30, ~~2011~~ 2013, as  
5 provided in this subsection to county departments under ss. 46.215, 46.22, and 46.23  
6 as follows:

7           **SECTION 3008.** 301.26 (7) (a) of the statutes is amended to read:

8           301.26 (7) (a) For community youth and family aids under this section,  
9 amounts not to exceed \$50,395,100 \$45,478,000 for the last 6 months of ~~2009~~ 2011,  
10 \$100,790,200 \$90,956,100 for ~~2010~~ 2012, and \$50,395,100 \$45,478,100 for the first  
11 6 months of ~~2011~~ 2013.

12           **SECTION 3009.** 301.26 (7) (b) (intro.) of the statutes is amended to read:

13           301.26 (7) (b) (intro.) Of the amounts specified in par. (a), the department shall  
14 allocate \$2,000,000 for the last 6 months of ~~2009~~ 2011, \$4,000,000 for ~~2010~~ 2012, and  
15 \$2,000,000 for the first 6 months of ~~2011~~ 2013 to counties based on each of the  
16 following factors weighted equally:

17           **SECTION 3010.** 301.26 (7) (bm) of the statutes is amended to read:

18           301.26 (7) (bm) Of the amounts specified in par. (a), the department shall  
19 allocate \$6,250,000 for the last 6 months of ~~2009~~ 2011, \$12,500,000 for ~~2010~~ 2012,  
20 and \$6,250,000 for the first 6 months of ~~2011~~ 2013 to counties based on each county's  
21 proportion of the number of juveniles statewide who are placed in a juvenile  
22 correctional facility during the most recent 3-year period for which that information  
23 is available.

24           **SECTION 3011.** 301.26 (7) (c) of the statutes is amended to read:

1           301.26 (7) (c) Of the amounts specified in par. (a), the department shall allocate  
2           \$1,053,200 for the last 6 months of ~~2009~~ 2011, \$2,106,500 for ~~2010~~ 2012, and  
3           \$1,053,300 for the first 6 months of ~~2011~~ 2013 to counties based on each of the factors  
4           specified in par. (b) 1. to 3. weighted equally, except that no county may receive an  
5           allocation under this paragraph that is less than 93% nor more than 115% of the  
6           amount that the county would have received under this paragraph if the allocation  
7           had been distributed only on the basis of the factor specified in par. (b) 3.

8           **SECTION 3012.** 301.26 (7) (e) of the statutes is amended to read:

9           301.26 (7) (e) For emergencies related to community youth and family aids  
10          under this section, amounts not to exceed \$125,000 for the last 6 months of ~~2009~~ 2011,  
11          \$250,000 for ~~2010~~ 2012, and \$125,000 for the first 6 months of ~~2011~~ 2013. A county  
12          is eligible for payments under this paragraph only if it has a population of not more  
13          than 45,000.

14          **SECTION 3013.** 301.26 (7) (h) of the statutes is amended to read:

15          301.26 (7) (h) For counties that are participating in the corrective sanctions  
16          program under s. 938.533 (2), \$1,062,400 in the last 6 months of ~~2009~~ 2011,  
17          \$2,124,800 in ~~2010~~ 2012, and \$1,062,400 in the first 6 months of ~~2011~~ 2013 for the  
18          provision of corrective sanctions services for juveniles from that county. In  
19          distributing funds to counties under this paragraph, the department shall determine  
20          a county's distribution by dividing the amount allocated under this paragraph by the  
21          number of slots authorized for the program under s. 938.533 (2) and multiplying the  
22          quotient by the number of slots allocated to that county by agreement between the  
23          department and the county. The department may transfer funds among counties as  
24          necessary to distribute funds based on the number of slots allocated to each county.

25          **SECTION 3014.** 301.26 (8) of the statutes is amended to read:

1           **301.26 (8)** ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the  
2           allocations specified in sub. (7) (a), the department shall allocate \$666,700 in the last  
3           6 months of ~~2009~~ 2011, \$1,333,400 in ~~2010~~ 2012, and \$666,700 in the first 6 months  
4           of ~~2011~~ 2013 for alcohol and other drug abuse treatment programs.

5           **SECTION 3014m.** 301.328 (1m) of the statutes is created to read:

6           **301.328 (1m)** No prisoner may receive more than \$100 annually in litigation  
7           loans, except that any amount of the debt the prisoner repays during the year may  
8           be advanced to the prisoner again without counting against the \$100 litigation loan  
9           limit. No prisoner may receive a litigation loan in any amount until he or she has  
10          repaid a prior loan in full or has made arrangements for repayment with the warden  
11          of the institution.

12          **SECTION 3051h.** 302.388 (2) (g) of the statutes is created to read:

13          **302.388 (2) (g)** If a prisoner's health summary form or complete medical file  
14          indicates that the prisoner has a communicable disease and if disclosure of that  
15          information is necessary for the health and safety of the prisoner or of other  
16          prisoners, of a correctional officer who has custody of or is responsible for the  
17          supervision of the prisoner, of a person designated by a jailer to have custodial  
18          authority over the prisoner, of any other employee of the prison or jail, or of a law  
19          enforcement officer or other person who is responsible for transferring the prisoner  
20          to or from a prison or jail, receiving institution intake staff shall disclose that  
21          information to the persons specified in par. (f) 1. to 4. and to that correctional officer,  
22          person with custodial authority, law enforcement officer, or other person.

23          **SECTION 3051j.** 302.388 (3) of the statutes is renumbered 302.388 (3) (a).

24          **SECTION 3051L.** 302.388 (3) (b) of the statutes is created to read:

1           302.388 **(3)** (b) If a prisoner’s treatment summary indicates that the prisoner  
2 has a communicable disease and if disclosure of that information is necessary for the  
3 health and safety of the prisoner or of other prisoners, of a correctional officer who  
4 has custody of or is responsible for the supervision of the prisoner, of a person  
5 designated by a jailer to have custodial authority over the prisoner, of any employee  
6 of the prison or jail, or of a law enforcement officer or other person who is responsible  
7 for transferring the prisoner to or from a prison or jail, the department or jailer shall  
8 disclose that information to the persons to whom a treatment summary may be made  
9 available under par. (a) and to that correctional officer, person with custodial  
10 authority, law enforcement officer, or other person.

11           **SECTION 3084.** 321.40 (3) (b) 1. of the statutes is amended to read:

12           321.40 **(3)** (b) 1. Be submitted to the department for approval of payment no  
13 later than ~~60~~ 90 days after the completion date of the course;

14           **SECTION 3086.** 340.01 (18j) of the statutes is created to read:

15           340.01 **(18j)** “Federal out-of-service order for unsatisfactory safety  
16 compliance” means an out-of-service order issued by the federal motor carrier safety  
17 administration under 49 CFR 385.13 (a), 385.105 (b), 385.111 (a) or (c), 385.325 (c),  
18 385.337 (b), 386.72 (b) (2), 386.83 (a) (1), or 386.84 (a) (1).

19           **SECTION 3087.** 341.10 (16) of the statutes is created to read:

20           341.10 **(16)** The applicant has applied for registration under the international  
21 registration plan specified in s. 341.405 and, in the registration application, the  
22 applicant has identified as the motor carrier responsible for the safety of the motor  
23 vehicle to be registered a motor carrier for which the department has received notice  
24 that the motor carrier is subject to a federal out-of-service order for unsatisfactory  
25 safety compliance. This subsection does not prohibit the applicant from registering

1 the motor vehicle under any applicable provision of this chapter other than s.  
2 341.405.

3 **SECTION 3088.** 341.10 (17) of the statutes is created to read:

4 341.10 (17) The applicant has applied for registration under the international  
5 registration plan specified in s. 341.405 and the motor vehicle for which application  
6 is made has been identified by the federal motor carrier safety administration as  
7 having been assigned for safety to a motor carrier whose business is operated,  
8 managed, or otherwise controlled or affiliated with a person that has been issued a  
9 federal out-of-service order for unsatisfactory safety compliance. This subsection  
10 does not prohibit the applicant from registering the motor vehicle under any  
11 applicable provision of this chapter other than s. 341.405.

12 **SECTION 3096.** 341.13 (3m) of the statutes is repealed.

13 **SECTION 3097m.** 341.135 of the statutes is amended to read:

14 **341.135 Rebasing registration plates.** At intervals determined by the  
15 department, the department shall establish new designs of registration plates to be  
16 issued under ss. 341.14 (1), (1a), (1m), (1q), (2), (2m), (6m), and (6r), 341.25 (1) (a),  
17 (c), (h), and (j) and (2) (a), (b), and (c), and 341.26 (2) and (3) (a) 1. and (am). Any  
18 design for registration plates issued for automobiles and for vehicles registered on  
19 the basis of gross weight shall comply with the applicable design requirements of ss.  
20 341.12 (3), 341.13, and 341.14 (6r) (c). The designs for registration plates specified  
21 in this section shall be as similar in appearance as practicable during each design  
22 interval. Except as provided in ss. 341.13 (2r) and 341.14 (1), each registration plate  
23 issued under s. 341.14 (1), (1a), (1m), (1q), (2), (2m), (6m), or (6r), 341.25 (1) (a), (c),  
24 (h), or (j) or (2) (a), (b), or (c), or 341.26 (2) or (3) (a) 1. or (am) during each design  
25 interval shall be of the design established under this section. The department may

1 not redesign registration plates for the special groups under s. 341.14 (6r) (f) 53., 54.,  
2 or 55. until July 1, 2010. Notwithstanding s. 341.13 (3), as the department  
3 establishes new designs for registration plates under this section, the department  
4 shall, at the time determined appropriate by the department, issue registration  
5 plates of the new design to replace registration plates previously issued. This section  
6 does not apply to special group plates under s. 341.14 (6r) (f) 19m., 33m., and 48m.

7 **SECTION 3098.** 341.14 (6r) (b) 4. of the statutes is amended to read:

8 341.14 (6r) (b) 4. An additional fee of \$20 that is in addition to the fee under  
9 subd. 2. shall be charged for the issuance or renewal of a plate issued on an annual  
10 basis for a special group specified under par. (f) 35. to 47. An additional fee of \$40  
11 that is in addition to the fee under subd. 2. shall be charged for the issuance or  
12 renewal of a plate issued on a biennial basis for a special group specified under par.  
13 (f) 35. to 47. if the plate is issued or renewed during the first year of the biennial  
14 registration period or \$20 for the issuance or renewal if the plate is issued or renewed  
15 during the 2nd year of the biennial registration period. The fee under this  
16 subdivision is deductible as a charitable contribution for purposes of the taxes under  
17 ch. 71. The department shall pay all moneys received under this subdivision to the  
18 Board of Regents of the University of Wisconsin system to fund the scholarship  
19 programs under s. 36.44.

20 **SECTION 3099.** 341.14 (6r) (c) of the statutes is amended to read:

21 341.14 (6r) (c) Special group plates shall display the word “Wisconsin”, the  
22 name of the applicable authorized special group, a symbol representing the special  
23 group, not exceeding one position, and identifying letters or numbers or both, not  
24 exceeding 6 positions and not less than one position. The Except as provided in this  
25 paragraph, the department shall specify the design for special group plates, but the



1 department shall consult the president of the University of Wisconsin System before  
2 specifying the word or symbol used to identify the special groups under par. (f) 35.  
3 to 47., the secretary of natural resources before specifying the word or symbol used  
4 to identify the special groups under par. (f) 50. and 59., the chief executive officer of  
5 the professional football team and an authorized representative of the league of  
6 professional football teams described in s. 229.823 to which that team belongs before  
7 specifying the design for the applicable special group plate under par. (f) 55., the chief  
8 trademark officer of Harley–Davidson Michigan, LLC before specifying the design  
9 for the applicable special group plate under par. (f) 61r., the department of veterans  
10 affairs before specifying the design for the special group plates under par. (f) 49d.,  
11 49h., and 49s., and the department of tourism and chief executive officer of the  
12 organization specified in par. (f) 55m. before specifying the design and word or  
13 symbol used to identify the special group name for special group plates under par.  
14 (f) 55m. Special group plates under par. (f) 50. shall be as similar as possible to  
15 regular registration plates in color and design. The department shall make available  
16 2 designs for the special group plates under par. (f) 60. The department may not  
17 specify any design for the special group plates under par. (f) 60. unless the design is  
18 approved by the executive vice president of the Milwaukee Brewers Baseball Club  
19 LP. The word or symbol used to identify the special group under par. (f) 59. shall be  
20 different from the word or symbol used to identify the special group under par. (f) 50.  
21 and the design shall cover the entire plate. Special group plates under par. (f) 61m.  
22 shall display a logo or image of the lion associated with the Lions Clubs  
23 International. Special group plates under par. (f) 61r. shall display a bar and shield  
24 logo associated with Harley–Davidson, Inc., on the left portion of the plates and the  
25 words “share the road” on the bottom portion of the plates. Notwithstanding par. (e).

1 special group plates under par. (f) 33m. and 48m. shall be the same color and design  
2 that was specified by the department for special group plates under par. (f) 33. and  
3 48., respectively, immediately prior to January 1, 2007. The design for special group  
4 plates under par. (f) 33. and 48. shall be different from the design of special group  
5 plates under par. (f) 33m. and 48m., respectively.

6 **SECTION 3100s.** 341.14 (6r) (f) 33m. of the statutes is created to read:

7 341.14 **(6r)** (f) 33m. Fire fighters and surviving spouses of fire fighters who die  
8 in the line of duty.

9 **SECTION 3101d.** 341.14 (6r) (f) 48m. of the statutes is created to read:

10 341.14 **(6r)** (f) 48m. Emergency medical technicians and first responders.

11 **SECTION 3101h.** 341.14 (6r) (fm) 7. of the statutes, as affected by 2009  
12 Wisconsin Act 230, is amended to read:

13 341.14 **(6r)** (fm) 7. After October 1, 1998, additional authorized special groups  
14 may only be special groups designated by the department under this paragraph. The  
15 authorized special groups enumerated in par. (f) shall be limited solely to those  
16 special groups specified under par. (f) on October 1, 1998. This subdivision does not  
17 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m., 15m.,  
18 19m., 33m., 48m., 49d., 49h., 49s., 54., 55., 55m., 56., 57., 58., 59., 60., 61., 61m., and  
19 61r.

20 **SECTION 3101p.** 341.14 (6r) (g) 1. and 2. of the statutes are amended to read:

21 341.14 **(6r)** (g) 1. Except as provided in subd. 2. and sub. (8) (a), if an individual  
22 in possession of special plates under par. (f) 33., 33m., 34. ~~or~~ 48., or 48m. or of  
23 personalized plates under s. 341.145 (1) (c) of the same color and design as special  
24 plates under par. (f) 33., 33m., 34. ~~or~~ 48., or 48m. does not maintain membership in  
25 the applicable authorized special group during a year that is not a plate issuance

1 year, the individual shall dispose of the special plates in a manner prescribed by the  
2 department. This paragraph does not apply to plates issued to the surviving spouse  
3 of a fire fighter who died in the line of duty.

4 2. If an individual in possession of special plates under par. (f) 33., 33m., 34.,  
5 ~~or~~, 48., or 48m. or of personalized plates under s. 341.145 (1) (c) of the same color and  
6 design as special plates under par. (f) 33., 33m., 34., ~~or~~, 48., or 48m. suffers an injury  
7 in the course of his or her job duties as a fire fighter, rescue squad member, or  
8 emergency medical technician and the injury prevents the individual from  
9 subsequently performing such job duties, the individual may retain these special  
10 plates.

11 **SECTION 3101t.** 341.14 (8) (a) of the statutes is amended to read:

12 341.14 **(8)** (a) If a special plate for a group associated with a branch of the armed  
13 services or otherwise military in nature has been issued to a person under this  
14 section, or if a special plate under sub. (6r) (f) 33. or 33m. has been issued to a person  
15 who dies in the line of duty, upon application by the surviving spouse of the person,  
16 the department shall permit the surviving spouse to retain the plate. If the plate has  
17 been returned to the department or surrendered to another state, the department  
18 shall reissue the plate to the surviving spouse if the application for reissuance of the  
19 plate is made within 2 years of the plate's return or surrender. The department shall  
20 charge an additional fee of \$15 to reissue the plate.

21 **SECTION 3106e.** 341.16 (2e) of the statutes is created to read:

22 341.16 **(2e)** The owner of a vehicle to which special group plates under s. 341.14  
23 (6r) (f) 33. or 48. are attached may apply to the department for replacement special  
24 group plates under s. 341.14 (6r) (f) 33m. or 48m., respectively. Upon receipt of the  
25 application and payment of a fee of \$40, the department shall issue the replacement

1 special group plates. Upon receipt of replacement plates, the applicant shall destroy  
2 the replaced plates.

3 **SECTION 3106m.** 341.16 (4) of the statutes is amended to read:

4 341.16 (4) Any person issued replacement plates who fails to destroy the  
5 original plates as required by sub. (2), ~~(2e)~~, or (3) may be required to forfeit not more  
6 than \$200.

7 **SECTION 3107.** 341.405 (3m) of the statutes is created to read:

8 341.405 (3m) (a) If the registration of a motor vehicle registered under this  
9 section is suspended under s. 341.63 (1) (f), (1m), or (1r), or if an application for  
10 registration is refused under s. 341.10 (16) or (17), the motor vehicle may be  
11 registered, subject to all applicable requirements and fees, under any applicable  
12 provision of this chapter other than this section.

13 (b) All of the following apply to a person who registers a motor vehicle under  
14 another applicable provision of this chapter as described in par. (a):

15 1. The person is not entitled to credit for any registration fee previously paid  
16 to register the motor vehicle under this section.

17 2. If the motor vehicle's registration under this section is reinstated after this  
18 registration period has expired, in renewing the motor vehicle's registration under  
19 this section the person is entitled to credit for the registration fee paid to register the  
20 motor vehicle as described in par. (a), calculated based upon the unused portion of  
21 that registration period.

22 (c) Notwithstanding s. 341.10 (16) and (17), the department may refuse  
23 registration of a motor vehicle under this section if the department determines that  
24 the motor carrier identified on the motor vehicle's registration application as the  
25 motor carrier responsible for safety of the vehicle is the same or substantially the

1 same business, or that elements of the motor carrier operation are the same or  
2 substantially the same business elements, as a motor carrier that has been issued  
3 a federal out-of-service order for unsatisfactory safety compliance.

4 **SECTION 3108.** 341.41 (7) of the statutes is amended to read:

5 341.41 (7) Except as to foreign owned vehicles required by s. 341.07 to be  
6 registered in this state, vehicles owned or operated by a nonresident in interstate or  
7 intrastate movement may be qualified by advance purchase of a trip permit which  
8 authorizes operation for a 72-hour period when the vehicle is not eligible for  
9 reciprocal privileges. Unless waived by the secretary, the fee for the trip permit shall  
10 be not less than \$15. The secretary may, upon determining that a special  
11 transportation need exists, waive the fee for the trip permit. The secretary shall  
12 make rules and regulations for the issuance and use of the permits. No permit may  
13 be issued under this subsection for any motor vehicle for which the motor carrier  
14 identified on the permit application as the motor carrier responsible for safety of the  
15 vehicle has been issued a federal out-of-service order for unsatisfactory safety  
16 compliance.

17 **SECTION 3109.** 341.52 of the statutes is amended to read:

18 **341.52 Design of registration plates.** Registration plates for dealers,  
19 distributors, manufacturers, and transporters are subject to the provisions of s.  
20 341.12 (2) and (3) except s. 341.12 (3) (c). In addition, each plate shall have displayed  
21 upon it a symbol capable of distinguishing it from any other plate which may be  
22 issued to the same dealer, distributor, manufacturer, or transporter.

23 **SECTION 3111.** 341.53 of the statutes is amended to read:

24 **341.53 Expiration of registration; transferability of plates.** Certificates  
25 of registration and registration plates issued to dealers, distributors, manufacturers,

1 or transporters shall be issued for the calendar year and are valid only during the  
2 calendar year for which issued. Notwithstanding s. 341.13 (3), the department may  
3 renew registration plates issued to dealers, distributors, manufacturers, or  
4 transporters without issuing new plates or insert tags, decals, or other evidence of  
5 registration. Registration plates are transferable from one motor vehicle, trailer or  
6 semitrailer to another motor vehicle, trailer or semitrailer and from one recreational  
7 vehicle to another.

8 **SECTION 3112.** 341.57 (2) of the statutes is amended to read:

9 341.57 (2) A finance company licensed under ss. 138.09 or 218.0101 to  
10 218.0163, a credit union licensed under ch. 186, a savings bank organized under ch.  
11 214, a savings and loan association organized under ch. 215 or a state bank or a  
12 national bank with offices in this state may apply to the department for registration  
13 on such form as the department provides. Upon receipt of the application together  
14 with a registration fee of \$75, the department shall register the applicant and shall  
15 issue one registration plate containing the registration number assigned to the  
16 applicant. The department, upon receiving a fee of \$5 for each additional plate  
17 desired by the applicant, shall issue additional plates as the applicant orders.  
18 Section 341.52 applies to the design of the plates. The registration and plates are  
19 valid only during the calendar year for which issued. Notwithstanding s. 341.13 (3),  
20 the department may renew registration plates issued under this subsection without  
21 issuing new plates or insert tags, decals, or other evidence of registration. A plate  
22 is transferable from one motor vehicle to another. The department may charge a fee  
23 of \$2 per plate for replacing lost, damaged or illegible plates issued under this  
24 subsection.

25 **SECTION 3122.** 341.63 (1) (f) of the statutes is created to read:

1           341.63 (1) (f) The motor vehicle is registered under the international  
2 registration plan specified in s. 341.405 and the motor vehicle has been identified by  
3 the federal motor carrier safety administration as having been assigned for safety  
4 to a motor carrier whose business is operated, managed, or otherwise controlled or  
5 affiliated with a person that has been issued a federal out-of-service order for  
6 unsatisfactory safety compliance.

7           **SECTION 3123.** 341.63 (1m) of the statutes is created to read:

8           341.63 (1m) Upon receiving notice that a motor carrier has been issued a  
9 federal out-of-service order for unsatisfactory safety compliance, the department  
10 shall suspend the registration of each motor vehicle to which all of the following  
11 apply:

12           (a) The motor carrier is identified on the motor vehicle's registration  
13 application as the motor carrier responsible for the safety of the vehicle.

14           (b) The motor vehicle is registered under the international registration plan  
15 specified in s. 341.405.

16           **SECTION 3124.** 341.63 (1r) of the statutes is created to read:

17           341.63 (1r) The department may suspend the registration of a motor vehicle  
18 registered under the international registration plan specified in s. 341.405 if the  
19 department determines that the motor carrier identified on the motor vehicle's  
20 registration application as the motor carrier responsible for safety of the vehicle is  
21 the same or substantially the same business, or that elements of the motor carrier  
22 operation are the same or substantially the same business elements, as a motor  
23 carrier that has been issued a federal out-of-service order for unsatisfactory safety  
24 compliance.

25           **SECTION 3125.** 341.63 (3) of the statutes is renumbered 341.63 (3) (a).

1           **SECTION 3126.** 341.63 (3) (b) of the statutes is created to read:

2           341.63 (3) (b) In addition to or in lieu of ordering the return of registration  
3 plates under par. (a), the department may seize and destroy the registration plates  
4 of any motor vehicle for which all of the following apply:

5           1. The motor carrier identified on the motor vehicle's registration application  
6 as the motor carrier responsible for safety of the vehicle has been issued a federal  
7 out-of-service order for unsatisfactory safety compliance.

8           2. The motor vehicle is registered under the international registration plan  
9 specified in s. 341.405 or under a similar international registration plan under the  
10 law of another jurisdiction.

11           **SECTION 3128.** 342.09 (1) of the statutes is renumbered 342.09 (1) (a) and  
12 amended to read:

13           342.09 (1) (a) The department shall maintain a record of each application for  
14 certificate of title received by it and, when satisfied as to its genuineness and  
15 regularity and that the applicant is entitled to the issuance of a certificate of title,  
16 shall issue and, except as provided in par. (b), deliver a certificate to the owner of the  
17 vehicle.

18           **SECTION 3129.** 342.09 (1) (b) of the statutes is created to read:

19           342.09 (1) (b) If there is a perfected security interest in a vehicle, the  
20 department shall deliver the certificate of title to the secured party having the  
21 primary perfected security interest in the vehicle.

22           **SECTION 3130.** 342.13 (1) of the statutes is amended to read:

23           342.13 (1) If a certificate of title is lost, stolen, mutilated, or destroyed, or  
24 becomes illegible, the owner or ~~legal representative of the owner named in person in~~  
25 possession of the certificate, as shown by the records of the department, shall



1 promptly make application for and may obtain a replacement upon furnishing  
2 information satisfactory to the department. The replacement certificate of title shall  
3 contain a notation, in a form determined by the department, identifying the  
4 certificate as a replacement certificate that may be subject to the rights of a person  
5 under the original certificate.

6 **SECTION 3131.** 342.14 (1) of the statutes is amended to read:

7 342.14 (1) For filing an application for the first certificate of title, ~~\$53.00~~ \$62,  
8 by the owner of the vehicle.

9 **SECTION 3132.** 342.14 (1r) of the statutes is repealed.

10 **SECTION 3133.** 342.14 (3) of the statutes is amended to read:

11 342.14 (3) For a certificate of title after a transfer, ~~\$53.00~~ \$62, by the owner of  
12 the vehicle.

13 **SECTION 3134.** 342.15 (1) (a) of the statutes is amended to read:

14 342.15 (1) (a) If an owner transfers an interest in a vehicle, other than by the  
15 creation of a security interest, the owner shall comply with the requirements of s.  
16 342.155 and, at the time of the delivery of the vehicle, execute an assignment and  
17 warranty of title to the transferee in the space provided therefor on the certificate,  
18 and the owner or person in possession of the certificate, as shown by the records of  
19 the department, shall cause the certificate to be mailed or delivered to the transferee,  
20 except that if the vehicle being transferred is a junk vehicle or has been junked, the  
21 owner shall return the certificate to the department in accordance with s. 342.34.

22 **SECTION 3135.** 342.15 (1) (c) of the statutes is amended to read:

23 342.15 (1) (c) If an owner transfers his or her interest in a salvage vehicle, the  
24 owner shall at the time of the delivery of the vehicle, execute an assignment and  
25 warranty of title to the transferee in the space provided therefor on the certificate,

1 and the owner or person in possession of the certificate, as shown by the records of  
2 the department, shall cause the certificate to be mailed or delivered to the transferee.

3 **SECTION 3136.** 342.15 (5) of the statutes is amended to read:

4 342.15 (5) Any owner of a vehicle for which a certificate of title has been issued,  
5 who upon transfer of the vehicle fails to execute ~~and deliver~~ the assignment and  
6 warranty of title required by sub. (1), or the owner or person in possession of such  
7 certificate of title, as shown by the records of the department, who fails to deliver the  
8 assignment and warranty of title required by sub. (1), may be required to forfeit not  
9 more than \$500.

10 **SECTION 3137.** 342.20 (1) of the statutes is amended to read:

11 342.20 (1) The owner shall immediately execute, in the space provided therefor  
12 on the certificate of title or on a separate form or in an automated format prescribed  
13 by the department, an application to name the secured party on the certificate,  
14 showing the name and address of the secured party, and the owner or person in  
15 possession of the owner's certificate, as shown by the records of the department, shall  
16 cause the certificate, application and the required fee to be delivered to the secured  
17 party.

18 **SECTION 3138.** 342.20 (3) of the statutes is amended to read:

19 342.20 (3) Upon receipt of the certificate of title, application, and the required  
20 fee, or upon receipt of the security interest statement and required fee if the secured  
21 party has utilized the process specified in s. 342.245 (1), the department shall issue  
22 to the owner a new certificate containing the name and address of the new secured  
23 party. The department shall deliver to such new secured party, unless the secured  
24 party utilized the process specified in s. 342.245 (1), and to the register of deeds of  
25 the county of the owner's residence, memoranda, in such form as the department

1 prescribes, evidencing the notation of the security interest upon the certificate; and  
2 thereafter, upon any assignment, termination or release of the security interest,  
3 additional memoranda evidencing such action.

4 **SECTION 3139.** 342.22 (1) (intro.) of the statutes is amended to read:

5 342.22 (1) (intro.) Within one month or within 10 days following written  
6 demand by the debtor after there is no outstanding obligation and no commitment  
7 to make advances, incur obligations or otherwise give value, secured by the security  
8 interest in a vehicle under any security agreement between the owner and the  
9 secured party, the secured party shall mail or deliver the certificate of title for the  
10 vehicle to the department if the secured party is in possession of the certificate and  
11 shall also do one of the following:

12 **SECTION 3140.** 342.22 (2) of the statutes is amended to read:

13 342.22 (2) ~~An~~ If an owner, other than a dealer holding the vehicle for resale,  
14 is in possession of the owner's certificate of title, the owner, upon receipt of the release  
15 and notice of obligation delivered under sub. (1) (a), shall promptly cause the  
16 certificate and release to be mailed or delivered to the department, which shall  
17 release the secured party's rights on the certificate and issue a new certificate. Upon  
18 receipt of the notice under sub. (1) (b), the owner may, in the form and manner  
19 prescribed by the department and without additional fee, deliver an application and  
20 the certificate of title to the department and the department shall issue a new  
21 certificate of title free of the security interest notation.

22 **SECTION 3141.** 342.23 (2) (a) of the statutes is renumbered 342.23 (2) and  
23 amended to read:

24 342.23 (2) An owner or person in possession of the owner's certificate of title,  
25 as shown by the records of the department, shall promptly deliver the owner's

1 certificate of title to any secured party who is named on it or who has a security  
2 interest in the vehicle described in it under any other applicable prior law of this  
3 state, upon receipt of a notice from such secured party that the security interest is  
4 to be assigned, extended or perfected.

5 **SECTION 3142.** 342.23 (2) (b) of the statutes is repealed.

6 **SECTION 3143.** 342.23 (4) of the statutes is amended to read:

7 342.23 (4) Any owner or other person in possession of the owner's certificate  
8 of title who fails to deliver the certificate of title to a secured party requesting it  
9 pursuant to sub. (2) ~~(a)~~ shall be liable to such secured party for any loss caused to the  
10 secured party thereby and may be required to forfeit not more than \$200.

11 **SECTION 3144.** 343.03 (3r) of the statutes is created to read:

12 343.03 (3r) REAL ID NONCOMPLIANT LICENSE. If any license described under sub.  
13 (3) is issued based upon the exception specified in s. 343.165 (7), the license shall, in  
14 addition to any legend or label described in sub. (3), be marked in a manner  
15 consistent with requirements under applicable federal law and regulations to  
16 indicate that the license is issued in accordance with P.L. 109–13, section 202 (d) (11),  
17 and is not intended to be accepted by any federal agency for federal identification or  
18 any other official purpose.

19 **SECTION 3145.** 343.06 (1) (L) of the statutes, as affected by 2007 Wisconsin Act  
20 20, is amended to read:

21 343.06 (1) (L) To any person who does not satisfy the requirements under s.  
22 343.165 (1).

23 **SECTION 3146.** 343.065 (3) of the statutes is created to read:

24 343.065 (3) (a) If a person issued any commercial driver license under this  
25 chapter authorizing operation of commercial motor vehicles in interstate commerce

1 does not have on file with the department a current certification specified in s. 343.14  
2 (2) (i) 1. covering the person's physical qualifications, the department may  
3 downgrade the commercial driver license to a restricted commercial driver license  
4 under this section and impose a "K" restriction on the license.

5 (b) The department shall promulgate rules to define "downgrade" in  
6 accordance with federal law and regulations or guidance from the applicable federal  
7 agency, to establish the process for downgrading a commercial driver license and  
8 whether or not a new commercial driver license document will be issued after a  
9 commercial driver license is downgraded, and to establish the process for reinstating  
10 a downgraded commercial driver license after the department receives from the  
11 licensee a valid medical certification or other appropriate certification of physical  
12 qualifications.

13 **SECTION 3147.** 343.10 (7) (d) of the statutes, as affected by 2007 Wisconsin Act  
14 20, is amended to read:

15 343.10 (7) (d) An occupational license issued by the department under this  
16 subsection shall be in the form of a license that includes a photograph described in  
17 s. 343.14 (3), unless the exception under s. 343.14 (3m) applies, and any special  
18 restrictions cards under s. 343.17 (4). The license shall clearly indicate that  
19 restrictions on a special restrictions card apply and that the special restrictions card  
20 is part of the person's license.

21 **SECTION 3148.** 343.11 (1) of the statutes is amended to read:

22 343.11 (1) The department shall not issue a license to a person previously  
23 licensed in another jurisdiction unless such person surrenders to the department all  
24 valid operator's licenses possessed by the person issued by any other jurisdiction,  
25 which surrender operates as a cancellation of the surrendered licenses insofar as the

1 person's privilege to operate a motor vehicle in this state is concerned. When such  
2 applicant surrenders the license to the department, the department shall issue a  
3 receipt therefor, which receipt shall constitute a temporary license to operate a motor  
4 vehicle for a period not to exceed 60 days if the applicant meets the standard required  
5 for eyesight and, in the opinion of the examiner, is not a dangerous hazard to the  
6 applicant and other users of the highways. ~~Except as provided in s. 343.055, the~~  
7 ~~temporary license shall not be valid authorization for the operation of commercial~~  
8 ~~motor vehicles.~~ The temporary license shall be surrendered to the examiner for  
9 cancellation by the department if the 3rd attempt at the driving test is failed and the  
10 applicant shall be required to secure a temporary instruction permit for further  
11 practice driving.

12 **SECTION 3149.** 343.11 (3) of the statutes is amended to read:

13 343.11 (3) Except as provided in sub. (1), the department may issue a receipt  
14 to any applicant for a license, which receipt shall constitute a temporary license to  
15 operate a motor vehicle while the application for license is being processed. Such  
16 temporary license shall be valid for a period not to exceed ~~30~~ 60 days.

17 **SECTION 3150.** 343.11 (3) of the statutes, as affected by 2011 Wisconsin Act ....  
18 (this act), is amended to read:

19 343.11 (3) Except as provided in sub. (1), the department may issue a receipt  
20 to any applicant for a license, which receipt shall constitute a temporary license to  
21 operate a motor vehicle while the application for license is being processed. Such  
22 temporary license shall be valid for a period not to exceed 60 days. If the application  
23 for a license is processed under the exception specified in s. 343.165 (7), the receipt  
24 shall include the marking specified in s. 343.03 (3r).

1           **SECTION 3151.** 343.14 (3) of the statutes, as affected by 2007 Wisconsin Act 20,  
2 is amended to read:

3           343.14 (3) The Except as provided in sub. (3m), the department shall, as part  
4 of the application process, take a digital photograph including facial image capture  
5 of the applicant to comply with s. 343.17 (3) (a) 2. ~~No Except as provided in sub. (3m),~~  
6 no application may be processed without the photograph being taken. Except as  
7 provided in sub. (3m) and s. 343.165 (4) (d), in the case of renewal licenses, the  
8 photograph shall be taken once every 8 years, and shall coincide with the appearance  
9 for examination which is required under s. 343.16 (3).

10           **SECTION 3152.** 343.14 (3m) of the statutes is created to read:

11           343.14 (3m) If the application for a license is processed under the exception  
12 specified in s. 343.165 (7), the application may be processed and the license issued  
13 or renewed without a photograph being taken of the applicant if the applicant  
14 provides to the department an affidavit stating that the applicant has a sincerely  
15 held religious belief against being photographed; identifying the religion to which he  
16 or she belongs or the tenets of which he or she adheres to; and stating that the tenets  
17 of the religion prohibit him or her from being photographed.

18           **SECTION 3152c.** 343.16 (1) (b) (intro.) of the statutes is amended to read:

19           343.16 (1) (b) ~~Third-party driving skills testing for commercial motor vehicle~~  
20 ~~and school bus operators.~~ (intro.) The department may contract with a person,  
21 including an agency or department of this state or its political subdivisions or  
22 another state, or a private employer of commercial motor vehicle drivers, to  
23 administer commercial motor vehicle skills tests required by 49 CFR 383.110 to  
24 383.135, examinations required to be administered under s. 343.12 (2) (h), and,  
25 abbreviated driving skills tests required by sub. (3) (b). ~~The department may not~~

1 enter into such testing contracts with a private driver training school or other private  
2 institution, or driving skills tests required by par. (a) for authorization to operate  
3 “Class D” vehicles, or any combination of these tests and examinations. This  
4 paragraph does not apply with respect to a law enforcement agency eligible to  
5 contract with the department under par. (bm). A contract with a 3rd-party tester  
6 under this paragraph shall include all of the following provisions:

7 **SECTION 3152d.** 343.16 (1) (b) 2. of the statutes is amended to read:

8 343.16 (1) (b) 2. The department, or the applicable federal agency, or –a– its  
9 representative of the applicable federal agency with respect to testing for commercial  
10 driver licenses, may conduct random examinations, inspections, and audits of the  
11 3rd-party tester without any prior notice.

12 **SECTION 3152e.** 343.16 (1) (b) 3. (intro.) of the statutes is amended to read:

13 343.16 (1) (b) 3. (intro.) At least annually, the department shall conduct an  
14 on-site inspection of the 3rd-party tester to determine compliance with the contract  
15 and with department and federal standards for testing applicants for commercial  
16 driver licenses and with department standards for testing applicants for school bus  
17 endorsements and applicants for operators’ licenses to operate “Class D” vehicles.  
18 At least annually, the department shall also evaluate testing given by the 3rd-party  
19 tester by one of the following means:

20 **SECTION 3152f.** 343.16 (1) (b) 4. of the statutes is amended to read:

21 343.16 (1) (b) 4. Examiners of the 3rd-party tester shall meet the same  
22 qualifications and training standards as the department’s license examiners to the  
23 extent established by the department as necessary to satisfactorily perform the skills  
24 tests required by 49 CFR 383.110 to 383.135, examinations required to be  
25 administered under s. 343.12 (2) (h) ~~and~~, abbreviated driving skills tests required by



1 sub. (3) (b), and driving skills tests required by par. (a) for authorization to operate  
2 “Class D” vehicles.

3 **SECTION 3152g.** 343.16 (1) (b) 5. of the statutes is amended to read:

4 343.16 (1) (b) 5. The department shall take prompt and appropriate remedial  
5 action against the 3rd-party tester in the event that the tester fails to comply with  
6 department or federal standards for commercial driver license testing, department  
7 standards for school bus endorsement testing or testing for operators’ licenses to  
8 operate “Class D” vehicles, or any provision of the contract. Such action may include  
9 immediate termination of testing by the 3rd-party tester and recovery of damages.

10 **SECTION 3152h.** 343.16 (1) (b) 6. of the statutes is created to read:

11 343.16 (1) (b) 6. The 3rd-party tester may not administer any test or  
12 examination of a person who has received instruction in driver training from the  
13 3rd-party tester or from any person who controls, is controlled by, or is under  
14 common control with the 3rd-party tester.

15 **SECTION 3152i.** 343.16 (1) (bm) (title) of the statutes is amended to read:

16 343.16 (1) (bm) (title) *Third-party testing for other vehicle operators by certain*  
17 *law enforcement agencies.*

18 **SECTION 3153.** 343.165 (1) (intro.) of the statutes, as created by 2007 Wisconsin  
19 Act 20, is amended to read:

20 343.165 (1) (intro.) The Subject to ss. 343.14 (3m) and 343.50 (4g), the  
21 department may not complete the processing of an application for initial issuance or  
22 renewal of an operator’s license or identification card received by the department  
23 after May 10, 2008 the effective date of this subsection .... [LRB inserts date], and no  
24 such license or identification card may be issued or renewed, unless the applicant

1 presents or provides, and, subject to sub. (7), the department verifies under sub. (3),  
2 all of the following information:

3 **SECTION 3154.** 343.165 (2) of the statutes, as created by 2007 Wisconsin Act 20,  
4 is amended to read:

5 343.165 (2) (a) The Subject to sub. (7), the department shall, in processing any  
6 application for an operator's license or identification card under sub. (1), capture a  
7 digital image of each document presented or provided to the department by an  
8 applicant. Images captured under this paragraph shall be maintained, in electronic  
9 storage and in a transferable format, in the applicant's file or record as provided  
10 under ss. 343.23 (2) (a) and 343.50 (8) (a).

11 (b) The Subject to sub. (7), the department shall record in the applicant's file  
12 under s. 343.23 (2) (a) or record under s. 343.50 (8) (a) the date on which verification  
13 under subs. (1) and (3) is completed.

14 **SECTION 3155.** 343.165 (3) (a) of the statutes, as created by 2007 Wisconsin Act  
15 20, is amended to read:

16 343.165 (3) (a) Except as provided in pars. (b) and (c) and subject to sub. (7),  
17 the department shall verify, in the manner and to the extent required under federal  
18 law, each document presented or provided to the department that is required to be  
19 presented or provided to the department by an applicant under sub. (1).

20 **SECTION 3156.** 343.165 (4) (a) of the statutes, as created by 2007 Wisconsin Act  
21 20, is amended to read:

22 343.165 (4) (a) Subsection (1) does not apply to an application for renewal of  
23 an operator's license or identification card received by the department after ~~May 10,~~  
24 ~~2008~~ the effective date of this paragraph ... [LRB inserts date], if in connection with  
25 a prior application after ~~May 10, 2008~~ the effective date of this paragraph ... [LRB

1 inserts date], the applicant previously presented or provided, and the department  
2 verified under sub. (3) or (7), the information specified in sub. (1) and, if verified  
3 under sub. (3), the department recorded the date on which the verification  
4 procedures were completed as described in sub. (2) (b).

5 **SECTION 3157.** 343.165 (4) (c) of the statutes, as created by 2007 Wisconsin Act  
6 20, is amended to read:

7 343.165 (4) (c) Notwithstanding pars. (a) and (b), no operator's license  
8 displaying the legend required under s. 343.03 (3m) or identification card displaying  
9 the legend required under s. 343.50 (3) (a) may be renewed unless the applicant  
10 presents or provides valid documentary proof under sub. (1) (e) and this proof shows  
11 that the status by which the applicant qualified for the license or identification card  
12 has been extended by the secretary of the federal department of homeland security.

13 **SECTION 3158.** 343.165 (4) (d) of the statutes, as created by 2007 Wisconsin Act  
14 20, is amended to read:

15 343.165 (4) (d) With any license or identification card renewal following a  
16 license or identification card expiration established under s. 343.20 (1m) or 343.50  
17 (5) (c) at other than an 8-year interval, the department may determine whether the  
18 applicant's photograph is to be taken, or if the renewal is for a license the applicant  
19 is to be examined, or both, at the time of such renewal, so long as the applicant's  
20 photograph is taken, and if the renewal is for a license the applicant is examined,  
21 with a license or card renewal at least once every 8 years and the applicant's license  
22 or identification card at all times includes a photograph unless an exception under  
23 s. 343.14 (3m) or 343.50 (4g) applies.

24 **SECTION 3159.** 343.165 (5) of the statutes, as created by 2007 Wisconsin Act 20,  
25 is amended to read:

1           343.165 (5) The department may, by rule, require that applications for  
2 reinstatement of operator’s licenses or identification cards, issuance of occupational  
3 licenses, reissuance of operator’s licenses, or issuance of duplicate operator’s licenses  
4 or identification cards, received by the department after ~~May 10, 2008~~ the effective  
5 date of this subsection .... [LRB inserts date], be processed in a manner consistent  
6 with the requirements established under this section for applications for initial  
7 issuance or renewal of operator’s licenses and identification cards.

8           **SECTION 3160.** 343.165 (7) of the statutes is created to read:

9           343.165 (7) (a) The department may process an application for, and issue or  
10 renew, an operator’s license or identification card without meeting the requirements  
11 under subs. (2) and (3) if all of the following apply:

12           1. The operator’s license contains the marking specified in s. 343.03 (3r) or the  
13 identification card contains the marking specified in s. 343.50 (3) (b).

14           2. The operator’s license or identification card is processed and issued or  
15 renewed in compliance with applicable department practices and procedures that  
16 were in effect immediately prior to the effective date of this subdivision .... [LRB  
17 inserts date].

18           (b) In addition to other instances of original issuance or renewal, this  
19 subsection specifically applies to renewals occurring after the effective date of this  
20 paragraph .... [LRB inserts date], of operator’s licenses or identification cards  
21 originally issued prior to the effective date of this paragraph .... [LRB inserts date].

22           **SECTION 3161.** 343.17 (3) (a) 2. of the statutes is amended to read:

23           343.17 (3) (a) 2. A color photograph of the person, unless the exception under  
24 s. 343.14 (3m) applies.

25           **SECTION 3162.** 343.17 (3) (a) 14. of the statutes is created to read:

1           343.17 (3) (a) 14. If the license contains the marking specified in s. 343.03 (3r),  
2 a distinctive appearance specified by the department that clearly distinguishes the  
3 license from other operator’s licenses or identification cards issued by the  
4 department and that alerts federal agency and other law enforcement personnel that  
5 the license may not be accepted for federal identification or any other official  
6 purpose.

7           **SECTION 3163.** 343.17 (5) of the statutes is amended to read:

8           343.17 (5) NO PHOTOS ON TEMPORARY LICENSES. The temporary licenses issued  
9 under ss. 343.10, 343.11 (1) and (3), 343.16 (6) (b), and 343.305 (8) (a) shall be on  
10 forms provided by the department and shall contain the information required by sub.  
11 (3), except the license is that temporary licenses under ss. 343.16 (6) (b) and 343.305  
12 (8) (a), and temporary licenses subject to any photograph exception under s. 343.14  
13 (3), are not required to include a photograph of the licensee.

14           **SECTION 3164.** 343.17 (5) of the statutes, as affected by 2007 Wisconsin Act 20  
15 and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

16           343.17 (5) NO PHOTOS ON TEMPORARY LICENSES. The temporary licenses issued  
17 under ss. 343.10, 343.11 (1) and (3), 343.16 (6) (b), and 343.305 (8) (a) shall be on  
18 forms provided by the department and shall contain the information required by sub.  
19 (3), except that temporary licenses under ss. 343.16 (6) (b) and 343.305 (8) (a) are not  
20 required to include a photograph of the licensee. This subsection does not apply to  
21 a noncitizen temporary license, as described in s. 343.03 (3m).

22           **SECTION 3165.** 343.20 (2) (a) of the statutes is amended to read:

23           343.20 (2) (a) The At least 30 days prior to the expiration of an operator’s  
24 license, the department shall ~~mail to the~~ provide to the licensee notice of renewal of  
25 the license either by mail at the licensee’s last-known address of a licensee at least

1 ~~30 days prior to the expiration of the license a notice of the date upon which the~~  
2 ~~license must be renewed~~ or, if desired by the licensee, by any electronic means offered  
3 by the department.

4 **SECTION 3166.** 343.20 (2) (a) of the statutes, as affected by 2007 Wisconsin Act  
5 20 and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

6 343.20 (2) (a) At least 30 days prior to the expiration of an operator's license,  
7 the department shall provide to the licensee notice of renewal of the license either  
8 by mail at the licensee's last-known address or, if desired by the licensee, by any  
9 electronic means offered by the department. If the license was issued or last renewed  
10 based upon the person's presenting of any documentary proof specified in s. 343.14  
11 (2) (es) 4. to 7., the notice shall inform the licensee of the requirement under s.  
12 343.165 (4) (c).

13 **SECTION 3167.** 343.20 (2) (b) of the statutes is amended to read:

14 343.20 (2) (b) Notwithstanding par. (a), at least 60 days prior to the expiration  
15 of an "H" endorsement specified in s. 343.17 (3) (d) 1m., the department of  
16 transportation shall ~~mail~~ provide a notice to the licensee either by mail at the  
17 licensee's last-known address of the licensee or, if desired by the licensee, by any  
18 electronic means offered by the department of transportation that the licensee is  
19 required to pass a security threat assessment screening by the federal  
20 transportation security administration of the federal department of homeland  
21 security as part of the application to renew the endorsement. The notice shall inform  
22 the licensee that the licensee may commence the federal security threat assessment  
23 screening at any time, but no later than 30 days before expiration of the  
24 endorsement.

25 **SECTION 3168m.** 343.21 (2) (a) of the statutes is amended to read:

1           343.21 (2) (a) In addition to the fees set under sub. (1), any applicant whose  
2 application for a permit, license, upgrade or endorsement, taken together with the  
3 applicant’s currently valid license, if any, requires the department to administer a  
4 driving skills test of the applicant’s ability to exercise ordinary and reasonable  
5 control in the operation of a motor vehicle shall pay to the department an  
6 examination fee of \$20 for an examination in a commercial motor vehicle other than  
7 a school bus and \$15 for an examination in any other vehicle. Payment Except with  
8 respect to examination in a “Class D” vehicle, payment of the examination fee  
9 entitles the applicant to not more than 3 tests of the applicant’s ability to exercise  
10 reasonable control in the operation of a motor vehicle. If the applicant does not  
11 qualify for issuance of a license, upgraded license or endorsement in 3 such tests,  
12 then a 2nd examination fee in the same amount shall be paid, which payment  
13 entitles the applicant to not more than 3 additional tests. For an examination in a  
14 “Class D” vehicle, a \$15 examination fee shall be paid for each examination.

15           **SECTION 3170.** 343.315 (2) (h) of the statutes is amended to read:

16           343.315 (2) (h) Except as provided in par. (i), a person shall be disqualified for  
17 a period of 90 days from operating a commercial motor vehicle if convicted of an  
18 out-of-service violation, or 2 years if convicted of 2 out-of-service violations, or 3  
19 years if convicted of 3 or more out-of-service violations, arising from separate  
20 occurrences committed within a 10-year period while operating a commercial motor  
21 vehicle. A disqualification under this paragraph shall be in addition to any penalty  
22 imposed under s. 343.44. In this paragraph, “out-of-service violation” means  
23 violating s. 343.44 (1) (c) or a law of another jurisdiction for an offense therein which,  
24 if committed in this state, would have been a violation of s. 343.44 (1) (c), ~~by operating~~  
25 ~~a commercial motor vehicle while the operator or vehicle is ordered out-of-service~~

1 ~~under the law of this state or another jurisdiction or under federal law~~, if the operator  
2 holds a commercial driver license or is required to hold a commercial driver license  
3 to operate the commercial motor vehicle.

4 **SECTION 3171.** 343.44 (1) (c) of the statutes is amended to read:

5 343.44 (1) (c) *Operating while ordered out-of-service.* No person may operate  
6 a commercial motor vehicle while the person or the commercial motor vehicle is  
7 ordered out-of-service under the law of this state or another jurisdiction or under  
8 federal law. No person may operate a commercial motor vehicle for which the motor  
9 carrier identified on the motor vehicle's registration application as the motor carrier  
10 responsible for safety of the vehicle has been issued a federal out-of-service order  
11 for unsatisfactory safety compliance, while this federal out-of-service order is in  
12 effect.

13 **SECTION 3172.** 343.50 (1) of the statutes is renumbered 343.50 (1) (a).

14 **SECTION 3173.** 343.50 (1) of the statutes, as affected by 2007 Wisconsin Act 20  
15 and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

16 343.50 (1) (a) Subject to par. (b) and s. 343.165, the department shall issue to  
17 every qualified applicant, who has paid all required fees, an identification card as  
18 provided in this section.

19 (b) The department may not issue an identification card to a person previously  
20 issued an operator's license in another jurisdiction unless the person surrenders to  
21 the department any valid operator's license possessed by the person issued by  
22 another jurisdiction, which surrender operates as a cancellation of the license insofar  
23 as the person's privilege to operate a motor vehicle in this state is concerned. Within  
24 30 days following issuance of the identification card under this section, the  
25 department shall destroy any operator's license surrendered under this paragraph



1 and report to the jurisdiction that issued the surrendered operator’s license that the  
2 license has been destroyed and the person has been issued an identification card in  
3 this state.

4 (c) The department may issue a receipt to any applicant for an identification  
5 card, which receipt shall constitute a temporary identification card while the  
6 application is being processed and shall be valid for a period not to exceed 60 days.  
7 If the application for an identification card is processed under the exception specified  
8 in s. 343.165 (7), the receipt shall include the marking specified in sub. (3) (b).

9 **SECTION 3174.** 343.50 (1) (c) of the statutes is created to read:

10 343.50 (1) (c) The department may issue a receipt to any applicant for an  
11 identification card, which receipt shall constitute a temporary identification card  
12 while the application is being processed and shall be valid for a period not to exceed  
13 60 days.

14 **SECTION 3175.** 343.50 (3) of the statutes is amended to read:

15 343.50 (3) DESIGN AND CONTENTS OF CARD. The card shall be the same size as  
16 an operator’s license but shall be of a design which is readily distinguishable from  
17 the design of an operator’s license and bear upon it the words “IDENTIFICATION  
18 CARD ONLY”. The information on the card shall be the same as specified under s.  
19 343.17 (3). The card may serve as a record of gift under s. 157.06 (2) (t) and the holder  
20 may affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as  
21 a record of refusal under s. 157.06 (2) (u). The Except as provided in sub. (4g), the  
22 card shall contain the holder’s photograph and, if applicable, shall be of the design  
23 specified under s. 343.17 (3) (a) 12.

24 **SECTION 3176.** 343.50 (3) of the statutes, as affected by 2007 Wisconsin Act 20  
25 and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

1           **343.50 (3) DESIGN AND CONTENTS OF CARD.** (a) The card shall be the same size  
2 as an operator’s license but shall be of a design which is readily distinguishable from  
3 the design of an operator’s license and bear upon it the words “IDENTIFICATION  
4 CARD ONLY.” The information on the card shall be the same as specified under s.  
5 343.17 (3). If the issuance of the card requires the applicant to present any  
6 documentary proof specified in s. 343.14 (2) (es) 4. to 7., the card shall display, on the  
7 front side of the card, a legend identifying the card as temporary. The card shall  
8 contain physical security features consistent with any requirement under federal  
9 law. The card may serve as a record of gift under s. 157.06 (2) (t) and the holder may  
10 affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as a  
11 record of refusal under s. 157.06 (2) (u). Except as provided in sub. (4g), the card shall  
12 contain the holder’s photograph and, if applicable, shall be of the design specified  
13 under s. 343.17 (3) (a) 12.

14           (b) If an identification card is issued based upon the exception specified in s.  
15 343.165 (7), the card shall, in addition to any other required legend or design, be of  
16 the design specified under s. 343.17 (3) (a) 14. and include a marking similar or  
17 identical to the marking described in s. 343.03 (3r).

18           **SECTION 3177.** 343.50 (4) of the statutes is amended to read:

19           **343.50 (4) APPLICATION.** The application for an identification card shall include  
20 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),  
21 and (er), and such further information as the department may reasonably require to  
22 enable it to determine whether the applicant is entitled by law to an identification  
23 card. The Except with respect to renewals by mail or electronic means as authorized  
24 under sub. (6), and except as provided in sub. (4g), the department shall, as part of  
25 the application process for original issuance or renewal of an identification card, take

1 a photograph of the applicant to comply with sub. (3). ~~No application may be~~  
2 ~~processed without the photograph being taken.~~ Misrepresentations in violation of  
3 s. 343.14 (5) are punishable as provided in s. 343.14 (9).

4 **SECTION 3178.** 343.50 (4) of the statutes, as affected by 2007 Wisconsin Act 20  
5 and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

6 343.50 (4) APPLICATION. The application for an identification card shall include  
7 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),  
8 and (es), and such further information as the department may reasonably require to  
9 enable it to determine whether the applicant is entitled by law to an identification  
10 card. Except with respect to renewals described in s. 343.165 (4) (d) or renewals by  
11 mail or electronic means as authorized under sub. (6), and except as provided in sub.  
12 (4g), the department shall, as part of the application process for original issuance or  
13 renewal of an identification card, take a digital photograph including facial image  
14 capture of the applicant to comply with sub. (3). Misrepresentations in violation of  
15 s. 343.14 (5) are punishable as provided in s. 343.14 (9).

16 **SECTION 3179.** 343.50 (4g) of the statutes is created to read:

17 343.50 (4g) PHOTOGRAPH REQUIREMENT; EXCEPTION. An application for an  
18 identification card may be processed and the identification card issued or renewed  
19 without a photograph being taken of the applicant if the applicant provides to the  
20 department an affidavit stating that the applicant has a sincerely held religious  
21 belief against being photographed; identifying the religion to which he or she belongs  
22 or the tenets of which he or she adheres to; and stating that the tenets of the religion  
23 prohibit him or her from being photographed.

24 **SECTION 3180.** 343.50 (4g) of the statutes, as created by 2011 Wisconsin Act ....  
25 (this act), is repealed and recreated to read:

1           **343.50 (4g) PHOTOGRAPH REQUIREMENT; EXCEPTION.** If the application for an  
2 identification card is processed under the exception specified in s. 343.165 (7), the  
3 application may be processed and the identification card issued or renewed without  
4 a photograph being taken of the applicant if the applicant provides to the department  
5 an affidavit stating that the applicant has a sincerely held religious belief against  
6 being photographed; identifying the religion to which he or she belongs or the tenets  
7 of which he or she adheres to; and stating that the tenets of the religion prohibit him  
8 or her from being photographed.

9           **SECTION 3181.** 343.50 (6) of the statutes is amended to read:

10           **343.50 (6) RENEWAL.** At least 30 days prior to the expiration of ~~the~~ an  
11 identification card, the department shall ~~mail a renewal application to the provide~~  
12 to the card holder notice of renewal of the card either by mail at the card holder's  
13 last-known address of each identification card holder or, if desired by the card holder,  
14 by any electronic means offered by the department. The department shall include  
15 with the application notice information, as developed by all organ procurement  
16 organizations in cooperation with the department, that promotes anatomical  
17 donations and which relates to the anatomical donation opportunity available under  
18 s. 343.175. The fee for a renewal identification card shall be \$18, which card shall  
19 be valid for 8 years, except that a card that is issued to a person who is not a United  
20 States citizen and who provides documentary proof of legal status as provided under  
21 s. 343.14 (2) (er) shall expire on the date that the person's legal presence in the United  
22 States is no longer authorized. If the documentary proof as provided under s. 343.14  
23 (2) (er) does not state the date that the person's legal presence in the United States  
24 is no longer authorized, then the card shall be valid for 8 years. The department may  
25 renew an identification card by mail or by any electronic means available to the

1 department, but the department may not make consecutive renewals by mail or  
2 electronic means.

3 **SECTION 3182.** 343.50 (6) of the statutes, as affected by 2007 Wisconsin Act 20,  
4 section 3383, and 2011 Wisconsin Act ... (this act), is repealed and recreated to read:

5 343.50 (6) RENEWAL NOTICE. At least 30 days prior to the expiration of an  
6 identification card, the department shall provide to the card holder notice of renewal  
7 of the card either by mail at the card holder's last-known address or, if desired by  
8 the card holder, by any electronic means offered by the department. If the card was  
9 issued or last renewed based upon the person's presenting of any documentary proof  
10 specified in s. 343.14 (2) (es) 4. to 7., the notice shall inform the card holder of the  
11 requirement under s. 343.165 (4) (c). The department shall include with the notice  
12 information, as developed by all organ procurement organizations in cooperation  
13 with the department, that promotes anatomical donations and which relates to the  
14 anatomical donation opportunity available under s. 343.175. The department may  
15 renew an identification card by mail or by any electronic means available to the  
16 department, but the department may not make consecutive renewals by mail or  
17 electronic means.

18 **SECTION 3182g.** 345.05 (1) (ag) of the statutes is repealed.

19 **SECTION 3182r.** 345.05 (2) of the statutes is amended to read:

20 345.05 (2) A person suffering any damage proximately resulting from the  
21 negligent operation of a motor vehicle owned and operated by a municipality or  
22 authority, which damage was occasioned by the operation of the motor vehicle in the  
23 course of its business, may file a claim for damages against the municipality or  
24 authority concerned and the governing body of the municipality, or the board of  
25 directors of the authority, may allow, compromise, settle and pay the claim. In this

1 subsection, a motor vehicle is deemed owned and operated by a municipality or  
2 authority if the vehicle is either being rented or leased, or is being purchased under  
3 a contract whereby the municipality or authority will acquire title.

4 **SECTION 3186.** 346.503 (1m) (g) of the statutes is amended to read:

5 346.503 (1m) (g) This subsection does not affect the authority under s. 101.13  
6 of the department of ~~commerce~~ safety and professional services to require by rule the  
7 reservation of parking spaces for use by a motor vehicle used by a physically disabled  
8 person.

9 **SECTION 3187.** 346.503 (4) of the statutes is amended to read:

10 346.503 (4) The department, after consulting with the department of  
11 ~~commerce~~ safety and professional services, shall promulgate rules governing the  
12 design, size and installation of the official traffic signs required under sub. (2) or  
13 (2m).

14 **SECTION 3188.** 348.27 (11m) (d) of the statutes is amended to read:

15 348.27 (11m) (d) The secretary of transportation may limit the application of  
16 permits issued under this subsection to specific areas of the state or to specific  
17 highways. A permit authorized under this subsection takes effect upon the mailing  
18 or delivery of a complete application and the required fee to the department. A  
19 permit authorized under this subsection is valid for up to 90 days, as determined by  
20 the secretary of transportation.

21 **SECTION 3193.** 350.12 (4) (bg) 2. of the statutes is amended to read:

22 350.12 (4) (bg) 2. For fiscal year ~~2001–02~~ 2011–12, and for each fiscal year  
23 thereafter, the department shall calculate an amount equal to the number of trail use  
24 stickers issued under sub. (3j) in the previous fiscal year multiplied by \$15 \$32 and  
25 shall credit this amount to the appropriation account under s. 20.370 (5) (cw). From

1 the appropriation account under s. 20.370 (5) (cw), the department shall make  
2 payments to the department or a county for the purposes specified in par. (b). The  
3 department shall make payments under par. (bm) for trail maintenance costs that  
4 were incurred in the previous fiscal year and that exceed the maximum specified  
5 under par. (b) 1. before making payments for any of the other purposes specified in  
6 par. (b).

7 **SECTION 3194.** 425.2065 (1) of the statutes is amended to read:

8 425.2065 (1) In this section, “law enforcement agency” means the police  
9 department, combined protective services department under s. 60.553, 61.66, or  
10 62.13 (2e), or sheriff, that has primary responsibility for providing police protection  
11 services in the city, village, or town in which a repossession is expected to occur.

12 **SECTION 3194m.** 428.211 of the statutes is amended to read:

13 **428.211 Parity Exemption for ~~federally insured~~ depository**  
14 **institutions.** This subchapter does not apply to any state chartered or federally  
15 chartered bank, trust company, savings and loan association, savings bank, or credit  
16 union, or to any subsidiary of such a state-chartered bank, trust company, savings  
17 and loan association, savings bank, or credit union, ~~to the extent that federal law~~  
18 ~~preempts or prohibits the application of the provisions of this subchapter to a~~  
19 ~~federally chartered bank, trust company, savings and loan association, savings bank,~~  
20 ~~or credit union of the same type.~~

21 **SECTION 3195.** Chapter 440 (title) of the statutes is amended to read:

22 **CHAPTER 440**

23 **DEPARTMENT OF REGULATION AND**

24 **LICENSING SAFETY AND**

25 **PROFESSIONAL SERVICES**

1           **SECTION 3196.** 440.01 (1) (aj) of the statutes is amended to read:

2           440.01 (1) (aj) “Department” means the department of ~~regulation and licensing~~  
3 safety and professional services.

4           **SECTION 3197.** 440.01 (1) (g) of the statutes is amended to read:

5           440.01 (1) (g) “Secretary” means the secretary of ~~regulation and licensing~~  
6 safety and professional services.

7           **SECTION 3198.** 440.01 (2) (cs) of the statutes is amended to read:

8           440.01 (2) (cs) “Minority group member” has the meaning given in s. ~~560.036~~  
9 16.287 (1) (f).

10          **SECTION 3199.** 440.03 (1) of the statutes is amended to read:

11          440.03 (1) The department may promulgate rules defining uniform procedures  
12 to be used by the department, ~~the real estate board~~, the real estate appraisers board,  
13 and all examining boards and affiliated credentialing boards attached to the  
14 department or an examining board, for receiving, filing and investigating  
15 complaints, for commencing disciplinary proceedings and for conducting hearings.

16          **SECTION 3200.** 440.03 (1m) of the statutes is amended to read:

17          440.03 (1m) The department may promulgate rules specifying the number of  
18 business days within which the department or any examining board or affiliated  
19 credentialing board in the department must review and make a determination on an  
20 application for a permit, as defined in s. ~~560.41 (2)~~ 227.116 (1g), that is issued under  
21 chs. 440 to 480.

22          **SECTION 3201.** 440.03 (3q) of the statutes is amended to read:

23          440.03 (3q) Notwithstanding sub. (3m), the department of ~~regulation and~~  
24 licensing safety and professional services shall investigate any report that it receives  
25 under s. 146.40 (4r) (em).



1           **SECTION 3202.** 440.03 (11m) (b) of the statutes is amended to read:

2           440.03 **(11m)** (b) The department real estate examining board shall deny an  
3 application for an initial credential or deny an application for credential renewal or  
4 for reinstatement of an inactive license under s. 452.12 (6) (e) if any information  
5 required under par. (a) is not included in the application form or, in the case of an  
6 applicant who is an individual and who does not have a social security number, if the  
7 statement required under par. (am) is not included with the application form.

8           **SECTION 3203.** 440.03 (11m) (c) of the statutes is amended to read:

9           440.03 **(11m)** (c) The department of ~~regulation and licensing~~ safety and  
10 professional services may not disclose a social security number obtained under par.  
11 (a) to any person except the coordinated licensure information system under s.  
12 441.50 (7); the department of children and families for purposes of administering s.  
13 49.22; and, for a social security number obtained under par. (a) 1., the department  
14 of revenue for the purpose of requesting certifications under s. 73.0301 and  
15 administering state taxes.

16           **SECTION 3204.** 440.03 (12m) of the statutes is amended to read:

17           440.03 **(12m)** The department of ~~regulation and licensing~~ safety and  
18 professional services shall cooperate with the departments of justice, children and  
19 families, and health services in developing and maintaining a computer linkup to  
20 provide access to information regarding the current status of a credential issued to  
21 any person by the department of ~~regulation and licensing~~ safety and professional  
22 services, including whether that credential has been restricted in any way.

23           **SECTION 3205m.** 440.04 (3) of the statutes is amended to read:

24           440.04 **(3)** Control the allocation, disbursement, and budgeting of the funds  
25 received by the examining boards and affiliated credentialing boards in connection

1 with their credentialing and regulation, including the reimbursement of board  
2 members for actual and necessary expenses, including travel expenses, incurred in  
3 the performance of their duties.

4 **SECTION 3205p.** 440.08 (2) (a) 15g. of the statutes is created to read:

5 440.08 (2) (a) 15g. Bail bond surety corporation: December 1 of each year.

6 **SECTION 3205r.** 440.08 (2) (a) 15r. of the statutes is created to read:

7 440.08 (2) (a) 15r. Bail bond surety agent: June 1 of each year.

8 **SECTION 3206.** 440.13 (1) (b) of the statutes is amended to read:

9 440.13 (1) (b) “Memorandum of understanding” means a memorandum of  
10 understanding entered into by the department of ~~regulation and licensing~~ safety and  
11 professional services and the department of children and families under s. 49.857.

12 **SECTION 3207.** 440.13 (2) (a) of the statutes is amended to read:

13 440.13 (2) (a) With respect to a credential granted by the department, the  
14 department shall restrict, limit, or suspend a credential or deny an application for  
15 an initial credential ~~or for reinstatement of an inactive license under s. 452.12 (6) (e)~~  
16 if the credential holder or applicant is delinquent in paying support or fails to comply,  
17 after appropriate notice, with a subpoena or warrant issued by the department of  
18 children and families or a county child support agency under s. 59.53 (5) and related  
19 to support or paternity proceedings.

20 **SECTION 3208.** 440.13 (2) (c) of the statutes is amended to read:

21 440.13 (2) (c) With respect to a credential granted by a credentialing board, a  
22 credentialing board shall restrict, limit or suspend a credential held by a person or  
23 deny an application for an initial credential or for reinstatement of an inactive  
24 license under s. 452.12 (6) (e) when directed to do so by the department.

25 **SECTION 3209.** 440.22 (2) of the statutes is amended to read:

1           440.22 (2) In any disciplinary proceeding against a holder of a credential in  
2           which the department or an examining board, affiliated credentialing board or board  
3           in the department orders suspension, limitation or revocation of the credential or  
4           reprimands the holder, the department, examining board, affiliated credentialing  
5           board or board may, in addition to imposing discipline, assess all or part of the costs  
6           of the proceeding against the holder. Costs assessed under this subsection are  
7           payable to the department. Interest shall accrue on costs assessed under this  
8           subsection at a rate of 12% per year beginning on the date that payment of the costs  
9           are due as ordered by the department, examining board, affiliated credentialing  
10          board or board. Upon the request of the department of ~~regulation and licensing~~  
11          safety and professional services, the department of justice may commence an action  
12          to recover costs assessed under this subsection and any accrued interest.

13           **SECTION 3210.** 440.905 (1) of the statutes is amended to read:

14           440.905 (1) In addition to the other duties and powers of the board under this  
15          subchapter, the board shall advise the secretary of ~~regulation and licensing~~ safety  
16          and professional services on matters relating to cemeteries, to this chapter, or to the  
17          board.

18           **SECTION 3211.** 440.92 (2) (d) of the statutes is amended to read:

19           440.92 (2) (d) A preneed seller may not sell any undeveloped space unless the  
20          plans for the construction of the mausoleum have been submitted to the department  
21          of ~~commerce~~ safety and professional services for approval under s. 157.12 (2) (a) and  
22          the preneed sales contract includes the following language in not less than 10–point  
23          boldface type: “THE PLANS FOR CONSTRUCTING THE MAUSOLEUM SPACE  
24          HAVE BEEN SUBMITTED TO THE DEPARTMENT OF ~~COMMERCE~~ SAFETY  
25          AND PROFESSIONAL SERVICES FOR APPROVAL. THE SELLER IS

1 RESPONSIBLE FOR ALL COSTS REQUIRED TO OBTAIN APPROVAL OF THE  
2 PLANS BY THE DEPARTMENT OF COMMERCE SAFETY AND  
3 PROFESSIONAL SERVICES, COMPLETE THE CONSTRUCTION, AND OBTAIN  
4 CERTIFICATION OF THE CONSTRUCTION BY THE DEPARTMENT OF  
5 COMMERCE SAFETY AND PROFESSIONAL SERVICES.”

6 **SECTION 3212.** 440.945 (5) (b) of the statutes is amended to read:

7 440.945 (5) (b) The department of justice or any district attorney, upon  
8 informing the department of justice, may commence an action in circuit court in the  
9 name of the state to restrain by temporary or permanent injunction any violation of  
10 this section. The court may, prior to entry of final judgment, make such orders or  
11 judgments as may be necessary to restore to any person any pecuniary loss suffered  
12 because of the acts or practices involved in the action, if proof of such loss is submitted  
13 to the satisfaction of the court. The department of justice may subpoena persons and  
14 require the production of books and other documents, and may request the  
15 department of regulation and licensing safety and professional services to exercise  
16 its authority under par. (a) to aid in the investigation of alleged violations of this  
17 section.

18 **SECTION 3212m.** Subchapter XV of Chapter 440 [precedes 440.9991] of the  
19 statutes is created to read:

20 **CHAPTER 440**

21 **SUBCHAPTER XV**

22 **BAIL BOND SURETIES**

23 **440.9991 Definitions.** In this subchapter:

24 (1) “Licensed bail bond surety agent” or “bail bond surety agent” means a  
25 person licensed under s. 440.9993 (2).

1           **(2)** “Licensed bail bond surety corporation” or “bail bond surety corporation”  
2 means a person licensed under s. 440.9993 (1).

3           **440.9992 License required.** No person may be compensated to act as a surety  
4 for a bond under ch. 969 unless the person is a licensed bail bond surety corporation  
5 or agent. A licensed bail bond surety corporation or agent shall be compensated at  
6 the rate established under s. 969.12 (2).

7           **440.9993 Licensure. (1) BAIL BOND SURETY CORPORATIONS.** The department  
8 shall grant a license as a bail bond surety corporation to a business entity, as  
9 defined in s. 13.62 (5), if all of the following apply:

10           (a) The business submits an application to the department on a form  
11 provided by the department.

12           (b) The business pays the initial credential fee of \$1,000.

13           (c) The business submits, in addition to any other information required by  
14 the department, evidence satisfactory to the department, including financial  
15 information, that the business is qualified to act as a surety for others in this  
16 state, except that the business is not required to be organized under the laws of  
17 this state.

18           **(2) BAIL BOND SURETY AGENTS.** The department shall grant a license as a bail  
19 bond surety agent to a person if all of the following apply:

20           (a) The person submits an application to the department on a form provided  
21 by the department.

22           (b) The person pays the initial credential fee of \$1,000.

23           (c) The person submits, in addition to any other information required by the  
24 department, evidence satisfactory to the department that the person is an agent  
25 of a licensed bail bond surety corporation.

1           **(3) LIST OF BAIL BOND SURETY CORPORATIONS AND AGENTS.** Annually, the  
2 department shall provide a list of all licensed bail bond surety corporations and  
3 agents to the clerk of circuit court in each county.

4           **440.9994 Renewal. (1) RENEWAL DATES.** The renewal dates for licenses  
5 granted under this subchapter are specified in s. 440.08 (2) (a) 15g. and 15r.  
6 Renewal applications shall be submitted to the department on a form provided by  
7 the department and shall include an annual renewal fee of \$1,000.

8           **(2) LICENSURE RENEWAL FOR BAIL BOND SURETY CORPORATIONS.** In addition to  
9 any other information required by the department, a licensed bail bond surety  
10 corporation shall submit with its renewal application evidence satisfactory to the  
11 department, including financial information, that the bail bond surety corporation  
12 continues to be, at the time the surety corporation applies for renewal, a business  
13 that is qualified to act as a surety for others in this state.

14           **(3) LICENSURE RENEWAL FOR BAIL BOND SURETY AGENTS.** In addition to any  
15 other information required by the department, a licensed bail bond surety agent  
16 shall submit with its renewal application evidence satisfactory to the department  
17 that the bail bond surety agent, at the time the surety agent applies for renewal,  
18 is an agent of a licensed bail bond surety corporation in good standing with the  
19 department.

20           **440.9995 Rules.** The department shall promulgate rules necessary to  
21 administer this subchapter, including rules of conduct by bail bond surety  
22 corporations and agents.

23           **440.9996 Disciplinary proceedings and actions. (1) INVESTIGATIONS**  
24 **AND HEARINGS.** Subject to the rules promulgated under s. 440.03 (1), the  
25 department may conduct investigations and hearings to determine whether a

1 violation of this subchapter, any rule promulgated under this subchapter, or any  
2 other law applicable to bail bond surety corporations or agents, including ch. 969,  
3 has occurred.

4 **(2) PENALTIES.** (a) Subject to the rules promulgated under s. 440.03 (1), the  
5 department may reprimand a bail bond surety corporation or agent or deny, limit,  
6 suspend, or revoke a license granted under this subchapter if the department  
7 finds that an applicant for licensure under this subchapter, a licensed bail bond  
8 surety corporation, or a licensed bail bond surety agent, has done any of the  
9 following:

10 1. Intentionally made a material misstatement in an application for a  
11 license or for renewal of a license.

12 2. Advertised in a manner that is false or misleading.

13 3. In the course of acting as a bail bond surety corporation or agent, made a  
14 substantial misrepresentation that was relied upon by another person.

15 4. Obtained or attempted to obtain compensation through fraud or deceit.

16 5. Violated any law of this state or federal law that substantially relates to  
17 acting as a surety for others or acting as a bail bond surety corporation or agent,  
18 violated this subchapter, or violated any rule promulgated under this subchapter.

19 6. Engaged in unprofessional conduct.

20 (b) In addition to or in lieu of a reprimand or other action under par. (a), the  
21 department may by rule establish other penalties, including forfeiture, for  
22 violations under par. (a).

23 **SECTION 3212o.** 446.02 (3) (a) of the statutes is amended to read:

24 446.02 **(3)** (a) An Beginning on January 1, 2012, an examination administered  
25 by the examining board under this paragraph. The examination shall be in the

1 subjects usually taught in such reputable schools of chiropractic, and shall be  
2 conducted at least twice a year at such times and places as the examining board  
3 determines. The examination shall include a practical examination of the applicant  
4 as prescribed by the examining board. The examining board shall charge an  
5 examination fee to each applicant for licensure under sub. (2) to cover the cost of  
6 developing and administering the examination required under this paragraph.

7 **SECTION 3212p.** 446.02 (3) (c) of the statutes is created to read:

8 446.02 (3) (c) An examination approved by the examining board that tests the  
9 applicant's knowledge of the laws of this state relating to the practice of chiropractic,  
10 including the provisions of this chapter and any rules promulgated by the examining  
11 board under this section.

12 **SECTION 3212q.** 450.035 (2) of the statutes is amended to read:

13 450.035 (2) A pharmacist may not administer a vaccine unless he or she has  
14 successfully completed 12 hours in a course of study and training, approved by the  
15 American Council on Pharmaceutical Education or the board, in vaccination storage,  
16 protocols, administration technique, emergency procedures and record keeping and  
17 has satisfied the requirements specified in sub. (2t). A pharmacist may not  
18 administer a vaccine under this subsection to a person who is under the age of ~~18~~ 6.

19 **SECTION 3217.** 452.01 (1s) of the statutes is amended to read:

20 452.01 (1s) "Board" means real estate examining board.

21 **SECTION 3218.** 452.025 (1) (a) of the statutes is amended to read:

22 452.025 (1) (a) A person desiring to act as a time-share salesperson shall  
23 submit to the department board an application for a certificate of registration.

24 **SECTION 3219.** 452.025 (1) (b) (intro.) of the statutes is amended to read:



1           452.025 (1) (b) The application for registration as a time–share salesperson  
2 shall be in the form prescribed by the department board and shall include all of the  
3 following:

4           **SECTION 3220.** 452.025 (1) (b) 4. of the statutes is amended to read:

5           452.025 (1) (b) 4. Any other information which that the department board  
6 reasonably requires to enable it to determine the competency of the person to  
7 transact business as a time–share salesperson in a manner which that safeguards  
8 the interests of the public.

9           **SECTION 3221.** 452.025 (3) (b) 2. (intro.) of the statutes is amended to read:

10           452.025 (3) (b) 2. A time–share salesperson registered under this section may  
11 complete a form purchase agreement or offer to purchase, if the form purchase  
12 agreement or offer to purchase has been approved by the department board and  
13 includes only the following:

14           **SECTION 3222.** 452.025 (4) of the statutes is amended to read:

15           452.025 (4) A time–share salesperson registered under this section may apply  
16 at any time to transfer employment to another licensed broker by submitting to the  
17 department board an application in the form prescribed by the department board  
18 and the transfer fee specified in s. 440.05 (7).

19           **SECTION 3223.** 452.025 (5) (a) of the statutes is amended to read:

20           452.025 (5) (a) The renewal date for certificates of registration granted by the  
21 department board under this section is specified under s. 440.08 (2) (a).

22           **SECTION 3224.** 452.03 of the statutes is amended to read:

23           **452.03 Brokers and salespersons licensed.** No person may engage in or  
24 follow the business or occupation of, or advertise or hold himself or herself out as, or  
25 act temporarily or otherwise as a broker or salesperson without a license. Licenses

1 ~~shall be granted~~ The board may grant a license only to persons a person who are is  
2 competent to transact such businesses in a manner which that safeguards the  
3 interests of the public, and only after satisfactory proof of the person's competence  
4 has been presented to the department board.

5 **SECTION 3225.** 452.04 of the statutes is repealed.

6 **SECTION 3226.** 452.05 (title) and (1) (intro.) of the statutes are amended to read:

7 **452.05** (title) **Duties and powers of department board.** (1) (intro.) In  
8 addition to the other duties and responsibilities of the department board under this  
9 chapter, the department board shall advise the secretary on matters relating to real  
10 estate practice and shall:

11 **SECTION 3227.** 452.05 (1) (b) of the statutes is amended to read:

12 452.05 (1) (b) Approve forms for use in real estate practice. The board may  
13 conduct public hearings on matters relating to the approval of forms used in real  
14 estate practice.

15 **SECTION 3228.** 452.05 (1) (c) of the statutes is amended to read:

16 452.05 (1) (c) After consultation with the council on real estate curriculum and  
17 examinations ~~and subject to the procedure under s. 452.07,~~ promulgate rules  
18 establishing criteria for the approval of educational programs and training sessions  
19 under s. 452.09 (2) and approve such programs and sessions in accordance with the  
20 established criteria.

21 **SECTION 3229.** 452.05 (1) (d) of the statutes is amended to read:

22 452.05 (1) (d) After consultation with the council on real estate curriculum and  
23 examinations, ~~the board,~~ brokers and salespersons licensed under this chapter, and  
24 interested members of the public, establish criteria for the approval of continuing

1 educational programs and courses in real estate related subjects required for  
2 renewal under s. 452.12 (5) (c) 1.

3 **SECTION 3229e.** 452.05 (1) (e) of the statutes is repealed.

4 **SECTION 3229h.** 452.05 (1) (g) of the statutes is amended to read:

5 452.05 (1) (g) Approve continuing educational programs and courses in  
6 accordance with the criteria established under par. (d). In order to be approved, a  
7 continuing educational program or course must require brokers and salespersons to  
8 pass an examination on the information presented at the program or course in order  
9 to successfully complete and receive continuing education credit for the program or  
10 course under s. 452.12 (5) (c) 1.

11 **SECTION 3230.** 452.05 (1m) (b) of the statutes is amended to read:

12 452.05 (1m) (b) In preparing the form for the offer to purchase commercial real  
13 property under sub. (1) (b), the department board shall include a statement that the  
14 seller represents to the buyer that the seller has no notice or knowledge that the  
15 commercial real property is a historic building.

16 **SECTION 3231.** 452.05 (2) of the statutes is amended to read:

17 452.05 (2) The department board may prepare letters and bulletins and  
18 conduct clinics disseminating information to its licensees.

19 **SECTION 3232.** 452.05 (3) of the statutes is amended to read:

20 452.05 (3) The department board may, ~~after consultation with the board,~~ enter  
21 into reciprocal agreements with officials of other states or territories of the United  
22 States for licensing brokers and salespersons and grant licenses to applicants who  
23 are licensed as brokers or salespersons in those states or territories according to the  
24 terms of the reciprocal agreements.

25 **SECTION 3233e.** 452.06 (1) of the statutes is amended to read:

1           452.06 (1) The secretary board shall create ~~a council~~ one or more councils on  
2 forms ~~under s. 15.04 (1) (e)~~ which shall meet on a regular basis, be chaired by a  
3 member of the board, and report to the board ~~and the secretary~~. Any proposed change  
4 in a form relating to real estate practice shall be referred to the appropriate council  
5 on forms for review before the form is approved.

6           **SECTION 3234m.** 452.06 (2) (a) of the statutes is amended to read:

7           452.06 (2) (a) Advise the ~~secretary on the promulgation of rules under s. 452.05~~  
8 ~~(1) (e) and board~~ on establishing continuing education requirements under s. 452.05  
9 (1) (d).

10          **SECTION 3234r.** 452.06 (2) (b) of the statutes is amended to read:

11          452.06 (2) (b) ~~Periodically, but not~~ Not less than annually, review subjects  
12 covered on examinations for licensure under this chapter and the qualifications for  
13 instructors of and performance evaluations for educational and continuing  
14 educational programs, training sessions, and courses approved under this chapter.

15          **SECTION 3234t.** 452.06 (3) of the statutes is amended to read:

16          452.06 (3) If the secretary creates any councils or committees under s. 15.04  
17 (1) (c) to provide advice to the department or board on matters relating to real estate  
18 practice ~~other than the council under sub. (1)~~, such councils or committees shall be  
19 chaired by a member of the board, if available, and shall report to the board and the  
20 secretary.

21          **SECTION 3235.** 452.07 (title) of the statutes is amended to read:

22          **452.07 (title) Rules; review of rules.**

23          **SECTION 3236.** 452.07 (1) of the statutes is amended to read:

24          452.07 (1) The ~~department~~ board shall promulgate rules for the guidance of the  
25 real estate profession and define professional conduct and unethical practice.

1           **SECTION 3237.** 452.07 (1m) of the statutes is amended to read:

2           452.07 **(1m)** The department board shall promulgate rules that specify the  
3 supervisory duties of brokers under s. 452.12 (3).

4           **SECTION 3238.** 452.07 (2) to (7) of the statutes are repealed.

5           **SECTION 3239.** 452.09 (1) (intro.) of the statutes is amended to read:

6           452.09 **(1)** FORM OF APPLICATION. (intro.) Any person desiring to act as a broker  
7 or salesperson shall submit to the department board an application for a license. The  
8 application shall be in such form as the department board prescribes and shall  
9 include the following:

10          **SECTION 3240.** 452.09 (1) (e) of the statutes is amended to read:

11          452.09 **(1)** (e) Any other information ~~which~~ that the department board may  
12 reasonably require to enable it to determine the competency of each applicant,  
13 including each business representative of the business entity, to transact the  
14 business of a broker or salesperson in a manner ~~which~~ that safeguards the interests  
15 of the public.

16          **SECTION 3241.** 452.09 (2) (a) of the statutes is amended to read:

17          452.09 **(2)** (a) Except as provided in a reciprocal agreement under s. 452.05 (3),  
18 each applicant for a salesperson's license shall submit to the department board  
19 evidence satisfactory to the department board of successful completion of  
20 educational programs approved for this purpose under s. 452.05 (1) (c). The  
21 department board may waive the requirement under this paragraph upon proof that  
22 the applicant has received 10 academic credits in real estate or real estate related  
23 law courses from an accredited institution of higher education.

24          **SECTION 3242.** 452.09 (2) (c) 2. of the statutes is amended to read:

1           452.09 (2) (c) 2. Submit to the department board evidence satisfactory to the  
2 department board of successful completion of educational programs in business  
3 management approved for this purpose under s. 452.05 (1) (c). No educational  
4 programs applied to satisfy the requirement under subd. 1. may be applied to satisfy  
5 the requirement under this subdivision.

6           **SECTION 3243.** 452.09 (2) (d) of the statutes is amended to read:

7           452.09 (2) (d) The department board may waive the requirements under par.  
8 (c) upon proof that the applicant has received 20 academic credits in real estate or  
9 real estate related law courses from an accredited institution of higher education or  
10 that the applicant is licensed to practice law in this state.

11           **SECTION 3244.** 452.09 (3) (a) of the statutes is amended to read:

12           452.09 (3) (a) In determining competency, the department board shall require  
13 proof that the applicant for a broker's or salesperson's license has a fair knowledge  
14 of the English language; a fair understanding of the general purposes and general  
15 legal effect of deeds, mortgages, land contracts of sale, leases, bills of sale, chattel  
16 mortgages, and conditional sales contracts; and a general and fair understanding  
17 of the obligations between principal and agent, as well as of this chapter. ~~An~~ The  
18 board shall deny a license to an applicant receiving a failing grade, as established by  
19 rules of the department board, on any examination given under this section ~~shall be~~  
20 ~~denied a license~~, but any applicant may review his or her examination results in a  
21 manner established by rules of the department board.

22           **SECTION 3245.** 452.09 (3) (b) of the statutes is amended to read:

23           452.09 (3) (b) The department board shall determine competency under par.  
24 (a) by means of only an oral examination for any applicant who is unable to write  
25 because of a physical handicap.

1           **SECTION 3246.** 452.09 (3) (d) of the statutes is amended to read:

2           452.09 (3) (d) Except as provided in a reciprocal agreement under s. 452.05 (3),  
3           the ~~department~~ board may not grant a broker's license to an applicant who does not  
4           hold a salesperson's license unless the applicant passes the salesperson's  
5           examination and the broker's examination.

6           **SECTION 3247.** 452.09 (5) of the statutes is amended to read:

7           452.09 (5) APPRENTICESHIPS. Any person who is a resident of this state and 18  
8           years of age or over may, upon application filed in accordance with sub. (1), be  
9           indentured to a licensed resident broker in accordance with rules promulgated by the  
10          ~~department~~ board. These rules shall be promulgated so as to protect the public and  
11          may limit the real estate sales and brokerage activity of the apprentice. The  
12          ~~department~~ board may require an apprentice to take a preliminary examination  
13          covering general knowledge and may prescribe the character and extent of his or her  
14          work during apprenticeship. The ~~department~~ board may issue a temporary  
15          salesperson's permit to the individual for a period not to exceed one year upon  
16          payment of the fee under s. 440.05 (6). The temporary permit is not renewable.

17          **SECTION 3248.** 452.10 (2) (b) of the statutes is amended to read:

18          452.10 (2) (b) Unless an application is withdrawn in writing before the  
19          ~~department~~ board has made any investigation, no part of the fee shall be returned.

20          **SECTION 3249.** 452.10 (4) (a) of the statutes is amended to read:

21          452.10 (4) (a) Any licensed salesperson or broker may transfer to the  
22          employment of a licensed broker by first paying the transfer fee specified in s. 440.05  
23          (7) and filing a transfer form with the ~~department~~ board.

24          **SECTION 3250.** 452.10 (6) of the statutes is amended to read:

1           452.10 (6) In the case of applications for renewals of licenses the department  
2 board may dispense with such matters contained in s. 452.09 (1) as it deems  
3 unnecessary in view of prior applications.

4           **SECTION 3251.** 452.11 (3) of the statutes is amended to read:

5           452.11 (3) Every nonresident applicant, and every resident licensee who  
6 becomes a nonresident, shall file with the department board an irrevocable consent  
7 that actions may be commenced against the applicant or licensee in the proper court  
8 of any county of the state in which a cause of action arises or in which the plaintiff  
9 resides, by the service of any process or pleading authorized by the laws of this state  
10 on the department board or any duly authorized employee. The consent shall  
11 stipulate and agree that such service is valid and binding as due service upon the  
12 applicant or licensee in all courts in this state. The consent shall be duly  
13 acknowledged and, if made by a corporation, shall be authenticated by the corporate  
14 seal.

15           **SECTION 3252.** 452.11 (4) of the statutes is amended to read:

16           452.11 (4) Any process or pleading under this section shall be served in  
17 duplicate upon the department board or its duly authorized employee. One copy  
18 shall be filed with the department board and the other immediately forwarded by  
19 certified mail to the nonresident licensee against whom the process or pleading is  
20 directed at the last address provided to the department board by the nonresident  
21 licensee. No default in any such proceeding or action may be taken unless it appears  
22 by affidavit of the secretary chairperson of the board or any duly authorized  
23 employee that a copy of the process or pleading was mailed to the nonresident  
24 licensee as required in this subsection. No judgment by default may be taken in any



1 action or proceeding within 20 days after the date of mailing the process or pleading  
2 to the nonresident licensee.

3 **SECTION 3253.** 452.12 (1) of the statutes is amended to read:

4 452.12 (1) EXPIRATION. A license granted by the ~~department~~ board entitles the  
5 holder to act as a broker or salesperson, as the case may be, until the applicable  
6 renewal date specified under s. 440.08 (2) (a).

7 **SECTION 3254.** 452.12 (2) (c) of the statutes is amended to read:

8 452.12 (2) (c) Application for a business entity license shall be made on forms  
9 prescribed by the ~~department~~ board, listing the names and addresses of all business  
10 representatives, and shall be accompanied by the initial credential fee determined  
11 by the department under s. 440.03 (9) (a). If there is a change in any of the business  
12 representatives, the change shall be reported to the ~~department~~ board, on the same  
13 form, within 30 days after the effective date of the change.

14 **SECTION 3255.** 452.12 (4) of the statutes is amended to read:

15 452.12 (4) REGISTER OF BROKERS AND SALESPERSONS. ~~The department shall~~  
16 ~~maintain the register required by s. 440.035 (4).~~ The board shall include in the  
17 register the board maintains under s. 440.035 (4) the names of all brokers and  
18 salespersons whose licenses have been were revoked at any time within the past 2  
19 years ~~prior to the issuance thereof shall be included in the register.~~ The register shall  
20 be available for purchase at cost.

21 **SECTION 3255m.** 452.12 (5) (a) of the statutes is amended to read:

22 452.12 (5) (a) Renewal applications for all licenses shall be submitted with the  
23 applicable renewal fee determined by the department under s. 440.03 (9) (a) on or  
24 before the applicable renewal date specified under s. 440.08 (2) (a). The department  
25 shall pay \$10 of each renewal fee received under this paragraph to the Board of

1 Regents of the University of Wisconsin System for research and educational, public  
2 outreach, and grant activities under s. 36.25 (34).

3 **SECTION 3256.** 452.12 (5) (b) of the statutes is amended to read:

4 452.12 (5) (b) If an application for renewal is not filed with the department  
5 board on or before the renewal date, the applicant may not engage in any of the  
6 activities covered by the license until the license is renewed or a new license is issued.

7 **SECTION 3256m.** 452.12 (5) (c) 1. of the statutes is renumbered 452.12 (5) (c)  
8 and amended to read:

9 452.12 (5) (c) At the time of renewal, each broker or salesperson shall submit  
10 proof of attendance at and successful completion of continuing education programs  
11 or courses approved under s. 452.05 (1) (g), ~~except as provided in subd. 2.~~

12 **SECTION 3257j.** 452.12 (5) (c) 2. of the statutes is repealed.

13 **SECTION 3259.** 452.12 (6) (b) of the statutes is amended to read:

14 452.12 (6) (b) Unless an applicant's license has been revoked or suspended  
15 under s. 452.14 (3), the department board may register the applicant under par. (a)  
16 as an inactive licensee upon payment of a \$15 fee.

17 **SECTION 3260.** 452.12 (6) (d) of the statutes is amended to read:

18 452.12 (6) (d) If an inactive licensee files an application for reinstatement  
19 before January 1, 1996, the department board shall reinstate the inactive licensee's  
20 original license in accordance with the requirements for late renewal under s. 440.08  
21 (3).

22 **SECTION 3261.** 452.12 (6) (e) (intro.) of the statutes is amended to read:

23 452.12 (6) (e) (intro.) Except as provided in ss. 440.03 (11m) (b), 440.12 and  
24 440.13 (2) (a) (c), the department board shall reinstate an inactive licensee's original  
25 license as follows:

1           **SECTION 3262.** 452.12 (6) (e) 1. of the statutes is amended to read:

2           452.12 **(6)** (e) 1. If a person has registered as an inactive licensee before  
3 November 1, 1990, the ~~department~~ board shall reinstate the person's original license  
4 if that person applies to the ~~department~~ board for reinstatement of his or her original  
5 license, pays the fee specified under s. 440.05 (1), passes an examination under s.  
6 452.09 (3), and completes the education requirements established by the ~~department~~  
7 board under par. (f).

8           **SECTION 3263.** 452.12 (6) (e) 2. of the statutes is amended to read:

9           452.12 **(6)** (e) 2. If a person has registered as an inactive licensee on or after  
10 November 1, 1990, the ~~department~~ board shall reinstate the person's original license  
11 if that person applies to the ~~department~~ board for reinstatement of his or her original  
12 license, pays the renewal fee determined by the department under s. 440.03 (9) (a)  
13 for the original license and completes ~~12 hours of~~ the continuing education as  
14 requirements established by the ~~department~~ board under par. (f). A person who is  
15 eligible for reinstatement of his or her original license under this subdivision shall  
16 complete the requirements for reinstatement under this subdivision before January  
17 1, 1996, or within 5 years after the date on which the person registered as an inactive  
18 licensee, whichever is later.

19           **SECTION 3264.** 452.12 (6) (e) 3. of the statutes is amended to read:

20           452.12 **(6)** (e) 3. If a person who is eligible for reinstatement of his or her  
21 original license under subd. 2. does not complete the requirements for reinstatement  
22 within the time specified under subd. 2., the ~~department~~ board shall reinstate the  
23 original license of that person if he or she meets the requirements specified under  
24 subd. 1.

25           **SECTION 3265.** 452.12 (6) (f) of the statutes is amended to read:

1           452.12 **(6)** (f) The department board shall promulgate rules establishing the  
2 education requirements that applicants for reinstatement of original licenses under  
3 par. (e) must satisfy.

4           **SECTION 3266.** 452.13 (2) (b) 1. of the statutes is amended to read:

5           452.13 **(2)** (b) 1. Register with the department of ~~regulation and licensing~~  
6 safety and professional services the name and address of the depository institution  
7 and the number of the interest-bearing common trust account.

8           **SECTION 3267.** 452.13 (2) (b) 2. of the statutes is amended to read:

9           452.13 **(2)** (b) 2. Notify the department of ~~regulation and licensing~~ safety and  
10 professional services when any of the information required under subd. 1. is  
11 changed.

12           **SECTION 3268.** 452.13 (2) (b) 3. of the statutes is amended to read:

13           452.13 **(2)** (b) 3. Furnish the department of ~~regulation and licensing~~ safety and  
14 professional services with a letter authorizing the department of ~~regulation and~~  
15 ~~licensing~~ safety and professional services and the department of ~~commerce~~  
16 administration to examine and audit the interest-bearing common trust account  
17 whenever the department of ~~regulation and licensing~~ safety and professional  
18 services or the department of ~~commerce~~ administration considers it necessary.

19           **SECTION 3269.** 452.13 (2) (bm) of the statutes is amended to read:

20           452.13 **(2)** (bm) The department of ~~regulation and licensing~~ safety and  
21 professional services shall forward to the department of ~~commerce~~ administration  
22 the information and documents furnished under par. (b).

23           **SECTION 3270.** 452.13 (2) (d) of the statutes is amended to read:

1           452.13 (2) (d) The department of ~~commerce~~ administration is the beneficial  
2 owner of the interest accruing to the interest-bearing common trust account, minus  
3 any service charges or fees.

4           **SECTION 3271.** 452.13 (2) (e) 1. of the statutes is amended to read:

5           452.13 (2) (e) 1. Annually, before February 1, remit to the department of  
6 ~~commerce~~ administration the total interest or dividends, minus service charges or  
7 fees, earned on the average daily balance in the interest-bearing common trust  
8 account during the 12 months ending on the previous December 31. A depository  
9 institution is not required to remit any amount if the total interest or dividends for  
10 that period is less than \$10 before any deduction for service charges or fees.

11           **SECTION 3272.** 452.13 (2) (e) 2. of the statutes is amended to read:

12           452.13 (2) (e) 2. When the interest remittance is sent, furnish to the  
13 department of ~~commerce~~ administration and to the broker maintaining the  
14 interest-bearing common trust account a statement that includes the name of the  
15 broker for whose account the remittance is made, the rate of interest applied, the  
16 amount of service charges or fees deducted, if any, and the account balance for the  
17 period that the statement covers.

18           **SECTION 3273.** 452.13 (2) (f) 2. of the statutes is amended to read:

19           452.13 (2) (f) 2. May not assess a service charge or fee for an interest-bearing  
20 common trust account against the department of ~~commerce~~ administration.

21           **SECTION 3274.** 452.13 (2) (f) 3. of the statutes is amended to read:

22           452.13 (2) (f) 3. May deduct a service charge or fee from the interest earned by  
23 an interest-bearing common trust account, and if a balance remains, may deduct the  
24 remaining charge or fee from the interest earned on any other interest-bearing

1 common trust account maintained in that depository institution, before remitting  
2 interest to the department of ~~commerce~~ administration.

3 **SECTION 3274m.** 452.13 (5) of the statutes is amended to read:

4 452.13 (5) RULES. In consultation with the department of ~~regulation and~~  
5 ~~licensing safety and professional services~~, the department of ~~commerce~~  
6 administration shall promulgate rules necessary to administer this section.

7 **SECTION 3276.** 452.14 (1) of the statutes is amended to read:

8 452.14 (1) The department ~~board~~ shall, upon motion of the ~~board~~ secretary or  
9 his or her designee or upon its own determination, conduct investigations and, as  
10 appropriate, may hold hearings and make findings, if the board or the department  
11 receives credible information that a broker, salesperson, or time-share salesperson  
12 has violated this chapter or any rule promulgated under this chapter.

13 **SECTION 3277.** 452.14 (2) of the statutes is amended to read:

14 452.14 (2) ~~The department shall present the findings of any investigation of~~  
15 ~~a licensee or registrant to the board for its consideration. The department shall upon~~  
16 ~~motion of the board, and board may, upon its own determination, commence~~  
17 ~~disciplinary proceedings on any matter under investigation concerning a licensee or~~  
18 ~~registrant. No investigation of a licensee or registrant may be closed without motion~~  
19 ~~of the board.~~

20 **SECTION 3278.** 452.14 (3) (L) of the statutes is amended to read:

21 452.14 (3) (L) Violated any provision of this chapter or any rule promulgated  
22 under this chapter;

23 **SECTION 3279.** 452.17 (2) of the statutes is amended to read:

24 452.17 (2) Any person who engages in or follows the business or occupation of,  
25 or advertises or holds himself or herself out as or acts temporarily or otherwise as,

1 a time-share salesperson in this state without being registered with the department  
2 board shall be prosecuted by the district attorney in the county where the violation  
3 occurs and may be fined not less than \$25 nor more than \$200 or imprisoned not less  
4 than 10 days nor more than 6 months or both.

5 **SECTION 3280.** 452.22 (2) of the statutes is amended to read:

6 452.22 (2) The certificate of the secretary chairperson of the board or his or her  
7 designee to the effect that a specified individual or business entity is not or was not  
8 on a specified date the holder of a broker's, salesperson's, or time-share salesperson's  
9 license or registration, or that a specified license or registration was not in effect on  
10 a date specified, or as to the issuance, limitation, suspension, or revocation of any  
11 license or registration or the reprimand of any license or registration holder thereof,  
12 the filing or withdrawal of any application or its existence or nonexistence, is prima  
13 facie evidence of the facts ~~therein~~ stated in the certificate for all purposes in any  
14 action or proceedings.

15 **SECTION 3281.** 462.01 (3) of the statutes is amended to read:

16 462.01 (3) "Department" means the department of ~~regulation and licensing~~  
17 safety and professional services.

18 **SECTION 3283.** 551.403 (2) (a) 2. of the statutes is amended to read:

19 551.403 (2) (a) 2. Institutional investors, except any institutional investor  
20 described in s. 551.102 (11) (k), (m), or (o).

21 **SECTION 3284.** 551.403 (2) (a) 2m. of the statutes is amended to read:

22 551.403 (2) (a) 2m. Accredited investors as defined in Rule 501 (a) (1), ~~(2)~~, or  
23 ~~(3), (7) or (8)~~ adopted under the Securities Act of 1933.

24 **SECTION 3285.** Chapter 560 (title) of the statutes is repealed.

1           **SECTION 3286.** Subchapter I (title) of chapter 560 [precedes 560.001] of the  
2 statutes is repealed.

3           **SECTION 3287.** 560.001 of the statutes is repealed.

4           **SECTION 3288.** 560.01 (title), (1) and (2) of the statutes are repealed.

5           **SECTION 3289.** 560.01 (3) of the statutes is renumbered 238.04 (14) and  
6 amended to read:

7           **238.04 (14) FOREIGN OFFICE AGREEMENTS.** ~~The department may enter~~ Enter into  
8 agreements regarding compensation, space, and other administrative matters as are  
9 necessary to operate ~~departmental~~ offices in other states and foreign countries. Such  
10 agreements shall be subject to the approval of the secretary of administration.

11           **SECTION 3290.** 560.02 of the statutes is repealed.

12           **SECTION 3291.** 560.03 (title) of the statutes is repealed.

13           **SECTION 3292.** 560.03 (intro.) of the statutes is repealed.

14           **SECTION 3293.** 560.03 (1) of the statutes is repealed.

15           **SECTION 3294.** 560.03 (2) of the statutes is repealed.

16           **SECTION 3295.** 560.03 (3) of the statutes is repealed.

17           **SECTION 3296.** 560.03 (4) of the statutes is repealed.

18           **SECTION 3297.** 560.03 (4m) of the statutes is repealed.

19           **SECTION 3298.** 560.03 (5) of the statutes is repealed.

20           **SECTION 3299.** 560.03 (6) of the statutes is repealed.

21           **SECTION 3299m.** 560.03 (7) of the statutes is repealed.

22           **SECTION 3300.** 560.03 (8) of the statutes is repealed.

23           **SECTION 3301.** 560.03 (9) of the statutes is repealed.

24           **SECTION 3302.** 560.03 (10) of the statutes is repealed.

25           **SECTION 3303.** 560.03 (11) of the statutes is repealed.



1           **SECTION 3304.** 560.03 (16) of the statutes is repealed.

2           **SECTION 3305.** 560.03 (17) of the statutes is renumbered 238.25 and amended  
3 to read:

4           **238.25 Assistance to loan recipients.** ~~Assist~~ The corporation shall assist  
5 new businesses and small businesses receiving economic development loans under  
6 s. 234.65 (1) (a) or the assistance of the Wisconsin Housing and Economic  
7 Development Authority in locating sources of venture capital and in obtaining the  
8 state and federal licenses and permits necessary for business operations.

9           **SECTION 3306.** 560.03 (18) of the statutes is repealed.

10          **SECTION 3307.** 560.03 (19) of the statutes is repealed.

11          **SECTION 3308.** 560.03 (20) of the statutes is repealed.

12          **SECTION 3309.** 560.03 (21) of the statutes is repealed.

13          **SECTION 3310.** 560.03 (22) of the statutes is repealed.

14          **SECTION 3311.** 560.03 (23) of the statutes is repealed.

15          **SECTION 3312.** 560.03 (25) of the statutes is repealed.

16          **SECTION 3313.** 560.03 (26) of the statutes is repealed.

17          **SECTION 3314.** 560.031 of the statutes is repealed.

18          **SECTION 3315.** 560.032 of the statutes is renumbered 238.10 and amended to  
19 read:

20          **238.10 Allocation of volume cap on tax-exempt bonds. (1) ALLOCATION.**  
21 The department, ~~by rule,~~ corporation shall establish under 26 USC 146 and  
22 administer a system for the allocation of the volume cap on the issuance of private  
23 activity bonds, as defined under 26 USC 141 (a), among all municipalities, as defined  
24 in s. 67.01 (5), and any corporation formed on behalf of those municipalities, and  
25 among this state, the Wisconsin Health and Educational Facilities Authority, the

1 Wisconsin Aerospace Authority, and the Wisconsin Housing and Economic  
2 Development Authority.

3 **(2) AMENDMENT TO ALLOCATION.** At any time prior to December 31 in any year,  
4 the ~~department~~ corporation may ~~promulgate~~ adopt rules to revise the allocation  
5 system established for that year under sub. (1), except that any revision under this  
6 subsection does not apply to any allocation under which the recipient of that  
7 allocation has adopted a resolution authorizing the issuance of a private activity  
8 bond, as defined in 26 USC 141 (a).

9 **(3) CONDITIONS.** The ~~department~~ corporation may establish, ~~by rule,~~ any  
10 procedure for, and place any condition upon, the granting of an allocation under this  
11 section which the ~~department~~ corporation deems to be in the best interest of the state  
12 including, ~~but not limited to,~~ a requirement that a cash deposit, at a rate established  
13 by the ~~department in the rules~~ corporation, be a condition for an allocation.

14 **(4) CERTIFICATION.** If the ~~secretary~~ corporation receives notice of the issuance  
15 of a bond under an allocation under subs. (1) to (3), the ~~secretary~~ corporation shall  
16 certify that that bond meets the requirements of 26 USC 146.

17 **SECTION 3316.** 560.033 of the statutes is repealed.

18 **SECTION 3317.** 560.0335 of the statutes is renumbered 16.283.

19 **SECTION 3318.** 560.034 of the statutes is renumbered 238.11, and 238.11 (1),  
20 (2), (3) and (5) (intro.), as renumbered, are amended to read:

21 **238.11 (1)** The ~~department~~ corporation shall prescribe the notice forms to be  
22 used under ss. 66.1103 (4m) (a) 1. and 234.65 (3) (a). The ~~department~~ corporation  
23 shall include on the forms a requirement for information on the number of jobs the  
24 person submitting the notice expects to be eliminated, created, or maintained on the  
25 project site and elsewhere in this state by the project which is the subject of the

1 notice. The department corporation shall prescribe the forms to be used under ss.  
2 66.1103 (4m) (b) and 234.65 (3r).

3 (2) If the department corporation receives a notice under s. 66.1103 (4m) (a),  
4 the department corporation shall estimate, no later than 20 days after receipt of the  
5 notice, whether the project which that is the subject of the notice is expected to  
6 eliminate, create, or maintain jobs on the project site and elsewhere in this state and  
7 the net number of jobs expected to be eliminated, created, or maintained as a result  
8 of the project.

9 (3) If the department corporation receives a notice under s. 234.65 (3) (a), the  
10 department corporation shall estimate, no later than 20 days after receipt of the  
11 notice, whether the project which is the subject of the notice is expected to eliminate,  
12 create, or maintain jobs on the project site and elsewhere in this state and the net  
13 number of jobs expected to be eliminated, created, or maintained as a result of the  
14 project.

15 (5) (intro.) The department corporation shall issue an estimate made:

16 **SECTION 3319.** 560.035 of the statutes is renumbered 16.285.

17 **SECTION 3320.** 560.036 of the statutes is renumbered 16.287.

18 **SECTION 3321m.** 560.037 of the statutes is repealed.

19 **SECTION 3322.** 560.04 of the statutes is repealed.

20 **SECTION 3323.** 560.045 of the statutes is repealed.

21 **SECTION 3324.** 560.047 of the statutes is repealed.

22 **SECTION 3325.** 560.05 of the statutes is repealed.

23 **SECTION 3326.** 560.07 of the statutes is repealed.

24 **SECTION 3327.** 560.075 of the statutes is renumbered 238.12, and 238.12 (2),  
25 as renumbered, is amended to read:

1           238.12 (2) The ~~department~~ corporation may not award a grant or loan under  
2 this chapter to a person or certify a person to receive tax benefits unless the  
3 ~~department~~ corporation enters into an agreement with the person that requires the  
4 person to repay the grant, loan, or tax benefits if, within 5 years after receiving the  
5 grant or loan or being certified to receive tax benefits, the person ceases to conduct  
6 in this state the economic activity for which the person received the grant or loan or  
7 for which the person was certified to receive tax benefits and commences  
8 substantially the same economic activity outside this state.

9           **SECTION 3328.** 560.08 (1), (2) (intro.), (a), (b), (c), (d), (e), (f), (g), (h), (i) and (j)  
10 of the statutes are repealed.

11           **SECTION 3329.** 560.08 (2) (m) of the statutes is renumbered 238.26 and  
12 amended to read:

13           **238.26 Report to investment board.** No later than September 30 of each  
14 even-numbered year, the corporation shall submit to the investment board a report  
15 describing the types of investments in businesses in this state which that will have  
16 the greatest likelihood of enhancing economic development in this state.

17           **SECTION 3330c.** 560.081 (1) and (2) (intro.) and (a) of the statutes are  
18 renumbered 238.127 (2) (intro.) and (a), and 238.127 (2) (intro.), as renumbered, is  
19 amended to read:

20           238.127 (2) (intro.) The ~~department~~ corporation shall establish and administer  
21 a state main street program to coordinate state and local participation in programs  
22 offered by the national main street center, created by the national trust for historic  
23 preservation, to assist municipalities in planning, managing and implementing  
24 programs for the revitalization of business areas. The ~~department~~ corporation shall  
25 do all of the following:

1           **SECTION 3330g.** 560.081 (2) (b) of the statutes is repealed.

2           **SECTION 3330m.** 560.081 (2) (c) to (h) of the statutes are renumbered 238.127  
3 (2) (c) to (h), and 238.127 (2) (c) (intro.), (e), (f) 4. and (h), as renumbered, are amended  
4 to read:

5           238.127 **(2)** (c) (intro.) With help from ~~the council on main street programs and~~  
6 ~~from~~ interested individuals and organizations, develop a plan describing the  
7 objectives of the state main street program and the methods by which the  
8 department corporation shall:

9           (e) Annually select, upon application, up to 5 municipalities to participate in  
10 the state main street program. The program for each municipality shall conclude  
11 after 3 years, except that the program for each municipality selected after July 29,  
12 1995, shall conclude after 5 years. The department corporation shall select program  
13 participants representing various geographical regions and populations. A  
14 municipality may apply to participate, and the department corporation may select  
15 a municipality for participation, more than one time. In selecting a municipality,  
16 however, the department corporation may give priority to those municipalities that  
17 have not previously participated.

18           (f) 4. Local assistance in paying for the services of a design consultant  
19 ~~recommended by the council on main street programs.~~

20           (h) Provide training, technical assistance and information on the revitalization  
21 of business areas to municipalities which do not participate in the state main street  
22 program. The department corporation may charge reasonable fees for the services  
23 and information provided under this paragraph. ~~The department shall deposit all~~  
24 ~~fees collected under this paragraph in the appropriation account under s. 20.143 (1)~~  
25 (g).

1           **SECTION 3330s.** 560.081 (2) (i) of the statutes is repealed.

2           **SECTION 3331.** 560.082 of the statutes is repealed.

3           **SECTION 3332.** 560.09 of the statutes is repealed.

4           **SECTION 3333.** 560.097 of the statutes is renumbered 238.125 and amended to  
5 read:

6           **238.125 Notification of position openings; compliance.** The department  
7 corporation shall monitor compliance with the position–opening notification  
8 requirements under ss. 66.1103 (6m) and 106.16.

9           **SECTION 3334b.** 560.11 of the statutes is renumbered 285.795, and 285.795 (1)  
10 (a) and (2), as renumbered, are amended to read:

11           285.795 (1) (a) Advise the department ~~of natural resources~~ concerning the  
12 effectiveness of the small business stationary source technical and environmental  
13 compliance assistance program under s. 285.79, difficulties encountered by small  
14 business stationary sources, as defined in s. 285.79 (1), in complying with s. 299.15  
15 and ch. 285 and the degree and severity of enforcement of s. 299.15 and ch. 285  
16 against small business stationary sources.

17           (2) The employees of the ~~department of commerce who staff the small business~~  
18 ~~ombudsman clearinghouse under s. 560.03 (9) and the employees of the department~~  
19 ~~of natural resources~~ who staff the small business stationary source technical and  
20 environmental compliance assistance program under s. 285.79 shall provide the  
21 small business environmental council with the assistance necessary to comply with  
22 sub. (1).

23           **SECTION 3335.** 560.125 (title) and (1) to (3) of the statutes are renumbered  
24 101.45 (title) and (1) to (3).

1           **SECTION 3336.** 560.125 (4) (a) to (e) of the statutes are renumbered 101.45 (4)  
2 (a) to (e), and 101.45 (4) (d), as renumbered, is amended to read:

3           101.45 **(4)** (d) In any fiscal year, the department may not pay to any one  
4 applicant more than 20 percent of the amount appropriated under s. ~~20.143 (3)~~  
5 20.165 (2) (sm) for the fiscal year.

6           **SECTION 3337.** 560.125 (4) (f) and (g) of the statutes are repealed.

7           **SECTION 3338.** 560.125 (5) to (6) of the statutes are renumbered 101.45 (5) to  
8 (6).

9           **SECTION 3339.** 560.126 of the statutes is repealed.

10          **SECTION 3340.** 560.128 of the statutes is repealed.

11          **SECTION 3341.** 560.13 (1), (2), (3), (5) and (6m) of the statutes are renumbered  
12 238.13 (1), (2), (3), (5) and (6m), and 238.13 (2) (a) (intro.) and (b) 1., (3) (intro.) and  
13 (f) and (5), as renumbered, are amended to read:

14           238.13 **(2)** (a) (intro.) ~~Subject to subs. (4) and (5), from the appropriation under~~  
15 ~~s. 20.143 (1) (qm) the department~~ The corporation may make a grant to a person if  
16 all of the following apply:

17           (b) 1. The contribution required under par. (a) 3. may be in cash or in-kind.  
18 Cash contributions may be of private or public funds, ~~excluding funds obtained under~~  
19 ~~the program under s. 560.17 or under any program under subch. II or V of this~~  
20 ~~chapter.~~ In-kind contributions shall be limited to actual remediation services.

21           **(3)** (intro.) The ~~department~~ corporation may consider the following criteria in  
22 making awards under this section:

23           (f) Any other factors considered by the ~~department~~ corporation to be relevant  
24 to assessing the viability and feasibility of the project.

1           **(5)** Before the department corporation awards a grant under this section, the  
2 department corporation shall consider the recommendations of the department of  
3 administration and the department of natural resources.

4           **SECTION 3342.** 560.13 (4) of the statutes is repealed.

5           **SECTION 3343.** 560.13 (6) of the statutes is repealed.

6           **SECTION 3344.** 560.138 of the statutes is repealed.

7           **SECTION 3345.** 560.139 of the statutes is repealed.

8           **SECTION 3346.** 560.145 of the statutes is repealed.

9           **SECTION 3347.** 560.15 of the statutes is repealed.

10          **SECTION 3348.** 560.155 of the statutes is repealed.

11          **SECTION 3349.** 560.157 of the statutes is repealed.

12          **SECTION 3350.** 560.165 of the statutes is repealed.

13          **SECTION 3351.** 560.167 of the statutes is repealed.

14          **SECTION 3352.** 560.17 of the statutes is repealed.

15          **SECTION 3353.** 560.19 of the statutes is repealed.

16          **SECTION 3354.** 560.203 of the statutes is repealed.

17          **SECTION 3355g.** 560.204 (title), (1), (2) and (4) of the statutes are renumbered  
18 73.15 (title), (1), (2) and (3), and 73.15 (1), (2) and (3), as renumbered, are amended  
19 to read:

20           73.15 **(1)** The department of revenue shall implement a program to certify  
21 health care providers as eligible for the electronic medical records credit under ss.  
22 71.07 (5i), 71.28 (5i), and 71.47 (5i).

23           **(2)** If the department of revenue certifies a health care provider under sub. (1),  
24 the department shall determine the amount of credits to allocate to the health care



1 provider. The total amount of electronic medical records credits allocated to health  
2 care providers in any year may not exceed \$10,000,000.

3 **(3)** ~~The department, in consultation with the~~ department of revenue, shall  
4 promulgate rules to administer this section.

5 **SECTION 3355m.** 560.204 (3) of the statutes is repealed.

6 **SECTION 3356.** 560.205 of the statutes is renumbered 238.15, and 238.15 (1)  
7 (intro.), (2) and (3) (a), (b), (d) (intro.), 1., 2. a. and b. and (e), as renumbered, are  
8 amended to read:

9 **238.15 (1) ANGEL INVESTMENT TAX CREDITS.** (intro.) ~~The department~~ corporation  
10 shall implement a program to certify businesses for purposes of s. 71.07 (5d). A  
11 business desiring certification shall submit an application to the ~~department~~  
12 corporation in each taxable year for which the business desires certification. The  
13 business shall specify in its application the investment amount it wishes to raise and  
14 the ~~department~~ corporation may certify the business and determine the amount that  
15 qualifies for purposes of s. 71.07 (5d). ~~Unless otherwise provided under the rules of~~  
16 ~~the department,~~ A business may be certified under this subsection, and may  
17 maintain such certification, only if the business satisfies all of the following  
18 conditions:

19 **(2) EARLY STAGE SEED INVESTMENT TAX CREDITS.** ~~The department~~ corporation  
20 shall implement a program to certify investment fund managers for purposes of ss.  
21 71.07 (5b), 71.28 (5b), 71.47 (5b), and 76.638. An investment fund manager desiring  
22 certification shall submit an application to the ~~department~~ corporation. The  
23 investment fund manager shall specify in the application the investment amount  
24 that the manager wishes to raise and the ~~department~~ corporation may certify the  
25 manager and determine the amount that qualifies for purposes of ss. 71.07 (5b),

1 71.28 (5b), 71.47 (5b), and 76.638. In determining whether to certify an investment  
2 fund manager, the ~~department~~ corporation shall consider the investment fund  
3 manager’s experience in managing venture capital funds, the past performance of  
4 investment funds managed by the applicant, the expected level of investment in the  
5 investment fund to be managed by the applicant, and any other relevant factors. The  
6 ~~department~~ corporation may certify only investment fund managers that commit to  
7 consider placing investments in businesses certified under sub. (1).

8 (3) (a) *List of certified businesses and investment fund managers.* The  
9 ~~department~~ corporation shall maintain a list of businesses certified under sub. (1)  
10 and investment fund managers certified under sub. (2) and shall permit public access  
11 to the lists through the ~~department’s~~ corporation’s Internet Web site.

12 (b) *Notification of department of revenue.* The ~~department of commerce~~  
13 corporation shall notify the department of revenue of every certification issued under  
14 ~~sub.~~ subs. (1) and (2) and the date on which any such certification is revoked or  
15 expires.

16 (d) *Rules.* (intro.) The ~~department of commerce~~ corporation, in consultation  
17 with the department of revenue, shall ~~promulgate~~ adopt rules to administer this  
18 section. The rules shall further define “bona fide angel investment” for purposes of  
19 s. 71.07 (5d) (a) 1. The rules shall limit the aggregate amount of tax credits under  
20 s. 71.07 (5d) that may be claimed for investments in businesses certified under sub.  
21 (1) at \$3,000,000 per calendar year for calendar years beginning after December 31,  
22 2004, and before January 1, 2008, \$5,500,000 per calendar year for calendar years  
23 beginning after December 31, 2007, and before January 1, 2010, \$6,500,000 for  
24 calendar year 2010, and \$20,000,000 per calendar year for calendar years beginning  
25 after December 31, 2010, plus, for taxable years beginning after December 31, 2010,

1 an additional \$250,000 for tax credits that may be claimed for investments in  
2 nanotechnology businesses certified under sub. (1). The rules shall also limit the  
3 aggregate amount of the tax credits under ss. 71.07 (5b), 71.28 (5b), 71.47 (5b), and  
4 76.638 that may be claimed for investments paid to fund managers certified under  
5 sub. (2) at \$3,500,000 per calendar year for calendar years beginning after December  
6 31, 2004, and before January 1, 2008, \$6,000,000 per calendar year for calendar  
7 years beginning after December 31, 2007, and before January 1, 2010, \$8,000,000 for  
8 calendar year 2010, and \$20,500,000 per calendar year for calendar years beginning  
9 after December 31, 2010, plus, for taxable years beginning after December 31, 2010,  
10 an additional \$250,000 for tax credits that may be claimed for investments in  
11 nanotechnology businesses certified under sub. (1). The rules shall also provide that,  
12 for calendar years beginning after December 31, 2007, no person may receive a credit  
13 under ss. 71.07 (5b) and (5d), 71.28 (5b), 71.47 (5b), or 76.638 unless the person's  
14 investment is kept in a certified business, or with a certified fund manager, for no less  
15 than 3 years. The rules shall permit the ~~department~~ corporation to reallocate credits  
16 under this section that are unused in any calendar year to a person eligible for tax  
17 benefits, as defined under s. ~~560.2055~~ 238.16 (1) (d), if all of the following apply:

18 1. The ~~department~~ corporation notifies the joint committee on finance in  
19 writing of its proposed reallocation.

20 2. a. The cochairpersons of the joint committee on finance fail to notify the  
21 ~~department~~ corporation, within 14 working days after the date of the department's  
22 corporation's notification under subd. 1., that the committee has scheduled a meeting  
23 for the purpose of reviewing the proposed reallocation.

24 b. The cochairpersons of the joint committee on finance notify the ~~department~~  
25 corporation that the committee has approved the proposed reallocation.

1           (e) *Transfer*: A person who is eligible to claim a credit under s. 71.07 (5b), 71.28  
2 (5b), 71.47 (5b), or 76.638 may sell or otherwise transfer the credit to another person  
3 who is subject to the taxes or fees imposed under s. 71.02, 71.23, 71.47, or subch. III  
4 of ch. 76, if the person receives prior authorization from the investment fund  
5 manager and the manager then notifies the ~~department of commerce~~ corporation  
6 and the department of revenue of the transfer and submits with the notification a  
7 copy of the transfer documents. No person may sell or otherwise transfer a credit as  
8 provided in this paragraph more than once in a 12-month period. The ~~department~~  
9 corporation may charge any person selling or otherwise transferring a credit under  
10 this paragraph a fee equal to 1 percent of the credit amount sold or transferred. ~~The~~  
11 ~~department shall deposit all fees collected under this paragraph in the appropriation~~  
12 ~~account under s. 20.143 (1) (gm).~~

13           **SECTION 3357.** 560.2055 (title) and (1) of the statutes are renumbered 238.16  
14 (title) and (1).

15           **SECTION 3358.** 560.2055 (2) of the statutes is renumbered 238.16 (2), and  
16 238.16 (2) (intro.) and (b), as renumbered, are amended to read:

17           238.16 **(2)** (intro.) The ~~department~~ corporation may certify a person to receive  
18 tax benefits under this section if all of the following apply:

19           (b) The person applies under this section and enters into a contract with the  
20 ~~department~~ corporation.

21           **SECTION 3359m.** 560.2055 (3) of the statutes is renumbered 238.16 (3), and  
22 238.16 (3) (intro.), (a) and (b) of the statutes, as renumbered, are amended to read:

23           238.16 **(3)** ELIGIBILITY FOR TAX BENEFITS. (intro.) A person certified under sub.  
24 (2) may receive tax benefits under this section if, in each year for which the person

1 claims tax benefits under this section, the person increases net employment in the  
2 person's business, and one of the following ~~apply~~ applies:

3 (a) In a tier I county or municipality, an eligible employee for whom the person  
4 claims a tax credit will earn at least \$20,000 ~~but not more than \$100,000~~ in wages  
5 from the person in the year for which the credit is claimed.

6 (b) In a tier II county or municipality, an eligible employee for whom the person  
7 claims a tax credit will earn at least \$30,000 ~~but not more than \$100,000~~ in wages  
8 from the person in the year for which the credit is claimed.

9 **SECTION 3362.** 560.2055 (4) (title) and (a) of the statutes are renumbered  
10 238.16 (4) (title) and (a).

11 **SECTION 3363m.** 560.2055 (4) (b) 1. of the statutes is renumbered 238.16 (4) (b)  
12 1. and amended to read:

13 238.16 (4) (b) 1. The ~~department~~ corporation may award to a person certified  
14 under sub. (2) tax benefits for each eligible employee in an amount equal to ~~up to~~ 10  
15 percent of the wages paid by the person to that employee or \$10,000, whichever is  
16 less, if that employee earned wages in the year for which the tax benefit is claimed  
17 equal to one of the following:

18 a. In a tier I county or municipality, at least \$20,000 ~~but not more than~~  
19 \$100,000.

20 b. In a tier II county or municipality, at least \$30,000 ~~but not more than~~  
21 \$100,000.

22 **SECTION 3365.** 560.2055 (4) (b) 2. and (c) of the statutes are renumbered 238.16  
23 (4) (b) 2. and (c) and amended to read:

24 238.16 (4) (b) 2. The ~~department~~ corporation may award to a person certified  
25 under sub. (2) tax benefits in an amount to be determined by the ~~department~~ by rule

1 corporation for costs incurred by the person to undertake the training activities  
2 described in sub. (3) (c).

3 (c) Subject to a reallocation by the ~~department~~ corporation pursuant to rules  
4 ~~promulgated~~ adopted under s. ~~560.205~~ 238.215 (3) (d), the ~~department~~ corporation  
5 may allocate up to \$5,000,000 in tax benefits under this section in any calendar year.

6 **SECTION 3366.** 560.2055 (5) of the statutes is renumbered 238.16 (5), and  
7 238.16 (5) (title), (a), (b), (c), (d), (e) and (f) (intro.) and 1. (intro.), as renumbered, are  
8 amended to read:

9 238.16 (5) (title) DUTIES OF THE ~~DEPARTMENT~~ CORPORATION. (a) The ~~department~~  
10 ~~of commerce~~ corporation shall notify the department of revenue when the  
11 ~~department of commerce~~ corporation certifies a person to receive tax benefits.

12 (b) The ~~department of commerce~~ corporation shall notify the department of  
13 revenue within 30 days of revoking a certification made under sub. (2).

14 (c) The ~~department~~ corporation may require a person to repay any tax benefits  
15 the person claims for a year in which the person failed to maintain employment  
16 required by an agreement under sub. (2) (b).

17 (d) The ~~department~~ corporation shall determine the maximum amount of the  
18 tax credits under ss. 71.07 (3q), 71.28 (3q), and 71.47 (3q) that a certified business  
19 may claim and shall notify the department of revenue of this amount.

20 (e) The ~~department~~ corporation shall annually verify the information  
21 submitted to the ~~department~~ corporation by the person claiming tax benefits under  
22 ss. 71.07 (3q), 71.28 (3q), and 71.47 (3q).

23 (f) (intro.) The ~~department~~ corporation shall ~~promulgate~~ adopt rules for the  
24 implementation and operation of this section, including rules relating to the  
25 following:

1           1. (intro.) The definitions of a tier I county or municipality and a tier II county  
2 or municipality. The department corporation may consider all of the following  
3 information when establishing the definitions required under this subdivision:

4           **SECTION 3367.** 560.2056 of the statutes is renumbered 93.54 and amended to  
5 read:

6           **93.54 Food processing plant and food warehouse investment credit.**

7           **(1)** The department of ~~commerce~~ shall implement a program to certify taxpayers as  
8 eligible for the food processing plant and food warehouse investment credit under ss.  
9 71.07 (3rn), 71.28 (3rn), and 71.47 (3rn).

10           **(2)** If the department of ~~commerce~~ certifies a taxpayer under sub. (1), the  
11 department of ~~commerce~~ shall determine the amount of credits to allocate to that  
12 taxpayer. The total amount of food processing plant and food warehouse investment  
13 credits allocated to taxpayers in fiscal year 2009–10 may not exceed \$600,000 and  
14 the total amount of food processing plant and food warehouse investment credits  
15 allocated to taxpayers in fiscal year 2010–11, and in each fiscal year thereafter, may  
16 not exceed \$700,000.

17           **(3)** The department of ~~commerce~~ shall inform the department of revenue of  
18 every taxpayer certified under sub. (1) and the amount of credits allocated to the  
19 taxpayer.

20           **(4)** The department of ~~commerce~~, in consultation with the department of  
21 revenue, shall promulgate rules to administer this section.

22           **SECTION 3368.** 560.206 of the statutes is renumbered 41.155, and 41.155 (4),  
23 as renumbered, is amended to read:

24           41.155 **(4)** The department of ~~commerce~~ tourism, in consultation with the  
25 department of revenue, shall promulgate rules to administer this section.

1           **SECTION 3369.** 560.207 of the statutes is renumbered 93.535 and amended to  
2 read:

3           **93.535 Dairy manufacturing facility investment credit. (1)** The  
4 department of ~~commerce~~ shall implement a program to certify taxpayers, including  
5 taxpayers who are members of dairy cooperatives, as eligible for the dairy  
6 manufacturing facility investment credit under ss. 71.07 (3p), 71.28 (3p), and 71.47  
7 (3p).

8           **(2)** If the department of ~~commerce~~ certifies a taxpayer under sub. (1), the  
9 department of ~~commerce~~ shall determine the amount of credits to allocate to that  
10 taxpayer. The total amount of dairy manufacturing facility investment credits  
11 allocated to taxpayers in fiscal year 2007–08 may not exceed \$600,000 and the total  
12 amount of dairy manufacturing facility investment credits allocated to taxpayers  
13 who are not members of dairy cooperatives in fiscal year 2008–09, and in each fiscal  
14 year thereafter, may not exceed \$700,000. The total amount of dairy manufacturing  
15 facility investment credits allocated to taxpayers who are members of dairy  
16 cooperatives in fiscal year 2009–10 may not exceed \$600,000 and the total amount  
17 of dairy manufacturing facility investment credits allocated to taxpayers who are  
18 members of dairy cooperatives in fiscal year 2010–11, and in each fiscal year  
19 thereafter, may not exceed \$700,000.

20           **(3)** The department of ~~commerce~~ shall inform the department of revenue of  
21 every taxpayer certified under sub. (1) and the amount of credits allocated to the  
22 taxpayer.

23           **(4)** The department of ~~commerce~~, in consultation with the department of  
24 revenue, shall promulgate rules to administer this section.



1           **SECTION 3370.** 560.208 of the statutes is renumbered 93.545 and amended to  
2 read:

3           **93.545 Meat processing facility investment credit. (1)** The department  
4 of ~~commerce~~ shall implement a program to certify taxpayers as eligible for the meat  
5 processing facility investment credit under ss. 71.07 (3r), 71.28 (3r), and 71.47 (3r).

6           **(2)** If the department of ~~commerce~~ certifies a taxpayer under sub. (1), the  
7 department of ~~commerce~~ shall determine the amount of credits to allocate to that  
8 taxpayer. The total amount of meat processing facility investment credits allocated  
9 to taxpayers in fiscal year 2009–10 may not exceed \$300,000 and the total amount  
10 of meat processing facility investment credits allocated to taxpayers in fiscal year  
11 2010–11, and in each fiscal year thereafter, may not exceed \$700,000.

12           **(3)** The department of ~~commerce~~ shall inform the department of revenue of  
13 every taxpayer certified under sub. (1) and the amount of credits allocated to the  
14 taxpayer.

15           **(4)** The department of ~~commerce~~, in consultation with the department of  
16 revenue, shall promulgate rules to administer this section.

17           **SECTION 3371.** 560.2085 of the statutes is renumbered 238.20, and 238.20 (1)  
18 (intro.), (2) and (3), as renumbered, are amended to read:

19           238.20 **(1)** (intro.) The department corporation shall implement a program to  
20 certify qualified new business ventures for purposes of s. 71.05 (24). A business  
21 desiring certification shall submit an application to the department corporation in  
22 each taxable year for which the business desires certification. Subject to sub. (2), a  
23 business may be certified under this subsection, and may maintain such  
24 certification, only if the business is engaged in one of the following:

1           (2) The ~~department~~ corporation may not certify a business under sub. (1) if the  
2 business is engaged in real estate development, insurance, banking, lending,  
3 lobbying, political consultation, professional services provided by attorneys,  
4 accountants, business consultants, physicians, or health care consultants, wholesale  
5 or retail sales, leisure, hospitality, transportation, or construction.

6           (3) (a) The ~~department~~ corporation shall maintain a list of businesses certified  
7 under sub. (1) and shall permit public access to the lists through the department's  
8 corporation's Internet Web site.

9           (b) The ~~department of commerce~~ corporation shall notify the department of  
10 revenue of every certification issued under sub. (1) and the date on which a  
11 certification under sub. (1) is revoked or expires.

12           **SECTION 3372.** 560.209 of the statutes is renumbered 93.547 and amended to  
13 read:

14           **93.547 Woody biomass harvesting and processing credit.** (1) The  
15 ~~department of commerce~~ shall implement a program to certify taxpayers as eligible  
16 for the woody biomass harvesting and processing credit under ss. 71.07 (3rm), 71.28  
17 (3rm), and 71.47 (3rm).

18           (2) If the ~~department of commerce~~ certifies a taxpayer under sub. (1), the  
19 ~~department of commerce~~ shall determine the amount of credits to allocate to that  
20 taxpayer. The total amount of woody biomass harvesting and processing credits  
21 allocated to taxpayers in any fiscal year may not exceed \$900,000. In each fiscal year,  
22 the ~~department of commerce~~ shall allocate \$450,000 in tax credits to businesses that,  
23 individually, have no more than \$5,000,000 in gross receipts from doing business in  
24 this state for the taxable year in which the credit is claimed.

1           **(3)** The department of ~~commerce~~ shall inform the department of revenue of  
2 every taxpayer certified under sub. (1) and the amount of credits allocated to the  
3 taxpayer.

4           **(4)** The department of ~~commerce~~, in consultation with the department of  
5 revenue, shall promulgate rules to administer this section.

6           **SECTION 3373.** 560.21 of the statutes is repealed.

7           **SECTION 3374.** 560.25 of the statutes is repealed.

8           **SECTION 3375.** 560.255 of the statutes is repealed.

9           **SECTION 3376.** 560.27 of the statutes is repealed.

10          **SECTION 3377.** 560.275 of the statutes is repealed.

11          **SECTION 3378.** 560.276 of the statutes is repealed.

12          **SECTION 3379.** 560.277 of the statutes is repealed.

13          **SECTION 3380.** 560.28 of the statutes is repealed.

14          **SECTION 3380m.** 560.285 (title) of the statutes is renumbered 101.934 (title).

15          **SECTION 3381.** 560.285 (1) of the statutes is repealed.

16          **SECTION 3381c.** 560.285 (2) of the statutes is renumbered 101.934 (2).

17          **SECTION 3381f.** 560.285 (3) of the statutes is renumbered 101.934 (3) and  
18 amended to read:

19           101.934 **(3)** ADMINISTRATION. The department shall contract with one or more  
20 entities that are exempt from taxation under section 501 (a) of the Internal Revenue  
21 Code and that employ individuals with technical expertise concerning manufactured  
22 housing for the administration of the grant program under this section. The  
23 department shall promulgate rules to establish the grant program under this  
24 section. To the extent feasible, the department shall coordinate the program under  
25 this section with the state housing strategy plan under s. ~~560.9802~~ 16.302.

1           **SECTION 3382.** 560.29 of the statutes is repealed.

2           **SECTION 3383.** Subchapter II (title) of chapter 560 [precedes 560.30] of the  
3 statutes is repealed.

4           **SECTION 3384.** 560.30 of the statutes is repealed.

5           **SECTION 3385.** 560.301 of the statutes is repealed.

6           **SECTION 3386.** 560.302 of the statutes is repealed.

7           **SECTION 3387.** 560.303 of the statutes is repealed.

8           **SECTION 3388.** 560.304 of the statutes is repealed.

9           **SECTION 3389.** 560.305 of the statutes is repealed.

10          **SECTION 3390.** Subchapter III (title) of chapter 560 [precedes 560.41] of the  
11 statutes is repealed.

12          **SECTION 3391.** 560.41 of the statutes is repealed.

13          **SECTION 3392.** 560.42 of the statutes is repealed.

14          **SECTION 3393.** 560.43 of the statutes is repealed.

15          **SECTION 3394.** 560.44 of the statutes is repealed.

16          **SECTION 3395m.** 560.45 of the statutes is repealed.

17          **SECTION 3396.** Subchapter IV (title) of chapter 560 [precedes 560.51] of the  
18 statutes is repealed.

19          **SECTION 3397.** 560.51 of the statutes is repealed.

20          **SECTION 3398.** 560.53 of the statutes is repealed.

21          **SECTION 3399.** 560.54 of the statutes is repealed.

22          **SECTION 3400.** Subchapter V (title) of chapter 560 [precedes 560.60] of the  
23 statutes is repealed.

24          **SECTION 3401.** 560.60 of the statutes is repealed.

25          **SECTION 3402.** 560.602 of the statutes is repealed.

1           **SECTION 3403.** 560.605 of the statutes is repealed.

2           **SECTION 3404.** 560.607 of the statutes is repealed.

3           **SECTION 3405.** 560.61 of the statutes is repealed.

4           **SECTION 3406.** 560.68 of the statutes is repealed.

5           **SECTION 3407.** Subchapter VI (title) of chapter 560 [precedes 560.70] of the  
6 statutes is repealed.

7           **SECTION 3408.** 560.70 (intro.), (2), (2g), (2m), (3), (4), (4m), (5), (6) and (7) of the  
8 statutes are renumbered 238.30 (intro.), (2), (2g), (2m), (3), (4), (4m), (5), (6) and (7),  
9 and 238.30 (intro.), (2g), (2m) (b), (4) and (7) (b) 1. and 2., (c) and (d), as renumbered,  
10 are amended to read:

11           **238.30 Definitions.** (intro.) In this section and ss. ~~560.71 to 560.795~~ 238.31  
12 to 238.395:

13           **(2g)** “Eligible activity” means an activity described under s. ~~560.702~~ 238.302.

14           **(2m)** (b) The department ~~may by rule specify~~ corporation may adopt a rule  
15 specifying circumstances under which the department corporation may grant  
16 exceptions to the requirement under par. (a) that a full-time job means a job in which  
17 an individual, as a condition of employment, is required to work at least 2,080 hours  
18 per year, but under no circumstances may a full-time job mean a job in which an  
19 individual, as a condition of employment, is required to work less than 37.5 hours per  
20 week.

21           **(4)** “Local governing body” means the governing body of one or more cities,  
22 villages, towns, or counties or the elected governing body of a federally recognized  
23 American Indian tribe or band in this state.

24           **(7)** (b) 1. Except as provided in subd. 2., in s. ~~560.795~~ 238.395, “tax benefits”  
25 means the development zones investment credit under ss. 71.07 (2di), 71.28 (1di),

1 and 71.47 (1di) and the development zones credit under ss. 71.07 (2dx), 71.28 (1dx),  
2 71.47 (1dx), and 76.636. With respect to the development opportunity zones under  
3 s. ~~560.795~~ 238.395 (1) (e) and (f), “tax benefits” also means the development zones  
4 capital investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm).

5 2. With respect to the development opportunity zones under s. ~~560.795~~ 238.395  
6 (1) (g) and (h), “tax benefits” means the development zone credits under ss. 71.07  
7 (2dx), 71.28 (1dx), 71.47 (1dx), and 76.636 and the development zones capital  
8 investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm).

9 (c) In s. ~~560.798~~ 238.398, “tax benefits” means the development zones capital  
10 investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm) and the  
11 development zones credits under ss. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx), and 76.636.

12 (d) In ss. ~~560.701 to 560.706~~ 238.301 to 238.306, “tax benefits” means the  
13 economic development tax credit under ss. 71.07 (2dy), 71.28 (1dy), 71.47 (1dy), and  
14 76.637.

15 **SECTION 3409.** 560.70 (1) of the statutes is repealed.

16 **SECTION 3410.** 560.701 of the statutes is renumbered 238.301, and 238.301 (1)  
17 (intro.) and (e), (2) (a) and (b) and (3) (intro.), (b), (c), (d) and (f), as renumbered, are  
18 amended to read:

19 238.301 (1) APPLICATION. (intro.) Any person may apply to the ~~department~~  
20 corporation on a form prepared by the ~~department~~ corporation for certification under  
21 this section. The application shall include all of the following:

22 (e) Other information required by the ~~department~~ corporation or the  
23 department of revenue.

24 (2) (a) The ~~department~~ corporation may certify a person who submits an  
25 application under sub. (1) if, after conducting an investigation, the ~~department~~

1 corporation determines that the person is conducting or intends to conduct at least  
2 one eligible activity.

3 (b) The department corporation shall provide a person certified under this  
4 section and the department of revenue with a copy of the certification.

5 **(3) CONTRACT.** (intro.) A person certified under this section shall enter into a  
6 written contract with the department corporation. The contract shall include  
7 provisions that detail all of the following:

8 (b) Whether any of the eligible activities will occur in an economically  
9 distressed area, as designated by the department corporation under s. 560.704  
10 238.304 (1).

11 (c) Whether any of the eligible activities will benefit members of a targeted  
12 group, as determined by the department corporation under s. 560.704 238.304 (2).

13 (d) A compliance schedule that includes a sequence of anticipated actions to be  
14 taken or goals to be achieved by the person before the person may receive tax benefits  
15 under s. 560.703 238.303.

16 (f) If feasible, a determination of the tax benefits the person will be authorized  
17 to claim under s. 560.703 238.303 (2) if the person fulfills the terms of the contract.

18 **SECTION 3411.** 560.702 of the statutes is renumbered 238.302, and 238.302  
19 (intro.), (1), (2) and (3), as renumbered, are amended to read:

20 **238.302 Eligible activities.** (intro.) A person who conducts or proposes to  
21 conduct any of the following may be certified under s. 560.704 238.301 (2):

22 **(1) JOB CREATION PROJECT.** A project that creates and maintains for a period of  
23 time established by the department corporation by rule full-time jobs in addition to  
24 any existing full-time jobs provided by the person.

1           **(2)** CAPITAL INVESTMENT PROJECT. A project that involves a significant  
2 investment of capital, as defined by the department corporation by rule under s.  
3 ~~560.706~~ 238.306 (2) (b), by the person in new equipment, machinery, real property,  
4 or depreciable personal property.

5           **(3)** EMPLOYEE TRAINING PROJECT. A project that involves significant investments  
6 in the training or reeducation of employees, as defined by the department  
7 corporation by rule under s. ~~560.706~~ 238.306 (2) (c), by the person for the purpose of  
8 improving the productivity or competitiveness of the business of the person.

9           **SECTION 3412.** 560.703 (title) of the statutes is renumbered 238.303 (title).

10           **SECTION 3413.** 560.703 (1) (a) of the statutes, as affected by 2011 Wisconsin Act  
11 4, is renumbered 238.303 (1) (a) and amended to read:

12           238.303 **(1)** (a) Except as provided in pars. (am) and (b), and subject to a  
13 reallocation by the department corporation pursuant to rules promulgated ~~adopted~~  
14 under s. ~~560.205~~ 238.15 (3) (d), the total tax benefits available to be allocated by the  
15 department corporation under ss. ~~560.701 to 560.706~~ 238.301 to 238.306 may not  
16 exceed the sum of the tax benefits remaining to be allocated under ~~ss. s. 560.71 to~~  
17 560.785, 2009 stats., s. 560.797, 2009 stats., s. 560.798, 2009 stats., s. 560.7995, 2009  
18 stats., and s. 560.96, 2009 stats., on March 6, 2009, plus \$25,000,000.

19           **SECTION 3414.** 560.703 (1) (am) of the statutes, as created by 2011 Wisconsin  
20 Act 4, is renumbered 238.303 (1) (am) and amended to read:

21           238.303 **(1)** (am) Before the department corporation allocates the additional  
22 \$25,000,000 in tax benefits specified in par. (a), the department corporation shall  
23 submit its plan for such allocation to the joint committee on finance. If the  
24 cochairpersons of the committee do not notify the department corporation within 14  
25 working days after the date of the department's corporation's submittal that the



1 committee has scheduled a meeting for the purpose of reviewing the plan, the plan  
2 may be implemented and the additional amount may be allocated as proposed by the  
3 department corporation. If, within 14 working days after the date of the  
4 department's corporation's submittal, the cochairpersons of the committee notify the  
5 department corporation that the committee has scheduled a meeting for the purpose  
6 of reviewing the proposed plan, the plan may be implemented and the additional  
7 amount allocated only upon approval of the committee.

8 **SECTION 3415.** 560.703 (1) (b), (2) and (3) of the statutes are renumbered  
9 238.303 (1) (b), (2) and (3) and amended to read:

10 238.303 (1) (b) The department corporation may submit to the joint committee  
11 on finance a request in writing to exceed the total tax benefits specified in par. (a).  
12 The department corporation shall submit with its request a justification for seeking  
13 an increase under this paragraph. The joint committee on finance, following its  
14 review, may approve or disapprove an increase in the total tax benefits available to  
15 be allocated under ss. ~~560.701 to 560.706~~ 238.301 to 238.306.

16 (2) AUTHORITY TO CLAIM TAX BENEFITS. The department corporation may  
17 authorize a person certified under s. ~~560.701~~ 238.301 (2) to claim tax benefits only  
18 after the person has submitted a report to the department corporation that  
19 documents to the satisfaction of the department corporation that the person has  
20 complied with the terms of the contract under s. ~~560.701~~ 238.301 (3) and the  
21 requirements of any applicable rules promulgated ~~adopted~~ adopted under s. ~~560.706~~ 238.306  
22 (2).

23 (3) NOTICE OF ELIGIBILITY. The department corporation shall provide to the  
24 person and to the department of revenue a notice of eligibility to receive tax benefits  
25 that reports the amount of tax benefits for which the person is eligible.

1           **SECTION 3416.** 560.704 of the statutes is renumbered 238.304, and 238.304  
2 (intro.) and (1), as renumbered, are amended to read:

3           **238.304 Eligible activities in economically distressed areas and**  
4 **benefiting members of targeted groups.** (intro.) The department corporation  
5 may authorize a person certified under s. ~~560.701~~ 238.301 (2) to claim additional tax  
6 benefits under s. ~~560.703~~ 238.303 if, after conducting an investigation, the  
7 department corporation determines any of the following:

8           **(1)** The person conducts at least one eligible activity in an area designated by  
9 the department corporation as economically distressed. In designating an area as  
10 economically distressed under this subsection, the department corporation shall  
11 follow the methodology established by rule under s. ~~560.706~~ 238.306 (2) (e).

12           **SECTION 3417.** 560.705 of the statutes is renumbered 238.305, and 238.305  
13 (intro.), (1) and (2), as renumbered, are amended to read:

14           **238.305 Revocation of certification.** (intro.) The department corporation  
15 shall revoke the certification of a person who does any of the following:

16           **(1)** Supplies false or misleading information to obtain certification under s.  
17 ~~560.701~~ 238.301 (2).

18           **(2)** Supplies false or misleading information to obtain tax benefits under s.  
19 ~~560.703~~ 238.303.

20           **SECTION 3418.** 560.706 of the statutes is renumbered 238.306, and 238.306  
21 (intro.), (1) (a) and (b), (2) (a), (b), (c), (d), (e) (intro.), (f), (g), (h), (i) and (k) and (3),  
22 as renumbered, are amended to read:

23           **238.306 Responsibilities of the department corporation.** (intro.) The  
24 department corporation shall do all of the following:

1           **(1)** (a) Annually verify information submitted to the department of revenue  
2 under ss. 71.07 (2dy), 71.28 (1dy), 71.47 (1dy), and 76.637 by persons certified under  
3 s. ~~560.701~~ 238.301 (2) and eligible to receive tax benefits under s. ~~560.703~~ 238.303.

4           (b) Notify and obtain written approval from the ~~secretary~~ chief executive officer  
5 of the corporation for any certification under sub. (2) (j).

6           **(2)** (a) A schedule of hourly wage ranges to be paid, and health insurance  
7 benefits to be provided, to an employee by a person certified under s. ~~560.701~~ 238.301  
8 (2) and the corresponding per employee tax benefit for which a person certified under  
9 s. ~~560.701~~ 238.301 (2) may be eligible.

10           (b) A definition of “significant investment of capital” for purposes of s. ~~560.702~~  
11 238.302 (2), together with a corresponding schedule of tax benefits for which a person  
12 who is certified under s. ~~560.701~~ 238.301 (2) and who conducts a project described  
13 in s. ~~560.702~~ 238.302 (2) may be eligible. The ~~department~~ corporation shall include  
14 in the definition required under this paragraph a schedule of investments that takes  
15 into consideration the size or nature of the business.

16           (c) A definition of “significant investments in the training or reeducation of  
17 employees” for purposes of s. ~~560.702~~ 238.302 (3), together with a corresponding  
18 schedule of tax benefits for which a person who is certified under s. ~~560.701~~ 238.301  
19 (2) and who conducts a project under s. ~~560.702~~ 238.302 (3) may be eligible.

20           (d) A schedule of tax benefits for which a person who is certified under s.  
21 ~~560.701~~ 238.301 (2) and who conducts a project that will result in the location or  
22 retention of a person’s corporate headquarters in Wisconsin may be eligible.

23           (e) (intro.) The methodology for designating an area as economically distressed  
24 under s. ~~560.704~~ 238.304 (1). The methodology under this paragraph shall require

1 the department corporation to consider the most current data available for the area  
2 and for the state on the following indicators:

3 (f) A schedule of additional tax benefits for which a person who is certified  
4 under s. ~~560.701~~ 238.301 (2) and who conducts an eligible activity described under  
5 s. ~~560.704~~ 238.304 may be eligible.

6 (g) Reporting requirements, minimum benchmarks, and outcomes expected of  
7 a person certified under s. ~~560.701~~ 238.301 (2) before that person may receive tax  
8 benefits under s. ~~560.703~~ 238.303.

9 (h) Policies, criteria, and methodology for allocating a portion of the tax benefits  
10 available under s. ~~560.703~~ 238.303 to rural areas.

11 (i) Policies, criteria, and methodology for allocating a portion of the tax benefits  
12 available under s. ~~560.703~~ 238.303 to small businesses.

13 (k) Procedures for implementing ss. ~~560.701 to 560.706~~ 238.301 to 238.306.

14 **(3) REPORTING.** Annually, 6 months after the report has been submitted under  
15 s. ~~560.01 (2) (am)~~ 238.07 (2), submit to the joint legislative audit committee and to  
16 the appropriate standing committees of the legislature under s. 13.172 (3) a  
17 comprehensive report assessing the program under ss. ~~560.701 to 560.706~~ 238.301  
18 to 238.306. The report under this subsection shall update the applicable information  
19 provided in the report under s. ~~560.01 (2) (am)~~ 238.07 (2).

20 **SECTION 3419.** 560.71 of the statutes is renumbered 238.31, and 238.31 (1)  
21 (intro.), (ac), (am), (b), (d) and (e) (intro.), 3. and 4. a., c. and d., (1m) (intro.), (a) and  
22 (h), (2) and (3) (intro.), as renumbered, are amended to read:

23 238.31 **(1)** (intro.) The department corporation may designate an area as a  
24 development zone if all of the following apply:

1 (ac) The ~~department~~ corporation has invited a local governing body to nominate  
2 the area under s. ~~560.715~~ 238.315.

3 (am) A local governing body nominates the area as described in s. ~~560.72~~  
4 238.32.

5 (b) The ~~department~~ corporation has evaluated the local governing body's  
6 application as described in s. ~~560.725~~ 238.325.

7 (d) The area meets the applicable requirements under s. ~~560.735 or 560.737~~  
8 238.335.

9 (e) (intro.) The ~~department~~ corporation determines all of the following:

10 3. That economic development in the area is not likely to occur or continue  
11 without the ~~department's~~ corporation's designation of the area as a development  
12 zone.

13 4. a. The unemployment rate in the area is higher than the state average for  
14 the 18 months immediately preceding the date on which the application under s.  
15 ~~560.72~~ 238.32 (2) or (3) was submitted to the ~~department~~ corporation.

16 c. The percentage of households in the area receiving unemployment insurance  
17 under ch. 108, relief funded by a relief block grant under ch. 49, or aid to families with  
18 dependent children under s. 49.19 is higher than the state average.

19 d. In the 36 months immediately preceding the date on which the application  
20 under s. ~~560.72~~ 238.32 (2) or (3) was submitted to the ~~department~~ corporation, a  
21 number of workers in the area were permanently laid off by their employer or became  
22 unemployed as a result of a business action subject to s. 109.07 (1m).

23 **(1m)** (intro.) In making a determination under sub. (1) (e), the ~~department~~  
24 corporation shall consider all of the following:

1 (a) The extent of poverty, unemployment, or other factors contributing to  
2 general economic hardship in the area.

3 (h) Any other factors that the ~~department~~ corporation considers relevant.

4 (2) In determining whether an area meets the requirements under sub. (1) (e)  
5 or s. ~~560.735~~ 238.335, the ~~department~~ corporation may rely on any data provided by  
6 the local governing body which ~~that~~ the ~~department~~ corporation determines is  
7 relevant.

8 (3) (intro.) The ~~department~~ corporation shall do all of the following:

9 **SECTION 3420.** 560.715 of the statutes is renumbered 238.315 and amended to  
10 read:

11 **238.315 Invitation to nominate area.** If the ~~department~~ corporation  
12 determines that an area has experienced or is about to experience economic distress,  
13 the ~~department~~ corporation may invite local governing bodies in the area to  
14 nominate the area as a development zone.

15 **SECTION 3421.** 560.72 of the statutes is renumbered 238.32, and 238.32 (1)  
16 (intro.), (2) (intro.), (c), (d), (f) and (i), (3) and (5), as renumbered, are amended to read:

17 238.32 (1) (intro.) A local governing body may nominate an area as a  
18 development zone, if the ~~department~~ corporation has invited the governing body to  
19 nominate the area under s. ~~560.715~~ 238.315 and if the governing body does all of the  
20 following:

21 (2) (intro.) A local governing body may nominate the area as a development  
22 zone by submitting an application to the ~~department~~ corporation in a form prescribed  
23 by the ~~department~~ corporation. The application shall include all of the following:

24 (c) Evidence that the area meets at least 3 of the criteria under s. ~~560.71~~ 238.31  
25 (1) (e) 4.

1 (d) Evidence that the area meets the applicable requirements of s. ~~560.735~~  
2 238.335.

3 (f) A description of past and present economic development activities in the  
4 area under local, state, or federal programs.

5 (i) Any other information required by the department corporation.

6 **(3)** Two or more local governing bodies may submit a joint application  
7 nominating an area as a development zone, subject to s. ~~560.735~~ 238.335 (2), if each  
8 local governing body complies with subs. (1) and (2).

9 **(5)** The department corporation may permit a local governing body to revise an  
10 application that the department corporation determines is inadequate or  
11 incomplete.

12 **SECTION 3422.** 560.725 of the statutes is renumbered 238.325 and amended to  
13 read:

14 **238.325 Evaluation by department corporation.** **(1)** The department  
15 corporation shall evaluate applications received under s. ~~560.72~~ 238.32 (2) and (3).

16 **(2)** Subject to s. ~~560.735~~ 238.335 (5), the department corporation may reduce  
17 the size of an area nominated as a development zone, if the department corporation  
18 determines the boundaries as proposed by the local governing body in an application  
19 under s. ~~560.72~~ 238.32 (2) or (3) are inconsistent with the purpose of the development  
20 zone program. Any nominated area which is reduced under this subsection need not  
21 comply with s. ~~560.735~~ 238.335 (1) and (4).

22 **(3)** After evaluating an application submitted under s. ~~560.72~~ 238.32 (2) or (3),  
23 the department corporation may approve the application, subject to any reduction  
24 in the size of the nominated area under sub. (2). If the department corporation

1 approves the application, the ~~department~~ corporation shall designate the area as a  
2 development zone, subject to s. ~~560.71~~ 238.31, and notify the local governing body.

3 **SECTION 3423.** 560.735 of the statutes is renumbered 238.335, and 238.335 (1)  
4 (a) and (c), (2), (5) (a) and (b), (6) (a) 1. and 2. and (c), (6r) and (7), as renumbered, are  
5 amended to read:

6 238.335 (1) (a) The area contains less than 10% of the valuation of the property  
7 of the city, village, or town, as determined under s. 70.57, in which the area is located.

8 (c) If the area is located within a village, town, or city other than a 1st class city,  
9 the population of the area is not less than 1,000 nor more than 10,000, as estimated  
10 under s. 16.96.

11 (2) If an area is located within the boundaries of 2 or more cities, villages, or  
12 towns, the property value of the cities, villages, or towns under sub. (1) (a) shall be  
13 combined for the purposes of sub. (1).

14 (5) (a) The area has a continuous border following natural or man-made  
15 boundaries such as streets, highways, rivers, municipal limits, or limits of a  
16 reservation.

17 (b) The area consists of contiguous blocks, census blocks, or similar units.

18 (6) (a) 1. Each of the areas has a continuous border following natural or  
19 man-made boundaries and consists of contiguous blocks, census blocks, or similar  
20 units.

21 2. Each area meets at least 3 of the criteria listed in s. ~~560.71~~ 238.31 (1) (e) 4.

22 (c) If an application is submitted by the governing body of a county under s.  
23 ~~560.72~~ 238.32 (2) or (3), up to 4 separate areas may be nominated or designated as  
24 one development zone, if par. (a) 1. to 3. applies.



1           **(6r)** Subject to the population limit under sub. (6m), if an area that is  
2           nominated or designated as a development zone is comprised of one or more entire  
3           counties and a city, village, or town is partially located in the area and partially  
4           located outside of the area, the entire city, village, or town shall be part of the  
5           nominated or designated area.

6           **(7)** The ~~department~~ corporation may waive the requirements of this section in  
7           a particular case, if the ~~department~~ corporation determines that application of the  
8           requirement is impractical with respect to a particular development zone.

9           **SECTION 3424.** 560.737 of the statutes is repealed.

10          **SECTION 3425.** 560.74 of the statutes is renumbered 238.34, and 238.34 (1), (2),  
11          (3) (intro.) and (a), (4), (5) and (6), as renumbered, are amended to read:

12           238.34 **(1)** Except as provided under sub. (6), at any time after a development  
13           zone is designated by the ~~department~~ corporation, a local governing body may submit  
14           an application to change the boundaries of the development zone. If the boundary  
15           change reduces the size of a development zone, the local governing body shall explain  
16           why the area excluded should no longer be in a development zone. The ~~department~~  
17           corporation may require the local governing body to submit additional information.

18           **(2)** The ~~department~~ corporation may approve an application for a boundary  
19           change if the development zone, as affected by the boundary changes, meets the  
20           applicable requirements of s. ~~560.735~~ 238.335 and 3 of the criteria under s. ~~560.71~~  
21           238.31 (1) (e) 4.

22           **(3)** (intro.) If the ~~department~~ corporation approves an application for a  
23           boundary change under sub. (2), it shall do all of the following:

24           (a) Redetermine the limit on the tax benefits for the development zone  
25           established under s. ~~560.745~~ 238.345 (2) (a).

1           **(4)** The change in the boundaries or tax benefits limit of a development zone  
2 shall be effective on the day the ~~department~~ corporation notifies the local governing  
3 body under sub. (3) (b).

4           **(5)** No change in the boundaries of a development zone may affect the duration  
5 of an area as a development zone under s. ~~560.745~~ 238.345 (1) (a). The ~~department~~  
6 corporation may consider a change in the boundary of a development zone when  
7 evaluating an application for an extension of the designation of an area as a  
8 development zone under s. ~~560.745~~ 238.345 (1) (b).

9           **(6)** The ~~department~~ corporation may not accept any applications under sub. (1)  
10 to change the boundaries of a development zone designated under s. ~~560.71~~ 238.31  
11 on or after March 6, 2009.

12           **SECTION 3426.** 560.745 of the statutes is renumbered 238.345, and 238.345 (1)  
13 (a) and (b), (2) (a), (am), (b), (c) 1. and 2. and (d) and (3), as renumbered, are amended  
14 to read:

15           238.345 **(1)** (a) The designation of an area as a development zone shall be  
16 effective for 240 months, beginning on the day the department notifies the local  
17 governing body under s. ~~560.725~~ 238.325 (3) of the designation.

18           (b) The local governing body may apply to the ~~department~~ corporation for one  
19 60-month extension of the designation. The ~~department~~ corporation shall  
20 ~~promulgate~~ adopt rules establishing criteria for approving an extension of a  
21 designation of an area as a development zone under this subsection. No applications  
22 may be accepted by the ~~department~~ corporation under this paragraph on or after  
23 March 6, 2009.

1           **(2)** (a) When the ~~department~~ corporation designates a development zone under  
2 s. ~~560.71~~ 238.31, it shall establish a limit for tax benefits for the development zone  
3 determined by allocating to the development zone a portion of \$38,155,000.

4           (am) Notwithstanding par. (a), the ~~department~~ corporation may increase the  
5 established limit for tax benefits for a development zone. The ~~department~~  
6 corporation may not increase the limit for tax benefits established for any  
7 development zone designated under s. ~~560.71~~ 238.31 on or after March 6, 2009.

8           (b) Annually the ~~department~~ corporation shall estimate the amount of forgone  
9 state revenue because of tax benefits claimed by persons in each development zone.

10           (c) 1. Ninety days after the day on which the ~~department~~ corporation  
11 determines that the forgone tax revenues under par. (b) will equal or exceed the limit  
12 for the development zone established under par. (a) or (am).

13           2. The day that the ~~department~~ corporation withdraws its designation of an  
14 area as a development zone under sub. (3).

15           (d) The ~~department~~ corporation shall immediately notify the local governing  
16 body of a change in the expiration date of the development zone under par. (c).

17           **(3)** The ~~department~~ corporation may withdraw the designation of an area as  
18 a development zone if any of the following apply applies:

19           (a) No person is certified as eligible to receive tax benefits under s. ~~560.765~~  
20 238.365 (3) during the 12–month period beginning on the day the area is designated  
21 as a development zone and the ~~department~~ corporation determines that the local  
22 governing body that nominated the zone is not in compliance with s. ~~560.763~~ 238.363.

23           (b) No person is certified as eligible to receive tax benefits under s. ~~560.765~~  
24 238.365 (3) during the 24–month period beginning on the day the area is designated  
25 a development zone.

1           **SECTION 3427.** 560.75 of the statutes is renumbered 238.35, and 238.35 (intro.),  
2 (6), (7), (8) and (10), as renumbered, are amended to read:

3           **238.35 Additional duties of the department corporation.** (intro.) The  
4 department corporation shall do all of the following:

5           **(6)** Notify University of Wisconsin small business development centers, the  
6 Wisconsin housing and development centers, the central administration of all  
7 University of Wisconsin campuses and regional planning commissions about the  
8 development zone program and encourage those entities to provide advice to the  
9 department corporation or local governing bodies on ways to improve the  
10 development zone program.

11           **(7)** Prepare forms for the certification described under s. ~~560.765~~ 238.365 (5).

12           **(8)** Annually verify information submitted to the department corporation  
13 under s. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx), or 76.636.

14           **(10)** Enter into an agreement with the local governing body of a 1st class city  
15 where a development zone is designated under s. ~~560.71~~ 238.31 (3) (c) 1. to provide  
16 efficient administration of the development zone program within the development  
17 zone.

18           **SECTION 3428.** 560.763 of the statutes is renumbered 238.363, and 238.363 (1)  
19 (intro.) and (c) and (4), as renumbered, are amended to read:

20           238.363 **(1)** (intro.) If an area nominated by a local governing body is designated  
21 as a development zone under s. ~~560.71~~ 238.31, the local governing body shall do all  
22 of the following:

23           (c) Assist the department corporation in the administration of the  
24 development zone program.

1           **(4)** The local governing body of a 1st class city where a development zone is  
2 designated under s. ~~560.71~~ 238.31 (3) (c) 1. shall enter into an agreement with the  
3 ~~department~~ corporation to provide efficient administration of the development zone  
4 program within the development zone.

5           **SECTION 3429.** 560.765 of the statutes is renumbered 238.365, and 238.365  
6 (intro.), (2), (3) (intro.), (b), (c), (e) and (j) and (5) (e), (g) and (h), as renumbered, are  
7 amended to read:

8           **238.365 Certification for tax benefits.** (intro.) The ~~department~~ corporation  
9 shall do all of the following:

10           **(2)** Determine whether a person applying for tax benefits engages or will  
11 engage in economic activity ~~which~~ that violates s. ~~560.78~~ 238.38 (1).

12           **(3)** (intro.) Subject to s. ~~560.78~~ 238.38, certify persons who are eligible to claim  
13 tax benefits while an area is designated as a development zone, according to the  
14 following criteria:

15           (b) The person's commitment not to engage in economic activity that violates  
16 s. ~~560.78~~ 238.38 (1).

17           (c) The number of full-time jobs that will be created, retained, or substantially  
18 upgraded as a result of the person's economic activity in relation to the amount of tax  
19 benefits estimated for the person under sub. (4).

20           (e) The amount the person proposes to invest in a business, or spend on the  
21 construction, rehabilitation, repair, or remodeling of a building, located within the  
22 development zone.

23           (j) Any other criteria established under rules ~~promulgated~~ adopted by the  
24 ~~department~~ corporation.

1           **(5)** (e) The estimated number of full–time jobs that will be created, retained,  
2 or significantly upgraded in the development zone because of the person’s business.

3           (g) The limit under s. ~~560.768~~ 238.368 on tax benefits the person may claim  
4 while an area is designated as a development zone.

5           (h) Other information required by the department corporation or the  
6 department of revenue.

7           **SECTION 3430.** ~~560.768~~ of the statutes is renumbered 238.368, and 238.368 (1)  
8 (a) and (b), (2) (intro.) and (b) and (3) (a) (intro.) and 1. and (b), as renumbered, are  
9 amended to read:

10           **238.368 (1)** (a) The department corporation shall establish a limit on the  
11 maximum amount of tax benefits a person certified under s. ~~560.765~~ 238.365 (3) may  
12 claim while an area is designated as a development zone.

13           (b) When establishing a limit on tax benefits under par. (a), the department  
14 corporation shall do all of the following:

15           1. Consider all of the criteria described in s. ~~560.765~~ 238.365 (3) (a) to (e).

16           2. Establish a limit which does not greatly exceed a recommended limit,  
17 established under rules promulgated adopted by the department corporation based  
18 on the cost, number and types of full–time jobs that will be created, retained, or  
19 upgraded, including full–time jobs available to members of the targeted population,  
20 as a result of the economic activity of the person certified under s. ~~560.765~~ 238.365  
21 (3).

22           **(2)** (intro.) The department corporation may, upon request, increase a limit on  
23 tax benefits established under sub. (1) if the department corporation does all of the  
24 following:

1 (b) Revises the certification required under s. ~~560.765~~ 238.365 (5) and provides  
2 a copy of the revised form to the department of revenue and the person whose limit  
3 is increased under this subsection.

4 **(3)** (a) (intro.) The ~~department~~ corporation may reduce a limit established  
5 under sub. (1) or (2) if the ~~department~~ corporation determines that any of the  
6 following applies:

7 1. The limit is not consistent with the criteria listed under s. ~~560.765~~ 238.365  
8 (3) (a) to (e).

9 (b) The ~~department~~ corporation shall notify the department of revenue and the  
10 person whose limit on tax benefits is reduced under par. (a) and provide a written  
11 explanation to the person of the reasons for reducing the limit.

12 **SECTION 3431.** ~~560.77~~ of the statutes is renumbered 238.37, and ~~238.37~~ (1)  
13 (intro.) and (b) and (2), as renumbered, are amended to read:

14 238.37 (1) (intro.) The ~~department~~ corporation shall revoke the certification of  
15 a person certified under s. ~~560.765~~ 238.365 (3) if the person does any of the following:

16 (b) Becomes subject to revocation under s. ~~560.78~~ 238.38 (1).

17 **(2)** The ~~department~~ corporation shall notify the department of revenue within  
18 30 days of revoking a certification under sub. (1).

19 **SECTION 3432.** ~~560.78~~ of the statutes is renumbered 238.38, and ~~238.38~~ (1)  
20 (intro.), (1m), (2) (intro.) and (a) and (3) (a) and (b), as renumbered, are amended to  
21 read:

22 238.38 (1) (intro.) Except as provided in subs. (2) and (3), no person may be  
23 certified under s. ~~560.765~~ 238.365 (3), or a person's certification may be revoked  
24 under s. ~~560.77~~ 238.37, if the proposed new business, expansion of an existing

1 business, or other proposed economic activity in a development zone would do or does  
2 any of the following:

3 **(1m)** No person may be certified under s. ~~560.765~~ 238.365 (3) on or after March  
4 6, 2009.

5 **(2)** (intro.) Subsection (1) does not apply if, after a hearing, the ~~department~~  
6 corporation, or the local governing body under sub. (3) (a), determines that any of the  
7 following applies:

8 (a) The total number of full-time jobs provided by the person in this state would  
9 be reduced if the person were not certified under s. ~~560.765~~ 238.365 (3) or if the  
10 person's certification were revoked.

11 **(3)** (a) Except as provided in pars. (b) and (c), if the economic activity for which  
12 a person is seeking certification under s. ~~560.765~~ 238.365 (3) is the relocation of a  
13 business into a development zone from a location that is outside the development  
14 zone but within the limits of a city, village, town, or federally recognized American  
15 Indian reservation in which that development zone is located, the local governing  
16 body that nominated that area as a development zone under s. ~~560.72~~ 238.32 shall  
17 determine whether sub. (2) (a) or (b) applies.

18 (b) Only the ~~department~~ corporation may determine whether sub. (2) (a) or (b)  
19 applies to a business relocation described in par. (a) if the business relocation would  
20 likely result in the loss of full-time jobs at or transfer of employees from a business  
21 location that is in this state but outside the limits of any city, village, town, or  
22 federally recognized American Indian reservation in which the development zone is  
23 located.



1           **SECTION 3433.** 560.785 of the statutes is renumbered 238.385, and 238.385 (1)  
2 (intro.), (b), (bm) and (c) (intro.) and (2) (intro.), (b) and (c), as renumbered, are  
3 amended to read:

4           238.385 **(1)** (intro.) For the development zone program under ss. ~~560.70 and~~  
5 ~~560.71 to 560.78~~ 238.30 and 238.31 to 238.38, the development opportunity zone  
6 program under s. ~~560.795~~ 238.395, and the enterprise development zone program  
7 under s. ~~560.797~~ 238.397, the ~~department~~ corporation shall ~~promulgate~~ adopt rules  
8 that further define a person's eligibility for tax benefits. The rules shall do at least  
9 all of the following:

10           (b) Allow a person to claim up to \$8,000 in tax benefits during the time that an  
11 area is designated as a development zone, as a development opportunity zone, or as  
12 an enterprise development zone for creating a full-time job that is filled by a member  
13 of the target population.

14           (bm) Allow a person to claim up to \$8,000 in tax benefits during the time that  
15 an area is designated as an enterprise development zone for retaining a full-time job  
16 if the ~~department~~ corporation determines that the person made a significant capital  
17 investment to retain the full-time job.

18           (c) (intro.) Allow a person to claim up to \$6,000 in tax benefits during the time  
19 that an area is designated as a development zone, as a development opportunity  
20 zone, or as an enterprise development zone for any of the following:

21           **(2)** (intro.) The ~~department~~ corporation may by rule specify circumstances  
22 under which the ~~department~~ corporation may grant exceptions to any of the  
23 following:

24           (b) The requirement under ss. ~~560.70~~ 238.30 (2m) and ~~560.797~~ 238.397 (1) (am)  
25 that an individual's pay must equal at least 150% of the federal minimum wage.

1 (c) The requirement under ss. ~~560.70~~ 238.30 (2m) and ~~560.797~~ 238.397 (1) (am)  
2 that an individual's position must be regular, nonseasonal, and full-time and that  
3 the individual must be required to work at least 2,080 hours per year, including paid  
4 leave and holidays.

5 **SECTION 3434.** 560.795 of the statutes is renumbered 238.395, and 238.395 (1)  
6 (a), (b), (c), (d), (e), (f), (g) and (h), (2) (c), (d) and (e), (3) (a), (b) 1., 2., 3., 4., 5., 6., 7.,  
7 8. and 9., (c) and (d), (4) (a) (intro.) and (b) and (5) (a) (intro.), 2. and 3., (b), (c), (d),  
8 (e) (intro.) and 3. and (f), as renumbered, are amended to read:

9 238.395 (1) (a) An area in the city of Beloit, the legal description of which is  
10 provided to the ~~department~~ corporation by the local governing body of the city of  
11 Beloit.

12 (b) An area in the city of West Allis, the legal description of which is provided  
13 to the ~~department~~ corporation by the local governing body of the city of West Allis.

14 (c) An area in the city of Eau Claire, the legal description of which is provided  
15 to the ~~department~~ corporation by the local governing body of the city of Eau Claire.

16 (d) An area in the city of Kenosha, the legal description of which is provided to  
17 the ~~department~~ corporation by the local governing body of the city of Kenosha.

18 (e) An area in the city of Milwaukee, the legal description of which is provided  
19 to the ~~department~~ corporation by the local governing body of the city of Milwaukee.

20 (f) For the Gateway Project, an area in the city of Beloit, the legal description  
21 of which is provided to the ~~department~~ corporation by the local governing body of the  
22 city of Beloit.

23 (g) An area in the city of Janesville, the legal description of which is provided  
24 to the ~~department~~ corporation by the local governing body of the city of Janesville.

1 (h) An area in the city of Kenosha, the legal description of which is provided to  
2 the ~~department~~ corporation by the local governing body of the city of Kenosha.

3 (2) (c) Annually, the ~~department~~ corporation shall estimate the amount of  
4 forgone state revenue because of tax benefits claimed by ~~corporations or~~ persons in  
5 each development opportunity zone.

6 (d) 1. Notwithstanding pars. (a) and (e), the designation of an area as a  
7 development opportunity zone shall expire 90 days after the day on which the  
8 ~~department~~ corporation determines that the forgone tax revenues under par. (c) will  
9 equal or exceed the limit for the development opportunity zone.

10 2. The ~~department~~ corporation shall immediately notify the local governing  
11 body of the city in which the development opportunity zone is located of a change in  
12 the expiration date of the development opportunity zone under this paragraph.

13 (e) 1. The ~~department~~ corporation may extend the designation of an area under  
14 sub. (1) (g) as a development opportunity zone for an additional 60 months if the  
15 ~~department~~ corporation determines that an extension under this subdivision would  
16 support economic development within the city. If the ~~department~~ corporation  
17 extends the designation of the area as a development opportunity zone, the limit for  
18 tax benefits for the development opportunity zone under sub. (1) (g) is increased by  
19 \$5,000,000.

20 2. The ~~department~~ corporation may extend the designation of an area under  
21 sub. (1) (h) as a development opportunity zone for an additional 60 months if the  
22 ~~department~~ corporation determines that an extension under this subdivision would  
23 support economic development within the city. If the ~~department~~ corporation  
24 extends the designation of the area as a development opportunity zone, the limit for

1 tax benefits for the development opportunity zone under sub. (1) (h) is increased by  
2 \$5,000,000.

3 **(3)** (a) 1. Any ~~corporation~~ person that is conducting or that intends to conduct  
4 economic activity in a development opportunity zone under sub. (1) (a) or (b) and  
5 that, in conjunction with the local governing body of the city in which the  
6 development opportunity zone is located, submits a project plan as described in par.  
7 (b) to the ~~department~~ corporation no later than 6 months after April 23, 1994, shall  
8 be entitled to claim tax benefits while the area is designated as a development  
9 opportunity zone.

10 2. Any ~~corporation~~ person that is conducting or that intends to conduct  
11 economic activity in a development opportunity zone under sub. (1) (c) and that, in  
12 conjunction with the local governing body of the city in which the development  
13 opportunity zone is located, submits a project plan as described in par. (b) to the  
14 ~~department~~ corporation no later than 6 months after April 28, 1995, shall be entitled  
15 to claim tax benefits while the area is designated as a development opportunity zone.

16 3. Any ~~corporation~~ person that is conducting or that intends to conduct  
17 economic activity in a development opportunity zone under sub. (1) (d) and that, in  
18 conjunction with the local governing body of the city in which the development  
19 opportunity zone is located, submits a project plan as described in par. (b) to the  
20 ~~department~~ corporation no later than July 1, 2000, shall be entitled to claim tax  
21 benefits while the area is designated as a development opportunity zone.

22 4. Any person that is conducting or that intends to conduct economic activity  
23 in a development opportunity zone under sub. (1) (e), (f), (g), or (h) and that, in  
24 conjunction with the local governing body of the city in which the development  
25 opportunity zone is located, submits a project plan as described in par. (b) to the

1     ~~department~~ corporation shall be entitled to claim tax benefits while the area is  
2     designated as a development opportunity zone.

3             (b) 1. The name and address of the ~~corporation's or~~ person's business for which  
4     tax benefits will be claimed.

5             2. The appropriate federal tax identification number of the ~~corporation or~~  
6     person.

7             3. The names and addresses of other locations outside of the development  
8     opportunity zone where the ~~corporation or~~ person conducts business and a  
9     description of the business activities conducted at those locations.

10            4. The amount that the ~~corporation or~~ person proposes to invest in a business,  
11     or spend on the construction, rehabilitation, repair, or remodeling of a building,  
12     located within the development opportunity zone.

13            5. The estimated total investment of the ~~corporation or~~ person in the  
14     development opportunity zone.

15            6. The number of full-time jobs that will be created, retained, or substantially  
16     upgraded as a result of the ~~corporation's or~~ person's economic activity in relation to  
17     the amount of tax benefits estimated for the ~~corporation or~~ person.

18            7. The ~~corporation's or~~ person's plans to make reasonable attempts to hire  
19     employees from the targeted population.

20            8. A description of the commitment of the local governing body of the city in  
21     which the development opportunity zone is located to the ~~corporation's or~~ person's  
22     project.

23            9. Other information required by the ~~department~~ corporation or the  
24     department of revenue.

1 (c) The ~~department~~ corporation shall notify the department of revenue of all  
2 ~~corporations or persons~~ entitled to claim tax benefits under this subsection.

3 (d) The ~~department~~ corporation annually shall verify information submitted  
4 to the ~~department~~ corporation under s. 71.07 (2di), (2dm), or (2dx), 71.28 (1di), (1dm),  
5 or (1dx), 71.47 (1di), (1dm), or (1dx), or 76.636.

6 **(4)** (a) (intro.) The ~~department~~ corporation shall revoke the entitlement of a  
7 ~~corporation or person~~ to claim tax benefits under sub. (3) if the ~~corporation or person~~  
8 does any of the following:

9 (b) The ~~department~~ corporation shall notify the department of revenue within  
10 30 days after revoking an entitlement under par. (a).

11 **(5)** (a) (intro.) The ~~department~~ corporation may certify for tax benefits a person  
12 that is conducting economic activity in the development opportunity zone under sub.  
13 (1) (e) or (f) and that is not otherwise entitled to claim tax benefits if all of the  
14 following apply:

15 2. The ~~department~~ corporation determines that the economic activity of the  
16 other person under subd. 1. would not have occurred but for the involvement of the  
17 person to be certified for tax benefits under this subsection.

18 3. The person to be certified for tax benefits under this subsection will pass the  
19 benefits through to the other person conducting the economic activity under subd.  
20 1., as determined by the ~~department~~ corporation.

21 (b) A person intending to claim tax benefits under this subsection shall submit  
22 to the ~~department~~ corporation an application, in the form required by the  
23 ~~department~~ corporation, containing information required by the ~~department~~  
24 corporation and by the department of revenue.

1 (c) The ~~department~~ corporation shall notify the department of revenue of all  
2 persons certified to claim tax benefits under this subsection.

3 (d) The ~~department~~ corporation annually shall verify information submitted  
4 to the ~~department~~ corporation under s. 71.07 (2dm) or (2dx), 71.28 (1dm) or (1dx),  
5 71.47 (1dm) or (1dx), or 76.636.

6 (e) (intro.) The ~~department~~ corporation shall revoke the entitlement of a person  
7 to claim tax benefits under this subsection if the person does any of the following:

8 3. Does not pass the benefits through to the other person conducting the  
9 economic activity under par. (a) 1., as determined by the ~~department~~ corporation.

10 (f) The ~~department~~ corporation shall notify the department of revenue within  
11 30 days after revoking an entitlement under par. (e).

12 **SECTION 3435.** 560.797 of the statutes is renumbered 238.397, and 238.397 (1)  
13 (am), (c) and (d), (2) (a) (intro.), 3. and 4. a. and d. and (b) (intro.), 1. and 8., (bg) (intro.)  
14 and 2., (br) (intro.), (c), (d) and (e), (3) (a), (b) 4., 6. and 11. and (c), (4) (a), (c), (d), (f)  
15 and (g), (5) (a), (b), (c) and (d) 1. and 2. and (6) (a) (intro.) and (b), as renumbered, are  
16 amended to read:

17 238.397 (1) (am) “Full-time job” has the meaning given in s. ~~560.70~~ 238.30  
18 (2m).

19 (c) “Target population” has the meaning given in s. ~~560.70~~ 238.30 (6).

20 (d) “Tax benefits” has the meaning given in s. ~~560.70~~ 238.30 (7).

21 **(2)** (a) (intro.) Subject to pars. (c), (d), and (e), the ~~department~~ corporation may  
22 designate an area as an enterprise development zone for a project if the ~~department~~  
23 corporation determines all of the following:

24 3. That the project is not likely to occur or continue without the department’s  
25 corporation’s designation of the area as an enterprise development zone.

1           4. a. The unemployment rate in the area is higher than the state average for  
2 the 18 months immediately preceding the date on which the application under sub.  
3 (3) was submitted to the ~~department~~ corporation.

4           d. In the 36 months immediately preceding the date on which the application  
5 under sub. (3) was submitted to the ~~department~~ corporation, a number of workers  
6 in the area were permanently laid off by their employer or became unemployed as  
7 a result of a business action subject to s. 109.07 (1m).

8           (b) (intro.) In making a determination under par. (a), the ~~department~~  
9 corporation shall consider all of the following:

10           1. The extent of poverty, unemployment, or other factors contributing to  
11 general economic hardship in the area.

12           8. Any other factors that the ~~department~~ corporation considers relevant.

13           (bg) (intro.) Notwithstanding par. (a) and subject to pars. (c), (d), and (e), the  
14 ~~department~~ corporation may designate an area as an enterprise development zone  
15 for a project if the ~~department~~ corporation determines all of the following:

16           2. That the project is not likely to occur or continue without the ~~department's~~  
17 corporation's designation of the area as an enterprise development zone.

18           (br) (intro.) In making a determination under par. (bg), the ~~department~~  
19 corporation shall consider all of the following:

20           (c) The ~~department~~ corporation may not designate as an enterprise  
21 development zone, or as any part of an enterprise development zone, an area that is  
22 located within the boundaries of an area that is designated as a development  
23 opportunity zone under s. ~~560.795~~ 238.395, the designation of which is in effect.

24           (d) The ~~department~~ corporation may not designate more than 98 enterprise  
25 development zones unless the ~~department~~ corporation obtains the approval of the



1 joint committee on finance to do so. Of the enterprise development zones that the  
2 department corporation designates, at least 10 shall be designated under par. (bg).

3 (e) The department corporation may not designate any area as an enterprise  
4 development zone on or after March 6, 2009.

5 **(3)** (a) A person that conducts or that intends to conduct a project and that  
6 desires to have the area in which the project is or is to be conducted designated as  
7 an enterprise development zone for the purpose of claiming tax benefits may submit  
8 to the department corporation an application and a project plan.

9 (b) 4. The amount that the person proposes to invest in a business; to spend on  
10 the construction, rehabilitation, repair, or remodeling of a building; or to spend on  
11 the removal or containment of, or the restoration of soil or groundwater affected by,  
12 environmental pollution; in the area proposed to be designated as an enterprise  
13 development zone.

14 6. The estimated number of full-time jobs that will be created, retained, or  
15 substantially upgraded as a result of the person's project in relation to the amount  
16 of tax benefits estimated for the person.

17 11. Any other information required by the department corporation or the  
18 department of revenue.

19 (c) The department corporation may not accept or approve any applications or  
20 project plans submitted under par. (a) on or after March 6, 2009.

21 **(4)** (a) Except as provided in par. (h), if the department corporation approves  
22 a project plan under sub. (3) and designates the area in which the person submitting  
23 the project plan conducts or intends to conduct the project as an enterprise  
24 development zone under the criteria under sub. (2), the department corporation shall  
25 certify the person as eligible for tax benefits.

1 (c) When the ~~department~~ corporation designates an area as an enterprise  
2 development zone for a project, the ~~department~~ corporation shall notify the  
3 governing body of any city, village, town, or federally recognized American Indian  
4 tribe or band in which the area is located of the area's designation.

5 (d) The ~~department~~ corporation shall notify the department of revenue of all  
6 persons entitled to claim tax benefits under this section, except that the ~~department~~  
7 corporation shall notify the office of the commissioner of insurance of all persons  
8 entitled to claim the credit under s. 76.636.

9 (f) The tax benefits for which a person is certified as eligible under this  
10 subsection are not transferable to another person, business, or location, except to the  
11 extent permitted under section 383 of the internal revenue code.

12 (g) The ~~department~~ corporation annually shall verify information submitted  
13 to the ~~department~~ corporation under s. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx), or  
14 76.636.

15 (5) (a) When the ~~department~~ corporation designates an area as an enterprise  
16 development zone under this section, the ~~department~~ corporation shall specify the  
17 length of time, not to exceed 84 months, that the designation is effective, subject to  
18 par. (d) and sub. (6).

19 (b) When the ~~department~~ corporation designates an area as an enterprise  
20 development zone under this section, the ~~department~~ corporation shall establish a  
21 limit, not to exceed \$3,000,000, for tax benefits for the enterprise development zone.

22 (c) Annually, the ~~department~~ corporation shall estimate the amount of forgone  
23 state revenue because of tax benefits claimed by persons in each enterprise  
24 development zone.

1 (d) 1. Notwithstanding the length of time specified by the department  
2 corporation under par. (a), the designation of an area as an enterprise development  
3 zone shall expire 90 days after the day on which the department corporation  
4 determines that the forgone tax revenues under par. (c) will equal or exceed the limit  
5 established for the enterprise development zone.

6 2. The department corporation shall immediately notify the department of  
7 revenue and the governing body of any city, village, town, or federally recognized  
8 American Indian tribe or band in which the enterprise development zone is located  
9 of a change in the expiration date of the enterprise development zone under this  
10 paragraph.

11 **(6)** (a) (intro.) The department corporation shall revoke the entitlement of a  
12 person to claim tax benefits under this section, and the designation of the area as an  
13 enterprise development zone shall expire, if the person does any of the following:

14 (b) The department corporation shall notify the department of revenue within  
15 30 days after revoking an entitlement under par. (a).

16 **SECTION 3436.** 560.798 of the statutes is renumbered 238.398, and 238.398 (2)  
17 (a) and (b), (3) (a) and (b), (4) (a) (intro.) and (b) and (5) (intro.) and (e), as renumbered,  
18 are amended to read:

19 238.398 **(2)** (a) Except as provided under par. (c), the department corporation  
20 may designate one area in the state as an agricultural development zone. The area  
21 must be located in a rural municipality. An agricultural business that is located in  
22 an agricultural development zone and that is certified by the department corporation  
23 under sub. (3) is eligible for tax benefits as provided in sub. (3).

24 (b) The designation of an area as an agricultural development zone shall be in  
25 effect for 10 years from the time that the department corporation first designates the

1 area. Not more than \$5,000,000 in tax benefits may be claimed in an agricultural  
2 development zone, except that the ~~department~~ corporation may allocate the amount  
3 of unallocated airport development zone tax credits, as provided under s. ~~560.7995~~  
4 238.3995 (3) (b), to agricultural development zones for which the \$5,000,000  
5 maximum allocation is insufficient. The ~~department~~ corporation may change the  
6 boundaries of an agricultural development zone during the time that its designation  
7 is in effect. A change in the boundaries of an agricultural development zone does not  
8 affect the duration of the designation of the area or the maximum tax benefit amount  
9 that may be claimed in the agricultural development zone.

10 **(3)** (a) Except as provided under par. (c), the ~~department~~ corporation may  
11 certify for tax benefits in an agricultural development zone a new or expanding  
12 agricultural business that is located in the agricultural development zone. In  
13 determining whether to certify a business under this subsection, the ~~department~~  
14 corporation shall consider, among other things, the number of jobs that will be  
15 created or retained by the business.

16 (b) When the ~~department~~ corporation certifies an agricultural business under  
17 this subsection, the ~~department~~ corporation shall establish a limit on the amount of  
18 tax benefits that the business may claim. The ~~department~~ corporation shall enter  
19 into an agreement with the business that specifies the limit on the amount of tax  
20 benefits that the business may claim and reporting requirements with which the  
21 business must comply.

22 **(4)** (a) (intro.) The ~~department of commerce~~ corporation shall notify the  
23 department of revenue of all the following:

1 (b) The ~~department~~ corporation shall annually verify information submitted  
2 to the ~~department~~ corporation under s. 71.07 (2dm) or (2dx), 71.28 (1dm) or (1dx),  
3 71.47 (1dm) or (1dx), or 76.636.

4 (5) (intro.) The ~~department~~ corporation shall ~~promulgate~~ adopt rules for the  
5 operation of this section, including rules related to all the following:

6 (e) The exchange of information between the ~~department of commerce~~  
7 corporation and the department of revenue.

8 **SECTION 3437.** 560.799 of the statutes is renumbered 238.399, and 238.399 (1)  
9 (am) 2., (3) (a), (b) (intro.), (bm) and (c), (5) (intro.), (b), (c) 1. a. and b., 2. b. and c., (d)  
10 1. and (e), (5m) and (6) (a), (b) (intro.), (c), (d), (e), (f) and (g) (intro.) and 1. (intro.),  
11 as renumbered, are amended to read:

12 238.399 (1) (am) 2. The ~~department~~ corporation may by rule specify  
13 circumstances under which the ~~department~~ corporation may grant exceptions to the  
14 requirement under subd. 1. that a full-time employee means an individual who, as  
15 a condition of employment, is required to work at least 2,080 hours per year, but  
16 under no circumstances may a full-time employee mean an individual who, as a  
17 condition of employment, is required to work less than 37.5 hours per week.

18 (3) DESIGNATION OF ENTERPRISE ZONES; CRITERIA. (a) The ~~department~~ corporation  
19 may designate not more than 12 enterprise zones.

20 (b) (intro.) In determining whether to designate an area under par. (a), the  
21 ~~department~~ corporation shall consider all of the following:

22 (bm) The ~~department~~ corporation shall specify whether an enterprise zone  
23 designated under par. (a) is located in a tier I county or municipality or a tier II county  
24 or municipality.

1 (c) The ~~department~~ corporation shall, to the extent possible, give preference to  
2 the greatest economic need.

3 (5) CERTIFICATION. (intro.) The ~~department~~ corporation may certify for tax  
4 benefits any of the following:

5 (b) A business that relocates to an enterprise zone from outside this state, if the  
6 business offers compensation and benefits to its employees working in the zone for  
7 the same type of work that are at least as favorable as those offered to its employees  
8 working outside the zone, as determined by the ~~department~~ corporation.

9 (c) 1. a. The business enters into an agreement with the ~~department~~  
10 corporation to claim tax benefits only for years during which the business maintains  
11 the increased level of personnel.

12 b. The business offers compensation and benefits for the same type of work to  
13 its employees working in the enterprise zone that are at least as favorable as those  
14 offered to its employees working in this state but outside the zone, as determined by  
15 the ~~department~~ corporation.

16 2. b. The business enters into an agreement with the ~~department~~ corporation  
17 to claim tax benefits only for years during which the business maintains the capital  
18 investment.

19 c. The business offers compensation and benefits for the same type of work to  
20 its employees working in the zone that are at least as favorable as those offered to  
21 its employees working in this state but outside the zone, as determined by the  
22 ~~department~~ corporation.

23 (d) 1. The business is an original equipment manufacturer with a significant  
24 supply chain in the state, as determined by the ~~department~~ corporation by rule.

1 (e) A business located in an enterprise zone if the business purchases tangible  
2 personal property, items, property, or goods under s. 77.52 (1) (b), (c), or (d), or  
3 services from Wisconsin vendors, as determined by the ~~department~~ corporation.

4 **(5m)** ADDITIONAL TAX BENEFITS FOR SIGNIFICANT CAPITAL EXPENDITURES. If the  
5 ~~department~~ corporation determines that a business certified under sub. (5) makes  
6 a significant capital expenditure in the enterprise zone, the ~~department~~ corporation  
7 may certify the business to receive additional tax benefits in an amount to be  
8 determined by the ~~department~~ corporation, but not exceeding 10 percent of the  
9 business' capital expenditures. The ~~department~~ corporation shall, in a manner  
10 determined by the ~~department~~ corporation, allocate the tax benefits a business is  
11 certified to receive under this subsection over the remainder of the time limit of the  
12 enterprise zone under sub. (4).

13 **(6)** (a) The ~~department of commerce~~ corporation shall notify the department  
14 of revenue when the ~~department of commerce~~ corporation certifies a business to  
15 receive tax benefits.

16 (b) (intro.) The ~~department~~ corporation shall revoke a certification under sub.  
17 (5) if the business does any of the following:

18 (c) The ~~department of commerce~~ corporation shall notify the department of  
19 revenue within 30 days of a revocation under par. (b).

20 (d) The ~~department~~ corporation may require a business to repay any tax  
21 benefits the business claims for a year in which the business failed to maintain  
22 employment or capital investment levels required by an agreement under sub. (5) (c).

23 (e) The ~~department~~ corporation shall determine the maximum amount of the  
24 tax credits under ss. 71.07 (3w), 71.28 (3w), and 71.47 (3w) that a certified business  
25 may claim and shall notify the department of revenue of this amount.

1 (f) The ~~department~~ corporation shall annually verify the information  
2 submitted to the ~~department~~ corporation under ss. 71.07 (3w), 71.28 (3w), or 71.47  
3 (3w).

4 (g) (intro.) The ~~department~~ corporation shall ~~promulgate~~ adopt rules specifying  
5 all of the following by rule:

6 1. (intro.) The definitions of a tier I county or municipality and a tier II county  
7 or municipality. The ~~department~~ corporation may consider all of the following  
8 information when establishing the definitions required under this subdivision:

9 **SECTION 3438.** 560.7995 of the statutes is renumbered 238.3995, and 238.3995  
10 (1) (b) and (c), (2) (a) (intro.) and 4., (b) (intro.) and 8., (c) 1. and 2. and (d), (3) (a), (b),  
11 (c) and (d) 1. and 2., (4) (a) (intro.) and 10., (am), (ar), (b) 1., (c) (intro.) and (d) and  
12 (5), as renumbered, are amended to read:

13 238.3995 (1) (b) “Full-time job” has the meaning given in s. ~~560.70~~ 238.30 (2m).

14 (c) “Target population” has the meaning given in s. ~~560.70~~ 238.30 (6).

15 (2) (a) (intro.) Subject to pars. (c) and (e), the ~~department~~ corporation may  
16 designate an area as an airport development zone if the ~~department~~ corporation  
17 determines all of the following:

18 4. That the airport development project is not likely to occur or continue  
19 without the ~~department’s~~ corporation designation of the area as an airport  
20 development zone.

21 (b) (intro.) In making a determination under par. (a), the ~~department~~  
22 corporation shall consider all of the following:

23 8. Any other factors that the ~~department~~ corporation considers relevant.

24 (c) 1. The ~~department~~ corporation may not designate as an airport development  
25 zone, or as any part of an airport development zone, an area that is located within



1 the boundaries of an area that is designated as a development zone under s. ~~560.71~~  
2 238.31, as a development opportunity zone under s. ~~560.795~~ 238.395, or as an  
3 enterprise development zone under s. ~~560.797~~ 238.397.

4 2. The ~~department~~ corporation shall give the department of transportation the  
5 opportunity to review and comment on any proposed designation under this  
6 subsection and the department of transportation may deny any such designation if  
7 the department of transportation determines that the designation would  
8 compromise the airport's safety or utility. The department of transportation may  
9 also review and comment on any land use or compatibility issues related to any  
10 proposed designation under this subsection.

11 (d) Notwithstanding pars. (a) to (c), and except as provided in par. (e), the  
12 ~~department~~ corporation shall designate as an airport development zone the area  
13 within the boundaries of Adams, Fond du Lac, Green Lake, Juneau, Langlade,  
14 Lincoln, Marathon, Marquette, Menominee, Oneida, Portage, Price, Shawano,  
15 Taylor, Waupaca, Waushara, Winnebago, Wood, and Vilas counties.

16 **(3)** (a) When the ~~department~~ corporation designates an area as an airport  
17 development zone, the ~~department~~ corporation shall specify the length of time, not  
18 to exceed 84 months, that the designation is effective, subject to par. (d). The  
19 ~~department~~ corporation shall notify each person certified for tax benefits in an  
20 airport development zone, the department of revenue, the department of  
21 transportation, the Wisconsin Housing and Economic Development Authority, and  
22 the governing body of each county, city, village, town, and federally recognized  
23 American Indian tribe or band in which territory of the airport development zone is  
24 located of the designation of and expiration date of the airport development zone.

1           (b) When the department corporation designates an area as an airport  
2 development zone, the department corporation shall establish a limit, not to exceed  
3 \$3,000,000, for tax benefits applicable to the airport development zone, except that  
4 the department corporation shall limit the amount of tax benefits applicable to the  
5 airport development zone designated under sub. (2) (d) to \$750,000. The total tax  
6 benefits applicable to all airport development zones may not exceed \$9,000,000, less  
7 any amount allocated to technology zones under s. ~~560.96~~ 238.23 (2) (b) and to  
8 agricultural development zones under s. ~~560.798~~ 238.398 (2) (b), and except that the  
9 total amount allocated to all technology zones under s. ~~560.96~~ 238.23 (2) (b) and to  
10 all agricultural development zones under s. ~~560.798~~ 238.398 (2) (b), may not exceed  
11 \$6,000,000. The department corporation may not reallocate amounts as provided  
12 under this paragraph on or after January 1, 2010, except that the department  
13 corporation may, after 48 months from the month of any designation under this  
14 section, evaluate the area designated as an airport development zone and reallocate  
15 the amount of available tax benefits.

16           (c) Annually, the department corporation shall estimate the amount of forgone  
17 state revenue because of tax benefits claimed by persons in each airport development  
18 zone.

19           (d) 1. Notwithstanding the length of time specified by the department  
20 corporation under par. (a), the designation of an area as an airport development zone  
21 shall expire 90 days after the day on which the department corporation determines  
22 that the forgone tax revenues estimated under par. (c) will equal or exceed the limit  
23 established for the airport development zone.

24           2. The department corporation shall immediately notify each person certified  
25 for tax benefits in an airport development zone, the department of revenue, the

1 department of transportation, the Wisconsin Housing and Economic Development  
2 Authority, and the governing body of each county, city, village, town, and federally  
3 recognized American Indian tribe or band in which territory of the airport  
4 development zone is located of a change in the expiration date of the airport  
5 development zone under this paragraph.

6 (4) (a) (intro.) A person that intends to operate a place of business in an airport  
7 development zone may submit to the ~~department~~ corporation an application and a  
8 business plan. The business plan shall include all of the following:

9 10. Any other information required by the ~~department~~ corporation or the  
10 department of revenue.

11 (am) A person that intends to operate a business in the airport development  
12 zone designated under sub. (2) (d) may submit to the ~~department~~ corporation an  
13 application and a business plan that includes all of the information required under  
14 par. (a). In approving business plans submitted under this paragraph, the  
15 ~~department~~ corporation shall give higher priority to airport development projects  
16 located or proposed to be located in ~~a distressed area, as defined in s. 560.605 (7) (b)~~  
17 areas that have a low median household income, as determined by the corporation.

18 (ar) The ~~department~~ corporation may not accept or approve any applications  
19 or business plans submitted under par. (a) on or after March 6, 2009.

20 (b) 1. Except as provided in subd. 2., if the ~~department~~ corporation approves  
21 a business plan under par. (a) or (am), the ~~department~~ corporation shall certify the  
22 person as eligible for tax benefits. The ~~department~~ corporation shall notify the  
23 department of revenue within 30 days of certifying a person under this paragraph.

1 (c) (intro.) The department corporation shall revoke a person's certification  
2 under par. (b) when the designation of the applicable airport development zone  
3 expires or if the person does any of the following:

4 (d) The department corporation shall notify the department of revenue within  
5 30 days after revoking a certification under par. (c).

6 **(5) VERIFICATION OF INFORMATION.** The department corporation annually shall  
7 verify information submitted to the department corporation under ss. 71.07 (2dm)  
8 and (2dx), 71.28 (1dm) and (1dx), and 71.47 (1dm) and (1dx) as it relates to airport  
9 development zones.

10 **SECTION 3439.** Subchapter VIII (title) of chapter 560 [precedes 560.86] of the  
11 statutes is repealed.

12 **SECTION 3440.** 560.86 of the statutes is repealed.

13 **SECTION 3441.** 560.87 of the statutes is repealed.

14 **SECTION 3442m.** 560.875 of the statutes is renumbered 16.29, and 16.29 (1),  
15 as renumbered, is amended to read:

16 16.29 (1) Annually, the department shall grant to the Great Lakes inter-tribal  
17 council the amount appropriated under s. ~~20.143~~ 20.505 (1) ~~(k)~~ (kx) to partially fund  
18 a program to provide technical assistance for economic development on Indian  
19 reservations if the conditions under subs. (2) and (3) are satisfied.

20 **SECTION 3443.** Subchapter IX (title) of chapter 560 [precedes 560.90] of the  
21 statutes is repealed.

22 **SECTION 3444.** 560.90 of the statutes is repealed.

23 **SECTION 3445.** 560.905 of the statutes is repealed.

24 **SECTION 3446.** 560.92 of the statutes is repealed.

25 **SECTION 3447.** 560.93 of the statutes is repealed.

1           **SECTION 3448.** 560.96 of the statutes is renumbered 238.23, and 238.23 (2) (a)  
2 and (b), (3) (a) (intro.), (b) (intro.), (c) and (d), (4) (a) (intro.) and (b) and (5) (intro.),  
3 (e) and (g), as renumbered, are amended to read:

4           238.23 **(2)** (a) Except as provided in par. (c), the ~~department~~ corporation may  
5 designate up to 8 areas in the state as technology zones. A business that is located  
6 in a technology zone and that is certified by the ~~department~~ corporation under sub.  
7 (3) is eligible for a tax credit as provided in sub. (3).

8           (b) The designation of an area as a technology zone shall be in effect for 10 years  
9 from the time that the ~~department~~ corporation first designates the area. Not more  
10 than \$5,000,000 in tax credits may be claimed in a technology zone, except that the  
11 ~~department~~ corporation may allocate the amount of unallocated airport  
12 development zone tax credits, as provided under s. 560.7995 238.3995 (3) (b), to  
13 technology zones for which the \$5,000,000 maximum allocation is insufficient. The  
14 ~~department~~ corporation may change the boundaries of a technology zone during the  
15 time that its designation is in effect. A change in the boundaries of a technology zone  
16 does not affect the duration of the designation of the area or the maximum tax credit  
17 amount that may be claimed in the technology zone.

18           **(3)** (a) (intro.) Except as provided in par. (e), the ~~department~~ corporation may  
19 certify for tax credits in a technology zone a business that satisfies all of the following  
20 requirements:

21           (b) (intro.) In determining whether to certify a business under this subsection,  
22 the ~~department~~ corporation shall consider all of the following:

23           (c) When the ~~department~~ corporation certifies a business under this  
24 subsection, the ~~department~~ corporation shall establish a limit on the amount of tax  
25 credits that the business may claim. Unless its certification is revoked, and subject

1 to the limit on the tax credit amount established by the department corporation  
2 under this paragraph, a business that is certified may claim a tax credit for 3 years,  
3 except that a business that experiences growth, as determined for that business by  
4 the department corporation under par. (d) and sub. (5) (e), may claim a tax credit for  
5 up to 5 years.

6 (d) The department corporation shall enter into an agreement with a business  
7 that is certified under this subsection. The agreement shall specify the limit on the  
8 amount of tax credits that the business may claim, the extent and type of growth,  
9 which shall be specific to the business, that the business must experience to extend  
10 its eligibility for a tax credit, the business' baseline against which that growth will  
11 be measured, any other conditions that the business must satisfy to extend its  
12 eligibility for a tax credit, and reporting requirements with which the business must  
13 comply.

14 (4) (a) (intro.) The ~~department of commerce~~ corporation shall notify the  
15 department of revenue of all the following:

16 (b) The department corporation shall annually verify information submitted  
17 to the department corporation under ss. 71.07 (2di), (2dm), (2dx), and (3g), 71.28  
18 (1di), (1dm), (1dx), and (3g), and 71.47 (1di), (1dm), (1dx), and (3g).

19 (5) (intro.) The department corporation shall ~~promulgate~~ adopt rules for the  
20 operation of this section, including rules related to all the following:

21 (e) Standards for extending a business's certification, including what  
22 measures, in addition to job creation, the department corporation will use to  
23 determine the growth of a specific business and how the department corporation will  
24 establish baselines against which to measure growth.

1 (g) The exchange of information between the ~~department of commerce~~  
2 corporation and the department of revenue.

3 **SECTION 3449.** Subchapter X (title) of chapter 560 [precedes 560.9801] of the  
4 statutes is repealed.

5 **SECTION 3450m.** 560.9801 of the statutes is renumbered 16.301.

6 **SECTION 3451m.** 560.9802 of the statutes is renumbered 16.302.

7 **SECTION 3452m.** 560.9803 of the statutes is renumbered 16.303, and 16.303 (1)  
8 (a) and (3) (a), as renumbered, are amended to read:

9 16.303 (1) (a) Subject to sub. (2), make grants or loans, directly or through  
10 agents designated under s. ~~560.9804~~ 16.304, from the appropriation under s. ~~20.143~~  
11 ~~(2)~~ 20.505 (7) (b) to persons or families of low or moderate income to defray housing  
12 costs of the person or family.

13 (3) (a) The department may make grants or loans under sub. (1) (a) directly or  
14 through agents designated under s. ~~560.9804~~ 16.304.

15 **SECTION 3453m.** 560.9804 of the statutes is renumbered 16.304, and 16.304 (1)  
16 (a) and (c), as renumbered, are amended to read:

17 16.304 (1) (a) Award grants and loans under s. ~~560.9803~~ 16.303 (1) and (2)  
18 subject to the approval of the department.

19 (c) On terms approved by the department, administer and disburse funds from  
20 a grant or loan under s. ~~560.9803~~ 16.303 on behalf of the recipient of the grant or loan.

21 **SECTION 3454m.** 560.9805 of the statutes is renumbered 16.305, and 16.305 (1)  
22 (intro.) and (c) (intro.) and (4), as renumbered, are amended to read:

23 16.305 (1) (intro.) The department may make grants to a community-based  
24 organization, organization operated for profit, or housing authority to improve the  
25 ability of the community-based organization, organization operated for profit, or

1 housing authority to provide housing opportunities, including housing-related  
2 counseling services, for persons or families of low or moderate income. The grants  
3 may be used to partially defray any of the following:

4 (c) (intro.) The department determines that the grant to the particular  
5 community-based organization, organization operated for profit, or housing  
6 authority is appropriate because of any of the following:

7 (4) To ensure the development of housing opportunities, the department shall  
8 coordinate the use of grants provided under this section with projects undertaken by  
9 housing authorities, organizations operated for profit, and community-based  
10 organizations.

11 **SECTION 3455m.** 560.9806 (1), (2) and (3) of the statutes are renumbered  
12 16.306 (1), (2) and (3), and 16.306 (2) (a), as renumbered, is amended to read:

13 16.306 (2) (a) From the appropriation under s. ~~20.143 (2)~~ 20.505 (7) (fm), the  
14 department may award a grant to an eligible applicant for the purpose of providing  
15 transitional housing and associated supportive services to homeless individuals and  
16 families if the conditions under par. (b) are satisfied. The department shall ensure  
17 that the funds for the grants are reasonably balanced among geographic areas of the  
18 state, consistent with the quality of applications submitted.

19 **SECTION 3456m.** 560.9806 (4) of the statutes is repealed.

20 **SECTION 3457m.** 560.9807 of the statutes is renumbered 16.307, and 16.307  
21 (1), as renumbered, is amended to read:

22 16.307 (1) GRANTS. From moneys available under s. ~~20.143 (2)~~ 20.505 (7) (h),  
23 the department shall make grants to organizations, including organizations  
24 operated for profit, that provide shelter or services to homeless individuals or  
25 families.



1           **SECTION 3458m.** 560.9808 of the statutes is renumbered 16.308, and 16.308 (2)  
2 (a) and (b) (intro.) and (3) (b), as renumbered, are amended to read:

3           16.308 **(2)** (a) From the appropriations under s. ~~20.143 (2)~~ 20.505 (7) (fm) and  
4 (h), the department shall award grants to eligible applicants for the purpose of  
5 supplementing the operating budgets of agencies and shelter facilities that have or  
6 anticipate a need for additional funding because of the renovation or expansion of an  
7 existing shelter facility, the development of an existing building into a shelter facility,  
8 the expansion of shelter services for homeless persons, or an inability to obtain  
9 adequate funding to continue the provision of an existing level of services.

10           (b) (intro.) The department shall allocate funds from the appropriations under  
11 s. ~~20.143 (2)~~ 20.505 (7) (fm) and (h) for temporary shelter for homeless individuals  
12 and families as follows:

13           **(3)** (b) Applications shall be submitted in the form required by the department  
14 and shall be accompanied by the current or proposed operating budget or both, as  
15 required by the department, of each shelter facility or agency which that will, directly  
16 or indirectly, receive any of the grant money, and an explanation of why the shelter  
17 facility or agency has or anticipates a need for additional funding.

18           **SECTION 3459m.** 560.9809 of the statutes is renumbered 16.309.

19           **SECTION 3460m.** 560.9810 of the statutes is renumbered 16.310.

20           **SECTION 3461m.** 560.9811 of the statutes is renumbered 16.311, and 16.311 (2),  
21 as renumbered, is amended to read:

22           16.311 **(2)** From the appropriation under s. ~~20.143 (2)~~ 20.505 (7) (fr), the  
23 department may not award more than \$45,000 in each fiscal year to applying public  
24 or nonprofit private entities for the costs of providing certain mental health services  
25 to homeless individuals with serious and persistent mental illness. Entities that

1 receive funds awarded by the department under this subsection shall provide the  
2 mental health services required under 42 USC 290cc–24. The amount that the  
3 department awards to an applying entity may not exceed 50% of the amount of  
4 matching funds required under 42 USC 290cc–23.

5 **SECTION 3462m.** 560.9815 of the statutes is renumbered 16.315.

6 **SECTION 3463.** 563.03 (1) of the statutes is amended to read:

7 563.03 (1) “Adult family home” has the meaning given in s. 50.01 (1) (a) ~~or (b)~~.

8 **SECTION 3464.** 563.05 (3) of the statutes is amended to read:

9 563.05 (3) The department may promulgate rules specifying the number of  
10 business days within which the department must review and make a determination  
11 on an application for a permit, as defined in s. ~~560.41 (2)~~ 227.116 (1g), that is issued  
12 under this chapter.

13 **SECTION 3465.** 565.01 (4d) of the statutes is amended to read:

14 565.01 (4d) “Minority business” means a business certified by the department  
15 of commerce administration under s. ~~560.036~~ 16.287 (2).

16 **SECTION 3466.** 565.01 (4e) of the statutes is amended to read:

17 565.01 (4e) “Minority group member” has the meaning given in s. ~~560.036~~  
18 16.287 (1) (f).

19 **SECTION 3466r.** 601.45 (3) of the statutes is amended to read:

20 601.45 (3) DEPOSIT. The commissioner may require any examinee, before or  
21 from time to time during an examination, to deposit with the secretary of  
22 administration such deposits as the commissioner deems necessary to pay the costs  
23 of the examination. Any deposit and any payment made under subs. (1) and (2) shall  
24 be credited to the appropriation account under s. 20.145 (1) (g) 1. ~~in the percentage~~  
25 ~~specified in that subdivision.~~

1           **SECTION 3467.** 601.93 (2) of the statutes is amended to read:

2           601.93 **(2)** Every insurer doing a fire insurance business in this state shall,  
3 before March 1 in each year, file with the commissioner a statement, showing the  
4 amount of premiums upon fire insurance due for the preceding calendar year.  
5 Return premiums may be deducted in determining the premium on which the fire  
6 department dues are computed. Payments of quarterly installments of the total  
7 estimated payment for the then current calendar year under this subsection are due  
8 on or before April 15, June 15, September 15 and December 15. On March 1 the  
9 insurer shall pay any additional amounts due for the preceding calendar year.  
10 Overpayments will be credited on the amount due April 15. The commissioner shall,  
11 prior to May 1 each year, report to the department of ~~commerce~~ safety and  
12 professional services the amount of dues paid under this subsection and to be paid  
13 under s. 101.573 (1).

14           **SECTION 3471.** 610.70 (1) (a) of the statutes is amended to read:

15           610.70 **(1)** (a) “Health care provider” means any person licensed, registered,  
16 permitted or certified by the department of health services or the department of  
17 ~~regulation and licensing~~ safety and professional services to provide health care  
18 services, items or supplies in this state.

19           **SECTION 3471m.** 611.11 (4) (a) of the statutes is amended to read:

20           611.11 **(4)** (a) In this subsection, “municipality” has the meaning given in s.  
21 345.05 (1) (c), ~~but also includes any transit authority created under s. 66.1039.~~

22           **SECTION 3472.** 632.10 (1) of the statutes is amended to read:

23           632.10 **(1)** “Building and safety standards” means the requirements of chs. 101  
24 and 145 and of any rule promulgated by the department of ~~commerce~~ safety and

1 professional services under ch. 101 or 145, and standards of a 1st class city relating  
2 to the health and safety of occupants of buildings.

3 **SECTION 3472ac.** 632.797 (1) (d) of the statutes is created to read:

4 632.797 (1) (d) Except for charging a fee under par. (c), an insurer may not  
5 change the rating methodology between community rating and experience rating or  
6 otherwise penalize a policyholder or employer for requesting the information under  
7 par. (a).

8 **SECTION 3472b.** 632.885 (1) (a) of the statutes is repealed.

9 **SECTION 3472c.** 632.885 (1) (af) of the statutes is created to read:

10 632.885 (1) (af) “Eligible employer–sponsored plan” has the meaning given in  
11 26 USC 5000A (f) (2).

12 **SECTION 3472d.** 632.885 (1) (ar) of the statutes is created to read:

13 632.885 (1) (ar) “Grandfathered health plan” has the meaning given under  
14 section 1251 of the Patient Protection and Affordable Care Act (P.L. 111–148).

15 **SECTION 3472e.** 632.885 (1) (at) of the statutes is created to read:

16 632.885 (1) (at) “Health insurance coverage” has the meaning given in 42 USC  
17 300gg–91 (b) (1).

18 **SECTION 3472f.** 632.885 (2) (a) (intro.) of the statutes is renumbered 632.885  
19 (2) (a) and amended to read:

20 632.885 (2) (a) Subject to ss. 632.88 and 632.895 (5), and except as provided in  
21 pars. (b) and (c), every insurer that issues a disability insurance policy offers health  
22 insurance coverage that provides dependent coverage of children, and every  
23 self–insured health plan that provides dependent coverage of children, shall offer  
24 and, if so requested by an applicant or an insured, provide coverage for an adult any

1 child of the an applicant or insured as a dependent of the applicant or insured if the  
2 child satisfies ~~all of the following criteria:~~ is under the age of 26.

3 **SECTION 3472g.** 632.885 (2) (a) 1. of the statutes is repealed.

4 **SECTION 3472h.** 632.885 (2) (a) 2. of the statutes is repealed.

5 **SECTION 3472i.** 632.885 (2) (a) 3. of the statutes is repealed.

6 **SECTION 3472j.** 632.885 (2) (b) (intro.) of the statutes is amended to read:

7 632.885 (2) (b) (intro.) ~~Notwithstanding par. (a) 1., the~~ Except as provided in  
8 par. (c), the coverage requirement under this section applies to an adult child who  
9 satisfies all of the following criteria:

10 **SECTION 3472k.** 632.885 (2) (b) 2. of the statutes is repealed.

11 **SECTION 3472L.** 632.885 (2) (c) of the statutes is created to read:

12 632.885 (2) (c) For any policy year or plan year beginning before January 1,  
13 2014, health insurance coverage or a self-insured health plan described in par. (a)  
14 that is a grandfathered health plan is required to provide dependent coverage for an  
15 adult child described in par. (a) or (b) only if the child is not eligible for coverage under  
16 an eligible employer-sponsored plan other than the health insurance coverage or  
17 self-insured health plan.

18 **SECTION 3472m.** 632.885 (3) of the statutes is repealed.

19 **SECTION 3472n.** 632.885 (3m) of the statutes is created to read:

20 632.885 (3m) **DEFINING DEPENDENT; UNIFORM TERMS.** An insurer or self-insured  
21 health plan described in sub. (2) may not do any of the following:

22 (a) Define “dependent” for purposes of eligibility for dependent coverage of  
23 children other than in terms of the relationship between a child and an applicant or  
24 insured.

1 (b) Vary the terms of coverage under the health insurance coverage or  
2 self-insured health plan on the basis of age except for children 26 years of age or  
3 older.

4 **SECTION 3472p.** 632.885 (4) of the statutes is repealed.

5 **SECTION 3474.** 704.05 (5) (a) 2. of the statutes is amended to read:

6 704.05 (5) (a) 2. Give the tenant notice, personally or by ordinary mail  
7 addressed to the tenant's last-known address, of the landlord's intent to dispose of  
8 the personal property by sale or other appropriate means if the property is not  
9 repossessed by the tenant. If the tenant fails to repossess the property within 30 days  
10 after the date of personal service or the date of the mailing of the notice, the landlord  
11 may dispose of the property by private or public sale or any other appropriate means.  
12 The landlord may deduct from the proceeds of sale any costs of sale and any storage  
13 charges if the landlord has first stored the personalty under subd. 1. If the proceeds  
14 minus the costs of sale and minus any storage charges are not claimed within 60 days  
15 after the date of the sale of the personalty, the landlord is not accountable to the  
16 tenant for any of the proceeds of the sale or the value of the property. The landlord  
17 shall send the proceeds of the sale minus the costs of the sale and minus any storage  
18 charges to the department of administration for deposit in the appropriation under  
19 s. ~~20.143 (2)~~ 20.505 (7) (h).

20 **SECTION 3474m.** 704.35 of the statutes is repealed.

21 **SECTION 3475.** 709.03 (form) C. 8. of the statutes is amended to read:

22 **709.03** (form)

1 C. 8. I am aware of underground or aboveground fuel ....  
2 storage tanks on the property. (If "yes", the  
3 owner, by law, may have to register the tanks  
4 with the department of commerce safety and  
5 professional services at P.O. Box 7970, Madison,  
6 Wisconsin, 53707, whether the tanks are in use  
7 or not. Regulations of the department of com-  
8 merce safety and professional services may  
9 require the closure or removal of unused tanks.

10 **SECTION 3475g.** 751.20 of the statutes is created to read:

11 **751.20 Transfer authority.** Notwithstanding s. 20.680 (2) (a) to (ke) and (4)  
12 (a) to (h), the supreme court may transfer money from the appropriations under  
13 20.680 (2) (a) to (ke) and (4) (a) to (h) to the appropriation under s. 20.670 (1) (k) for  
14 the purposes of the judicial council under s. 758.13.

15 **SECTION 3477.** 758.19 (8) (a) (intro.) of the statutes is amended to read:

16 758.19 (8) (a) (intro.) From the ~~appropriation~~ appropriations under s. 20.625  
17 (1) (c) and (k), the director of state courts shall reimburse counties up to 4 times each  
18 year for the actual expenses paid for interpreters required by circuit courts to assist  
19 persons with limited English proficiency under s. 885.38 (8) (a) 1. The amount of the  
20 maximum hourly reimbursement for court interpreters shall be as follows:

21 **SECTION 3478.** 767.215 (5) (a) (intro.) of the statutes is amended to read:

22 767.215 (5) (a) (intro.) ~~When~~ Except as provided in par. (am), when the petition  
23 under this section is filed with the court, the party filing the petition shall submit a  
24 separate form, furnished by the court, containing all of the following:

25 **SECTION 3479.** 767.215 (5) (a) 2. of the statutes is amended to read:

1           767.215 (5) (a) 2. The name, date of birth, and social security number of each  
2 minor child of the parties and of each child who was born to the wife during the  
3 marriage and who is a minor.

4           **SECTION 3480.** 767.215 (5) (am) of the statutes is created to read:

5           767.215 (5) (am) In an action to determine the paternity of a child, the party  
6 who filed the petition shall submit the form under par. (a) within 5 days after  
7 paternity is adjudicated.

8           **SECTION 3481.** 767.215 (5) (b) of the statutes is amended to read:

9           767.215 (5) (b) A form submitted under this subsection shall be maintained  
10 with the confidential information required under s. ~~767.54~~ 767.127 or maintained  
11 separately from the case file. The form may be disclosed only to the parties and their  
12 attorneys, a county child support enforcement agency, and any other person  
13 authorized by law or court order to have access to the information on the form.

14           **SECTION 3482.** 767.511 (6) (intro.) of the statutes is amended to read:

15           767.511 (6) INTEREST ON ARREARAGE. (intro.) A party ordered to pay child  
16 support under this section shall pay simple interest at the rate of 1% per month on  
17 any amount in arrears that is equal to or greater than the amount of child support  
18 due in one month. If the party no longer has a current obligation to pay child support,  
19 interest at the rate of 1% per month shall accrue on the total amount of child support  
20 in arrears, if any. Interest under this subsection is in lieu of interest computed under  
21 s. 807.01 (4), 814.04 (4), or 815.05 (8) and is paid to the department or its designee  
22 under s. 767.57. Except as provided in s. 767.57 (1m) and except as required under  
23 federal statutes or regulations, the department or its designee shall apply all  
24 payments received for child support as follows:

25           **SECTION 3484k.** 799.01 (1) (c) of the statutes is amended to read:



1           799.01 (1) (c) *Replevins*. Actions for replevin under ss. 810.01 to 810.13 where  
2 the value of the property claimed does not exceed \$5,000 \$10,000.

3           **SECTION 3484m.** 799.01 (1) (cr) of the statutes is created to read:

4           799.01 (1) (cr) *Third-party complaints, personal injury claims, and tort claims*.  
5 Third-party complaints, personal injury claims, and actions based in tort, where the  
6 amount claimed is \$5,000 or less.

7           **SECTION 3484n.** 799.01 (1) (d) (intro.) of the statutes is amended to read:

8           799.01 (1) (d) (intro.) Other civil actions where the amount claimed is \$5,000  
9 \$10,000 or less, if the actions or proceedings are:

10          **SECTION 3484q.** 799.01 (2) of the statutes is amended to read:

11          799.01 (2) PERMISSIVE USE OF SMALL CLAIMS PROCEDURE. A taxing authority may  
12 use the procedure in this chapter in an action to recover a tax from a person liable  
13 for that tax where the amount claimed, including interest and penalties, is \$5,000  
14 \$10,000 or less. This chapter is not the exclusive procedure for those actions.

15          **SECTION 3490g.** 814.63 (3m) of the statutes is created to read:

16          814.63 (3m) (a) Except as provided in par. (d), if a defendant is required to  
17 appear in court, in addition to any forfeiture, costs, fees, or surcharges it imposes, the  
18 court shall impose and collect from the defendant any costs charged to or paid by a  
19 law enforcement agency for the withdrawal of the defendant's blood if the court finds  
20 that the defendant violated s. 23.33 (4c), 30.681, 346.63, or 350.101, or a local  
21 ordinance in conformity therewith.

22          (b) Except as provided in par. (d), if at the time the court finds that the  
23 defendant committed the violation, the law enforcement agency has not paid or been  
24 charged with the costs of withdrawing the defendant's blood, the court shall impose

1 and collect the costs the law enforcement agency reasonably expects to be charged  
2 for the withdrawal, based on the current charges for this procedure.

3 (c) The court shall disburse the amounts it collects under this subsection to the  
4 law enforcement agency that requested the blood withdrawal.

5 (d) The court may not impose on the defendant any cost for an alternative test  
6 provided free of charge as described in s. 343.305 (4).

7 **SECTION 3490r.** 814.65 (4m) of the statutes is created to read:

8 814.65 **(4m)** BLOOD TEST FEE. (a) Except as provided in par. (d), if a defendant  
9 is required to appear in municipal court, in addition to any forfeiture, costs, fees, or  
10 surcharges it imposes, the municipal court shall impose and collect from the  
11 defendant any costs charged to or paid by a law enforcement agency for the  
12 withdrawal of the defendant's blood if the court finds that the defendant violated a  
13 local ordinance in conformity with s. 23.33 (4c), 30.681, 346.63, or 350.101.

14 (b) Except as provided in par. (d), if at the time the court finds that the  
15 defendant committed the violation, the law enforcement agency has not paid or been  
16 charged with the costs of withdrawing the defendant's blood, the court shall impose  
17 and collect the costs the law enforcement agency reasonably expects to be charged  
18 for the withdrawal, based on the current charges for this procedure.

19 (c) The court shall disburse the amounts it collects under this subsection to the  
20 law enforcement agency that requested the blood withdrawal.

21 (d) The court may not impose on the defendant any cost for an alternative test  
22 provided free of charge as described in s. 343.305 (4).

23 **SECTION 3491.** 815.18 (3) (o) of the statutes is amended to read:

24 815.18 **(3)** (o) *Tuition units.* Tuition units purchased under s. 14.63 16.64.

25 **SECTION 3492.** 815.18 (3) (p) of the statutes is amended to read:

1           815.18 (3) (p) *College savings accounts*. An interest in a college savings account  
2 under s. 14.64 16.641.

3           **SECTION 3492m.** 846.35 of the statutes is repealed.

4           **SECTION 3492r.** 885.60 (2) (a) of the statutes is amended to read:

5           885.60 (2) (a) Except as may otherwise be provided by law, a defendant in a  
6 criminal case and a respondent in a matter listed in sub. (1) is entitled to be  
7 physically present in the courtroom at all ~~critical stages of the proceedings, including~~  
8 ~~evidentiary hearings, trials or fact-finding hearings, plea hearings at which a plea~~  
9 ~~of guilty or no contest, or an admission, will be offered, and sentencing or~~  
10 ~~dispositional hearings.~~

11          **SECTION 3492w.** 885.60 (2) (d) of the statutes is amended to read:

12          885.60 (2) (d) If an objection is made by the defendant or respondent in a matter  
13 listed in sub. (1), regarding any proceeding where he or she is entitled to be physically  
14 present in the courtroom, the court shall sustain the objection. For all other  
15 proceedings in a matter listed in sub. (1), the court shall determine the objection in  
16 the exercise of its discretion under the criteria set forth in s. 885.56.

17          **SECTION 3495.** 891.45 (1) (b) of the statutes is amended to read:

18          891.45 (1) (b) “Municipal fire fighter” includes any person designated as  
19 primarily a fire fighter under s. 60.553 (2), 61.66 (2), or 62.13 (2e) (b) and any person  
20 under s. 60.553, 61.66, or 62.13 (2e) whose duties as a fire fighter during the 5-year  
21 qualifying period took up at least two-thirds of his or her working hours.

22          **SECTION 3496.** 891.453 (1) (c) of the statutes is amended to read:

23          891.453 (1) (c) “Fire fighter” means a state, county, or municipal fire fighter  
24 who is covered under s. 891.45 and any person under s. 60.553, 61.66, or 62.13 (2e)  
25 whose duties as a fire fighter took up at least two-thirds of his or her working hours.

1           **SECTION 3497.** 891.453 (1) (d) of the statutes is amended to read:

2           891.453 **(1)** (d) “Law enforcement officer” means any person employed by the  
3 state or by a county or a municipality for the purpose of detecting and preventing  
4 crime and enforcing laws or ordinances, who is authorized to make arrests for  
5 violations of the laws or ordinances which he or she is employed to enforce. “Law  
6 enforcement officer” includes a person under s. 60.553, 61.66, or 62.13 (2e) whose  
7 duties as a police officer took up at least two-thirds of his or her working hours.

8           **SECTION 3498.** 891.455 (1) of the statutes is amended to read:

9           891.455 **(1)** In this section, “state, county, or municipal fire fighter” means a  
10 fire fighter who is covered under s. 891.45 and any person under s. 60.553, 61.66, or  
11 62.13 (2e) whose duties as a fire fighter during the 10-year qualifying period  
12 specified in sub. (2) took up at least two-thirds of his or her working hours.

13           **SECTION 3500.** 893.82 (9) of the statutes is created to read:

14           893.82 **(9)** For purposes of this section, any employee of the state of Minnesota  
15 performing services for this state pursuant to a valid agreement between this state  
16 and the state of Minnesota providing for interchange of employees or services is  
17 considered to have the same status as an employee of this state performing the same  
18 services for this state, and any employee of this state who performs services for the  
19 state of Minnesota pursuant to such an agreement is considered to have the same  
20 status as when performing the same services for this state in any action brought  
21 under the laws of this state.

22           **SECTION 3501.** 893.925 (2) (a) of the statutes is amended to read:

23           893.925 **(2)** (a) An action to recover damages for mining-related injuries under  
24 s. 107.32 shall be brought within 3 years of the date on which the death or injury  
25 occurs unless the department of ~~commerce~~ safety and professional services gives

1 written notice within the time specified in this subsection that a claim has been filed  
2 with it under sub. (1), in which case an action based on the claim may be brought  
3 against the person to whom the notice is given within one year after the final  
4 resolution, including any appeal, of the claim or within the time specified in this  
5 subsection, whichever is longer.

6 **SECTION 3502.** 895.07 (13) of the statutes is amended to read:

7 895.07 (13) BROCHURE. The department of ~~commerce~~ safety and professional  
8 services shall prepare a brochure explaining the process under this section and shall  
9 provide that brochure to contractors.

10 **SECTION 3503.** 895.441 (5) of the statutes is amended to read:

11 895.441 (5) SILENCE AGREEMENTS. Any provision in a contract or agreement  
12 relating to the settlement of any claim by a patient against a therapist that limits  
13 or eliminates the right of the patient to disclose sexual contact by the therapist to a  
14 subsequent therapist, the department of ~~regulation and licensing~~ safety and  
15 professional services, the department of health services, the injured patients and  
16 families compensation fund peer review council, or a district attorney is void.

17 **SECTION 3503g.** 895.453 of the statutes is created to read:

18 **895.453 Payments of chiropractic services from attorney contingency**  
19 **fees. (1)** In this section:

20 (a) “Chiropractor” means a person licensed under ch. 446.

21 (b) “Motor vehicle” means a vehicle, including a combination of 2 or more  
22 vehicles or an articulated vehicle, which is self-propelled, except a vehicle operated  
23 exclusively on a rail.

24 (2) Notwithstanding s. 803.03, if all of the following conditions exist, fees for  
25 chiropractic services provided to an injured person shall be paid out of the amount

1 of fees due to his or her attorney under the contingency fee arrangement made  
2 between the person and the attorney:

3 (a) The person is injured as the result of a motor vehicle accident.

4 (b) The services were provided by a chiropractor because of the injuries arising  
5 from the motor vehicle accident.

6 (c) The person is represented by an attorney under a contingency fee  
7 arrangement.

8 (d) The person receives an amount under a settlement agreement that is less  
9 than his or her damages.

10 (e) Prior to the person's acceptance of the settlement agreement, the  
11 chiropractor has not been paid for his or her services and has provided written  
12 notification to the person's attorney of the services that were provided to the person.

13 **(3)** Except as provided in sub. (4), if the conditions under sub. (2) are met, the  
14 distribution of the amount due under the contingency fee arrangement shall be  
15 allocated on a pro rata basis between the person's attorney and each chiropractor  
16 who provided services, based on the percentage obtained by comparing the  
17 outstanding fees owed to the attorney and each chiropractor to the aggregate  
18 outstanding attorney and chiropractic fees.

19 **(4)** This section does not apply if any of the following exist:

20 (a) The chiropractor is eligible for payment for the services provided to the  
21 person under any health insurance contract or self-insured health plan.

22 (b) The chiropractor is eligible for payment for the services provided to the  
23 person under any governmental health plan or program, including Medicaid or  
24 Medicare.

25 **SECTION 3504.** 895.46 (10) of the statutes is created to read:

1           895.46 **(10)** Any employee of the state of Minnesota who is named as a  
2 defendant and who is found liable as a result of performing services for this state  
3 under a valid agreement between this state and the state of Minnesota providing for  
4 interchange of employees or services shall be indemnified by this state to the same  
5 extent as an employee of this state performing the same services for this state  
6 pursuant to this section.

7           **SECTION 3508v.** 904.085 (2) (a) of the statutes is amended to read:

8           904.085 **(2)** (a) “Mediation” means mediation under s. 93.50 (3), conciliation  
9 under s. 111.54, mediation under s. 111.11, 111.70 (4) (cg) or (cm) 3. or 111.87,  
10 mediation under s. 115.797, negotiation under s. 289.33 (9), mediation under ch. 655  
11 or s. 767.405, or any similar statutory, contractual or court–referred process  
12 facilitating the voluntary resolution of disputes. “Mediation” does not include  
13 binding arbitration or appraisal.

14           **SECTION 3509.** 908.03 (6m) (c) 3. of the statutes is amended to read:

15           908.03 **(6m)** (c) 3. If upon a properly authorized request of an attorney, the  
16 health care provider refuses, fails, or neglects to supply within 2 business days a  
17 legible certified duplicate of its records for the fees under s. 146.83 (1f) ~~(e) or (d) or~~  
18 ~~(1h) (b) or (c) or (3f)~~, whichever are is applicable.

19           **SECTION 3512.** 938.02 (14m) of the statutes is repealed.

20           **SECTION 3515.** 938.245 (2) (a) 4. of the statutes is amended to read:

21           938.245 **(2)** (a) 4. ‘Alcohol and other drug abuse treatment and education.’ That  
22 the juvenile participate in an alcohol and other drug abuse outpatient treatment  
23 program, ~~a court–approved pupil assistance program provided by the juvenile’s~~  
24 ~~school board,~~ or a court–approved alcohol or other drug abuse education program, if  
25 an alcohol and other drug abuse assessment under subd. 3. recommends outpatient

1 treatment, intervention, or education. ~~The juvenile's participation in a~~  
2 ~~court-approved pupil assistance program is subject to the approval of the juvenile's~~  
3 ~~school board.~~

4 **SECTION 3516.** 938.295 (1g) of the statutes is amended to read:

5 938.295 **(1g)** REPORT OF RESULTS AND RECOMMENDATIONS. If the court orders an  
6 alcohol or other drug abuse assessment under sub. (1), the approved treatment  
7 facility shall, within 14 days after the order, report the results of the assessment to  
8 the court, except that, if requested by the facility and if the juvenile is not held in  
9 secure or nonsecure custody, the court may extend the period for assessment for not  
10 more than 20 additional working days. The report shall include a recommendation  
11 as to whether the juvenile is in need of treatment, intervention, or education relating  
12 to the use or abuse of alcohol beverages, controlled substances, or controlled  
13 substance analogs and, if so, shall recommend a service plan and appropriate  
14 treatment from an approved treatment facility, ~~intervention from a court-approved~~  
15 ~~pupil assistance program,~~ or education from a court-approved alcohol or other drug  
16 abuse education program.

17 **SECTION 3517.** 938.32 (1g) (b) of the statutes is amended to read:

18 938.32 **(1g)** (b) That the juvenile participate in a ~~court-approved pupil~~  
19 ~~assistance program provided by the juvenile's school board or a court-approved~~  
20 alcohol or other drug abuse education program. ~~The juvenile's participation in a~~  
21 ~~court-approved pupil assistance program is subject to the approval of the juvenile's~~  
22 ~~school board.~~

23 **SECTION 3517g.** 938.34 (3) (f) 1. of the statutes is amended to read:

24 938.34 **(3)** (f) 1. The placement may be for any combination of single or  
25 consecutive days totalling not more than ~~30~~ 180, including any placement under



1 pars. (a) to (e). The juvenile shall be given credit against the period of detention or  
2 nonsecure custody imposed under this paragraph for all time spent in secure  
3 detention in connection with the course of conduct for which the detention or  
4 nonsecure custody was imposed.

5 **SECTION 3517r.** 938.34 (3) (f) 4. of the statutes is created to read:

6 938.34 **(3)** (f) 4. If a juvenile's placement under this paragraph exceeds 30 days,  
7 whether or not consecutive, the county department shall offer the juvenile alcohol  
8 or other drug abuse treatment, counseling, and education services under par. (6r).  
9 The payment for those services shall be in accordance with s. 938.361.

10 **SECTION 3519.** 938.34 (14s) (b) 3. of the statutes is amended to read:

11 938.34 **(14s)** (b) 3. Participate in ~~a court-approved pupil assistance program~~  
12 ~~provided by the juvenile's school board or an alcohol or other drug abuse education~~  
13 ~~program. The juvenile's participation in a court-approved pupil assistance program~~  
14 ~~under this subdivision is subject to the approval of the juvenile's school board.~~

15 **SECTION 3520.** 938.34 (14s) (d) of the statutes is amended to read:

16 938.34 **(14s)** (d) If the juvenile completes the alcohol or other drug abuse  
17 treatment program, ~~court-approved pupil assistance program~~ or court-approved  
18 alcohol or other drug abuse education program, the approved treatment facility,  
19 ~~court-approved pupil assistance program~~ or court-approved alcohol or other drug  
20 abuse education program shall, with the written informed consent of the juvenile or,  
21 if the juvenile has not attained the age of 12, the written informed consent of the  
22 juvenile's parent, notify the agency primarily responsible for providing services to  
23 the juvenile that the juvenile has complied with the order and the court shall notify  
24 the juvenile of whether or not the original dispositional order will be reinstated.

25 **SECTION 3521.** 938.34 (14s) (e) of the statutes is amended to read:

1           938.34 (14s) (e) If an approved treatment facility, ~~court-approved pupil~~  
2 ~~assistance program~~ or court-approved alcohol or other drug abuse education  
3 program, with the written informed consent of the juvenile or, if the juvenile has not  
4 attained the age of 12, the written informed consent of the juvenile's parent, notifies  
5 the agency primarily responsible for providing services to the juvenile that a juvenile  
6 is not participating in, or has not satisfactorily completed, a recommended alcohol  
7 or other drug abuse treatment program, ~~a court-approved pupil assistance program~~  
8 or a court-approved alcohol or other drug abuse education program, the court shall  
9 impose the original disposition under par. (a) or (am).

10           **SECTION 3522.** 938.343 (10) (c) of the statutes is amended to read:

11           938.343 (10) (c) Participate in ~~a court-approved pupil assistance program~~  
12 ~~provided by the juvenile's school board or in a court-approved alcohol or other drug~~  
13 ~~abuse education program. The juvenile's participation in a court-approved pupil~~  
14 ~~assistance program under this paragraph is subject to the approval of the juvenile's~~  
15 ~~school board.~~

16           **SECTION 3523.** 938.344 (2g) (a) 3. of the statutes is amended to read:

17           938.344 (2g) (a) 3. Participate in ~~a court-approved pupil assistance program~~  
18 ~~provided by the juvenile's school board or in a court-approved alcohol or other drug~~  
19 ~~abuse education program. The juvenile's participation in a court-approved pupil~~  
20 ~~assistance program under this subdivision is subject to the approval of the juvenile's~~  
21 ~~school board.~~

22           **SECTION 3524.** 938.344 (2g) (c) of the statutes is amended to read:

23           938.344 (2g) (c) If the juvenile completes the alcohol or other drug abuse  
24 treatment program, ~~court-approved pupil assistance program~~ or court-approved  
25 alcohol or other drug abuse education program, the approved treatment facility,

1 ~~court-approved pupil assistance program~~ or court-approved alcohol or other drug  
2 abuse education program shall, with the written informed consent of the juvenile or,  
3 if the juvenile has not attained the age of 12, the written informed consent of the  
4 juvenile's parent, notify the agency primarily responsible for providing services to  
5 the juvenile that the juvenile has complied with the order and the court shall notify  
6 the juvenile of whether or not the penalty will be reinstated.

7 **SECTION 3525.** 938.344 (2g) (d) of the statutes is amended to read:

8 938.344 **(2g)** (d) If an approved treatment facility, ~~court-approved pupil~~  
9 ~~assistance program,~~ or court-approved alcohol or other drug abuse education  
10 program, with the written informed consent of the juvenile or, if the juvenile has not  
11 attained the age of 12, the written informed consent of the juvenile's parent, notifies  
12 the agency primarily responsible for providing services to the juvenile that a juvenile  
13 is not participating, or has not satisfactorily completed, a recommended alcohol or  
14 other drug abuse treatment program, ~~a court-approved pupil assistance program,~~  
15 or a court-approved alcohol or other drug abuse education program, the court shall  
16 hold a hearing to determine whether to impose the penalties under sub. (2), (2b), (2d),  
17 or (2e).

18 **SECTION 3526g.** 938.361 (1) (a) 3. of the statutes is amended to read:

19 938.361 **(1)** (a) 3. Any alcohol or other drug abuse treatment or education  
20 ordered by a court under s. 938.32 (1g) or 938.34 (6) (a) or (am), (6r),<sub>1</sub> or (14s) (b) 1.  
21 or 2.; or made available to a juvenile under 938.34 (3) (f) 4.

22 **SECTION 3526gh.** 938.361 (2) (a) 1. of the statutes is amended to read:

23 938.361 **(2)** (a) 1. If a juvenile's parent neglects, refuses or is unable to provide  
24 ~~court-ordered~~ alcohol and other drug abuse services for the juvenile through his or  
25 her health insurance or other 3rd-party payments, notwithstanding s. 938.36 (3) the

1 court assigned to exercise jurisdiction under this chapter and ch. 48 or municipal  
2 court may order the parent to pay for the alcohol and drug abuse services. If the  
3 parent consents to provide alcohol and other drug abuse services for a juvenile  
4 through his or her health insurance or other 3rd-party payments but the health  
5 insurance provider or other 3rd-party payer refuses to provide the alcohol and other  
6 drug abuse services the court assigned to exercise jurisdiction under this chapter and  
7 ch. 48 or municipal court may order the health insurance provider or 3rd-party payer  
8 to pay for the alcohol and other drug abuse services in accordance with the terms of  
9 the parent's health insurance policy or other 3rd-party payment plan.

10 **SECTION 3526gk.** 938.363 (1) (b) of the statutes is amended to read:

11 938.363 (1) (b) If a hearing is held, at least 3 days before the hearing the court  
12 shall notify the juvenile, the juvenile's parent, guardian, and legal custodian, all  
13 parties bound by the dispositional order, the juvenile's foster parent or other physical  
14 custodian described in s. 48.62 (2), and the district attorney or corporation counsel  
15 in the county in which the dispositional order was entered. If the juvenile is an  
16 Indian juvenile who is in need of protection or services under s. 938.13 (4), (6), (6m),  
17 or (7), the court shall also notify the Indian juvenile's Indian custodian and, if that  
18 juvenile is placed outside the home of his or her parent or Indian custodian, the  
19 Indian juvenile's tribe. A copy of the request or proposal shall be attached to the  
20 notice. If all parties consent, the court may proceed immediately with the hearing.  
21 No revision may extend the effective period of the original order, or revise an original  
22 order under s. 938.34 (3) (f) ~~or (6) (am)~~ to impose more than a total of 30 days, or under  
23 s. 938.34 (3) (f) to impose more than a total of 180 days, of detention, nonsecure  
24 custody, or inpatient treatment on a juvenile.

25 **SECTION 3526gm.** 938.38 (2) (f) of the statutes is amended to read:

1           938.38 (2) (f) The juvenile’s care would be paid for under s. 49.19 but for s. 49.19  
2           (20), except that this paragraph does not apply to a juvenile whose care is being paid  
3           for under s. 48.623 (1).

4           **SECTION 3526h.** 938.38 (4) (j) of the statutes is created to read:

5           938.38 (4) (j) If the juvenile is placed in the home of a relative or other person  
6           described in s. 48.623 (1) (b) 1. who will be receiving subsidized guardianship  
7           payments, a description of all of the following:

8           1. The steps the agency has taken to determine that it is not appropriate for  
9           the juvenile to be returned to his or her home or to be adopted.

10          2. If a decision has been made not to place the juvenile and his or her siblings,  
11          as defined in par. (br) 1., in a joint placement, the reasons for separating the juvenile  
12          and his or her siblings during the placement.

13          3. The reasons why a permanent placement with a fit and willing relative or  
14          other person described in s. 48.623 (1) (b) 1. through a subsidized guardianship  
15          arrangement is in the best interests of the juvenile. In the case of an Indian juvenile,  
16          the best interests of the Indian juvenile shall be determined in accordance with s.  
17          938.01 (3).

18          4. The ways in which the juvenile and the relative or other person described  
19          in s. 48.623 (1) (b) 1. meet the eligibility requirements specified in s. 48.623 (1) for  
20          the receipt of subsidized guardianship payments.

21          5. The efforts the agency has made to discuss adoption of the juvenile by the  
22          relative or other person described in s. 48.623 (1) (b) 1. as a more permanent  
23          alternative to guardianship and, if that relative or other person has chosen not to  
24          pursue adoption, documentation of the reasons for not pursuing adoption.

1           6. The efforts the agency has made to discuss the subsidized guardianship  
2 arrangement with the juvenile’s parents or, if those efforts were not made,  
3 documentation of the reasons for not making those efforts.

4           **SECTION 3526m.** 938.49 (2) (b) of the statutes is amended to read:

5           938.49 **(2)** (b) Notify the juvenile’s last school district or, if the juvenile was last  
6 enrolled in a private school participating in the program under s. 118.60 or in the  
7 program under s. 119.23, the private school, in writing of its obligation under s.  
8 118.125 (4).

9           **SECTION 3526q.** 938.57 (3) (a) 4. of the statutes is amended to read:

10           938.57 **(3)** (a) 4. Is living in a foster home, group home, residential care center  
11 for children and youth, or subsidized guardianship home ~~under s. 48.62 (5)~~.

12           **SECTION 3527.** 938.78 (2) (g) of the statutes is amended to read:

13           938.78 **(2)** (g) Paragraph (a) does not prohibit an agency from disclosing  
14 information about an individual in its care or legal custody on the written request  
15 of the department of ~~regulation and licensing~~ safety and professional services or of  
16 any interested examining board or affiliated credentialing board in that department  
17 for use in any investigation or proceeding relating to any alleged misconduct by any  
18 person who is credentialed or who is seeking credentialing under ch. 448, 455 or 457.  
19 Unless authorized by an order of the court, the department of ~~regulation and~~  
20 ~~licensing~~ safety and professional services and any examining board or affiliated  
21 credentialing board in that department shall keep confidential any information  
22 obtained under this paragraph and may not disclose the name of or any other  
23 identifying information about the individual who is the subject of the information  
24 disclosed, except to the extent that redisclosure of that information is necessary for

1 the conduct of the investigation or proceeding for which that information was  
2 obtained.

3 **SECTION 3528.** 940.20 (7) (a) 3. of the statutes is amended to read:

4 940.20 (7) (a) 3. “Health care provider” means any person who is licensed,  
5 registered, permitted or certified by the department of health services or the  
6 department of ~~regulation and licensing~~ safety and professional services to provide  
7 health care services in this state.

8 **SECTION 3529.** 940.207 (title) of the statutes is amended to read:

9 **940.207 (title) Battery or threat to department of ~~commerce~~ safety and**  
10 **professional services or department of workforce development employee.**

11 **SECTION 3530.** 940.207 (2) (intro.) of the statutes is amended to read:

12 940.207 (2) (intro.) Whoever intentionally causes bodily harm or threatens to  
13 cause bodily harm to the person or family member of any department of ~~commerce~~  
14 safety and professional services or department of workforce development official,  
15 employee or agent under all of the following circumstances is guilty of a Class H  
16 felony:

17 **SECTION 3531.** 940.207 (2) (a) of the statutes is amended to read:

18 940.207 (2) (a) At the time of the act or threat, the actor knows or should have  
19 known that the victim is a department of ~~commerce~~ safety and professional services  
20 or department of workforce development official, employee or agent or a member of  
21 his or her family.

22 **SECTION 3532.** 940.22 (1) (a) of the statutes is amended to read:

23 940.22 (1) (a) “Department” means the department of ~~regulation and licensing~~  
24 safety and professional services.

25 **SECTION 3534e.** 946.15 (title) of the statutes is amended to read:

1           **946.15** (title) **Public and publicly funded construction contracts at less**  
2 **than full rate.**

3           **SECTION 3534em.** 946.15 (1) of the statutes is amended to read:

4           946.15 **(1)** Any employer, or any agent or employee of an employer, who induces  
5 any person who seeks to be or is employed pursuant to a public contract as defined  
6 in s. 66.0901 (1) (c) or who seeks to be or is employed on a project on which a prevailing  
7 wage rate determination has been issued by the department of workforce  
8 development under s. 66.0903 (3), ~~66.0904 (4)~~, 103.49 (3), 103.50 (3), or 229.8275 (3)  
9 ~~or by a local governmental unit, as defined in s. 66.0903 (1) (d), under s. 66.0903 (6)~~  
10 ~~or 66.0904 (6)~~ to give up, waive, or return any part of the compensation to which that  
11 person is entitled under his or her contract of employment or under the prevailing  
12 wage rate determination issued by the department ~~or local governmental unit~~, or  
13 who reduces the hourly basic rate of pay normally paid to an employee for work on  
14 a project on which a prevailing wage rate determination has not been issued under  
15 s. 66.0903 (3) ~~or (6)~~, ~~66.0904 (4) or (6)~~, 103.49 (3), 103.50 (3), or 229.8275 (3) during  
16 a week in which the employee works both on a project on which a prevailing wage  
17 rate determination has been issued and on a project on which a prevailing wage rate  
18 determination has not been issued, is guilty of a Class I felony.

19           **SECTION 3534f.** 946.15 (2) of the statutes is amended to read:

20           946.15 **(2)** Any person employed pursuant to a public contract as defined in s.  
21 66.0901 (1) (c) or employed on a project on which a prevailing wage rate  
22 determination has been issued by the department of workforce development under  
23 s. 66.0903 (3), ~~66.0904 (4)~~, 103.49 (3), 103.50 (3), or 229.8275 (3) ~~or by a local~~  
24 ~~governmental unit, as defined in s. 66.0903 (1) (d), under s. 66.0903 (6) or 66.0904~~  
25 ~~(6)~~ who gives up, waives, or returns to the employer or agent of the employer any part



1 of the compensation to which the employee is entitled under his or her contract of  
2 employment or under the prevailing wage determination issued by the department  
3 ~~or local governmental unit~~, or who gives up any part of the compensation to which  
4 he or she is normally entitled for work on a project on which a prevailing wage rate  
5 determination has not been issued under s. 66.0903 (3) ~~or (6)~~, ~~66.0904 (4) or (6)~~,  
6 103.49 (3), 103.50 (3), or 229.8275 (3) during a week in which the person works  
7 part-time on a project on which a prevailing wage rate determination has been  
8 issued and part-time on a project on which a prevailing wage rate determination has  
9 not been issued, is guilty of a Class C misdemeanor.

10 **SECTION 3534g.** 946.15 (3) of the statutes is amended to read:

11 946.15 (3) Any employer or labor organization, or any agent or employee of an  
12 employer or labor organization, who induces any person who seeks to be or is  
13 employed on a project on which a prevailing wage rate determination has been issued  
14 by the department of workforce development under s. 66.0903 (3), ~~66.0904 (4)~~, 103.49  
15 (3), 103.50 (3), or 229.8275 (3) ~~or by a local governmental unit, as defined in s. 66.0903~~  
16 ~~(1) (d), under s. 66.0903 (6) or 66.0904 (6)~~ to permit any part of the wages to which  
17 that person is entitled under the prevailing wage rate determination issued by the  
18 department or local governmental unit to be deducted from the person's pay is guilty  
19 of a Class I felony, unless the deduction would be permitted under 29 CFR 3.5 or 3.6  
20 from a person who is working on a project that is subject to 40 USC 3142.

21 **SECTION 3535h.** 946.15 (4) of the statutes is amended to read:

22 946.15 (4) Any person employed on a project on which a prevailing wage rate  
23 determination has been issued by the department of workforce development under  
24 s. 66.0903 (3), ~~66.0904 (4)~~, 103.49 (3), 103.50 (3), or 229.8275 (3) ~~or by a local~~  
25 ~~governmental unit, as defined in s. 66.0903 (1) (d), under s. 66.0903 (6) or 66.0904~~

1 (6) who permits any part of the wages to which that person is entitled under the  
2 prevailing wage rate determination issued by the department or local governmental  
3 unit to be deducted from his or her pay is guilty of a Class C misdemeanor, unless the  
4 deduction would be permitted under 29 CFR 3.5 or 3.6 from a person who is working  
5 on a project that is subject to 40 USC 3142.

6 **SECTION 3539.** 951.01 (3f) of the statutes is amended to read:

7 951.01 (3f) “Fire department” includes a volunteer fire department and a  
8 department under s. 60.553, 61.66, or 62.13 (2e).

9 **SECTION 3539g.** 951.015 (3) of the statutes is created to read:

10 951.015 (3) This chapter does not apply to:

11 (a) Teaching, research, or experimentation conducted pursuant to a protocol or  
12 procedure approved by an educational or research institution, and related incidental  
13 animal care activities, at facilities that are regulated under 7 USC 2131 to 2159 or  
14 42 USC 289d.

15 (b) Bona fide scientific research involving species unregulated by federal law.

16 **SECTION 3539m.** 951.02 of the statutes is amended to read:

17 **951.02 Mistreating animals.** No person may treat any animal, whether  
18 belonging to the person or another, in a cruel manner. This section does not prohibit  
19 ~~bona fide experiments carried on for scientific research or~~ normal and accepted  
20 veterinary practices.

21 **SECTION 3539s.** 951.06 of the statutes is amended to read:

22 **951.06 Use of poisonous and controlled substances.** No person may  
23 expose any domestic animal owned by another to any known poisonous substance,  
24 any controlled substance included in schedule I, II, III, IV or V of ch. 961, or any  
25 controlled substance analog of a controlled substance included in schedule I or II of

1 ch. 961, whether mixed with meat or other food or not, so that the substance is liable  
2 to be eaten by the animal and for the purpose of harming the animal. This section  
3 shall not apply to poison used on one's own premises and designed for the purpose  
4 of rodent or pest extermination nor to the use of a controlled substance ~~in bona fide~~  
5 ~~experiments carried on for scientific research or~~ in accepted veterinary practices.

6 **SECTION 3540.** 961.01 (20g) of the statutes is amended to read:

7 961.01 **(20g)** "Public housing project" means any housing project or  
8 development administered by a housing authority, as defined in s. ~~560.9801~~ 16.301  
9 (2).

10 **SECTION 3541.** 961.36 (1m) of the statutes is amended to read:

11 961.36 **(1m)** At the request of the department of ~~regulation and licensing~~ safety  
12 and professional services or a board, examining board or affiliated credentialing  
13 board in the department of ~~regulation and licensing~~ safety and professional services,  
14 the controlled substances board shall provide advice and assistance in matters  
15 related to the controlled substances law to the department or to the board, examining  
16 board or affiliated credentialing board in the department making the request for  
17 advice or assistance.

18 **SECTION 3541g.** 969.12 (1) of the statutes is repealed.

19 **SECTION 3541r.** 969.12 (2) of the statutes is amended to read:

20 969.12 **(2)** A surety under this chapter shall be a natural person, ~~except who~~  
21 is a resident of this state, a surety under s. 345.61, or a surety corporation or its agent  
22 that is licensed under s. 440.9993. No natural person or surety under this chapter  
23 under s. 345.61 may be compensated for acting as such a surety. A surety corporation  
24 or its agent that is licensed under s. 440.9993 shall be compensated at a rate of 10  
25 percent of the amount of the bond set.

1           **SECTION 3547.** 973.045 (1r) (a) (intro.) of the statutes is amended to read:

2           973.045 **(1r)** (a) (intro.) The clerk shall record any crime victim and witness  
3 surcharge imposed under sub. (1) in ~~2~~ parts as follows:

4           **SECTION 3548.** 973.045 (1r) (a) 2. of the statutes is amended to read:

5           973.045 **(1r)** (a) 2. Part B equals ~~\$27~~ \$20 for each misdemeanor offense or count  
6 and ~~\$27~~ \$20 for each felony offense or count.

7           **SECTION 3549.** 973.045 (1r) (a) 3. of the statutes is created to read:

8           973.045 **(1r)** (a) 3. Part C equals \$7 for each misdemeanor offense or count and  
9 \$7 for each felony offense or count.

10          **SECTION 3550.** 973.045 (2m) of the statutes, as affected by 2009 Wisconsin Act  
11 28, section 3391c, is amended to read:

12          973.045 **(2m)** (a) The secretary of administration shall credit to the  
13 appropriation account under s. 20.455 (5) (gc) ~~the first \$20 of~~ part B of the crime  
14 victim and witness surcharge.

15          (b) The secretary of administration shall credit to the appropriation account  
16 under s. 20.455 (5) (g) part A ~~of the crime victim and witness surcharge and any part~~  
17 ~~of part B~~ C of the crime victim and witness surcharge ~~that remains after the secretary~~  
18 ~~of administration complies with par. (a).~~

19          **SECTION 3551.** 973.045 (3) (c) of the statutes is created to read:

20          973.045 **(3)** (c) The person paying the crime victim and witness surcharge shall  
21 pay all of the moneys due under part A and part B before he or she pays any of the  
22 moneys due under part C.

23          **SECTION 3552.** 973.05 (2m) (dg) of the statutes is created to read:

24          973.05 **(2m)** (dg) To payment of part C of the crime victim and witness  
25 assistance surcharge until paid in full.

1           **SECTION 3552m.** 973.06 (1) (j) of the statutes is created to read:

2           973.06 **(1)** (j) If the defendant violated s. 23.33 (4c), 30.681, 346.63, 350.101,  
3           940.09 (1), or 940.25, any costs charged to or paid by a law enforcement agency for  
4           the withdrawal of the defendant's blood, except that the court may not impose on the  
5           defendant any cost for an alternative test provided free of charge as described in s.  
6           343.305 (4). If at the time the court finds that the defendant committed the violation,  
7           the law enforcement agency has not paid or been charged with the costs of  
8           withdrawing the person's blood, the court shall impose and collect the costs the law  
9           enforcement agency reasonably expects to be charged for the withdrawal, based on  
10          the current charges for this procedure. Notwithstanding sub. (2), the court may not  
11          remit these costs.

12          **SECTION 3559d.** 977.02 (3) (b) of the statutes is amended to read:

13          977.02 **(3)** (b) Subject to par. (d), ~~consider assets in the manner described in s.~~  
14          ~~49.145 (3) (a) and~~ treat assets as available to the person to pay the costs of legal  
15          representation if the assets exceed the resource limitations under s. 49.145 (3) (a),  
16          ~~except that \$2,500 in combined equity value. In determining the combined equity~~  
17          value of assets, the representative of the state public defender shall exclude ~~only the~~  
18          equity value of vehicles up to a total equity value of \$10,000 and shall exclude the  
19          first \$30,000 of the equity value of the home that serves as the individual's  
20          homestead.

21          **SECTION 3559h.** 977.02 (3) (c) of the statutes is amended to read:

22          977.02 **(3)** (c) Subject to par. (d), treat income as available to the person to pay  
23          the costs of legal representation only if the gross income exceeds ~~the income~~  
24          limitations in s. 49.145 (3) (b) 115 percent of the federal poverty guideline, as defined  
25          in 42 USC 9902 (2) (2011). In calculating gross income under this paragraph, the

1 representative of the state public defender shall include all earned and unearned  
2 income of the person, except any amount received under section 32 of the Internal  
3 Revenue Code, as defined in s. 71.01 (6), any amount received under s. 71.07 (9e), any  
4 payment made by an employer under section 3507 of the Internal Revenue Code, as  
5 defined in s. 71.01 (6), any student financial aid received under any federal or state  
6 program, any scholarship used for tuition and books, and any assistance received  
7 under s. 49.148. In determining the earned and unearned income of the individual,  
8 the representative of the state public defender may not include income earned by a  
9 dependent child of the person.

10 **SECTION 3561.** 978.05 (6) (b) of the statutes is amended to read:

11 978.05 (6) (b) Enforce the provisions of all general orders of the department of  
12 commerce safety and professional services relating to the sale, transportation and  
13 storage of explosives.

14 **SECTION 3562.** 990.01 (7g) of the statutes is amended to read:

15 990.01 (7g) FIRE CHIEF. “Fire chief” or “chief of a fire department” includes the  
16 chief of a department under s. 60.553, 61.66, or 62.13 (2e).

17 **SECTION 3563.** 990.01 (7m) of the statutes is amended to read:

18 990.01 (7m) FIRE DEPARTMENT. “Fire department” includes a department under  
19 s. 60.553, 61.66, or 62.13 (2e).

20 **SECTION 3564.** 990.01 (7r) of the statutes is amended to read:

21 990.01 (7r) FIRE FIGHTER. “Fire fighter” includes a person serving under s.  
22 60.553, 61.66, or 62.13 (2e).

23 **SECTION 3565.** 990.01 (28g) of the statutes is amended to read:

24 990.01 (28g) POLICE CHIEF. “Police chief” or “chief of a police department”  
25 includes the chief of a department under s. 60.553, 61.66, or 62.13 (2e).

1           **SECTION 3566.** 990.01 (28m) of the statutes is amended to read:

2           990.01 **(28m)** POLICE DEPARTMENT. “Police department” includes a department  
3 under s. 60.553, 61.66, or 62.13 (2e).

4           **SECTION 3567.** 990.01 (28r) of the statutes is amended to read:

5           990.01 **(28r)** POLICE OFFICER. “Police officer” includes a person serving under  
6 s. 60.553, 61.66, or 62.13 (2e).

7           **SECTION 3567g.** 995.30 of the statutes is created to read:

8           **995.30 Ronald W. Reagan Day.** February 6 is designated as Ronald W.  
9 Reagan Day. Appropriate exercises and celebrations may be held on that day, his  
10 birthday, to honor him and remember him as the 40th President of the United States  
11 and a promoter of freedom and democracy throughout the world.

12           **SECTION 3567m.** 2009 Wisconsin Act 28, section 9150 (1) is repealed.

13           **SECTION 3567o.** 2005 Wisconsin Act 25, section 9101 (4) (b) and (c), as last  
14 amended by 2009 Wisconsin Act 28, section 3406, is repealed.

15           **SECTION 3567p.** 2009 Wisconsin Act 15, section 31 (1) (e) is repealed.

16           **SECTION 3568.** 2009 Wisconsin Act 333, section 20 (2) is amended to read:

17           [2009 Wisconsin Act 333] Section 20 (2) PUBLISH NOTICE IN THE WISCONSIN  
18 ADMINISTRATIVE REGISTER THAT FUNDING IS NOT AVAILABLE. If, after making the  
19 determination under subsection (1m), the department of children and families  
20 determines that federal moneys from the Temporary Assistance for Needy Families  
21 Emergency Fund under the American Recovery and Reinvestment Act of 2009 are  
22 no longer available to support an expansion of trial jobs under section 49.147 (3) of  
23 the statutes, as affected by this act, ~~and the project under section 49.162 of the~~  
24 ~~statutes, as affected by this act,~~ the department shall publish a notice in the

1 Wisconsin Administrative Register that states the date on which the federal moneys  
2 may no longer be obtained.

3 **SECTION 3569.** 2009 Wisconsin Act 333, section 20 (5) is amended to read:

4 [2009 Wisconsin Act 333] Section 20 (5) ADDITIONAL FUNDING FOR PROGRAMS. If  
5 any other federal funding becomes available for the ~~programs~~ program under  
6 ~~sections~~ section 49.147 (3) and ~~49.162~~ of the statutes, as affected by this act, the  
7 department of children and families shall take any actions that may be necessary to  
8 obtain the funding and use it for ~~those programs~~ that program.

9 **SECTION 3570.** 2009 Wisconsin Act 333, section 22 (2) is amended to read:

10 [2009 Wisconsin Act 333] Section 22 (2) The repeal of ~~sections~~ section 49.147 (3)  
11 (cm) and (dm) and ~~49.162 (3) (am) and (d)~~ of the statutes and the amendment of  
12 ~~sections~~ section 49.147 (3) (a) (by SECTION 4) and ~~49.162 (3) (a) (by SECTION 10)~~ of the  
13 statutes take effect on the date stated in the notice published by the department of  
14 children and families under SECTION 20 (2) of this act.

15 **SECTION 3570f.** 2011 Wisconsin Act 10, section 9132 (1) (b) is amended to read:

16 [2011 Wisconsin Act 10] Section 9132 (1) (b) Each collective bargaining unit  
17 under subchapter IV of chapter 111 of the statutes, as affected by this act, containing  
18 general municipal employees who are subject to an extension of their collective  
19 bargaining agreement shall have their collective bargaining agreement terminated  
20 as soon as legally possible and shall vote to certify or decertify their representatives  
21 as provided in section 111.70 (4) (d) 3. b. of the statutes, as created by this act.  
22 Notwithstanding the date provided under section 111.70 (4) (d) 3. b. of the statutes,  
23 as created by this act, the vote shall be held in ~~April 2011~~ the 3rd month beginning  
24 after the effective date of the 2011–13 biennial budget act.

25 **SECTION 3570g.** 2011 Wisconsin Act 10, section 9135 is repealed.



1           **SECTION 3570h.** 2011 Wisconsin Act 10, section 9155 (1) (b) is amended to read:

2           [2011 Wisconsin Act 10] Section 9155 (1) (b) Each collective bargaining unit  
3           under subchapter V of chapter 111 of the statutes, as affected by this act, containing  
4           general employees shall vote to certify or decertify their representatives as provided  
5           in section 111.83 (3) (b) of the statutes, as created by this act. Notwithstanding the  
6           date provided under section 111.83 (3) (b) of the statutes, as created by this act, the  
7           vote shall be held in ~~April 2011~~ the 3rd month beginning after the effective date of  
8           the 2011–13 biennial budget act.

9           **SECTION 3570j.** 2011 Wisconsin Act 10, section 9315 (3) (a) is amended to read:

10           [2011 Wisconsin Act 10] Section 9315 (3) (a) Except as provided in paragraph  
11           (b), for elected officials, as defined in section 40.02 (24) of the statutes, and for any  
12           public officer holding a term of office subject to article IV, section 26 (2) of the  
13           constitution, who are participating employees in the Wisconsin retirement system,  
14           the treatment of section 40.23 (2m) (e) 2. of the statutes first applies to creditable  
15           service that is performed on the first day of a term of office that begins after the  
16           effective date of this paragraph.

17           **SECTION 9101. Nonstatutory provisions; Administration.**

18           (1) YOUTH DIVERSION GRANT REDUCTIONS.

19           (a) Notwithstanding the amount specified under section 16.964 (8) (a) of the  
20           statutes, the office of justice assistance in the department of administration shall  
21           reduce the amount of money allocated under section 16.964 (8) (a) of the statutes by  
22           \$85,900 in each of fiscal years 2011–12 and 2012–13.

23           (b) Notwithstanding the amount specified under section 16.964 (8) (b) of the  
24           statutes, the office of justice assistance in the department of administration shall

1 reduce the amount of money distributed under section 16.964 (8) (b) of the statutes  
2 by \$18,400 in each of fiscal years 2011–12 and 2012–13.

3 (c) Notwithstanding the amounts specified under section 16.964 (8) (c) of the  
4 statutes, the office of justice assistance in the department of administration shall  
5 reduce the amount of money allocated for each of the 4 contracts that are funded with  
6 moneys from the appropriation accounts under section 20.505 (6) (d) and (kj) of the  
7 statutes by \$25,650 in each of fiscal years 2011–12 and 2012–13 and shall reduce the  
8 amount of money allocated for the contract that is funded only with moneys from the  
9 appropriation account under section 20.505 (6) (kj) of the statutes by \$18,100 in each  
10 of fiscal years 2011–12 and 2012–13.

11 (1u) ENERGY EFFICIENCY STUDY OF STATE-OWNED BUILDINGS. The department of  
12 administration shall conduct a study concerning the feasibility of installing  
13 energy-efficient heating, ventilating, and air conditioning systems in state-owned  
14 buildings to conserve energy and save money. The department shall report its  
15 findings and recommendations to the members of the joint committee on finance no  
16 later than December 1, 2011.

17 (2) LITERACY INITIATIVE; GOVERNOR'S TASK FORCE. A task force created by the  
18 governor by executive order and charged with developing detailed recommendations  
19 for a program to assess and improve literacy in elementary school children may  
20 request the department of administration to release funding from the department's  
21 appropriation account under section 20.505 (4) (c) of the statutes, as created by this  
22 act, for use by the department to implement the recommendations of the task force  
23 after the governor has approved the detailed recommendations proposed by the task  
24 force.

1           (2u) COST-BENEFIT ANALYSIS FOR VETERANS HOME AT CHIPPEWA FALLS.

2           Notwithstanding section 16.705 (1p) of the statutes, as created by this act, the  
3           department of administration shall conduct a cost–benefit analysis on the initial  
4           contract for the operation and staffing of the Veterans Home at Chippewa Falls as  
5           provided by section 45.50 (2m) (c) of the statutes, as created by this act. The analysis  
6           shall be a comprehensive study to identify and compare the total cost, quality,  
7           technical expertise, and timeliness of a service performed by state employees and  
8           resources with the total cost, quality, technical expertise, and timeliness of the same  
9           service obtained by means of a contract for contractual services. The department of  
10          administration shall submit the results of the cost–benefit analysis to the joint  
11          committee on finance by February 1, 2012, or before the department of veterans  
12          affairs enters into the initial contract for the operation and staffing of the home,  
13          whichever occurs first. The contract entered into must contain a performance  
14          guarantee requirement that states that, during the contract period, the Wisconsin  
15          Veterans Home at Chippewa Falls must maintain an overall star rating that is at  
16          least equal to four stars.

17           (3) ELIMINATION OF OFFICE OF THE WISCONSIN COVENANT SCHOLARS PROGRAM.

18           (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
19          liabilities of the office of the Wisconsin Covenant Scholars Program shall become the  
20          assets and liabilities of the higher educational aids board.

21           (b) *Tangible personal property.* On the effective date of this paragraph, all  
22          tangible personal property, including records, of the office of the Wisconsin Covenant  
23          Scholars Program is transferred to the higher educational aids board.

24           (c) *Contracts.* All contracts entered into by the office of the Wisconsin Covenant  
25          Scholars Program in effect on the effective date of this paragraph remain in effect

1 and are transferred to the higher educational aids board. The higher educational  
2 aids board shall carry out any obligations under such a contract until the contract  
3 is modified or rescinded by the higher educational aids board to the extent allowed  
4 under the contract.

5 (d) *Rules and orders.* All rules promulgated by the office of the Wisconsin  
6 Covenant Scholars Program that are in effect on the effective date of this paragraph  
7 remain in effect until their specified expiration dates or until amended or repealed  
8 by the higher educational aids board. All orders issued by the office of the Wisconsin  
9 Covenant Scholars Program that are in effect on the effective date of this paragraph  
10 remain in effect until their specified expiration dates or until modified or rescinded  
11 by the higher educational aids board.

12 (e) *Pending matters.* Any matter pending with the office of the Wisconsin  
13 Covenant Scholars Program on the effective date of this paragraph is transferred to  
14 the higher educational aids board and all materials submitted to or actions taken by  
15 the office of the Wisconsin Covenant Scholars Program with respect to the pending  
16 matter are considered as having been submitted to or taken by the higher  
17 educational aids board.

18 (3i) COMMUNITY PARTNERSHIPS. By January 10, 2012, the department of  
19 administration shall submit to the joint committee on finance for the approval of that  
20 committee under section 13.10 of the statutes a plan that includes all of the following:

21 (a) A plan prepared by the department of public instruction for providing  
22 funding to community-based nongovernmental organizations for the establishment  
23 of partnerships with local school districts that center on those organizations  
24 providing advocacy for students and serving as liaison between families and staff of

1 those school districts with the goal of improving educational outcomes and  
2 promoting and teaching greater self-sufficiency.

3 (b) A plan prepared by the department of children and families for providing  
4 funding to community-based nongovernmental organizations for the establishment  
5 of partnerships with agencies that license foster homes that center on those  
6 organizations providing advocacy for children and serving as liaison between  
7 families and staff of those agencies with the goal of improving educational outcomes  
8 and promoting and teaching greater self-sufficiency.

9 (4j) DRUG OFFENDER DIVERSION SURCHARGE FUND. The department of  
10 administration shall submit a plan to the joint committee on finance as to how the  
11 department will reduce state appropriations by \$1,917,900 over the 2011–2013 fiscal  
12 biennium and lapse the associated funding to the general fund to eliminate the  
13 deficit in the drug offender diversion surcharge fund.

14 (4q) TRANSFER OF HUMAN RESOURCES POSITIONS.

15 (a) The secretary of administration shall identify 2.0 FTE PR positions in the  
16 department of administration having responsibility for human resources functions.  
17 On the effective date of this subsection, one of the positions so identified, as  
18 determined by the secretary, is transferred to the state fair park board and the other  
19 of the positions so identified is transferred to the department of regulation and  
20 licensing and the incumbent employees in those positions are transferred to the state  
21 fair park board and the department of regulation and licensing, respectively.

22 (b) Employees transferred under paragraph (a) have all of the rights and the  
23 same status under subchapter V of chapter 111 and chapter 230 of the statutes in the  
24 state fair park board and the department of regulation and licensing that they  
25 enjoyed in the department of administration immediately before the transfer.

1 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who  
2 has attained permanent status in class is required to serve a probationary period.

3 (5q) STATE BUILDING AND LEASE BACK STUDY. The department of administration  
4 shall study the feasibility of instituting a program for private construction of  
5 buildings for the purpose of leasing those buildings to the state. The department  
6 shall report its findings and recommendations to the members of the joint committee  
7 on finance no later than December 1, 2011.

8 **SECTION 9103. Nonstatutory provisions; Agriculture, Trade and**  
9 **Consumer Protection.**

10 (1i) EVALUATION OF PURCHASE OF AGRICULTURAL CONSERVATION EASEMENT PROGRAM.  
11 The department of agriculture, trade and consumer protection shall evaluate the  
12 program for the purchase of agricultural conservation easements under section  
13 93.73 of the statutes, including the administration of the program, the source of  
14 funding for the program, state financial participation, and the amount of local  
15 matching funds required. The department shall include in its evaluation options for  
16 a replacement program that would be less costly and more efficient in preserving  
17 farmland. The department shall report its findings from the evaluation no later than  
18 June 30, 2012, to the joint committee on finance and to the standing committees in  
19 each house of the legislature with responsibility for agricultural matters.

20 (2i) FARMLAND PRESERVATION CONVERSION FEES. If a political subdivision collected  
21 conversion fees under section 91.48 (1) (b), 2009 stats., for land rezoned in 2011, the  
22 political subdivision shall retain the fees and use them for farmland preservation  
23 planning, zoning, and compliance monitoring.

24 (2u) CONDITION OF SEGREGATED FUNDS. The department of agriculture, trade and  
25 consumer protection shall study and evaluate the condition of the agricultural

1 chemical cleanup fund and of the agrichemical management fund and make  
2 recommendations to correct any structural imbalances that cause authorized  
3 expenditures to exceed annual revenues of the funds. The department shall submit  
4 its findings to the joint committee on finance no later than December 31, 2011.

5 (3q) GRAIN INSPECTION PROGRAM REPORT. No later than January 1, 2012, the  
6 department of agriculture, trade and consumer protection shall report to the joint  
7 committee on finance on specific actions taken or administrative efforts planned to  
8 ensure that expenditures for grain inspection under s. 93.06 (1m) do not exceed  
9 program revenues and to eliminate any amount by which accumulated expenses  
10 have exceeded accumulated program revenues.

11 **SECTION 9104. Nonstatutory provisions; Arts Board.**

12 (1) ELIMINATION OF PERCENT FOR ART PROGRAM. Notwithstanding the repeal of  
13 section 44.57 (4) and (5) (a) and (b) of the statutes by this act, any contract entered  
14 into by the arts board under section 44.57 (4), 2009 stats., for the procurement of a  
15 work of art that is in effect on the day before the effective date of this subsection  
16 remains in effect. The arts board shall carry out any obligation under the contract,  
17 unless the contract is modified or rescinded as permitted under the contract, and  
18 shall ensure that the work of art procured under the contract is properly executed  
19 and installed as required under section 44.57 (5) (a) and (b), 2009 stats.

20 (2) PLACEMENT OF ARTS BOARD IN DEPARTMENT OF TOURISM.

21 (a) *Employee transfers.* The incumbent executive secretary of the arts board  
22 and all incumbent employees holding positions in the arts board that are primarily  
23 related to grants administration, as determined by the secretary of administration,  
24 are transferred on the effective of this paragraph to the department of tourism.

1 (b) *Employee status.* Employees transferred under paragraph (a) have all the  
 2 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
 3 statutes in the department of tourism that they enjoyed in the arts board  
 4 immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes,  
 5 no employee so transferred who has attained permanent status in class is required  
 6 to serve a probationary period.

7 **SECTION 9106. Nonstatutory provisions; Building Commission.**

8 (1) 2011–13 AUTHORIZED STATE BUILDING PROGRAM. For the fiscal years  
 9 beginning on July 1, 2011, and ending on June 30, 2013, the Authorized State  
 10 Building Program is as follows:

11 (a) DEPARTMENT OF CORRECTIONS

12 1. *Projects financed by general fund supported*  
 13 *borrowing:*

14 Green Bay Correctional Institution — shower  
 15 buildings \$ 1,242,400

16 (Total project all funding sources \$3,834,000)

17 Green Bay Correctional Institution — visiting 3,812,000  
 18 building

19 Waupun Correctional Institution boiler conversion 7,000,000

20 2. *Projects financed by existing general fund supported*  
 21 *borrowing authority:*

22 Green Bay Correctional Institution — shower  
 23 buildings 2,591,600



1	(Total project all funding sources \$3,834,000)	
2	St. Croix Correctional Institution housing	
3	replacement	3,234,000
4	Waupun Correctional Institution food service	
5	renovation	6,026,000
6	3. <i>Agency totals:</i>	
7	General fund supported borrowing	12,054,400
8	Existing general fund supported borrowing	
9	authority	<u>11,851,600</u>
10	Total — All sources of funds	\$ 23,906,000
11	(b) EDUCATIONAL COMMUNICATIONS BOARD	
12	1. <i>Projects financed by general fund supported</i>	
13	<i>borrowing:</i>	
14	WHSA–FM Tower replacement — Brule	\$ 521,700
15	2. <i>Agency totals:</i>	
16	General fund supported borrowing	<u>521,700</u>
17	Total — All sources of funds	\$ 521,700
18	(c) DEPARTMENT OF HEALTH SERVICES	
19	1. <i>Projects financed by general fund supported</i>	
20	<i>borrowing:</i>	
21	Mendota Mental Health Institute — patient	
22	skilled learning center	\$ 1,442,000

1	Wisconsin Resource Center visitor and gatehouse	
2	modifications	2,003,700
3	2. <i>Agency totals:</i>	
4	General fund supported borrowing	<u>3,445,700</u>
5	Total — All sources of funds	\$ 3,445,700
6	(d) DEPARTMENT OF MILITARY AFFAIRS	
7	1. <i>Projects financed by existing general fund supported</i>	
8	<i>borrowing authority:</i>	
9	Motor vehicle storage building — Beloit	\$ 181,300
10	(Total project all funding sources \$725,000)	
11	Tactical Unmanned Aircraft System facility —	
12	Camp Williams	124,600
13	(Total project all funding sources \$8,092,600)	
14	Fusion center — Madison	3,720,200
15	(Total project all funding sources \$6,803,000)	
16	2. <i>Projects financed by federal funds:</i>	
17	Motor vehicle storage building — Beloit	543,700
18	(Total project all funding sources \$725,000)	
19	Tactical Unmanned Aircraft System facility —	
20	Camp Williams	7,968,000
21	(Total project all funding sources \$8,092,600)	
22	Fusion center — Madison	2,082,800

1	(Total project all funding sources \$6,803,000)	
2	2m. <i>Projects financed by moneys appropriated to the</i>	
3	<i>agency from any revenue source:</i>	
4	Fusion center — Madison	1,000,000
5	(Total project all funding sources \$6,803,000)	
6	3. <i>Agency totals:</i>	
7	Existing general fund supported borrowing	
8	authority	4,026,100
9	Moneys appropriated to the agency from any	
10	revenue source	1,000,000
11	Federal funds	<u>10,594,500</u>
12	Total — All sources of funds	\$ 15,620,600
13	(e) DEPARTMENT OF NATURAL RESOURCES	
14	1. <i>Projects financed by existing general fund supported</i>	
15	<i>borrowing authority — stewardship property</i>	
16	<i>development and local assistance funds:</i>	
17	Dam reconstruction — Montello	\$ 5,300,000
18	(Total project all funding sources \$9,000,000)	
19	Rib Mountain State Park park development —	
20	Phase II	686,100
21	Entrance and visitor station — Amnicon Falls	
22	State Park	643,600

1	Flambeau River State Forest improvements	2,000,000
2	(Total project all funding sources \$2,513,700)	
3	Buckhorn State Park — campground development	2,199,400
4	Straight Lake State Park park development —	
5	Phase I	1,258,100
6	Horicon Marsh International Education Center	
7	displays	925,000
8	(Total project all funding sources \$3,236,300)	
9	Old Abe State Trail resurfacing	425,000
10	(Total project all funding sources \$850,000)	
11	<i>2. Projects financed by segregated fund supported</i>	
12	<i>borrowing:</i>	
13	Dam reconstruction — Montello	2,500,000
14	(Total project all funding sources \$9,000,000)	
15	Fire control heavy-unit drive-thru vehicle	
16	storage garages — Bowler and Oconto Falls	2,525,900
17	Flambeau River State Forest improvements	513,700
18	(Total project all funding sources \$2,513,700)	
19	Horicon Marsh International Education Center	
20	displays	1,836,300
21	(Total project all funding sources \$3,236,700)	

1	Poynette state game farm — pheasant hatchery	
2	building	1,023,400
3	3. <i>Projects financed by gifts, grants, and other receipts:</i>	
4	Horicon Marsh International Education Center	
5	displays	400,000
6	(Total project all funding sources \$3,236,300)	
7	4. <i>Projects financed by federal funds:</i>	
8	Dam reconstruction — Montello	1,200,000
9	(Total project all funding sources \$9,000,000)	
10	Horicon Marsh International Education Center	
11	displays	75,000
12	(Total project all funding sources \$3,236,300)	
13	Old Abe State Trail resurfacing	425,000
14	(Total project all funding sources \$850,000)	
15	5. <i>Agency totals:</i>	
16	Existing general fund supported borrowing	
17	authority — stewardship property development	
18	and local assistance funds	13,437,200
19	Segregated fund supported borrowing	8,399,300
20	Gifts, grants, and other receipts	400,000
21	Federal funds	<u>1,700,000</u>
22	Total — All sources of funds	\$ 23,936,500

1	(f) DEPARTMENT OF PUBLIC INSTRUCTION	
2	1. <i>Projects financed by general fund supported</i>	
3	<i>borrowing:</i>	
4	Wisconsin School for the Deaf — Walker Hall	
5	replacement	\$ 4,982,900
6	2. <i>Agency totals:</i>	
7	General fund supported borrowing	<u>4,982,900</u>
8	Total — All sources of funds	\$ 4,982,900
9	(g) STATE HISTORICAL SOCIETY	
10	1. <i>Projects financed by general fund supported</i>	
11	<i>borrowing:</i>	
12	Joint museum	\$ 75,000,000
13	Preservation and storage facility capital	
14	equipment	4,350,000
15	2. <i>Projects financed by gifts, grants, and other receipts:</i>	
16	Stonefield Village storage facilities	4,300,000
17	3. <i>Agency totals:</i>	
18	General fund supported borrowing	79,350,000
19	Gifts, grants, and other receipts	<u>4,300,000</u>
20	Total — All sources of funds	\$ 83,650,000
21	(h) DEPARTMENT OF TRANSPORTATION	

1	1. <i>Projects financed by segregated fund supported</i>	
2	<i>revenue borrowing:</i>	
3	Division of State Patrol gap filler towers —	
4	statewide	\$ 2,956,500
5	2. <i>Agency totals:</i>	
6	Segregated fund supported revenue borrowing	<u>2,956,500</u>
7	Total — All sources of funds	\$ 2,956,500
8	(i) UNIVERSITY OF WISCONSIN SYSTEM	
9	1. <i>Projects financed by general fund supported</i>	
10	<i>borrowing:</i>	
11	Madison — School of Nursing	\$17,413,500
12	(Total project all funding sources \$52,240,000)	
13	Oshkosh, Platteville, Stout, and Superior — major	
14	facilities renovation	50,000,000
15	River Falls — Health and Human Performance	
16	building	50,491,000
17	(Total project all funding sources \$63,512,000)	
18	System — classroom renovation/instructional	
19	technology	5,000,000
20	2. <i>Projects financed by existing general fund supported</i>	
21	<i>borrowing authority:</i>	
22	Madison — School of Nursing	17,413,500

1	(Total project all funding sources \$52,240,000)	
2	Whitewater — Carlson Hall renovation	17,000,000
3	3. <i>Projects financed by program revenue supported</i>	
4	<i>borrowing:</i>	
5	La Crosse — parking ramp	7,131,000
6	(Total project all funding sources \$12,131,000)	
7	Madison — Badger Athletic Performance Center	49,200,000
8	(Total project all funding sources \$76,800,000)	
9	— west campus/hospital parking ramp	
10	addition	25,753,000
11	(Total project all funding sources \$26,253,000)	
12	— Carson Gully Commons renovation	5,000,000
13	(Total project all funding sources \$10,049,000)	
14	— utility improvements	3,124,000
15	Oshkosh — Lincoln School remodeling	4,476,000
16	Platteville — residence hall upgrades	12,179,000
17	River Falls — Health and Human Performance	
18	building	10,264,000
19	(Total project all funding sources \$63,512,000)	
20	Stevens Point — North Debot Residence Hall	
21	renovation	11,720,000
22	Stout — Fleming Residence Hall renovation	6,599,000



1	Superior — Ross and Hawkes halls renovation	15,276,000
2	Whitewater — Bigelow and Benson halls	
3	renovation	12,223,000
4	— Drumlin Dining Hall renovation	4,627,000
5	4. <i>Projects financed by existing program revenue</i>	
6	<i>supported borrowing authority:</i>	
7	Milwaukee — School of Public Health	12,250,000
8	5. <i>Projects financed by program revenue:</i>	
9	La Crosse — parking ramp	5,000,000
10	(Total project all funding sources \$12,131,000)	
11	— storage facility	1,092,000
12	Madison — Carson Gulley Commons renovation	5,049,000
13	(Total project all funding sources \$10,049,000)	
14	— Elizabeth Waters Hall renovation	7,100,000
15	— west campus/hospital parking ramp	
16	addition	500,000
17	(Total project all funding sources \$26,253,000)	
18	6. <i>Projects financed by gifts, grants, and other receipts:</i>	
19	Extension — Upham Woods Outdoor Learning	
20	Center — shower facility	971,000
21	Madison — Alumni Plaza	8,000,000
22	— Badger Athletic Performance Center	27,600,000

1	(Total project all funding sources \$76,800,000)	
2	— Birge Hall greenhouse addition	2,967,000
3	— library storage facility	1,500,000
4	— School of Nursing	17,413,000
5	(Total project all funding sources \$52,240,000)	
6	— University Ridge Golf Course — all-	
7	seasons practice facility	2,500,000
8	River Falls — Health and Human Performance	
9	building	2,056,000
10	(Total project all funding sources \$63,512,000)	
11	Whitewater — Young Auditorium addition	940,000
12	<i>7. Projects financed by building trust funds:</i>	
13	River Falls — Health and Human Performance	
14	building	701,000
15	(Total project all funding sources \$63,512,000)	
16	<i>8. Agency totals:</i>	
17	General fund supported borrowing	122,904,500
18	Existing general fund revenue supported	
19	borrowing authority	34,413,500
20	Program revenue supported borrowing	167,572,000
21	Existing program revenue supported borrowing	
22	authority	12,250,000

1	Program revenue	18,741,000
2	Gifts, grants, and other receipts	63,947,000
3	Building trust funds	<u>701,000</u>
4	Total — All sources of funds	\$ 420,529,000
5	(j) DEPARTMENT OF VETERANS AFFAIRS	
6	1. <i>Projects financed by general fund supported</i>	
7	<i>borrowing:</i>	
8	Preservation and storage facility capital	
9	equipment	\$ 4,070,700
10	2. <i>Agency totals:</i>	
11	General fund supported borrowing	<u>4,070,700</u>
12	Total — All sources of funds	\$ 4,070,700
13	(k) MARQUETTE UNIVERSITY	
14	1. <i>Projects financed by general fund supported</i>	
15	<i>borrowing:</i>	
16	Dental school addition	\$ 8,000,000
17	(Total project all funding sources \$16,000,000)	
18	2. <i>Projects financed by gifts, grants, and other receipts:</i>	
19	Dental school addition	8,000,000
20	(Total project all funding sources \$16,000,000)	
21	3. <i>Agency totals:</i>	
22	General fund supported borrowing	8,000,000

1	Gifts, grants, and other receipts	<u>8,000,000</u>
2	Total — All sources of funds	\$ 16,000,000
3	(L) LAC DU FLAMBEAU INDIAN TRIBAL CULTURAL CENTER	
4	1. <i>Projects financed by general fund supported</i>	
5	<i>borrowing:</i>	
6	Lac du Flambeau Indian Tribal Cultural Center	\$ 250,000
7	(Total project all funding sources \$1,623,000)	
8	2. <i>Projects financed by gifts, grants, and other receipts:</i>	
9	Lac du Flambeau Indian Tribal Cultural Center	1,373,000
10	(Total project all funding sources \$1,623,000)	
11	3. <i>Agency totals:</i>	
12	General fund supported borrowing	250,000
13	Gifts, grants, and other receipts	<u>1,373,000</u>
14	Total — All sources of funds	\$ 1,623,000
15	(n) ALL AGENCY PROJECT FUNDING	
16	1. <i>Projects financed by general fund supported</i>	
17	<i>borrowing:</i>	
18	Capital equipment acquisition	\$ 5,000,000
19	Facilities maintenance and repair	105,000,000
20	(Total program all funding sources	
21	\$164,108,600)	
22	Health, safety, and environmental protection	18,000,000

1	(Total program all funding sources	
2	\$18,770,300)	
3	Land and property acquisition	4,000,000
4	Preventive maintenance	2,000,000
5	Programmatic remodeling and renovation	5,000,000
6	(Total program all funding sources \$7,334,100)	
7	Utilities repair and and renovation	46,000,000
8	(Total program all funding sources	
9	\$64,521,700)	
10	<i>2. Projects financed by existing general fund supported</i>	
11	<i>borrowing authority — stewardship property</i>	
12	<i>development and local assistance funds:</i>	
13	Facilities maintenance and repair	4,562,800
14	(Total program all funding sources	
15	\$164,108,600)	
16	<i>3. Projects financed by program revenue supported</i>	
17	<i>borrowing:</i>	
18	Energy conservation	100,000,000
19	(Total program all funding sources	
20	\$100,000,000)	
21	Facilities maintenance and repair	18,696,100

1	(Total program all funding sources	
2	\$164,108,600)	
3	Health, safety, and environmental protection	121,000
4	(Total program all funding sources	
5	\$18,770,300)	
6	Utilities repair and renovation	15,094,000
7	(Total program all funding sources	
8	\$64,521,700)	
9	4. <i>Projects financed by segregated fund supported</i>	
10	<i>borrowing:</i>	
11	Facilities maintenance and repair	1,639,900
12	(Total program all funding sources	
13	\$164,108,600)	
14	5. <i>Projects financed by segregated fund supported</i>	
15	<i>revenue borrowing</i>	
16	Facilities maintenance and repair	5,040,800
17	(Total program all funding sources	
18	\$166,108,600)	
19	6. <i>Projects financed by program revenue:</i>	
20	Facilities maintenance and repair	14,057,200
21	(Total program all funding sources	
22	\$164,108,600)	

1	Health, safety, and environmental protection	359,000
2	(Total program all funding sources	
3	\$18,770,300)	
4	Programmatic remodeling and renovation	218,000
5	(Total program all funding sources \$7,334,100)	
6	Utilities repair and renovation	214,700
7	(Total program all funding sources	
8	\$64,521,700)	
9	<i>7. Projects financed by federal funds:</i>	
10	Facilities maintenance and repair	13,877,000
11	(Total program all funding sources	
12	\$164,108,600)	
13	Health, safety, and environmental protection	290,300
14	(Total program all funding sources	
15	\$18,770,300)	
16	Programmatic remodeling and renovation	268,100
17	(Total program all funding sources \$7,334,100)	
18	Utilities repair and renovation	3,213,000
19	(Total program all funding sources	
20	\$64,521,700)	
21	<i>8. Projects finances by gifts, grants, and other receipts:</i>	
22	Facilities maintenance and repair	1,234,800

1	(Total program all funding sources	
2	\$164,108,600)	
3	Programmatic remodeling and renovation	1,848,000
4	(Total program all funding sources \$7,334,100)	
5	9. <i>All agency totals:</i>	
6	General fund supported borrowing	185,000,000
7	Existing general fund supported borrowing	
8	authority — stewardship property development	
9	and local assistance funds	4,562,800
10	Program revenue supported borrowing	133,911,100
11	Segregated fund supported borrowing	1,639,900
12	Segregated fund supported revenue borrowing	5,040,800
13	Program revenue	14,848,900
14	Building trust funds	0
15	Gifts, grants, and other receipts	3,082,800
16	Federal funds	<u>17,648,400</u>
17	Total — All sources of funds	\$ 365,734,700
18	(o) SUMMARY	
19	Total general fund supported borrowing	420,579,900
20	Total existing general fund supported borrowing	
21	authority	50,291,200



1	Total existing general fund supported borrowing	
2	authority — stewardship property development	
3	and local assistance funds	18,000,000
4	Total program revenue supported borrowing	301,483,100
5	Total existing program revenue supported	
6	borrowing authority	12,250,000
7	Total segregated fund supported borrowing	10,039,200
8	Total segregated fund supported revenue	
9	borrowing	7,997,300
10	Total program revenue	33,589,900
11	Total building trust funds	701,000
12	Total gifts, grants, and other receipts	81,102,800
13	Total moneys appropriated to state agencies from	
14	any revenue source	1,000,000
15	Total federal funds	29,942,900
16	Total — All sources of funds	\$ 966,977,300

17 (2) 2009–11 AUTHORIZED STATE BUILDING PROGRAM DELETIONS.

18 (a) In 2009 Wisconsin Act 28, section 9106 (1) (c) 1., under projects financed by  
19 general fund supported borrowing, the 2009–11 Authorized State Building Program  
20 project identified as “Armory – Wisconsin Rapids” is deleted and the appropriate  
21 totals are decreased accordingly.

22 (b) In 2009 Wisconsin Act 28, section 9106 (1) (c) 3., under projects financed by  
23 federal funds, the 2009–11 Authorized State Building Program project identified as

1 “Armory – Wisconsin Rapids” is deleted and the appropriate totals are decreased  
2 accordingly.

3 (c) In 2009 Wisconsin Act 28, section 9106 (1) (b) 3., under projects financed by  
4 program revenue supported borrowing, the 2009–11 Authorized State Building  
5 Program project identified as “Fox Lake Correctional Institution — methane  
6 digester” is deleted and the appropriate totals are decreased accordingly.

7 (3) PROGRAMS PREVIOUSLY AUTHORIZED. In addition to the projects and financing  
8 authority enumerated in subsection (1), the building and financing authority  
9 enumerated in the previous state building program is continued in the 2011–13 fiscal  
10 biennium.

11 (4) LOANS. During the 2011–13 fiscal biennium, the building commission may  
12 make loans from general fund supported borrowing or the building trust fund to state  
13 agencies, as defined in section 20.001 (1) of the statutes, for projects that are to be  
14 utilized for programs not funded by general purpose revenue and that are authorized  
15 in subsection (1).

16 (5) SCHOOL OF NURSING PROJECT. Notwithstanding section 18.04 (1) and (2) of  
17 the statutes, of the public debt authorized for the School of Nursing project, as  
18 enumerated in subsection (1) (i) 1., \$17,413,500 in public debt may not be contracted  
19 until after June 30, 2013.

20 (6) HEALTH AND HUMAN PERFORMANCE BUILDING PROJECT. Notwithstanding  
21 section 18.04 (1) and (2) of the statutes, of the public debt authorized for the Health  
22 and Human Performance building project, as enumerated in subsection (1) (i) 1.,  
23 \$50,491,000 in public debt may not be contracted until after June 30, 2013.

24 (7) LAC DU FLAMBEAU INDIAN TRIBAL CULTURAL CENTER. Notwithstanding  
25 section 13.48 (40m) (b) of the statutes, as created by this act, the building commission

1 shall not make a grant to the Lac du Flambeau Band of Lake Superior Chippewa for  
2 construction of a tribal cultural center, as enumerated in subsection (1) (L), under  
3 section 13.48 (40m) of the statutes, as created by this act, unless the department of  
4 administration has reviewed and approved plans for the project. Notwithstanding  
5 sections 16.85 (1) and 16.855 (1) of the statutes, the department of administration  
6 shall not supervise any services or work or let any contract for the project. Section  
7 16.87 of the statutes does not apply to the project.

8 (9) FACILITIES MAINTENANCE AND REPAIR PROJECTS. Notwithstanding section  
9 13.48 (10) (a) of the statutes, as affected by this act, of the amount provided under  
10 subsection (1) (n) 1. for facilities maintenance and repair, the secretary of  
11 administration may disburse up to \$5,000,000 for needed facilities maintenance and  
12 repair projects in the 2011–13 fiscal biennium without approval of any projects under  
13 section 13.48 (10) (a) of the statutes, as affected by this act.

14 **SECTION 9108. Nonstatutory provisions; Children and Families.**

15 (1) CLIENT ASSISTANCE FOR REEMPLOYMENT AND ECONOMIC SUPPORT.

16 (a) *Positions and employees.* On the effective date of this paragraph, 3 positions  
17 and the incumbent employee or employees, if any, holding those positions in the  
18 department of children and families performing duties that are primarily related to  
19 automation security for the Client Assistance for Reemployment and Economic  
20 Support system, as determined by the secretary of administration, are transferred  
21 to the department of health services.

22 (b) *Employee status.* Any employee transferred under paragraph (a) has all the  
23 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
24 statutes in the department of health services that he or she enjoyed in the  
25 department of children and families immediately before the transfer.

1 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who  
2 has attained permanent status in class is required to serve a probationary period.

3 (1u) SUBSIDIZED GUARDIANSHIPS.

4 (a) *Amendment of state plan.* The department of children and families shall  
5 submit to the federal secretary of health and human services an amendment to the  
6 state plan for foster care and adoption assistance under 42 USC 671 to provide for  
7 the department and county departments of human services or social services to enter  
8 into subsidized guardianship agreements under section 48.623 (2) of the statutes, as  
9 created by this act, under which the department and those county departments  
10 provide subsidized guardianship payments under section 48.623 (1) of the statutes,  
11 as created by this act.

12 (b) *Subsidized guardianship training.* The department of children and  
13 families shall include in the plan that under section 48.567 (2) of the statutes the  
14 department is required to submit to the secretary of administration by September  
15 1, 2011, a proposal for a subsidized guardianship training curriculum and a  
16 statewide subsidized guardianship training program. That proposal shall include  
17 an estimate of the cost of providing that training program.

18 (1v) CHILD CARE AUTOMATED ATTENDANCE TRACKING SYSTEM.

19 (a) Of the amounts appropriated to the joint committee on finance under  
20 section 20.865 (4) (m) of the statutes, \$1,000,000 in each of fiscal years 2011–12 and  
21 2012–13 is allocated to supplement the appropriation account under section 20.437  
22 (2) (mc) of the statutes, as affected by this act, for the purpose specified in paragraph  
23 (b).

24 (b) By January 1, 2012, the department of children and families shall submit  
25 to the joint committee on finance a request for that committee to supplement the

1 appropriation account under section 20.437 (2) (mc) of the statutes, as affected by  
2 this act, for the purpose of implementing an automated attendance tracking system  
3 to electronically record and monitor child care attendance in licensed or certified  
4 child care facilities that receive reimbursement under the child care subsidy  
5 program under section 49.155 of the statutes, as affected by this act. That  
6 department shall include in the request a detailed plan explaining how the system  
7 would work and how the supplement, if released, would be spent. The joint  
8 committee on finance, from the appropriation account under section 20.865 (4) (m)  
9 of the statutes, may supplement the appropriation account under section 20.437 (2)  
10 (mc) of the statutes, as affected by this act, by an amount that is sufficient to  
11 implement the system, but not by more than \$1,000,000 in each of fiscal years  
12 2011–12 and 2012–13. Notwithstanding section 13.101 (3) (a) of the statutes, the  
13 joint committee on finance is not required to find that an emergency exists. The joint  
14 committee on finance may use the process described in paragraph (c) to provide a  
15 supplement under this paragraph.

16 (c) If the cochairpersons of the joint committee on finance do not notify the  
17 department of children and families within 14 working days after the date of the  
18 submittal of the request under paragraph (b) that the committee has scheduled a  
19 meeting to review the request, the supplement is approved as requested. If the  
20 cochairpersons of the joint committee on finance notify the department of children  
21 and families within 14 working days after the date of that submittal that the  
22 committee has scheduled a meeting to review the request, the supplement may occur  
23 only as approved, or as modified and approved, by the committee.

24 (2c) RULES FOR WAIVER UNDER WISCONSIN SHARES. The department of children  
25 and families shall submit in proposed form the rules required under section 49.155

1 (3m) (d) 4. of the statutes, as created by this act, to the legislative council staff under  
2 section 227.15 (1) of the statutes no later than the first day of the 4th month  
3 beginning after the effective date of this subsection.

4 (2i) DISTRIBUTION OF CHILD SUPPORT INCENTIVE PAYMENTS.

5 (a) *Review by joint committee on finance.* Notwithstanding section 49.24 (2) (a)  
6 of the statutes, the department of children and families shall develop, and submit to  
7 the joint committee on finance no later than August 31, 2011, a detailed plan for  
8 distributing child support incentive payments to counties under section 49.24 of the  
9 statutes during calendar years 2012 and 2013. The plan shall meet all of the  
10 following requirements:

11 1. ‘Basis for distributions.’ The plan shall describe the method the department  
12 used to calculate the distributions to counties under the plan.

13 2. ‘Across-the-board reduction.’ The plan may not be based on  
14 across-the-board reductions to child support incentive payments made in calendar  
15 year 2011.

16 3. ‘Performance standards.’ The distribution method under the plan may  
17 reward counties that demonstrate proficiency in providing child support  
18 enforcement services. Under the plan, a county’s proficiency level may be based on  
19 performance standards determined by the department, including the county’s rate,  
20 per full-time employee, of establishing child support court orders, establishing  
21 paternity, and collecting current child support.

22 (b) *Implementation of distribution plan.* If the cochairpersons of the joint  
23 committee on finance do not notify the department of children and families that the  
24 committee has scheduled a meeting for the purpose of reviewing the plan submitted  
25 under paragraph (a) within 14 working days after the date the plan is submitted, the

1 department may implement the plan. If, within 14 working days after the date the  
2 plan is submitted, the cochairpersons of the committee notify the department that  
3 the committee has scheduled a meeting for the purpose of reviewing the plan, the  
4 department may not distribute child support incentive payments after December 31,  
5 2011, unless the distribution is approved by the committee.

6 **SECTION 9110. Nonstatutory provisions; Commerce.**

7 (1) HOUSING ASSISTANCE TRANSFER.

8 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
9 liabilities of the department of commerce primarily related to the functions of the  
10 department under subchapter X of chapter 560, 2009 stats., as determined by the  
11 secretary of administration, shall become the assets and liabilities of the department  
12 of administration.

13 (b) *Tangible personal property.* On the effective date of this paragraph, all  
14 tangible personal property, including records, of the department of commerce that  
15 is primarily related to the functions of the department under subchapter X of chapter  
16 560, 2009 stats., as determined by the secretary of administration, is transferred to  
17 the department of administration.

18 (c) *Contracts.* All contracts entered into by the department of commerce in  
19 effect on the effective date of this paragraph that are primarily related to the  
20 functions of the department under subchapter X of chapter 560, 2009 stats., as  
21 determined by the secretary of administration, remain in effect and are transferred  
22 to the department of administration. The department of administration shall carry  
23 out any obligations under such a contract until the contract is modified or rescinded  
24 by the department of administration to the extent allowed under the contract.

1           (cg) *Employee transfers.* All positions and all incumbent employees holding  
2 those positions in the department performing duties primarily related to housing  
3 programs, as determined by the secretary of administration, are transferred on the  
4 effective date of this paragraph to the department of administration.

5           (cr) *Employee status.* Employees transferred under paragraph (cg) have all the  
6 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
7 statutes in the department of administration that they enjoyed in the department  
8 of commerce immediately before the transfer. Notwithstanding section 230.28 (4) of  
9 the statutes, no employee so transferred who has attained permanent status in class  
10 is required to serve a probationary period.

11           (2u) TRANSFER OF BUSINESS CERTIFICATION PROGRAMS.

12           (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
13 liabilities of the department of commerce primarily related to disabled  
14 veteran–owned business certifications, woman–owned business certifications, or  
15 minority business certifications, as determined by the secretary of administration,  
16 shall become the assets and liabilities of the department of administration.

17           (b) *Employee transfers.* All positions and all incumbent employees holding  
18 those positions in the department of commerce performing duties primarily related  
19 to disabled veteran–owned business certifications, woman–owned business  
20 certifications, or minority business certifications, as determined by the secretary of  
21 administration, are transferred on the effective date of this paragraph to the  
22 department of administration.

23           (c) *Employee status.* Employees transferred under paragraph (b) have all the  
24 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
25 statutes in the department of administration that they enjoyed in the department



1 of commerce immediately before the transfer. Notwithstanding section 230.28 (4) of  
2 the statutes, no employee so transferred who has attained permanent status in class  
3 is required to serve a probationary period.

4 (d) *Tangible personal property.* On the effective date of this paragraph, all  
5 tangible personal property, including records, of the department of commerce that  
6 is primarily related to disabled veteran–owned business certifications,  
7 woman–owned business certifications, or minority business certifications, as  
8 determined by the secretary of administration, is transferred to the department of  
9 administration.

10 (e) *Contracts.* All contracts entered into by the department of commerce in  
11 effect on the effective date of this paragraph that are primarily related to disabled  
12 veteran–owned business certifications, woman–owned business certifications, or  
13 minority business certifications, as determined by the secretary of administration,  
14 remain in effect and are transferred to the department of administration. The  
15 department of administration shall carry out any obligations under such a contract  
16 until the contract is modified or rescinded by the department of administration to the  
17 extent allowed under the contract.

18 (f) *Rules and orders.* All rules promulgated by the department of commerce  
19 that relate to disabled veteran–owned business certifications, woman–owned  
20 business certifications, or minority business certifications, that are in effect on the  
21 effective date of this subsection, remain in effect until their specified expiration dates  
22 or until amended or repealed by the department of administration. All orders issued  
23 by the department of commerce relating to such business certifications that are in  
24 effect on the effective date of this subsection remain in effect until their specified  
25 expiration dates or until modified or rescinded by the department of administration.

1           (g) *Pending matters.* Any matter pending with the department of commerce  
2 on the effective date of this paragraph that is primarily related to disabled  
3 veteran–owned business certifications, woman–owned business certifications, or  
4 minority business certifications, as determined by the secretary of administration,  
5 is transferred to the department of administration and all materials submitted to or  
6 actions taken by the department of commerce with respect to the pending matters  
7 are considered as having been submitted to or taken by the department of  
8 administration.

9           (2v) TRANSFER OF CERTAIN GRANT PROGRAMS.

10           (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
11 liabilities of the department of commerce primarily related to diesel truck idling  
12 reduction grants, as determined by the secretary of administration, shall become the  
13 assets and liabilities of the department of safety and professional services.

14           (b) *Employee transfers.* All positions and all incumbent employees holding  
15 those positions in the department of commerce performing duties primarily related  
16 to diesel truck idling reduction grants, as determined by the secretary of  
17 administration, are transferred on the effective date of this paragraph to the  
18 department of safety and professional services.

19           (c) *Employee status.* Employees transferred under paragraph (b) have all the  
20 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
21 statutes in the department of safety and professional services that they enjoyed in  
22 the department of commerce immediately before the transfer. Notwithstanding  
23 section 230.28 (4) of the statutes, no employee so transferred who has attained  
24 permanent status in class is required to serve a probationary period.

1           (d) *Tangible personal property.* On the effective date of this paragraph, all  
2 tangible personal property, including records, of the department of commerce that  
3 is primarily related to diesel truck idling reduction grants, as determined by the  
4 secretary of administration, is transferred to the department of safety and  
5 professional services.

6           (e) *Contracts.* All contracts entered into by the department of commerce in  
7 effect on the effective date of this paragraph that are primarily related to diesel truck  
8 idling reduction grants, as determined by the secretary of administration, remain in  
9 effect and are transferred to the department of safety and professional services. The  
10 department of safety and professional services shall carry out any obligations under  
11 such a contract until the contract is modified or rescinded by the department of safety  
12 and professional services to the extent allowed under the contract.

13           (f) *Rules and orders.* All rules promulgated by the department of commerce  
14 that relate to diesel truck idling reduction grants, that are in effect on the effective  
15 date of this subsection, remain in effect until their specified expiration dates or until  
16 amended or repealed by the department of safety and professional services. All  
17 orders issued by the department of commerce relating to such grants that are in  
18 effect on the effective date of this subsection remain in effect until their specified  
19 expiration dates or until modified or rescinded by the department of safety and  
20 professional services.

21           (g) *Pending matters.* Any matter pending with the department of commerce  
22 on the effective date of this paragraph that is primarily related to diesel truck idling  
23 reduction grants, as determined by the secretary of administration, is transferred to  
24 the department of safety and professional services and all materials submitted to or  
25 actions taken by the department of commerce with respect to the pending matters

1 are considered as having been submitted to or taken by the department of safety and  
2 professional services.

3 (3) TRANSFER OF THE DIVISIONS OF SAFETY AND BUILDINGS AND ENVIRONMENTAL AND  
4 REGULATORY SERVICES.

5 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
6 liabilities of the department of commerce primarily related to the functions of the  
7 division of safety and buildings and the division of environmental and regulatory  
8 services, as determined by the secretary of administration, shall become the assets  
9 and liabilities of the department of safety and professional services.

10 (b) *Employee transfers.* All positions and all incumbent employees holding  
11 those positions in the department of commerce performing duties primarily related  
12 to the functions of the division of safety and buildings and the division of  
13 environmental and regulatory services, as determined by the secretary of  
14 administration, are transferred on the effective date of this paragraph to the  
15 department of safety and professional services.

16 (c) *Employee status.* Employees transferred under paragraph (b) have all the  
17 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
18 statutes in the department of safety and professional services that they enjoyed in  
19 the department of commerce immediately before the transfer. Notwithstanding  
20 section 230.28 (4) of the statutes, no employee so transferred who has attained  
21 permanent status in class is required to serve a probationary period.

22 (d) *Tangible personal property.* On the effective date of this paragraph, all  
23 tangible personal property, including records, of the department of commerce that  
24 is primarily related to the functions of the division of safety and buildings and the

1 division of environmental and regulatory services, as determined by the secretary of  
2 administration, is transferred to the department of safety and professional services.

3 (e) *Contracts.* All contracts entered into by the department of commerce in  
4 effect on the effective date of this paragraph that are primarily related to the  
5 functions of the division of safety and buildings and the division of environmental  
6 and regulatory services, as determined by the secretary of administration, remain  
7 in effect and are transferred to the department of safety and professional services.  
8 The department of safety and professional services shall carry out any obligations  
9 under such a contract until the contract is modified or rescinded by the department  
10 of safety and professional services to the extent allowed under the contract.

11 (f) *Rules and orders.* All rules promulgated by the department of commerce  
12 that are in effect on the effective date of this paragraph and that are primarily related  
13 to the functions of the division of safety and buildings and the division of  
14 environmental and regulatory services, as determined by the secretary of  
15 administration, remain in effect until their specified expiration dates or until  
16 amended or repealed by the department of safety and professional services. All  
17 orders issued by the department of commerce that are in effect on the effective date  
18 of this paragraph and that are primarily related to the functions of the division of  
19 safety and buildings and the division of environmental and regulatory services, as  
20 determined by the secretary of administration, remain in effect until their specified  
21 expiration dates or until modified or rescinded by the department of safety and  
22 professional services.

23 (g) *Pending matters.* Any matter pending with the department of commerce  
24 on the effective date of this paragraph that is primarily related to the functions of the  
25 division of safety and buildings and the division of environmental and regulatory

1 services, as determined by the secretary of administration, is transferred to the  
2 department of safety and professional services and all materials submitted to or  
3 actions taken by the department of commerce with respect to the pending matters  
4 are considered as having been submitted to or taken by the department of safety and  
5 professional services.

6 (4) TRANSFER OF CERTAIN ADMINISTRATIVE POSITIONS FROM THE DEPARTMENT OF  
7 COMMERCE.

8 (a) The positions, and the incumbent employees holding those positions, in the  
9 division of administrative services in the department of commerce that the secretary  
10 of administration determines shall be transferred to the department of safety and  
11 professional services, are transferred on the effective date of this paragraph.

12 (b) Employees transferred under paragraph (a) have all the rights and the  
13 same status under subchapter V of chapter 111 and chapter 230 of the statutes in the  
14 department of safety and professional services that they enjoyed in the department  
15 of commerce immediately before the transfer. Notwithstanding section 230.28 (4) of  
16 the statutes, no employee so transferred who has attained permanent status in class  
17 is required to serve a probationary period.

18 (6) ECONOMIC DEVELOPMENT TRANSFER.

19 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
20 liabilities of the department of commerce primarily related to the functions of the  
21 department under subchapters I, II, III, IV, V, VI, VIII, and IX of chapter 560, 2009  
22 stats., as determined by the secretary of administration, shall become the assets and  
23 liabilities of the Wisconsin Economic Development Corporation.

24 (b) *Tangible personal property.* On the effective date of this paragraph, all  
25 tangible personal property, including records, of the department of commerce that

1 is primarily related to the functions of the department under subchapters I, II, III,  
2 IV, V, VI, VIII, and IX of chapter 560, 2009 stats., except the tangible personal  
3 property, including records, transferred to the department of agriculture, trade and  
4 consumer protection under subsection (7) (a) and except the tangible personal  
5 property, including records, transferred to the department of administration under  
6 subsection (8) (b), as determined by the secretary of administration, is transferred  
7 to the Wisconsin Economic Development Corporation.

8 (c) *Contracts.* All contracts entered into by the department of commerce in  
9 effect on the effective date of this paragraph that are primarily related to the  
10 functions of the department under subchapters I, II, III, IV, V, VI, VIII, and IX of  
11 chapter 560, 2009 stats., as determined by the secretary of administration, remain  
12 in effect and are transferred to the Wisconsin Economic Development Corporation.  
13 The Wisconsin Economic Development Corporation shall carry out any obligations  
14 under such a contract until the contract is modified or rescinded by the Wisconsin  
15 Economic Development Corporation to the extent allowed under the contract.

16 (7) INVESTMENT TAX CREDITS; TRANSFER.

17 (a) *Tangible personal property.* On the effective date of this paragraph, all  
18 tangible personal property, including records, of the department of commerce that  
19 is primarily related to the functions of the department of commerce with respect to  
20 sections 560.2056, 560.207, 560.208, and 560.209, 2009 stats., as determined by the  
21 secretary of administration, is transferred to the department of agriculture, trade  
22 and consumer protection.

23 (b) *Rules.* All rules promulgated by the department of commerce under sections  
24 560.2056 (4), 560.207 (4), 560.208 (4), and 560.209 (4), 2009 stats., that are in effect  
25 on the effective date of this paragraph remain in effect until their specified expiration

1 date or until amended or repealed by the department of agriculture, trade and  
2 consumer protection.

3 (8) RURAL HOSPITAL LOAN GUARANTEE; TRANSFER.

4 (a) *Tangible personal property.* On the effective date of this paragraph, all  
5 tangible personal property, including records, of the department of commerce that  
6 is primarily related to the functions of the department of commerce with respect to  
7 section 231.35, 2009 stats., as determined by the secretary of administration, is  
8 transferred to the department of administration.

9 (b) *Rules.* All rules promulgated by the department of commerce under section  
10 231.35 (7), 2009 stats., that are in effect on the effective date of this paragraph  
11 remain in effect until their specified expiration date or until amended or repealed by  
12 the department of administration.

13 (8q) ELECTRONIC MEDICAL RECORDS CREDIT; TRANSFER.

14 (a) *Tangible personal property.* On the effective date of this paragraph, all  
15 tangible personal property, including records, of the department of commerce that  
16 is primarily related to the functions of the department of commerce with respect to  
17 section 560.204, 2009 stats., as determined by the secretary of administration, is  
18 transferred to the department of revenue.

19 (b) *Rules.* All rules promulgated by the department of commerce under section  
20 560.204 (4), 2009 stats., that are in effect on the effective date of this paragraph  
21 remain in effect until their specified expiration date or until amended or repealed by  
22 the department of revenue.

23 (9u) RELOCATION ASSISTANCE TRANSFER.

24 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
25 liabilities of the department of commerce primarily related to the functions of the



1 department under sections 32.19 to 32.27, 2009 stats., as determined by the  
2 secretary of administration, shall become the assets and liabilities of the department  
3 of administration.

4 (b) *Employee transfers.* All positions and all incumbent employees holding  
5 those positions in the department of commerce performing duties primarily related  
6 to the functions of the department under sections 32.19 to 32.27, 2009 stats., as  
7 determined by the secretary of administration, are transferred on the effective date  
8 of this paragraph to the department of administration.

9 (c) *Employee status.* Employees transferred under paragraph (b) have all the  
10 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
11 statutes in the department of administration that they enjoyed in the department  
12 of commerce immediately before the transfer. Notwithstanding section 230.28 (4) of  
13 the statutes, no employee so transferred who has attained permanent status in class  
14 is required to serve a probationary period.

15 (d) *Tangible personal property.* On the effective date of this paragraph, all  
16 tangible personal property, including records, of the department of commerce that  
17 is primarily related to the functions of the department under sections 32.19 to 32.27,  
18 2009 stats., as determined by the secretary of administration, is transferred to the  
19 department of administration.

20 (e) *Contracts.* All contracts entered into by the department of commerce in  
21 effect on the effective date of this paragraph that are primarily related to the  
22 functions of the department under sections 32.19 to 32.27, 2009 stats., as determined  
23 by the secretary of administration, remain in effect and are transferred to the  
24 department of administration. The department of administration shall carry out

1 any obligations under such a contract until the contract is modified or rescinded by  
2 the department of administration to the extent allowed under the contract.

3 (f) *Rules and orders.* All rules promulgated by the department of commerce  
4 under sections 32.19 to 32.27, 2009 stats., that are in effect on the effective date of  
5 this paragraph, remain in effect until their specified expiration dates or until  
6 amended or repealed by the department of administration. All orders issued by the  
7 department of commerce relating to the functions of the department under sections  
8 32.19 to 32.27, 2009 stats., as determined by the secretary of administration, that are  
9 in effect on the effective date of this paragraph remain in effect until their specified  
10 expiration dates or until modified or rescinded by the department of administration.

11 (g) *Pending matters.* Any matter pending with the department of commerce  
12 on the effective date of this paragraph that is primarily related to the functions of the  
13 department under sections 32.19 to 32.27, 2009 stats., as determined by the  
14 secretary of administration, is transferred to the department of administration and  
15 all materials submitted to or actions taken by the department of commerce with  
16 respect to the pending matters are considered as having been submitted to or taken  
17 by the department of administration.

18 **SECTION 9111. Nonstatutory provisions; Corrections.**

19 (1u) **REPORT; NURSING services.** The secretary of corrections shall, before  
20 October 1, 2011, submit a report to the joint committee on finance that identifies the  
21 number of nursing staff and associated costs for each correctional facility in fiscal  
22 years 2009–10 and 2010–11 and that summarizes each contract for nursing services  
23 entered into by the department of corrections in or for fiscal years 2009–10 and  
24 2010–11.

25 (2q) **DEPARTMENT REPORT ON JUVENILE CORRECTIONS.**

1 (a) In this subsection, “juvenile correctional services” includes those services  
2 for which section 301.26 (4) (d) 2. and 3. of the statutes, as affected by this act,  
3 provides daily cost assessments to counties and any other  
4 juvenile–delinquency–related care or services provided by counties or the state.

5 (b) No later than June 30, 2012, the department of corrections shall submit to  
6 the chief clerk of each house of the legislature, for distribution to the legislature in  
7 the manner provided under section 13.172 (2) of the statutes, a report on juvenile  
8 correctional services provided to juveniles that includes all of the following:

- 9 1. A list of all providers of juvenile correctional services.
- 10 2. The number of juveniles receiving juvenile correctional services and whether  
11 each juvenile was supervised by a county or the state.
- 12 3. An accounting of the costs of the juvenile correctional services provided.

13 **SECTION 9113. Nonstatutory provisions; District Attorneys.**

14 (3c) ASSISTANT DISTRICT ATTORNEY PAY PROGRESSION PLAN. The Association of  
15 State Prosecutors and the director of the office of state employment relations shall  
16 develop a pay progression plan for attorneys who are included in the collective  
17 bargaining unit under section 111.825 (2) (d) of the statutes, to be funded from any  
18 salary savings resulting from hiring new attorneys to fill the positions of attorneys  
19 who retired from state employment during the period that begins on January 1, 2011,  
20 and ends on June 30, 2013. The plan shall include a detailed description of how a  
21 pay progression system would be structured and administered and the fiscal cost of  
22 the pay progression system in the 2011–13 fiscal biennium, by fund source, and the  
23 projected costs of the pay progression system in the succeeding 4 fiscal biennia.  
24 Before October 1, 2011, the Association of State Prosecutors and the director of the  
25 office of state employment relations shall submit the proposed plan to the joint

1 committee on finance. If the cochairpersons of the joint committee on finance do not  
2 notify the Association of State Prosecutors and the director of the office of state  
3 employment relations within 14 working days after the date of the submittal of the  
4 plan that the committee has scheduled a meeting to review the plan, the plan may  
5 be implemented as proposed by the Association of State Prosecutors and the director  
6 of the office of state employment relations. If, within 14 days after the date of the  
7 submittal of the plan, the cochairpersons of the committee notify the Association of  
8 State Prosecutors and the director of the office of state employment relations that the  
9 committee has scheduled a meeting to review the plan, the plan may only be  
10 implemented as approved by the committee.

11 **SECTION 9115. Nonstatutory provisions; Employee Trust Funds.**

12 (1dr) STATE EMPLOYEE HEALTH CARE COVERAGE. Notwithstanding section 40.05  
13 (4) (ag) and (c) of the statutes, as affected by this act, beginning with health insurance  
14 premiums paid in any month that begins after the effective date of this subsection,  
15 as determined by the secretary of administration, and ending with coverage for  
16 December 2011, all of the following shall apply:

17 (a) Employees covered under section 40.05 (4) (ag) 2. of the statutes shall pay  
18 \$84 a month for individual coverage and \$208 a month for family coverage for health  
19 care coverage under any plan offered in the tier with the lowest employee premium  
20 cost under section 40.51 (6) of the statutes; \$122 a month for individual coverage and  
21 \$307 a month for family coverage for health care coverage under any plan offered in  
22 the tier with the next lowest employee premium cost under section 40.51 (6) of the  
23 statutes; and \$226 a month for individual coverage and \$567 a month for family  
24 coverage for health care coverage under any plan offered in the tier with the highest  
25 employee premium cost under section 40.51 (6) of the statutes.

1 (b) Eligible employees covered under section 40.02 (25) (b) 2. of the statutes,  
2 as affected by this act, shall pay 50 percent of the amounts required for employees  
3 under paragraph (a).

4 (c) Employees covered under section 40.05 (4) (ag) 1. of the statutes, as affected  
5 by this act, and craft employees, as defined in section 111.81 (4) of the statutes, and  
6 related nonrepresented employees shall pay the same amounts that they are  
7 required to pay on the day before the effective date of this paragraph.

8 (1hr) EMPLOYER AND EMPLOYEE REQUIRED CONTRIBUTIONS FOR 2011.  
9 Notwithstanding the employer and employee required contributions rates  
10 established for 2011 under section 40.05 (1) and (2), 2009 stats., beginning on the first  
11 day of any pay period after the effective date of this subsection, as determined by the  
12 secretary of administration, the employee required contributions under section  
13 40.05 (1) (a) of the statutes, as affected by this act, shall be in effect for the remainder  
14 of 2011, and the employer required contributions under section 40.05 (2) of the  
15 statutes shall be adjusted to reflect the increases in employee required contributions  
16 for the remainder of 2011.

17 (1q) SUPPLEMENTAL APPROPRIATIONS FOR DEPARTMENT OF EMPLOYEE TRUST FUNDS.  
18 During the 2011–13 fiscal biennium, the secretary of employee trust funds may  
19 submit one or more requests to the joint committee on finance to supplement the  
20 appropriation under section 20.515 (1) (w) of the statutes from the appropriation  
21 account under section 20.865 (4) (u) of the statutes for additional agency funding and  
22 authorized positions. Any request shall include a detailed expenditure plan and a  
23 description of how the plan addresses increasing workload and service  
24 improvements and a request for additional positions shall be consistent with the  
25 methodology developed under 2009 Wisconsin Act 28, section 9115 (1x). If the

1 secretary intends to request additional authorized positions beyond the number  
2 derived from the methodology, the employee trust funds board must first approve the  
3 request before the secretary submits the request to the joint committee on finance.  
4 Any request submitted under this subsection shall be submitted by the applicable  
5 due date for agency requests for any of the joint committee on finance's quarterly  
6 meetings under section 13.10 of the statutes and shall also include the methodology  
7 used by the secretary. Notwithstanding section 13.101 (3) of the statutes, the joint  
8 committee on finance is not required to find that an emergency exists prior to making  
9 the supplementation under this subsection.

10 (2q) SUPPLEMENTAL APPROPRIATIONS FOR AUDIT OF DEPENDENT ELIGIBILITY UNDER  
11 BENEFIT PROGRAMS ADMINISTERED BY THE DEPARTMENT OF EMPLOYEE TRUST FUNDS. The  
12 joint committee on finance may supplement, from the appropriation under section  
13 20.865 (4) (u) of the statutes, the appropriation under section 20.515 (1) (w) of the  
14 statutes for the purpose of conducting an audit of dependent eligibility under benefit  
15 programs administered by the department of employee trust funds if all of the  
16 following occur:

17 (a) The department of employee trust funds submits a report to the joint  
18 committee on finance on the results of any pilot survey relating to dependent  
19 eligibility and provides a detailed budget for a full audit of dependent eligibility  
20 under benefit programs administered by the department.

21 (b) The department of employee trust funds submits a request to the joint  
22 committee on finance to supplement the appropriation under section 20.515 (1) (w)  
23 of the statutes for the purpose of conducting an audit of dependent eligibility under  
24 benefit programs administered by the department.

1           (c) The cochairpersons of the joint committee on finance do not notify the  
2 department of employee trust funds that the committee has scheduled a meeting for  
3 the purpose of reviewing the request within 14 working days after the date of the  
4 receipt of the request. If, within 14 working days after the date of the receipt of the  
5 request, however, the cochairpersons of the committee notify the department of  
6 employee trust funds that the committee has scheduled a meeting for the purpose  
7 of reviewing the proposed supplement, the supplement may occur only upon  
8 approval of the committee.

9           (3q) MODIFICATIONS TO WISCONSIN RETIREMENT SYSTEM.

10          (a) The secretary of administration, the director of the office of state  
11 employment relations, and the secretary of employee trust funds shall study the  
12 structure of the Wisconsin Retirement System and benefits provided under the  
13 Wisconsin Retirement System. The study shall specifically address the following  
14 issues:

15           1. Establishing a defined contribution plan as an option for participating  
16 employees, as defined in section 40.02 (46) of the statutes.

17           2. Permitting employees to not make employee required contributions under  
18 section 40.05 (1) (a) of the statutes and limiting retirement benefits for employees  
19 who do not make employee required contributions to a money purchase annuity  
20 calculated under section 40.23 (3) of the statutes.

21          (b) No later than June 30, 2012, the secretary of administration, the director  
22 of the office of state employment relations, and the secretary of employee trust funds  
23 shall report their findings and recommendations to the governor and the joint  
24 committee on finance.

1           (4q) PROMULGATION OF EMERGENCY RULES FOR DETERMINATION OF ELIGIBILITY TO  
2 PARTICIPATE IN THE WISCONSIN RETIREMENT SYSTEM. The department of employee trust  
3 funds may use the procedure under section 227.24 of the statutes to promulgate rules  
4 under section 40.22 (2) (am) of the statutes, as created by this act. Notwithstanding  
5 section 227.24 (1) (c) and (2) of the statutes, emergency rules promulgated under this  
6 subsection remain in effect until July 1, 2012, or the date on which permanent rules  
7 take effect, whichever is sooner. Notwithstanding section 227.24 (1) (a) and (3) of the  
8 statutes, the department is not required to provide evidence that promulgating a rule  
9 under this subsection as an emergency rule is necessary for the preservation of the  
10 public peace, health, safety, or welfare and is not required to provide a finding of  
11 emergency for a rule promulgated under this subsection.

12           (6j) GROUP INSURANCE BOARD STUDY OF ASSISTED BIRTHS IN NONHOSPITAL SETTINGS.  
13 The group insurance board shall study the feasibility of including in the uniform  
14 benefits of state employee health insurance coverage the costs of certified  
15 nurse–midwife services to assist in births at home or at stand–alone birth centers.

16           **SECTION 9118. Nonstatutory provisions; Government Accountability**  
17 **Board.**

18           (1q) REVIEW OF PROPOSED EXPENDITURES FOR OUTREACH AND PUBLIC INFORMATION.  
19 No later than July 1, 2011, and before making any expenditures under section 7.08  
20 (12) of the statutes or 2011 Wisconsin Act 23, section 144 (1), for the purpose of  
21 outreach or public information, the government accountability board shall transmit  
22 to the cochairpersons of the joint committee on finance in writing a plan identifying  
23 the specific proposed purposes for the expenditures and proposed amounts to be  
24 expended for each specific purpose. If the cochairpersons of the committee do not  
25 notify the board that the committee has scheduled a meeting for the purpose of



1 reviewing the plan within 14 working days after the date of the board’s submittal of  
2 the plan to the cochairpersons, the board may make the proposed expenditures  
3 identified in the plan. If, within 14 working days after the date of the board’s  
4 submittal, the cochairpersons notify the board that the committee has scheduled a  
5 meeting for the purpose of reviewing the plan, the board shall not make any  
6 expenditures for the purpose of outreach or public information as identified in this  
7 subsection without the approval of the committee.

8 **SECTION 9121. Nonstatutory provisions; Health Services.**

9 (1g) LONG-TERM CARE SERVICES CAP.

10 (a) *Definitions.* In this subsection and subsections (2g) and (3g):

11 1. “Department” means the department of health services.

12 2. “Family care partnership program” means an integrated health and  
13 long-term care program operated under an amendment to the state medical  
14 assistance plan, as authorized in 42 USC 1396n (i).

15 3. “Family care program” means the benefit program under section 46.286 of  
16 the statutes.

17 4. “Institutional facility” means a nursing home under section 50.01 (3) of the  
18 statutes, an intermediate care facility for persons with mental retardation under  
19 section 50.14 (1) (b) of the statutes, or a center for the developmentally disabled  
20 under section 51.01 (3) of the statutes.

21 5. “Long-term care program” means any of the following that are available in  
22 a county on June 30, 2011, or the effective date of this subdivision, whichever is later:

23 a. The family care program.

24 b. The self-directed services option.

25 c. The family care partnership program.

1 d. The program for all-inclusive care for the elderly under 42 USC 1396u-4.

2 6. “Resource center” has the meaning given under section 46.2805 (10) of the  
3 statutes.

4 7. “Resource center service area” means the geographical area prescribed for  
5 a resource center by the department.

6 8. “Self-directed services option” means the program operated under a waiver  
7 from the secretary of the federal department of health and human services under 42  
8 USC 1396n (c) that allows participants to self-manage publicly funded long-term  
9 care services.

10 (b) *Enrollment cap.*

11 1. Notwithstanding section 46.286 (3) of the statutes and subject to subdivision  
12 2. and paragraph (c), the department may not enroll more individuals in long-term  
13 care programs in a resource center service area than the number of individuals  
14 enrolled in long-term care programs in that resource center service area on June 30,  
15 2011, or the effective date of this subdivision, whichever is later. This subdivision  
16 does not authorize the department to enroll an individual in a long-term care  
17 program that is not available in the individual’s county of residence. This  
18 subdivision does not apply after June 30, 2013.

19 2. Individuals enrolled in a long-term care program under paragraph (c) are  
20 not counted for the purpose of determining the number of individuals enrolled in  
21 long-term care programs in a resource center service area under subdivision 1.

22 3. A month during which subdivision 1. is in effect is not counted for purposes  
23 of determining the date under section 46.286 (3) (c) of the statutes by which the  
24 department must assure that there is sufficient capacity in care management  
25 organizations to provide the family care benefit to all entitled individuals in a county.

1           (c) *Exception to the enrollment cap.* The department may enroll an individual  
2 who is relocating from an institutional facility in a long-term care program if any of  
3 the following applies:

4           1. The individual has resided at the institutional facility for at least 90 days.

5           2. The department removes the individual from the institutional facility under  
6 section 50.03 (5m) (a) of the statutes.

7           3. The institutional facility is closing or relocating residents under section  
8 50.03 (14) of the statutes.

9           4. The institutional facility is not licensed to operate in this state.

10          5. The individual is relocated due to an emergency, as determined by the  
11 department.

12          (2g) FAMILY CARE BENEFIT EMERGENCY FUNDING.

13          (a) *2011–13 biennium.* The department may expend \$12,639,000 in fiscal year  
14 2011–12 and \$12,600,800 in fiscal year 2012–13 to provide the long-term care  
15 services and support items that are offered under the family care program to  
16 individuals who are on a waiting list for a long-term care program and who are in  
17 urgent need of long-term care services, as determined by the department. The  
18 department may provide services and support items to an individual under this  
19 paragraph until the individual is permanently enrolled in a long-term care program.

20          (b) *2013–15 biennium.* Notwithstanding section 16.42 (1) (e) of the statutes,  
21 in submitting information under section 16.42 of the statutes for purposes of the  
22 2013–15 biennial budget bill, the department shall submit information concerning  
23 the appropriation under section 20.435 (4) (b) of the statutes as though the increases  
24 in the dollar amounts of that appropriation for the purposes of paragraph (a) had not  
25 been made.

1           (3g) LONG-TERM CARE COST-EFFECTIVENESS STUDY. The secretary of the  
2 department shall study the cost-effectiveness of the family care program, the family  
3 care partnership program, the self-directed services option, and the program for  
4 all-inclusive care for the elderly under 42 USC 1396u-4. The study shall compare  
5 the cost-effectiveness of each program to each of the other programs; the  
6 cost-effectiveness of each program to the benefits provided to medical assistance  
7 recipients under section 49.46 (2) (a) and (b) of the statutes; and the  
8 cost-effectiveness of the care that individuals receive before they enroll in a  
9 long-term care program to the care that the individuals receive in a long-term care  
10 program. The department shall submit the findings of its study to the joint  
11 committee on finance by March 1, 2012.

12           (5) EXPANSION OF FAMILY CARE. Beginning on July 1, 2011, and ending on June  
13 30, 2013, the department of health services may not propose to contract with entities  
14 to administer the family care benefit, as described in section 46.286 of the statutes,  
15 in a county in which the family care benefit is not available on July 1, 2011, unless  
16 the department of health services determines that administering the family care  
17 benefit in such a county would be more cost-effective than the county's current  
18 mechanism for delivering long-term care services.

19           (6u) INCOME MAINTENANCE PROGRAM ADMINISTRATION; MULTICOUNTY CONSORTIA.

20           (a) In this subsection:

21           1. "Department" means the department of health services.

22           2. "Income maintenance program" has the meaning given in section 49.78 (1)  
23 (b) of the statutes.

24           3. "Multicounty consortium" has the meaning given in section 49.78 (1) (br) of  
25 the statutes, as created by this act.

1           (b) Counties with a population of less than 750,000 shall organize themselves  
2 into no more than 10 consortia and notify the department of the composition of the  
3 organized consortia no later than October 1, 2011.

4           (c) In each of calendar years 2012 and 2013, a county that is part of a  
5 multicounty consortium shall contribute funds to its multicounty consortium in an  
6 amount that is not less than the amount the county expended for the administration  
7 of income maintenance programs in calendar year 2009. For the purposes of this  
8 paragraph, Kenosha County expended \$673,000 for the administration of income  
9 maintenance programs in calendar year 2009.

10           (6v) INCOME MAINTENANCE PROGRAM ADMINISTRATION; DATA PROCESSING UNIT. The  
11 department of health services shall relocate the document processing unit to a  
12 location that is outside of Dane County no later than July 1, 2012.

13           (7u) MILWAUKEE COUNTY ENROLLMENT SERVICES UNIT. No later than 30 days after  
14 the effective date of this subsection, the department of health services shall discuss  
15 with Milwaukee County any issues relating to the employment of county employees  
16 with the state to provide services for the Milwaukee County enrollment services unit.  
17 The department of health services shall submit a report to the joint committee on  
18 finance on this issue no later than 60 days after the effective date of this subsection.

19           (8r) VETERANS HOME EXEMPTION FROM NURSING HOME BED ASSESSMENT.  
20 Notwithstanding section 50.14 (2) of the statutes, the Wisconsin veterans homes  
21 under section 45.50 of the statutes, as affected by this act, are not required to pay the  
22 per-bed assessment on nursing homes under section 50.14 (2) (am) of the statutes  
23 during the fiscal biennium in which this subsection takes effect.

24           (9) CONGENITAL DISORDER TESTING FEES; RULES. Using the procedure under  
25 section 227.24 of the statutes, the department of health services shall promulgate

1 rules required under section 253.13 (2) of the statutes, as affected by this act, for the  
2 period before the effective date of the permanent rules promulgated under section  
3 253.13 (2) of the statutes, as affected by this act, but not to exceed the period  
4 authorized under section 227.24 (1) (c) of the statutes, subject to extension under  
5 section 227.24 (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and  
6 (3) of the statutes, the department of health services is not required to provide  
7 evidence that promulgating a rule under this subsection as an emergency rule is  
8 necessary for the preservation of public peace, health, safety, or welfare and is not  
9 required to provide a finding of emergency for a rule promulgated under this  
10 subsection.

11 (10q) MEDICAL ASSISTANCE NURSING HOME PAYMENT BASE FUNDING. For the  
12 purpose of submitting information under section 16.42 of the statutes for purposes  
13 of preparing the 2013–15 biennial budget bill, the department of health services  
14 shall increase its adjusted base year funding for nursing home payments by \$415,600  
15 in general purpose revenue moneys and by \$925,100 in federal moneys.

16 (10x) AUDIT OF STATEWIDE INCOME MAINTENANCE PROGRAM ADMINISTRATION. The  
17 joint legislative audit committee is requested to direct the legislative audit bureau  
18 to conduct a performance evaluation audit of the statewide administration of income  
19 maintenance programs, as defined in section 49.78 (1) (b) of the statutes. If  
20 conducted, the audit shall address timeliness, program integrity, and efficiency. If  
21 the committee directs the legislative audit bureau to conduct the audit, the bureau  
22 shall file its reports in the manner described under section 13.94 (1) (b) of the statutes  
23 by March 1, 2013.

24 (11i) STUDY ON PURCHASE OF GENERIC DRUGS FOR MEDICAL ASSISTANCE. The  
25 department of health services shall conduct a study to determine whether the use of

1 a competitive bidding process for the purchase of generic drug equivalents that are  
2 provided to recipients under the Medical Assistance program would generate cost  
3 savings in the Medical Assistance program. No later than December 31, 2011, the  
4 department of health services shall submit a report of its findings under the study  
5 to the joint committee on finance.

6 (12b) STUDY ON MEDICAL ASSISTANCE AND FOOD SHARE CHANGES.

7 (a) The department of health services shall conduct a study to estimate the  
8 costs and determine the feasibility of the following policies:

9 1. Implementing photo identification requirements for beneficiaries of the  
10 Medical Assistance program and beneficiaries of the Food Share program by  
11 requiring a Medical Assistance enrollment card to contain a photograph of the  
12 beneficiary and a Food Share electronic benefit transfer card to contain a photograph  
13 of the beneficiary.

14 2. Promoting the purchase of nutritional foods and beverages among Food  
15 Share beneficiaries and requiring a beneficiary to purchase nutritional foods and  
16 beverages under the program.

17 (b) The study must address all of the following issues:

18 1. Any potential costs associated with the implementation of the changes and  
19 any potential savings due to fraud reduction as a result of implementing the  
20 requirement for photo identification.

21 2. How to accommodate the photo identification requirement in households  
22 comprised of multiple individuals.

23 3. The need for federal approval to implement the changes.

24 (c) No later than December 31, 2011, the department of health services shall  
25 submit to the joint committee on finance a report that includes the department's

1 recommendations for implementing the policies under paragraph (a) and that  
2 analyzes the feasibility of implementing those changes by April 1, 2012.

3 (12f) SEAL-A-SMILE DENTAL SEALANT PROGRAM. The department of health services  
4 may submit a request to the joint committee on finance under section 13.10 of the  
5 statutes to provide supplemental funding under section 13.101 (3) of the statutes for  
6 the appropriation under section 20.435 (1) (de) of the statutes for use by the  
7 department to award a grant under section 250.10 (1m) (b) of the statutes for a  
8 school-based dental sealant program. Any request submitted under this subsection  
9 shall include a statement as to whether a private entity has agreed to provide  
10 matching funds for the grant for a school-based dental sealant program under  
11 section 250.10 (1m) (b) of the statutes. If the cochairpersons of the committee do not  
12 notify the department within 14 working days after the date of the department's  
13 request that the committee has scheduled a meeting for the purpose of reviewing the  
14 request, the request is granted. If, within 14 working days after the date of the  
15 request, the cochairpersons of the committee notify the department that the  
16 committee has scheduled a meeting for the purpose of reviewing the request, the  
17 request may be granted only upon approval of the committee. Notwithstanding  
18 section 13.101 (3) of the statutes, the joint committee on finance is not required to  
19 find that an emergency exists prior to making the supplementation under this  
20 subsection.

21 **SECTION 9122. Nonstatutory provisions; Higher Educational Aids**  
22 **Board.**

23 (1d) BOARD OF TRUSTEES OF THE MEDICAL COLLEGE OF WISCONSIN, INC.  
24 Notwithstanding the requirement specified in section 39.15 (1) (a) of the statutes, as  
25 affected by this act, that 2 of the members of the board of trustees of the Medical



1 College of Wisconsin, Inc., must be nominated by the governor, and with the advice  
2 and consent of the senate, appointed, that board may consist of more than 2 members  
3 so nominated and appointed until such time as through term expiration, resignation,  
4 removal, death, or other cause the membership of that board so nominated and  
5 appointed is reduced to 2 members.

6 **SECTION 9126. Nonstatutory provisions; Investment Board.**

7 (1f) RIGHTS OF CERTAIN INVESTMENT BOARD EMPLOYEES. Notwithstanding section  
8 230.08 (2) (p) of the statutes, as affected by this act, all of the employees holding blue  
9 collar and clerical positions in the classified service at the investment board on the  
10 day before the effective date of this subsection, who have achieved permanent status  
11 in class on or before that date, shall retain, while serving in the unclassified service,  
12 those protections afforded employees in the classified service under sections 230.34  
13 (1) (a) and 230.44 (1) (c) of the statutes relating to demotion, suspension, discharge,  
14 layoff, or reduction in base pay and shall also have reinstatement privileges to the  
15 classified service as provided under section 230.33 (1) of the statutes.

16 **SECTION 9130. Nonstatutory provisions; Legislature.**

17 (1u) OPEN ENROLLMENT PROGRAM REPORT.

18 (a) The legislative audit bureau shall prepare a report on the state aid transfer  
19 amount under the open enrollment program. The report shall discuss all of the  
20 following:

- 21 1. The history of the transfer amount.
- 22 2. Alternatives for increasing the transfer amount based on the costs to  
23 nonresident school districts of educating transfer pupils and the amount of funding  
24 the resident school districts retain for their fixed costs.

1           3. Alternatives for transferring the resident school district's revenue limit  
2 amount or state aid amount to the nonresident school district.

3           (b) The report shall discuss the issues and alternatives under paragraph (a)  
4 with respect to school districts that either gain or lose a relatively large proportion  
5 of pupils under the program.

6           (c) By January 1, 2012, the legislative audit bureau shall submit the report to  
7 the governor; to the cochairpersons of the joint committee on finance; to the  
8 cochairpersons of the joint legislative audit committee under section 13.172 (3) of the  
9 statutes; and to the chairpersons of the appropriate standing committees of the  
10 legislature, as determined by the speaker of the assembly and the president of the  
11 senate, under section 13.172 (3) of the statutes.

12           **SECTION 9132. Nonstatutory provisions; Local Government.**

13           (1d) COLLECTIVE BARGAINING AGREEMENTS COVERING CERTAIN MUNICIPAL DISTRICT  
14 EMPLOYEES.

15           (a) A school district and the representative of a collective bargaining unit  
16 containing employees of that school district may enter into one memorandum of  
17 understanding that reduces the cost of compensation or fringe benefits in the  
18 collective bargaining agreement under subchapter IV of chapter 111 of the statutes  
19 that covers the school district employees, that was entered into before February 1,  
20 2011, and that is in effect on the effective date of this paragraph. Such a modification  
21 is not a modification of the collective bargaining agreement for purposes of 2011  
22 Wisconsin Act 10, sections 9315 (1) and (2) and 9332 (1), or any provisions that are  
23 substantially similar to 2011 Wisconsin Act 10, sections 9315 (1) and (2) and 9332 (1),  
24 that may be enacted under separate legislation. The memorandum of understanding  
25 entered into under this paragraph remains effective for the duration of the current

1 collective bargaining agreement and continues to be effective after the collective  
2 bargaining agreement expires until a new collective bargaining agreement takes  
3 effect except that, if the memorandum contains a provision addressing a subject that,  
4 at the expiration of the collective bargaining agreement, becomes a prohibited  
5 subject of bargaining, that provision is no longer effective.

6 (b) A technical college district board and the representative of a collective  
7 bargaining unit containing employees of that technical college district may enter into  
8 one memorandum of understanding that reduces the cost of compensation or fringe  
9 benefits in the collective bargaining agreement under subchapter IV of chapter 111  
10 of the statutes that covers the technical college district employees, that was entered  
11 into before February 1, 2011, and that is in effect on the effective date of this  
12 paragraph. Such a modification is not a modification of the collective bargaining  
13 agreement for purposes of 2011 Wisconsin Act 10, sections 9315 (1) and (2) and 9332  
14 (1), or any provisions that are substantially similar to 2011 Wisconsin Act 10,  
15 sections 9315 (1) and (2) and 9332 (1), that may be enacted under separate  
16 legislation. The memorandum of understanding entered into under this paragraph  
17 remains effective for the duration of the current collective bargaining agreement and  
18 continues to be effective after the collective bargaining agreement expires until a  
19 new collective bargaining agreement takes effect except that, if the memorandum  
20 contains a provision addressing a subject that, at the expiration of the collective  
21 bargaining agreement, becomes a prohibited subject of bargaining, that provision is  
22 no longer effective.

23 (c) No memorandum of understanding as described in paragraph (a) or (b) may  
24 be entered into later than 90 days after the effective date of this paragraph.

25 **SECTION 9135. Nonstatutory provisions; Natural Resources.**

1 (2) COMMERCIAL CONSTRUCTION SITE EROSION CONTROL.

2 (a) In this subsection, “commercial building site” means a building site for  
3 construction of public buildings and buildings that are places of employment.

4 (b) All rules promulgated by the department of natural resources under section  
5 281.33 (3m), 2009 stats., related to erosion control for commercial building sites that  
6 are in effect on the effective date of this paragraph, as determined by the secretary  
7 of administration, remain in effect until their specified expiration dates or until  
8 amended or repealed by the department of safety and professional services. All  
9 orders issued by the department of natural resources that are in effect on the  
10 effective date of this paragraph and that are primarily related to erosion control for  
11 commercial building sites, as determined by the secretary of administration, remain  
12 in effect until their specified expiration dates or until modified or rescinded by the  
13 department of safety and professional services.

14 (c) Any matter pending with the department of natural resources on the  
15 effective date of this paragraph that is primarily related to its commercial building  
16 site erosion control responsibilities under section 281.33 (3m), 2009 stats., as  
17 determined by the secretary of administration, is transferred to the department of  
18 safety and professional services and all materials submitted to or actions taken by  
19 the department of natural resources with respect to the pending matters are  
20 considered as having been submitted to or taken by the department of safety and  
21 professional services.

22 (d) Any delegation of the authority to act under section 281.33 (3m), 2009 stats.,  
23 made by the department of natural resources to a county, city, village, or town that  
24 is in effect on the effective date of this paragraph remains in effect until revoked by  
25 the department of safety and professional services.

1 (e) 1. In this paragraph:

2 a. “Commercial building” means a public building or a building that is a place  
3 of employment.

4 b. “Place of employment” has the meaning given in section 101.01 (11) of the  
5 statutes.

6 c. “Public building” has the meaning given in section 101.01 (12) of the statutes.

7 2. On or before October 1, 2011, the department of natural resources and the  
8 department of safety and professional services shall enter into a memorandum of  
9 understanding that does all of the following:

10 a. Delineates the responsibilities of the department of natural resources under  
11 section 281.33 of the statutes, as affected by this act, and the department of safety  
12 and professional services under section 101.1206 of the statutes, as affected by this  
13 act, in administering erosion control activities at construction sites during and after  
14 construction.

15 b. Delineates the manner in which the department of safety and professional  
16 services will regulate erosion control activities at commercial building construction  
17 sites of one acre or larger so that those erosion control activities are regulated in a  
18 manner that is consistent with the manner in which the department of natural  
19 resources regulates erosion control activities under chapter 283 of the statutes, as  
20 affected by this act, and rules promulgated under chapter 283 of the statutes, as  
21 affected by this act.

22 (3c) FEDERAL FISCAL YEAR 2011 APPROPRIATIONS ACT FUNDING FOR CLEAN WATER FUND  
23 PROJECTS.

24 (a) If this state receives moneys under P.L. 112–10 as a capitalization grant for  
25 clean water state revolving funds under the Federal Water Pollution Control Act, the

1 department of natural resources and the department of administration may, as  
2 provided in this subsection, allocate the funds, before December 31, 2013, for  
3 financial assistance to municipalities, as defined in section 281.59 (1) (c) of the  
4 statutes, under section 281.58 of the statutes for projects eligible to receive financial  
5 assistance under that section.

6 (b) The department of natural resources and the department of administration  
7 shall provide additional subsidy under this subsection to municipalities in the  
8 amount that P.L. 112–10 requires to be used to provide additional subsidy. The  
9 department of natural resources and the department of administration shall provide  
10 additional subsidy to a municipality in the form of forgiveness of part of the principal  
11 of a loan made to the municipality, notwithstanding the limits in section 281.58 (6)  
12 (b) of the statutes on the methods that may be used to provide financial assistance.  
13 The department of natural resources may establish a percentage limit of the amount  
14 of the principal forgiveness available under this paragraph that may be received by  
15 any municipality.

16 (c) The department of natural resources may establish a deadline for  
17 submitting applications for financial assistance under this subsection.

18 (d) In selecting the projects to receive financial assistance under this  
19 subsection, and the terms of the financial assistance, the department of natural  
20 resources may consider any of the following:

- 21 1. The population of the municipality in which a project would be located.
- 22 2. The median household income, as defined in section 281.58 (1) (cm) of the  
23 statutes, of the municipality in which a project would be located.

1           3. The extent to which a project promotes water efficiency or energy efficiency;  
2 is environmentally innovative; or uses natural systems or engineered systems that  
3 mimic natural processes, also called green infrastructure.

4           (e) Notwithstanding section 227.10 (1) of the statutes, the department of  
5 natural resources and the department of administration are not required to  
6 promulgate rules for the purposes of this subsection.

7           (3d) FEDERAL FISCAL YEAR 2011 APPROPRIATIONS ACT FUNDING FOR SAFE DRINKING  
8 WATER LOAN PROGRAM PROJECTS.

9           (a) If this state receives moneys under P.L. 112–10 as a capitalization grant for  
10 drinking water state revolving loan funds under the federal Safe Drinking Water  
11 Act, the department of natural resources and the department of administration may,  
12 as provided in this subsection, allocate the funds, before December 31, 2013, for  
13 financial assistance to local governmental units, as defined in section 281.61 (1) (a)  
14 of the statutes, under section 281.61 of the statutes for projects eligible to receive  
15 financial assistance under that section. Notwithstanding section 281.59 (3s) (a) of  
16 the statutes, the department of administration may, until December 30, 2013,  
17 allocate amounts approved for the 2011–13 biennium under section 281.59 (3s) (b)  
18 1. of the statutes for projects under this subsection.

19           (b) The department of natural resources and the department of administration  
20 shall provide additional subsidy under this subsection to local governmental units  
21 in the amount that P.L. 112–10 requires to be used to provide additional subsidy. The  
22 department of natural resources and the department of administration shall provide  
23 additional subsidy to a local governmental unit in the form of forgiveness of part of  
24 the principal of a loan made to the local governmental unit, notwithstanding the  
25 limits in section 281.61 (2r) of the statutes on the methods that may be used to

1 provide financial assistance. The department of natural resources may establish a  
2 percentage limit of the amount of the principal forgiveness available under this  
3 paragraph that may be received by any local governmental unit.

4 (c) The department of natural resources may establish a different deadline for  
5 submitting applications for financial assistance under this subsection than the  
6 deadline in section 281.61 (5) of the statutes.

7 (d) In selecting the projects to receive financial assistance under this  
8 subsection, and the terms of the financial assistance, the department of natural  
9 resources may consider any of the following:

10 1. The population of the local governmental unit in which a project would be  
11 located.

12 2. The median household income, as defined in section 281.58 (1) (cm) of the  
13 statutes, of the local governmental unit in which a project would be located.

14 3. The extent to which a project promotes water efficiency or energy efficiency;  
15 is environmentally innovative; or uses natural systems or engineered systems that  
16 mimic natural processes, also called green infrastructure.

17 (e) Notwithstanding section 227.10 (1) of the statutes, the department of  
18 natural resources and the department of administration are not required to  
19 promulgate rules for the purposes of this subsection.

20 (3f) ECONOMIC IMPACT ANALYSES FOR CERTAIN RULES.

21 (a) In this subsection, “department” means the department of natural  
22 resources.

23 (b) The department shall prepare an economic impact analysis of all of the  
24 following:

25 1. Section NR 102.06, Wisconsin Administrative Code.



1           2. Subchapter III of chapter NR 217, Wisconsin Administrative Code.

2           3. Section NR 115, Wisconsin Administrative Code.

3           (c) The economic impact analyses prepared by the department under this  
4 subsection shall include the information specified in section 227.137 (3) of the  
5 statutes. The department may prepare a single combined analysis for the rules  
6 specified under paragraph (b) 1. and 2.

7           (d) The department shall submit the economic impact analyses required under  
8 this subsection on or before December 31, 2011, to the governor, to the department  
9 of administration, to the cochairpersons of the joint committee for review of  
10 administrative rules, and to the chief clerks of the assembly and senate for  
11 distribution to the chairpersons of the appropriate standing committees of the  
12 legislature.

13           (3q) SOUTHEASTERN WISCONSIN FOX RIVER COMMISSION. The department of  
14 natural resources shall provide in the 2011–13 fiscal biennium, from the  
15 appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act,  
16 \$200,000 to the Southeastern Wisconsin Fox River commission. The commission  
17 may use this funding for activities that are required or authorized under subchapter  
18 VI of chapter 33 of the statutes and that are consistent with the commission's  
19 implementation plan. The activities for which this funding is utilized may include  
20 the activities required under section 33.56 (1), (2), and (3) of the statutes.

21           (4u) POSITION INCREASES AND DECREASES.

22           (a) The authorized FTE positions for the department of natural resources are  
23 decreased by 0.8 SEG positions funded from the appropriation under section 20.370  
24 (9) (mu) of the statutes, for the purposes for which the appropriation is made. The  
25 secretary shall identify the position.

1 (b) The authorized FTE positions for the department of natural resources are  
2 decreased by 0.2 GPR positions funded from the appropriation under section 20.370  
3 (9) (ma) of the statutes, for the purposes for which the appropriation is made. The  
4 secretary shall identify the position.

5 (c) The authorized FTE positions for the department of natural resources are  
6 decreased by 2.0 SEG positions funded from the appropriation under section 20.370  
7 (8) (mu) of the statutes, for the purposes for which the appropriation is made. The  
8 secretary shall identify the positions.

9 (d) The authorized FTE positions for the department of natural resources are  
10 increased by 0.8 SEG positions, funded from the appropriation under section 20.370  
11 (9) (mu) of the statutes, to provide for an unclassified division administrator.

12 (e) The authorized FTE positions for the department of natural resources are  
13 increased by 0.2 GPR positions, funded from the appropriation under section 20.370  
14 (9) (ma) of the statutes, to provide for an unclassified division administrator.

15 (f) The authorized FTE positions for the department of natural resources are  
16 increased by 2.0 SEG positions, funded from the appropriation under section 20.370  
17 (8) (mu) of the statutes, to provide for additional unclassified division  
18 administrators.

19 **SECTION 9137. Nonstatutory provisions; Public Instruction.**

20 (1) STUDENT INFORMATION SYSTEM. The state superintendent of public  
21 instruction shall submit a plan for the expenditure of moneys appropriated under  
22 section 20.255 (1) (e) of the statutes, as created by this act, in the 2011–12 fiscal year  
23 to the governor for his or her approval. By October 1, 2011, the state superintendent  
24 and the governor shall submit the approved plan to the joint committee on finance

1 for its approval. The state superintendent may not expend or encumber the moneys  
2 unless the joint committee on finance approves the plan.

3 (1u) PUPIL ASSESSMENTS.

4 (a) Beginning in the 2014–15 school year, the department of public instruction  
5 shall replace the Wisconsin Knowledge and Concepts Examination with pupil  
6 assessments developed by the Smarter Balance Assessment Consortium or by an  
7 entity selected by the department through a request for proposals process. The new  
8 assessments shall be standards–based; measure mastery of the common core  
9 standards; be designed so as to begin the transition to online testing; and allow for  
10 the results of multiple–choice questions to be provided within one week and the  
11 results of open–ended questions to be provided within 6 weeks, or as soon as  
12 practicable.

13 (b) By January 1, 2012, and by January 1, 2013, the department of public  
14 instruction shall report to the cochairpersons of the joint committee on finance on the  
15 progress of the transition from the current pupil assessment system to the new pupil  
16 assessment system. The department shall ensure that a stand–alone field test of  
17 new assessment items is conducted no later than the spring of 2014.

18 (2) SPECIAL ADJUSTMENT AIDS. Notwithstanding section 121.105 (2) of the  
19 statutes, for state aid distributed in the 2011–12 school year, the department of  
20 public instruction shall calculate the aid adjustment under that section using 90  
21 percent instead of 85 percent in section 121.105 (2) (am) 1. and 2. of the statutes.

22 (3q) LOW REVENUE ADJUSTMENT AID.

23 (a) Except as provided in paragraph (b) and subject to paragraph (c), in the  
24 2011–12 school year, from the appropriation under section 20.255 (2) (ar) of the  
25 statutes, as created by this act, the department of public instruction shall pay to each

1 school district in which the school district's per pupil revenue under section 121.905  
2 (4) (a) of the statutes is greater than the school district's base revenue per member,  
3 as determined under section 121.905 of the statutes, as affected by this act, an  
4 amount determined as follows:

5 1. For a school district in which the difference between the school district's per  
6 pupil revenue under section 121.905 (4) (a) of the statutes and the school district's  
7 base revenue per member, as determined under section 121.905 of the statutes, as  
8 affected by this act, is \$100, an amount determined by multiplying \$40 by the  
9 average of the number of pupils enrolled in the school district in the 2009–10,  
10 2010–11, and 2011–12 school years. For the purpose of calculating eligibility for aid  
11 under this subdivision, if the school district's base revenue per member, as  
12 determined under section 121.905 of the statutes, is less than \$8,900, the  
13 department of public instruction shall set the base revenue per member at \$8,900.

14 2. For a school district in which the difference between the school district's per  
15 pupil revenue under section 121.905 (4) (a) of the statutes and the school district's  
16 base revenue per member, as determined under section 121.905 of the statutes, as  
17 affected by this act, is less than \$100, an amount determined as provided in  
18 subdivision 3. For the purpose of calculating eligibility for aid under this subdivision  
19 and calculating aid under subdivision 3., if the school district's base revenue per  
20 member, as determined under section 121.905 of the statutes, is less than \$8,900, the  
21 department of public instruction shall set the base revenue per member at \$8,900.

22 3. a. Subtract the school district's base revenue per member, as determined  
23 under section 121.905 of the statutes, as affected by this act, from the school district's  
24 per pupil revenue under section 121.905 (4) (a) of the statutes.

25 b. Multiply the difference determined under subdivision 3. a. by 0.4.

1           c. Multiply the product under subdivision 3. b. by the average of the number  
2 of pupils enrolled in the school district in the 2009–10, 2010–11, and 2011–12 school  
3 years.

4           (b) If a school district's per pupil revenue under section 121.905 (4) (a) of the  
5 statutes is less than \$8,900, the school district may not receive aid under this  
6 subsection.

7           (c) 1. When considering under this subsection the school district's per pupil  
8 revenue under section 121.905 (4) (a) of the statutes, the department of public  
9 instruction shall not consider any adjustments under section 121.91 (3) or (4) of the  
10 statutes.

11           2. If the appropriation under section 20.255 (2) (ar) of the statutes, as created  
12 by this act, is insufficient to pay the full amount of aid for which school districts are  
13 eligible under this subsection, the department of public instruction shall prorate the  
14 aid payments under this subsection among all eligible school districts.

15           (3r) PER PUPIL ADJUSTMENT AID.

16           (a) In the 2012–13 school year, from the appropriation under section 20.255 (2)  
17 (ap) of the statutes, as created by this act, the department of public instruction shall  
18 pay to each school district that, in the fall of 2012, certifies the maximum amount  
19 allowed to be levied under section 121.905 of the statutes, as affected by this act, or  
20 121.91 (2m) of the statutes, as affected by this act, an amount equal to \$50 multiplied  
21 by the average of the number of pupils enrolled in the school district in the 2010–11,  
22 2011–12, and 2012–13 school years. When considering under this paragraph  
23 whether a school district certified the maximum amount allowed to be levied, the  
24 department of public instruction shall not consider any increase under section  
25 121.91 (4) (d) of the statutes.

1 (b) 1. Subject to paragraph (c), in the 2012–13 school year, from the  
2 appropriation under section 20.255 (2) (ap) of the statutes, as created by this act, the  
3 department of public instruction shall pay the amount determined under  
4 subdivision 2. to each school district to which all of the following apply:

5 a. In the fall of 2012, the school district certifies less than the maximum amount  
6 allowed to be levied under section 121.905 of the statutes, as affected by this act, or  
7 section 121.91 (2m) of the statutes, as affected by this act. When considering under  
8 this subdivision whether a school district certified the maximum amount allowed to  
9 be levied, the department of public instruction shall not consider any increase under  
10 section 121.91 (4) (d) of the statutes.

11 b. The quotient determined by dividing the difference between the maximum  
12 amount allowed to be levied by the school district in the 2012–13 school year under  
13 section 121.905 of the statutes, as affected by this act, or section 121.91 of the  
14 statutes, as affected by this act, and the actual amount certified by the school district  
15 in the fall of 2012, by the average of the number of pupils enrolled in the school  
16 district in the 2010–11, 2011–12, and 2012–13 school years is less than \$50.

17 2. a. Divide the difference between the maximum amount allowed to be levied  
18 by the school district in the 2012–13 school year under section 121.905 of the  
19 statutes, as affected by this act, or section 121.91 of the statutes, as affected by this  
20 act, and the actual amount certified by the school district in the fall of 2012, by the  
21 average of the number of pupils enrolled in the school district in the 2010–11,  
22 2011–12, and 2012–13 school years.

23 b. Subtract the amount determined under subdivision 2. a. from \$50.

1           c. Multiply the difference determined in subdivision 2. b. by the average of the  
2           number of pupils enrolled in the school district in the 2010–11, 2011–12, and 2012–13  
3           school years.

4           (c) If the appropriation under section 20.255 (2) (ap) of the statutes, as created  
5           by this act, is insufficient to pay the full amount of aid for which school districts are  
6           eligible under this subsection, the department of public instruction shall prorate the  
7           aid payments under this subsection among all eligible school districts.

8           (3u) PARENTAL CHOICE PROGRAMS IN ELIGIBLE SCHOOL DISTRICTS; PARTICIPATION IN  
9           2011–12 SCHOOL YEAR.

10          (a) Notwithstanding section 118.60 (1m) of the statutes, as created by this act,  
11          within 10 days after the effective date of this subsection, the department of public  
12          instruction shall prepare a list that identifies eligible school districts, as defined  
13          under section 118.60 (1) (am) of the statutes, as created by this act, and shall notify  
14          the school district clerk of each eligible school district. Regardless of the date on  
15          which the department of public instruction identifies a school district as an eligible  
16          school district under this paragraph, the department shall treat the date as no later  
17          than June 30, 2011.

18          (b) Subject to section 118.60 (2) (a) 1. and 2. of the statutes, as created by this  
19          act, any pupil who resides within a school district found to be an eligible school  
20          district under paragraph (a) may participate in the program under section 118.60 of  
21          the statutes, as created by this act, in the 2011–12 school year.

22          (c) Notwithstanding section 118.60 (1) (am) of the statutes, as created by this  
23          act, for purposes of determining whether a school district is an eligible school district  
24          under paragraph (a), the department of public instruction shall do all of the  
25          following:

1           1. Use the equalized value per member, as determined in accordance with  
2 section 121.15 (4) of the statutes on October 15, 2010, for the distribution of  
3 equalization aid in the 2010–11 school year.

4           2. Use the shared cost per member, as determined in accordance with section  
5 121.07 of the statutes on October 15, 2010, for the distribution of equalization aid for  
6 the 2010–11 school year.

7           3. Determine whether the school district received aid under section 121.136 of  
8 the statutes in the 2010–11 school year.

9           4. Determine whether the school district was located in whole or in part in a  
10 city of the 2nd class in the 2010–11 school year.

11           (4u) REVENUE LIMIT ADJUSTMENT.

12           (a) If a school district received the revenue limit adjustment under section  
13 121.91 (8) of the statutes for the 2010–11 school year, its revenue limit under  
14 subchapter VII of chapter 121 of the statutes for the 2011–12 school year is increased  
15 by the amount of that adjustment in the 2010–11 school year.

16           (b) If a school district received the revenue limit adjustment under section  
17 121.91 (8) of the statutes for the 2010–11 school year and received no state aid under  
18 section 121.08 of the statutes in the 2010–11 school year, its revenue limit under  
19 subchapter VII of chapter 121 of the statutes for the 2012–13 school year is increased  
20 by the amount of that adjustment in the 2010–11 school year.

21           (c) The excess revenue in the 2011–12 and 2012–13 school years resulting from  
22 the revenue limit increases under paragraphs (a) and (b) shall be treated as  
23 nonrecurring adjustments.

24           **SECTION 9140. Nonstatutory provisions; Regulation and Licensing.**



1           (1) **RULES AND ORDERS.** All rules promulgated by the department of regulation  
2 and licensing that relate to the licensure of real estate brokers and salespersons or  
3 the registration of time–share salespersons that are in effect on the effective date of  
4 this subsection remain in effect until their specified expiration dates or until  
5 amended or repealed by the real estate examining board. All orders issued by the  
6 department of regulation and licensing relating to such licensure or registration that  
7 are in effect on the effective date of this subsection remain in effect until their  
8 specified expiration dates or until modified or rescinded by the real estate examining  
9 board.

10           (2) **PENDING MATTERS.** Any matter pending with the department of regulation  
11 and licensing on the effective date of this subsection that is primarily related to the  
12 licensure of real estate brokers and salespersons or the registration of time–share  
13 salespersons, as determined by the secretary of regulation and licensing, is  
14 transferred to the real estate examining board, and all materials submitted to or  
15 actions taken by the department of regulation and licensing with respect to the  
16 pending matters are considered as having been submitted to or taken by the real  
17 estate examining board.

18           (3) **CONTRACTS.** All contracts entered into by the department of regulation and  
19 licensing in effect on the effective date of this subsection that are primarily related  
20 to licensure of real estate brokers and salespersons or the registration of time–share  
21 salespersons, as determined by the secretary of regulation and licensing, remain in  
22 effect and are transferred to the real estate examining board. The real estate  
23 examining board shall carry out any obligations under such a contract until the  
24 contract is modified or rescinded by the real estate examining board to the extent  
25 allowed under the contract.

1 (4) INITIAL APPOINTMENTS. Notwithstanding the lengths of terms specified in  
2 section 15.405 (11m) of the statutes, as created by this act, the initial members of the  
3 real estate examining board shall be appointed for the following terms:

4 (a) One real estate broker or salesperson licensed under chapter 452 of the  
5 statutes and one public member, for terms expiring on July 1, 2012.

6 (b) One licensed real estate broker or salesperson licensed under chapter 452  
7 of the statutes and one public member, for terms expiring on July 1, 2013.

8 (c) Three licensed real estate brokers or salespersons licensed under chapter  
9 452 of the statutes, for terms expiring on July 1, 2014.

10 (5c) BAIL BOND SURETY CORPORATION AND AGENT LICENSING; RULES. Using the  
11 procedure under section 227.24 of the statutes, the department of safety and  
12 professional services shall promulgate rules required under section 440.9995 of the  
13 statutes, as created by this act, for the period before the effective date of the  
14 permanent rules promulgated under section 440.9995 of the statutes, as created by  
15 this act, but not to exceed the period authorized under section 227.24 (1) (c), subject  
16 to extension under section 227.24 (2) of the statutes. Notwithstanding section 227.24  
17 (1) (a), (2) (b), and (3) of the statutes, the department of safety and professional  
18 services is not required to provide evidence that promulgating a rule under this  
19 subsection as an emergency rule is necessary for the preservation of public peace,  
20 health, safety, or welfare and is not required to provide a finding of emergency for a  
21 rule promulgated under this subsection.

22 **SECTION 9142. Nonstatutory provisions; Secretary of State.**

23 (1) TRANSFER OF TRADEMARK AND NOTARY FUNCTIONS TO THE DEPARTMENT OF  
24 FINANCIAL INSTITUTIONS; TRANSITIONAL PROVISIONS.

25 (a) *Definitions.* In this subsection:

- 1           1. “Department” means the department of financial institutions.
- 2           2. “Office” means the office of the secretary of state.
- 3           3. “Relating to the office’s trademark or notary functions” means relating to the  
4 office’s functions and duties under section 137.01, 2009 stats., or chapter 132, 2009  
5 stats.
- 6           (b) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
7 liabilities of the office relating to the office’s trademark or notary functions shall  
8 become the assets and liabilities of the department.
- 9           (c) *Staff.*
- 10          1. On the effective date of this subdivision, 1.0 FTE PR position relating to the  
11 office’s trademark or notary functions and the incumbent employee, identified by the  
12 secretary of administration, holding that position in the office are transferred to the  
13 department.
- 14          2. The employee transferred under subdivision 1. to the division has all of the  
15 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
16 statutes in the division that he or she enjoyed in the office immediately before the  
17 transfer. Notwithstanding section 230.28 (4) of the statutes, the employee so  
18 transferred who has attained permanent status in class is not required to serve a  
19 probationary period.
- 20          3. On the effective date of this subdivision, the remaining 1.0 FTE PR position  
21 of the office relating to the office’s trademark or notary functions not transferred  
22 under subdivision 1. is deauthorized.
- 23          (d) *Tangible personal property.* On the effective date of this paragraph, all  
24 tangible personal property, including records, of the office relating to the office’s  
25 trademark or notary functions is transferred to the department.

1           (e) *Contracts.* All contracts entered into by the office, in effect on the effective  
2 date of this paragraph, relating to the office’s trademark or notary functions remain  
3 in effect and are transferred to the department. The department shall carry out any  
4 obligations under such a contract until the contract is modified or rescinded by the  
5 department to the extent allowed under the contract.

6           (f) *Rules and orders.*

7           1. All rules promulgated by the office relating to the office’s trademark or  
8 notary functions that are in effect on the effective date of this subdivision remain in  
9 effect until their specified expiration dates or until amended or repealed by the  
10 department.

11           2. All orders issued by the office relating to the office’s trademark or notary  
12 functions that are in effect on the effective date of this subdivision remain in effect  
13 until their specified expiration dates or until modified or rescinded by the  
14 department.

15           (g) *Pending matters.* Any matter relating to the office’s trademark or notary  
16 functions pending with the office on the effective date of this paragraph is  
17 transferred to the department, and all materials submitted to or actions taken by the  
18 office with respect to the pending matter are considered as having been submitted  
19 to or taken by the department.

20           (h) *Department of administration to arbitrate disputes.* In the case of  
21 disagreement between the secretary of financial institutions and the secretary of  
22 state with respect to any matter specified in paragraph (c), (d), (e), (f), or (g), the  
23 department of administration shall determine the matter and shall develop a plan  
24 for an orderly transfer.

1           (2) TRANSFER OF ADMINISTRATIVE SERVICES FUNCTIONS TO DEPARTMENT OF  
2 ADMINISTRATION.

3           (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
4 liabilities of the office of the secretary of state that are primarily related to  
5 administrative services, as determined by the secretary of administration, shall  
6 become the assets and liabilities of the department of administration.

7           (b) *Tangible personal property.* On the effective date of this paragraph, all  
8 tangible personal property, including records, of the office of the secretary of state  
9 that are primarily related to administrative services, as determined by the secretary  
10 of administration, shall become the tangible personal property of the department of  
11 administration.

12           (c) *Contracts.* All contracts entered into by the office of the secretary of state  
13 in effect on the effective date of this paragraph that are primarily related to  
14 administrative services, as determined by the secretary of administration, remain  
15 in effect and are transferred to the department of administration. The department  
16 of administration shall carry out any obligations under such a contract until the  
17 contract is modified or rescinded by the department of administration to the extent  
18 allowed under the contract.

19           (d) *Rules and orders.* All rules promulgated by the office of the secretary of state  
20 in effect on the effective date of this paragraph that are primarily related to  
21 administrative services, as determined by the secretary of administration, remain  
22 in effect until their specified expiration date or until amended or repealed by the  
23 department of administration. All orders issued by the office of the secretary of state  
24 in effect on the effective date of this paragraph that are primarily related to  
25 administrative services, as determined by the secretary of administration, remain

1 in effect until their specified expiration date or until modified or rescinded by the  
2 department of administration.

3 (e) *Pending matters.* Any matter pending with the office of the secretary of state  
4 on the effective date of this paragraph that is primarily related to administrative  
5 services, as determined by the secretary of administration, is transferred to the  
6 department of administration and all materials submitted to or actions taken by the  
7 office of the secretary of state with respect to the pending matter are considered as  
8 having been submitted to or taken by the department of administration.

9 **SECTION 9143. Nonstatutory provisions; State Employment Relations,**  
10 **Office of.**

11 (2q) HEALTH INSURANCE OPTIONS.

12 (a) The director of the office of state employment relations and the secretary  
13 of employee trust funds shall study the feasibility of all of the following:

14 1. Offering to employees eligible to receive health care coverage under  
15 subchapter IV of chapter 40 of the statutes, beginning on January 1, 2013, the  
16 options of receiving health care coverage through either a low-cost health care  
17 coverage plan or through a high-deductible health plan and the establishment of a  
18 health savings account, as described in 26 USC 223.

19 2. Implementing a 3-level health insurance premium cost structure that would  
20 establish separate premium levels for single individuals, married couples with no  
21 dependents, and families with dependents.

22 3. Implementing a program, beginning on January 1, 2012, to provide an online  
23 marketplace for the purchase of prescription drugs as a supplement to the pharmacy  
24 benefit management program provided under the group insurance plans offered by  
25 the group insurance board.

1           4. Requiring state employees to receive health care coverage through a health  
2 benefits exchange established pursuant to the federal Patient Protection and  
3 Affordable Care Act of 2010.

4           5. Creating a health care insurance purchasing pool for all state and local  
5 government employees and individuals receiving health care coverage under the  
6 Medical Assistance program.

7           (b) No later than October 31, 2011, the director and secretary shall report their  
8 findings and recommendations to the governor and the joint committee on finance.

9           **SECTION 9148. Nonstatutory provisions; Transportation.**

10           (1) CERTIFICATES OF TITLE. Notwithstanding chapter 342 of the statutes, as  
11 affected by this act, beginning on the effective date of this subsection, the department  
12 of transportation may, for 6 months after the effective date of this subsection, issue  
13 and deliver certificates of title under applicable provisions of chapter 342 of the  
14 statutes that are in effect on the day before the effective date of this subsection.

15           (3u) DISSOLUTION AND WINDING DOWN OF TRANSIT AUTHORITIES.

16           (a) Any authority created under section 66.1039, 2009 stats., is dissolved on the  
17 effective date of this paragraph.

18           (b) The authority under section 59.58 (7), 2009 stats., is dissolved on the  
19 effective date of this paragraph.

20           (c) After the effective date of this paragraph, the counties of Kenosha, Racine,  
21 and Milwaukee, and all members of the governing body of the authority under  
22 section 59.58 (7) of the statutes, shall begin the process of winding down the  
23 authority and shall complete the process by the time the authority is dissolved as  
24 provided in paragraph (b). All assets and liabilities of the authority under section  
25 59.58 (7), 2009 stats., including any accumulated moneys received from the fees

1 imposed under subchapter XIII of chapter 77 of the statutes, shall become the assets  
2 and liabilities of the counties of Kenosha, Racine, and Milwaukee and shall be  
3 divided and distributed as follows:

- 4 1. Fifty percent to Milwaukee County.
- 5 2. Twenty–five percent to Kenosha County.
- 6 3. Twenty–five percent to Racine County.

7 (4f) COPPER CULTURE STATE PARK DIRECTIONAL SIGNAGE. Notwithstanding any  
8 eligibility criteria or other criteria or specification under section 86.196 of the  
9 statutes, the department of transportation shall erect 2 tourist–oriented directional  
10 signs, one for each direction of travel, along STH 41 in Oconto County for Copper  
11 Culture State Park in Oconto County. The department may not charge any fee  
12 related to any sign erected under this subsection.

13 (7f) SOUTHEAST WISCONSIN FREEWAY FUNDING. Prior to July 1, 2011, the  
14 department of transportation shall determine all of the following, calculated as of the  
15 end of fiscal year 2010–11, based upon the portion of unencumbered funds for the  
16 department’s southeast Wisconsin freeway rehabilitation program that are  
17 associated with projects that will become part of the department’s southeast  
18 Wisconsin freeway megaproject program:

19 (a) The amount to be transferred from section 20.395 (3) (cr) of the statutes, as  
20 affected by this act, to the department’s new state funds appropriation account for  
21 southeast Wisconsin freeway megaprojects.

22 (b) The amount to be transferred from section 20.395 (3) (cw) of the statutes,  
23 as affected by this act, to the department’s new local funds appropriation account for  
24 southeast Wisconsin freeway megaprojects.



1 (c) The amount to be transferred from section 20.395 (3) (cy) of the statutes, as  
2 affected by this act, to the department's new federal funds appropriation account for  
3 southeast Wisconsin freeway megaprojects.

4 (7g) COMMISSION ON TRANSPORTATION FINANCE AND POLICY.

5 (a) There is created a committee called the commission on transportation  
6 finance and policy. The commission shall consist of the following members:

7 1. The secretary of transportation, who shall serve as a nonvoting member.

8 2. Six citizen members, appointed by the governor.

9 3. One citizen member, appointed by the speaker of the assembly.

10 4. One citizen member, appointed by the assembly minority leader.

11 5. One citizen member, appointed by the senate majority leader.

12 6. One citizen member, appointed by the senate minority leader.

13 (b) At least 5 of the citizen members appointed under paragraph (a) shall have  
14 experience in public finance, transportation policy, or transportation system  
15 planning.

16 (c) The commission shall examine issues related to the future of transportation  
17 finance in this state, including all of the following:

18 1. The estimated costs of highway maintenance, rehabilitation, reconstruction,  
19 and expansion projects over a 10-year period, including both those currently  
20 identified in the department's 6-year program and those in the department's  
21 long-range transportation plans.

22 2. The estimated costs of local government transportation aid and assistance  
23 programs, including general transportation aids and mass transit operating  
24 assistance.

1           3. Projections of transportation fund revenues over the same 10–year period  
2 identified in subdivision 1.

3           4. Projections of transportation fund debt service for the use of bonds over the  
4 same 10–year period identified in subdivision 1., under various scenarios.

5           5. Various options for increasing transportation fund revenues or adjusting  
6 transportation fund expenditures over the 10–year period identified in subdivision  
7 1. to achieve a stable balance between expenditures, revenues, and debt service.

8           6. The impact of highway project planning for specific projects on landowners  
9 with property abutting proposed improvements.

10           (d) The commission shall prepare a report with its findings and  
11 recommendations and submit the report, no later than March 1, 2013, to the  
12 governor, the speaker of the assembly, the assembly minority leader, the senate  
13 majority leader, and the senate minority leader.

14           (8f) ZOO INTERCHANGE PROJECT REPORT.

15           (a) In this subsection, “Zoo interchange” has the meaning given in section  
16 84.014 (5m) (ag) 2. of the statutes.

17           (b) No later than December 1, 2011, the department of transportation shall  
18 submit a report to the joint committee on finance that does all of the following:

19           1. Outlines a financing plan and schedule for the Zoo interchange project,  
20 including planned expenditures by year and by funding source, through the year of  
21 completion of the project.

22           2. Shows the impact on transportation fund debt service of the issuance of  
23 bonds for the Zoo interchange project as well as past and future issuance of  
24 transportation fund–supported bonds for other projects and programs.

1           3. Provides estimates of the percentage of gross transportation fund revenues  
2 that would be required for the payment of transportation debt service on any bonds  
3 described under subdivision 2., through 2 years following the year of completion of  
4 the Zoo interchange project.

5           (9i) VEHICLE REGISTRATION DECALS. By the date specified by the cochairpersons  
6 of the joint committee on finance for submission of requests for consideration at the  
7 3rd quarterly meeting of the committee under section 13.10 of the statutes in the  
8 2011–12 fiscal year, the department of transportation shall submit a request to the  
9 committee under section 13.10 of the statutes to provide supplemental funding  
10 under section 13.101 (3) of the statutes for the appropriation under section 20.395  
11 (5) (cq) of the statutes in the 2012–13 fiscal year for vehicle registration plate tags,  
12 decals, or stickers evidencing registration. The request submitted under this  
13 subsection shall include the department’s proposal to establish a registration plate  
14 decal or sticker system under which decals or stickers would be issued centrally by  
15 a 3rd-party vendor and would carry an identification marker specific to the  
16 registration plate or vehicle for which the decal or sticker is issued. Upon approval  
17 of the proposal, including modification and approval, by the committee, the  
18 department shall implement the proposal as approved. Notwithstanding section  
19 13.101 (3) of the statutes, the committee may supplement the appropriation under  
20 section 20.395 (5) (cq) of the statutes from the appropriation account under section  
21 20.865 (4) (u) of the statutes for the purpose described in this subsection without  
22 finding that an emergency exists.

23           **SECTION 9149. Nonstatutory provisions; Treasurer.**

24           (1) TRANSFER OF COLLEGE SAVINGS PROGRAMS DUTIES TO THE DEPARTMENT OF  
25 ADMINISTRATION.

1           (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
2 liabilities of the office of the state treasurer that are primarily related to the state  
3 treasurer’s performance of duties under sections 14.63, 14.64, and 14.65, 2009 stats.,  
4 as determined by the secretary of administration, shall become the assets and  
5 liabilities of the department of administration.

6           (b) *Staff.*

7           1. On the effective date of this subdivision, 1.0 FTE SEG position in the office  
8 of the state treasurer, and the incumbent employee holding that position, funded  
9 from the appropriation under section 20.585 (2) (tm), 2009 stats., and responsible for  
10 the performance of duties related to the college savings program, is transferred to the  
11 department of administration to be funded from the appropriation under section  
12 20.505 (1) (th) of the statutes, as affected by this act. The secretary of administration  
13 shall identify the position.

14           2. An employee transferred under subdivision 1. to the department of  
15 administration has all of the rights and the same status under subchapter V of  
16 chapter 111 and chapter 230 of the statutes in the department of administration that  
17 he or she enjoyed in the office of the state treasurer immediately before the transfer.  
18 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who  
19 has attained permanent status in class is required to serve a probationary period.

20           (c) *Tangible personal property.* On the effective date of this paragraph, all  
21 tangible personal property, including records, of the office of the state treasurer that  
22 are primarily related to the state treasurer’s performance of duties under sections  
23 14.63, 14.64, and 14.65, 2009 stats., as determined by the secretary of  
24 administration, is transferred to the department of administration.

1           (d) *Pending matters.* Any matter pending with the office of the state treasurer  
2 that is primarily related to the state treasurer’s performance of duties under sections  
3 14.63, 14.64, and 14.65, 2009 stats., as determined by the secretary of  
4 administration, is transferred to the department of administration. All materials  
5 submitted to or actions taken by the office of the state treasurer with respect to the  
6 pending matter are considered as having been submitted to or taken by the  
7 department of administration.

8           (e) *Contracts.* All contracts entered into by the office of the state treasurer in  
9 effect on the effective date of this paragraph that are primarily related to the state  
10 treasurer’s performance of duties under sections 14.63, 14.64, and 14.65, 2009 stats.,  
11 as determined by the secretary of administration, remain in effect and are  
12 transferred to the department of administration. The department of administration  
13 shall carry out any obligations under those contracts unless modified or rescinded  
14 by the department of administration to the extent allowed under the contract.

15           (f) *Rules and orders.* All rules promulgated by the office of the state treasurer  
16 in effect on the effective date of this paragraph that are primarily related to the state  
17 treasurer’s performance of duties under sections 14.63, 14.64, and 14.65, 2009 stats.,  
18 as determined by the secretary of administration, remain in effect until their  
19 specified expiration dates or until amended or repealed by the department of  
20 administration. All orders issued by the office of the state treasurer in effect on the  
21 effective date of this paragraph that are primarily related to the state treasurer’s  
22 performance of duties under sections 14.63, 14.64, and 14.65, 2009 stats., as  
23 determined by the secretary of administration, remain in effect until their specified  
24 expiration dates or until modified or rescinded by the department of administration.

1           (2) TRANSFER OF LOCAL GOVERNMENT POOLED-INVESTMENT DUTIES TO THE  
2 DEPARTMENT OF ADMINISTRATION.

3           (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
4 liabilities of the office of the state treasurer that are primarily related to the state  
5 treasurer’s performance of duties under section 25.50, 2009 stats., as determined by  
6 the secretary of administration, shall become the assets and liabilities of the  
7 department of administration.

8           (b) *Staff.*

9           1. On the effective date of this subdivision, 1.0 FTE PR position in the office of  
10 the state treasurer, and the incumbent employee holding that position funded from  
11 the appropriation under section 20.585 (1) (g), 2009 stats., and responsible for the  
12 performance of duties related to the local government pooled-investment fund under  
13 section 25.50, 2009 stats., is transferred to the department of administration to be  
14 funded from the appropriation under section 20.505 (1) (gc) of the statutes, as  
15 affected by this act. The secretary of administration shall identify the position.

16           2. An employee transferred under subdivision 1. to the department of  
17 administration has all of the rights and the same status under subchapter V of  
18 chapter 111 and chapter 230 of the statutes in the department that he or she enjoyed  
19 in the office of the state treasurer immediately before the transfer. Notwithstanding  
20 section 230.28 (4) of the statutes, no employee so transferred who has attained  
21 permanent status in class is required to serve a probationary period.

22           (c) *Tangible personal property.* On the effective date of this paragraph, all  
23 tangible personal property, including records, of the office of the state treasurer that  
24 are primarily related to the state treasurer’s performance of duties under section

1 25.50, 2009 stats., as determined by the secretary of administration, is transferred  
2 to the department of administration.

3 (d) *Pending matters.* Any matter pending with the office of the state treasurer  
4 that is primarily related to the state treasurer’s performance of duties under section  
5 25.50, 2009 stats., as determined by the secretary of administration, is transferred  
6 to the department of administration. All materials submitted to or actions taken by  
7 the office of the state treasurer with respect to the pending matter are considered as  
8 having been submitted to or taken by the department of administration.

9 (e) *Contracts.* All contracts entered into by the office of the state treasurer in  
10 effect on the effective date of this paragraph that are primarily related to the state  
11 treasurer’s performance of duties under section 25.50, 2009 stats., as determined by  
12 the secretary of administration, remain in effect and are transferred to the  
13 department of administration. The department of administration shall carry out  
14 any obligations under those contracts unless modified or rescinded by the  
15 department of administration to the extent allowed under the contract.

16 (f) *Rules and orders.* All rules promulgated by the office of the state treasurer  
17 in effect on the effective date of this paragraph that are primarily related to the state  
18 treasurer’s performance of duties under section 25.50, 2009 stats., as determined by  
19 the secretary of administration, remain in effect until their specified expiration dates  
20 or until amended or repealed by the department of administration. All orders issued  
21 by the office of the state treasurer in effect on the effective date of this paragraph that  
22 are primarily related to the state treasurer’s performance of duties under section  
23 25.50, 2009 stats., as determined by the secretary of administration, remain in effect  
24 until their specified expiration dates or until modified or rescinded by the  
25 department of administration.

1           (3) TRANSFER OF MANAGEMENT SERVICE FUNCTIONS TO DEPARTMENT OF  
2 ADMINISTRATION.

3           (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
4 liabilities of the office of the state treasurer that are primarily related to  
5 management services, as determined by the secretary of administration, shall  
6 become the assets and liabilities of the department of administration.

7           (b) *Tangible personal property.* On the effective date of this paragraph, all  
8 tangible personal property, including records, of the office of the state treasurer that  
9 are primarily related to management services, as determined by the secretary of  
10 administration, shall become the tangible personal property of the department of  
11 administration.

12           (c) *Contracts.* All contracts entered into by the office of the state treasurer in  
13 effect on the effective date of this paragraph that are primarily related to  
14 management services, as determined by the secretary of administration, remain in  
15 effect and are transferred to the department of administration. The department of  
16 administration shall carry out any obligations under such a contract until the  
17 contract is modified or rescinded by the department of administration to the extent  
18 allowed under the contract.

19           (d) *Rules and orders.* All rules promulgated by the office of the state treasurer  
20 in effect on the effective date of this paragraph that are primarily related to  
21 management services, as determined by the secretary of administration, remain in  
22 effect until their specified expiration date or until amended or repealed by the  
23 department of administration. All orders issued by the office of the state treasurer  
24 in effect on the effective date of this paragraph that are primarily related to  
25 management services, as determined by the secretary of administration, remain in



1 effect until their specified expiration date or until modified or rescinded by the  
2 department of administration.

3 (e) *Pending matters.* Any matter pending with the office of the state treasurer  
4 on the effective date of this paragraph that is primarily related to management  
5 services, as determined by the secretary of administration, is transferred to the  
6 department of administration and all materials submitted to or actions taken by the  
7 office of the state treasurer with respect to the pending matter are considered as  
8 having been submitted to or taken by the department of administration.

9 **SECTION 9152. Nonstatutory provisions; University of Wisconsin**  
10 **System.**

11 (1c) SUPPLEMENTAL PAY PLANS DURING 2011–13 FISCAL BIENNIUM.

12 (a) *Board of Regents of the University of Wisconsin System.* During the 2011–13  
13 fiscal biennium, the Board of Regents of the University of Wisconsin System may  
14 provide supplemental pay plans for all of its employees, other than employees  
15 assigned to the University of Wisconsin–Madison. The supplemental pay plans shall  
16 be in addition to any pay plan approved under section 230.12 (3) (e) 1. of the statutes.  
17 The board shall submit the plans to the joint committee on employment relations,  
18 and the plans may be implemented only upon approval of the committee. The board  
19 may not request supplemental funding under section 20.928 of the statutes to pay  
20 the costs of these plans and the board, under section 16.42 of the statutes, may not  
21 request any funding of increases in salary and fringe benefit costs provided in these  
22 plans.

23 (b) *Chancellor of the University of Wisconsin–Madison.* During the 2011–13  
24 fiscal biennium, the chancellor of the University of Wisconsin–Madison may provide  
25 supplemental pay plans for all employees assigned to the University of

1 Wisconsin–Madison. The supplemental pay plans shall be in addition to any pay  
2 plan approved under section 230.12 (3) (e) 1. of the statutes. The chancellor shall  
3 submit the plans to the Board of Regents of the University of Wisconsin System. If  
4 the board approves the plans, the chancellor shall submit the plans to the joint  
5 committee on employment relations and the plans may be implemented only upon  
6 approval of the committee. The board may not request supplemental funding under  
7 section 20.928 of the statutes to pay the costs of these plans and the board, under  
8 section 16.42 of the statutes, may not request any funding of increases in salary and  
9 fringe benefit costs provided in these plans.

10 (1gc) INTERIM BIDDING PROCEDURES PENDING IMPLEMENTATION OF PROCEDURES.  
11 Notwithstanding sections 16.855 (23) and s. 36.11 (53) of the statutes, as created by  
12 this act, all construction work for each project that is constructed by or for the  
13 University of Wisconsin System that is exempted from compliance with the  
14 provisions of section 16.855 of the statutes under this act shall remain subject to the  
15 provisions of section 16.855 of the statutes until the procedures required under  
16 section 36.11 (53) of the statutes, as created by this act, become effective.

17 (1pc) TUITION.

18 (a) Notwithstanding section 36.27 (1) of the statutes, the Board of Regents of  
19 the University of Wisconsin System may not charge resident undergraduates  
20 enrolled in the 2011–12 or 2012–13 academic year academic fees that are more than  
21 5.5 percent greater than the academic fees charged resident undergraduates in the  
22 previous academic year.

23 (b) The limit under paragraph (a) does not apply to differential tuition  
24 approved by the Board of Regents before June 1, 2011.

25 (1tc) STUDY.

1 (a) In this subsection:

2 1. “Board” means the Board of Regents of the system.

3 2. “System” means the University of Wisconsin System.

4 (b) There is created a Special Task Force on UW Restructuring and Operational  
5 Flexibilities to study the system. The task force shall consist of the following  
6 members:

7 1. Six members appointed by the speaker of the assembly, including 3 business  
8 or public leaders, 2 current or former system chancellors or board members, and one  
9 member of the assembly.

10 2. Six members appointed by the senate majority leader, including 3 business  
11 or public leaders, 2 current or former system chancellors, or board members, and one  
12 member of the senate.

13 3. One member of the senate appointed by the senate minority leader and one  
14 member of the assembly appointed by the minority leader in the assembly.

15 4. Two members appointed by the governor.

16 5. One member appointed by the cochairpersons of the joint committee on  
17 finance.

18 (c) The member appointed under paragraph (b) 5. shall serve as chairperson  
19 of the task force. The president of the system, the secretary of administration, and  
20 the legislative fiscal bureau shall provide staff services for the task force.

21 (d) In conducting its study, the task force shall address the following issues:

22 1. Whether there is a need to restructure the system and make  
23 recommendations as to a new governance structure.

1           2. How system employees and those system employees assigned to the  
2 University of Wisconsin–Madison would transition from the state personnel system  
3 to the new personnel systems.

4           3. Whether tuition flexibility can be extended to the system while ensuring  
5 access and affordability, and what role the legislature should have in establishing  
6 tuition.

7           4. How compensation plans for system employees should be determined in  
8 future biennia.

9           5. Additional operational flexibilities that could be provided to system  
10 institutions.

11          6. How articulation and the transfer of credits between system institutions  
12 could be improved.

13          (e) By January 1, 2012, the task force shall submit its report to the appropriate  
14 standing committees of the legislature, as determined by the speaker of the assembly  
15 and the president of the senate, in the manner provided under section 13.172 (3) of  
16 the statutes, and to the joint committee on finance.

17          (f) Section 15.04 (1) (c) of the statutes applies to the task force as if it were a  
18 committee created under that paragraph. Task force expenses shall be paid from the  
19 appropriation under section 20.855 (7) (a) of the statutes, as created by this act.

20          (2c) The legislative audit bureau shall prepare a financial and performance  
21 evaluation audit of the use of broadband services by the Board of Regents of the  
22 University of Wisconsin System and the board's relationship with Wisconsin's  
23 Research and Education Network, known as WiscNet. The audit shall examine  
24 issues of statutory compliance, competition, cost shifting, financing, collaboration,  
25 and access when considering the current structure and possible recommendations

1 going forward. By January 1, 2013, the legislative audit bureau shall file its report  
2 as provided in section 13.94 (1) (b) of the statutes.

3 (3) SYSTEM ADMINISTRATION GENERAL PROGRAM OPERATIONS.

4 (a) In this subsection:

5 1. “Board” means the Board of Regents of the system.

6 2. “Reduction amount” means the difference between the total amounts shown  
7 in the schedule under section 20.005 (3) of the statutes for the appropriation under  
8 section 20.285 (3) (a) of the statutes for fiscal years 2009–10 and 2010–11 and the  
9 total amounts shown in the schedule under that appropriation for fiscal years  
10 2011–12 and 2012–13.

11 3. “System” means the University of Wisconsin System.

12 (am) The board shall allocate the reductions in general purpose revenue  
13 appropriated to the system under this act to the institutions within the system based  
14 upon each institution’s share of the system’s general purpose revenue, academic fees,  
15 and nonresident tuition, excluding debt service, utilities, financial aid, separately  
16 budgeted tuition, and extension credit programs.

17 (b) No later than September 1, 2011, the board shall submit a plan to the  
18 secretary of administration and the joint committee on finance specifying the board’s  
19 preferences for allocating the reduction amount among general program operations  
20 of the system administration. If the cochairpersons of the committee do not notify  
21 the board within 14 working days after the date of the board’s submittal that the  
22 committee has scheduled a meeting for the purpose of reviewing the plan, the plan  
23 may be implemented as proposed by the board. If, within 14 working days after the  
24 date of the board’s submittal, the cochairpersons of the committee notify the board

1 that the committee has scheduled a meeting for the purpose of reviewing the  
2 proposed plan, the plan may be implemented only upon approval of the committee.

3 **SECTION 9153. Nonstatutory provisions; Veterans Affairs.**

4 (2i) RECOMMENDATIONS REGARDING VETERANS TRUST FUND. On or before June 30,  
5 2012, the board of veterans affairs and the secretary of veterans affairs shall jointly  
6 provide recommendations regarding the adoption of a viable long-term funding  
7 source for the veterans trust fund. The department of veterans affairs shall submit  
8 the recommendations to the governor, the chief clerk of each house of the legislature  
9 for distribution to the chairs of the appropriate standing committees under section  
10 13.172 (3) of the statutes, and the cochairpersons of the joint committee on finance.

11 (2j) INFORMATION REGARDING VETERANS TRUST FUND. In submitting information  
12 under section 16.42 of the statutes for purposes of the 2013–15 biennial budget act,  
13 the department of veterans affairs shall include an estimate of the amount of  
14 revenues that will be deposited into the veterans trust fund during that biennium  
15 and recommendations for amounts to be appropriated from the veterans trust fund  
16 for that biennium. The total amount that is recommended to be appropriated may  
17 not be greater than the estimate of the total amount to be deposited.

18 **SECTION 9154. Nonstatutory provisions; Workforce Development.**

19 (1) LOCAL AGENCY REIMBURSEMENT CONTRACTS.

20 (a) *Positions and employees.* On the effective date of this paragraph, one  
21 position and the incumbent employee, if any, holding that position in the department  
22 of workforce development performing duties that are primarily related to local  
23 agency reimbursement contracts for programs administered by the department of  
24 children and families, as determined by the secretary of administration, are  
25 transferred to the department of children and families.

1           (b) *Employee status.* Any employee transferred under paragraph (a) has all the  
2 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
3 statutes in the department of children and families that he or she enjoyed in the  
4 department of workforce development immediately before the transfer.  
5 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who  
6 has attained permanent status in class is required to serve a probationary period.

7           (2c) PREVAILING WAGE EXEMPTION; NURSING HOME. Section 66.0903 of the statutes,  
8 as affected by this act, does not apply to a project of public works involving the  
9 erection, construction, repair, remodeling, or demolition of a nursing home in a  
10 county having a population of less than 50,000, the erection, construction, repair,  
11 remodeling, or demolition of which commences no later than one year after the  
12 effective date of this subsection.

13           **SECTION 9155. Nonstatutory provisions; Other.**

14           (1j) JUDICIAL COMPENSATION COMMISSION.

15           (a) There is created a judicial compensation commission consisting of 2  
16 members appointed by the governor, one member appointed by the president of the  
17 senate, one member appointed by the speaker of the assembly, one member  
18 appointed by the dean of the Marquette University Law School, one member  
19 appointed by the dean of the University of Wisconsin Law School, and one member  
20 appointed by the president of the State Bar of Wisconsin. The judicial compensation  
21 commission shall elect one of its members as chairperson. Members of the judicial  
22 compensation commission shall be reimbursed for expenses necessarily incurred as  
23 members of the judicial compensation commission.

24           (b) The judicial compensation commission shall review the salaries of the  
25 justices of the supreme court, court of appeals judges, and judges of circuit court. Not

1 later than December 1, 2012, the judicial compensation commission shall submit a  
2 written report to the governor and the joint committee on employment relations that  
3 includes recommendations on salaries of the justices of the supreme court, court of  
4 appeals judges, and judges of circuit court.

5 (c) Notwithstanding section 20.923 (2) (b) of the statutes, for fiscal biennium  
6 2013–15, the joint committee on employment relations shall review the  
7 recommendations submitted by the judicial compensation commission and shall  
8 approve the recommendations unless a majority of its members agree not to approve  
9 the recommendations. If a majority of members of the judicial compensation  
10 commission agree to modify the recommendations submitted by the judicial  
11 compensation commission, it shall state the reasons for the modifications in writing.

12 (d) Notwithstanding section 20.923 (2) (b) of the statutes, for the fiscal  
13 biennium 2013–15, the governor shall provide funding sufficient to implement the  
14 recommendations submitted by the judicial compensation commission and approved  
15 by the joint committee on employment relations under paragraph (c). If the salary  
16 adjustment approved by the joint committee on employment relations is less than the  
17 percentage increase of any across–the–board pay adjustments for any other position  
18 in the classified service, the annual salary adjustment for any supreme court justice  
19 or judge of the court of appeals or circuit court is increased to equal the percentage  
20 increase of the highest across–the–board pay adjustment provided for any position  
21 in the classified service.

22 (e) The director of state courts shall provide staff and support services to the  
23 judicial compensation commission.

24 (f) This subsection does not apply after December 1, 2012.



1           (3c) STATE AGENCY ATTORNEY PAY PROGRESSION PLAN. The Wisconsin State  
2 Attorneys Association and the director of the office of state employment relations  
3 shall develop a pay progression plan for attorneys who are included in the collective  
4 bargaining unit under section 111.825 (1) (f) 3. of the statutes, to be funded from any  
5 salary savings resulting from hiring new attorneys to fill the positions of attorneys  
6 who will retire from state employment during the 2011–13 fiscal biennium. The plan  
7 shall include a detailed description of how a pay progression system would be  
8 structured and administered and the fiscal cost of the pay progression system in the  
9 2011–13 fiscal biennium, by fund source, and the projected costs of the pay  
10 progression system in the succeeding 4 fiscal biennia. Before October 1, 2011, the  
11 Wisconsin State Attorneys Association and the director of the office of state  
12 employment relations shall submit the proposed plan to the joint committee on  
13 finance. If the cochairpersons of the joint committee on finance do not notify the  
14 Wisconsin State Attorneys Association and the director of the office of state  
15 employment relations within 14 working days after the date of the submittal of the  
16 plan that the committee has scheduled a meeting to review the plan, the plan may  
17 be implemented as proposed by the Wisconsin State Attorneys Association and the  
18 director of the office of state employment relations. If, within 14 days after the date  
19 of the submittal of the plan, the cochairpersons of the committee notify the Wisconsin  
20 State Attorneys Association and the director of the office of state employment  
21 relations that the committee has scheduled a meeting to review the plan, the plan  
22 may only be implemented as approved by the committee.

23           (3f) PAYMENT OF BROWNFIELDS GRANT PROGRAM ENCUMBRANCES. The Wisconsin  
24 Economic Development Corporation shall pay from the appropriation account under  
25 section 20.192 (1) (r) of the statutes, as created by this act, the outstanding

1 encumbrances under section 20.143 (1) (qm), 2009 stats., for grants under section  
2 560.13, 2009 stats.

3 (3g) BROWNFIELD SITE ASSESSMENT GRANTS. The Wisconsin Economic  
4 Development Corporation shall give priority in awarding brownfield site assessment  
5 grants under section 238.133 of the statutes, as affected by this act, in fiscal year  
6 2011–12 to applicants that would have been on the funding list of the department of  
7 natural resources for awards for fiscal year 2010–11 for brownfield site assessment  
8 grants under section 292.75, 2009 stats.

9 (3r) WAGE INCREASE FOR INITIAL COLLECTIVE BARGAINING AGREEMENT.

10 (a) In this subsection:

11 1. “Consumer price index change” has the meaning given in section 111.81 (3n)  
12 of the statutes.

13 2. “General employee” has the meaning given in section 111.81 (9g) of the  
14 statutes, as affected by this act.

15 (b) Notwithstanding section 111.91 (3) (b) of the statutes, as affected by this act,  
16 in the first collective bargaining agreement that it negotiates after the effective date  
17 of this paragraph with each collective bargaining unit containing a general  
18 employee, the state is prohibited from bargaining with respect to a proposal that does  
19 any of the following:

20 1. If there is an increase in the consumer price index change, provides for total  
21 base wages for authorized positions in the proposed collective bargaining agreement  
22 that exceed the total base wages for authorized positions 180 days before July 1,  
23 2011, by a greater percentage than the consumer price index change.

24 2. If there is a decrease or no change in the consumer price index change,  
25 provides for any change in total base wages for authorized positions in the proposed

1 collective bargaining agreement from the total base wages for authorized positions  
2 180 days before July 1, 2011.

3 **SECTION 9201. Fiscal changes; Administration.**

4 (1q) TRANSFER FROM GENERAL FUND TO TRANSPORTATION FUND. In addition to the  
5 transfer required under section 16.5185 of the statutes, as created by this act, during  
6 the 2011–13 fiscal biennium, the secretary of administration shall transfer  
7 \$125,000,000 from the general fund to the transportation fund.

8 **SECTION 9203. Fiscal changes; Agriculture, Trade and Consumer**  
9 **Protection.**

10 (1f) FERTILIZER RESEARCH FUNDING. In fiscal year 2012–13, the department of  
11 agriculture, trade and consumer protection shall transfer from the agrichemical  
12 management fund to the appropriation account under section 20.115 (7) (h) of the  
13 statutes an amount equal to 7 cents per ton of fertilizer sold or distributed in this  
14 state during the 12 months ending on June 30, 2012.

15 **SECTION 9210. Fiscal changes; Commerce.**

16 (1) PETROLEUM INSPECTION FUND TRANSFER TO THE TRANSPORTATION FUND. There  
17 is transferred from the petroleum inspection fund to the transportation fund  
18 \$19,500,000 in each fiscal year of the 2011–13 fiscal biennium.

19 (2) ECONOMIC DEVELOPMENT TRANSFER. The unencumbered balances in the  
20 appropriation accounts under section 20.143 (1) (a), (b), (bk), (bt), (c), (cf), (d), (dr),  
21 (e), (em), (er), (ew), (fi), (fj), (fy), (g), (gc), (gh), (gm), (gv), (h), (hm), (hr), (ie), (ig), (io),  
22 (ir), (k), (k), (kb), (kf), (kg), (kh), (kj), and (kt) of the statutes are transferred to the  
23 appropriation account under section 20.192 (1) (k) of the statutes.

24 (2q) MANUFACTURED HOUSING REHABILITATION AND RECYCLING PROGRAM. The  
25 unencumbered balance in the appropriation account under section 20.143 (1) (jp) of

1 the statutes is transferred to the appropriation account under section 20.165 (2) (j)  
2 of the statutes, as affected by this act.

3 (3) ECONOMIC DEVELOPMENT TRANSFER; FEDERAL MONEYS. The unencumbered  
4 balances in the appropriation accounts under section 20.143 (1) (m), (mr), (n), and  
5 (o) of the statutes are transferred to the appropriation account under section 20.192  
6 (1) (m) of the statutes.

7 **SECTION 9218. Fiscal changes; Government Accountability Board.**

8 (3i) WISCONSIN ELECTION CAMPAIGN FUND TRANSFER. On the effective date of this  
9 subsection, the unencumbered balance in the Wisconsin election campaign fund is  
10 transferred to the general fund.

11 (3j) DEMOCRACY TRUST FUND TRANSFER. On the effective date of this subsection,  
12 the unencumbered balance in the democracy trust fund is transferred to the general  
13 fund.

14 **SECTION 9219. Fiscal changes; Governor.**

15 (1u) APPROPRIATION LAPSES AND REESTIMATES. The governor shall take actions  
16 during the 2011–13 and 2013–15 fiscal biennia to ensure that from general purpose  
17 revenue appropriations to the office of the governor under section 20.525 of the  
18 statutes an amount equal to \$582,200 is lapsed from sum certain appropriation  
19 accounts or is subtracted from the expenditure estimates for any other types of  
20 appropriations, or both, in each fiscal biennium.

21 **SECTION 9224. Fiscal changes; Housing and Economic Development**  
22 **Authority.**

23 (1f) TRANSFER OF SURPLUS TO GENERAL FUND. Notwithstanding section 234.165  
24 (2) of the statutes, the Wisconsin Housing and Economic Development Authority  
25 shall pay to the state in fiscal year 2011–12 \$900,000 of its actual surplus under

1 section 234.165 of the statutes and in fiscal year 2012–13 shall pay to the state  
2 \$900,000 of its actual surplus under section 234.165 of the statutes. The amount paid  
3 to the state under this subsection shall be deposited in the general fund.

4 **SECTION 9230. Fiscal changes; Legislature.**

5 (1) APPROPRIATION LAPSES AND REESTIMATES. The cochairpersons of the joint  
6 committee on legislative organization shall take actions during the 2011–13 and  
7 2013–15 fiscal biennia to ensure that from general purpose revenue appropriations  
8 to the legislature under section 20.765 of the statutes an amount equal to \$9,232,200  
9 is lapsed from sum certain appropriation accounts or is subtracted from the  
10 expenditure estimates for any other types of appropriations, or both, in each fiscal  
11 biennium.

12 **SECTION 9235. Fiscal changes; Natural Resources.**

13 (8) ALL-TERRAIN VEHICLE PROGRAM LAPSE. Notwithstanding section 20.001 (3) (c)  
14 of the statutes, from the appropriation account to the department of natural  
15 resources under section 20.370 (5) (cv) of the statutes there is lapsed to the  
16 conservation fund \$1,299,900 in fiscal year 2011–12.

17 **SECTION 9245. Fiscal changes; Supreme Court.**

18 (2f) APPROPRIATION LAPSES AND REESTIMATES. The chief justice of the supreme  
19 court, acting as administrative head of the judicial system, shall take actions during  
20 the 2011–13 and 2013–15 fiscal biennia to ensure that from general purpose revenue  
21 and program revenue appropriations to the circuit courts under section 20.625 of the  
22 statutes, to the court of appeals under section 20.660 of the statutes, and to the  
23 supreme court under 20.680 of the statutes an amount equal to \$16,960,400 is lapsed  
24 from sum certain appropriation accounts or is subtracted from the expenditure  
25 estimates for any other types of appropriations, or both, in each fiscal biennium.

1           **SECTION 9253. Fiscal changes; Veterans Affairs.**

2           (1i) FUND TRANSFER. There is transferred from the general fund to the veterans  
3 trust fund \$5,000,000 in fiscal year 2011–12.

4           (1j) APPROPRIATION FOR MILITARY FUNERAL HONORS. In the schedule under section  
5 20.005 (3) of the statutes for the appropriation to the department of veterans affairs  
6 under section 20.485 (2) (dm) of the statutes, as affected by the acts of 2009 and 2011,  
7 the dollar amount is increased by \$68,900 for the second fiscal year of the fiscal  
8 biennium in which this subsection takes effect for the purpose for which the  
9 appropriation is made.

10          (2u) TRANSFER OF FUNDS TO THE VETERANS TRUST FUND.

11          (a) On June 30 of 2012 and 2013, the department of veterans affairs may  
12 transfer all or part of the unencumbered balance of any of the appropriations under  
13 section 20.485 (1) (g), (gd), (gk), or (i) of the statutes from the general fund to the  
14 veterans trust fund.

15          (b) The department of veterans affairs may not transfer money under this  
16 subsection unless it first notifies the joint committee on finance in writing of the  
17 proposal. If the cochairpersons of the committee do not notify the department within  
18 14 working days after the date of the department's notification that the committee  
19 has scheduled a meeting to review the proposal, the department may transfer the  
20 money. If, within 14 working days after the date of the notification by the  
21 department, the cochairpersons of the committee notify the department that the  
22 committee has scheduled a meeting to review the proposal, the department may  
23 transfer the money only upon approval of the committee. A proposal as submitted  
24 by the department is approved unless a majority of the members of the committee  
25 who attend the meeting to review the proposal vote to modify or deny the proposal.

1           **SECTION 9255. Fiscal changes; Other.**

2           (1) LAPSE OF UNENCUMBERED MONEYS FROM STATE AGENCY GENERAL PURPOSE  
3 REVENUE AND PROGRAM REVENUE APPROPRIATION ACCOUNTS.

4           (a) In this subsection, “executive branch state agency” means any office,  
5 department, or independent agency in the executive branch of state government.

6           (b) Notwithstanding section 20.001 (3) (a) to (c) of the statutes, but subject to  
7 paragraph (e), the secretary of administration shall lapse to the general fund from  
8 the unencumbered balances of general purpose revenue and program revenue  
9 appropriations to executive branch state agencies, other than sum sufficient  
10 appropriations and appropriations of federal revenues, an amount equal to  
11 \$174,300,000 in the 2011–13 fiscal biennium and \$174,300,000 in the 2013–15 fiscal  
12 biennium. Before lapsing any moneys under this paragraph, the secretary shall  
13 develop a plan for lapsing the moneys and shall submit the plan to the joint  
14 committee on finance. If the cochairpersons of the joint committee on finance do not  
15 notify the secretary within 14 working days after the date of the submittal of the plan  
16 that the committee has scheduled a meeting to review the plan, the plan may be  
17 implemented by the secretary. If, within 14 days after the date of the submittal of  
18 the plan, the cochairpersons of the committee notify the secretary that the committee  
19 has scheduled a meeting to review the plan, moneys may be lapsed only after the plan  
20 has been approved by the committee.

21           (c) Subject to paragraph (e), the secretary of administration shall lapse to the  
22 general fund, from the unencumbered balances of program revenue appropriations  
23 to the following executive branch state agencies, and the courts, the following  
24 amounts in each fiscal year of each fiscal biennium indicated:

		<b>2011–13</b>	<b>2013–15</b>
	<b>Agency</b>	<b>Fiscal</b>	<b>Fiscal</b>
		<b>Biennium</b>	<b>Biennium</b>
1			
2			
3			
4	Administration	\$ 7,041,200	\$ 7,041,200
5	Aging and Long–Term Care	103,700	103,700
6	Agriculture, Trade and Consumer	1,461,100	1,461,100
7	Protection		
8	Child Abuse and Neglect Prevention	228,400	228,400
9	Children and Families	578,000	578,000
10	Corrections	765,800	765,800
11	District Attorneys	40,800	40,800
12	Educational Communications Board	13,700	13,700
13	Employment Relations Commission	41,000	41,000
14	Financial Institutions	1,417,500	1,417,500
15	Government Accountability Board	38,600	38,600
16	Health Services	13,510,200	13,510,200
17	Justice	1,984,900	1,984,900
18	Military Affairs	569,800	569,800
19	Natural Resources	2,800,500	2,800,500
20	Office of State Employment Relations	692,600	692,600
21	Public Defender Board	117,800	117,800
22	Public Instruction	2,359,200	2,359,200
23	Public Service Commission	91,200	91,200
24	Regulation and Licensing	3,252,300	3,252,300
25	Revenue	1,107,800	1,107,800
26	Secretary of State	50,600	50,600
27	Tourism	3,600	3,600



1	Wisconsin Technical College System	57,100	57,100
2	Workforce Development	2,978,800	2,978,800

3 (d) Subject to paragraph (e), the secretary of administration shall lapse to the  
4 general fund, from the unencumbered balances of general purpose revenue and  
5 program revenue appropriations to the following executive branch state agencies,  
6 the following amounts in each fiscal year of each fiscal biennium indicated:

7		<b>2011–13</b>	<b>2013–15</b>
8	<b>Agency</b>	<b>Fiscal</b>	<b>Fiscal</b>
9		<b>Biennium</b>	<b>Biennium</b>
10	Administration	\$ 291,600	\$ 236,800
11	Aging and Long–Term Care	26,300	15,000
12	Agriculture, Trade and Consumer	273,800	130,300
13	Protection		
14	Children and Families	178,200	14,200
15	Corrections	8,701,100	133,400
16	District Attorneys	513,900	2,500
17	Educational Communications Board	20,400	–0–
18	Financial Institutions	120,000	120,000
19	Government Accountability Board	11,600	1,600
20	Health Services	1,937,000	99,300
21	Higher Educational Aids Board	6,700	–0–
22	Historical Society	89,500	11,900
23	Justice	454,600	55,400
24	Military Affairs	84,500	31,700
25	Natural Resources	427,900	207,500
26	Office of State Employment Relations	1,100	1,100

1	Public Defender Board	632,600	900
2	Public Instruction	291,700	74,000
3	Regulation and Licensing	268,500	268,500
4	Revenue	928,800	80,500
5	Secretary of State	600	600
6	Tourism	12,600	–0–
7	Transportation	14,400	14,400
8	Wisconsin Technical College System	23,200	8,000
9	Workforce Development	124,800	8,200

10 (e) 1. The secretary of administration may not lapse moneys under paragraphs  
 11 (b), (c), and (d) if the lapse would violate a condition imposed by the federal  
 12 government on the expenditure of the moneys or if the lapse would violate the federal  
 13 or state constitution. The secretary also may not lapse any amount from program  
 14 revenue appropriations under section 20.285 of the statutes.

15 2. For the purpose of submitting information under section 16.42 of the statutes  
 16 for purposes of preparing the 2013–15 biennial budget bill, each executive branch  
 17 state agency subject to paragraph (d) shall adjust its base general purpose revenue  
 18 appropriation levels to reflect the general purpose revenue lapses under paragraph  
 19 (d).

20 **SECTION 9301. Initial applicability; Administration.**

21 (3) CONTRACTING INELIGIBILITY. The treatment of section 16.705 (9) of the  
 22 statutes first applies to awards for contracts given on the effective date of this  
 23 subsection.

24 (3f) BIDDING THRESHOLD FOR UNIVERSITY OF WISCONSIN SYSTEM. The  
 25 renumbering of section 16.75 (1) (b) and (2m) (b) of the statutes and the creation of

1 section 16.75 (1) (b) 2. and (2m) (b) 2. of the statutes first applies with respect to bids  
2 or proposals solicited on the effective date of this subsection.

3 (3j) GRANT TO MILWAUKEE COUNTY. The repeal of section 16.964 (12) (bt) of the  
4 statutes takes effect on July 1, 2012.

5 **SECTION 9308. Initial applicability; Children and Families.**

6 (1) ORDER OF DISTRIBUTION OF CHILD SUPPORT PAYMENTS. The treatment of section  
7 767.511 (6) (intro.) of the statutes first applies to payments for child support that are  
8 received on the effective date of this subsection.

9 (2) SOCIAL SECURITY NUMBERS IN PATERNITY ACTIONS. The treatment of section  
10 767.215 (5) (a) (intro.) and (am) of the statutes first applies to paternity actions that  
11 are commenced on the effective date of this subsection.

12 (3) SOCIAL SECURITY NUMBERS OF MINOR CHILDREN. The treatment of section  
13 767.215 (5) (a) 2. of the statutes first applies to petitions that are filed on the effective  
14 date of this subsection.

15 (4) MISCELLANEOUS WISCONSIN WORKS PARTICIPATION CHANGES. The treatment of  
16 sections 49.147 (4) (as) and (5) (bs) (by SECTION 1357), 49.148 (1) (b) 1., 1m. d., and  
17 3. and (c) (by SECTION 1361) and (4) (b), 49.1515 (title), (2), and (3), and 49.153 (1)  
18 (am), (bm), and (c) and (2) of the statutes first applies to individuals participating in  
19 Wisconsin Works on the effective date of this subsection.

20 (5c) NO CHILD CARE SUBSIDY FOR PARENT WHO IS CHILD CARE PROVIDER. The  
21 renumbering and amendment of section 49.155 (3m) (d) of the statutes and the  
22 creation of section 49.155 (3m) (d) 2., 3., and 4. of the statutes first apply to child care  
23 services provided for a child who first receives child care services under the program  
24 under section 49.155 of the statutes on the effective date of this subsection.

1 (5i) TIME LIMITS UNDER WISCONSIN WORKS. The treatment of sections 49.147 (3)  
2 (c), (4) (b), and (5) (b) (intro.), 1m., 2., 2m., 3., and 4. and (bs) (by SECTION 1357f),  
3 49.148 (1) (c) (by SECTION 1361f) and (1m) (c) (intro.), and 49.151 (1) (b) of the statutes  
4 first applies to individuals participating in Wisconsin Works on the effective date of  
5 this subsection.

6 **SECTION 9309. Initial applicability; Circuit Courts.**

7 (1d) COSTS OF BLOOD WITHDRAWALS. The treatment of sections 814.63 (3m),  
8 814.65 (4m), and 973.06 (1) (j) of the statutes first applies to a blood withdrawal that  
9 occurs on the effective date of this subsection.

10 (1f) CHIROPRACTOR PAYMENTS. The treatment of section 895.453 of the statutes  
11 first applies to chiropractic services provided on the effective date of this subsection.

12 (1g) SMALL CLAIMS COURT JURISDICTIONAL AMOUNT. The treatment of sections  
13 799.01 (1) (c), (cr), and (d) (intro.) and (2) of the statutes first applies to actions  
14 commenced on the effective date of this subsection.

15 **SECTION 9310. Initial applicability; Commerce.**

16 (1i) RULES INCREASING DWELLING CONSTRUCTION COSTS. The treatment of sections  
17 227.137 (3) (f) and 227.19 (4) (d) 7., (5) (c), (d), (dm), (e), (em), (fm), and (g) (title), and  
18 (6) (title) and (a) (intro.) of the statutes first applies to a proposed administrative rule  
19 submitted to the legislative council staff under section 227.15 (1) of the statutes on  
20 the effective date of this subsection.

21 **SECTION 9315. Initial applicability; Employee Trust Funds.**

22 (2q) PAYMENT OF EMPLOYEE REQUIRED CONTRIBUTIONS. The treatment of sections  
23 13.111 (2), 40.02 (27), 40.05 (1) (a) (intro.), 1., 2., 3., and 4. and (b), (2m), and (2n),  
24 40.32 (1), 59.875, 62.623, and 66.0518 of the statutes and SECTION 9115 (2q) of this  
25 act first apply to employees who are covered by a collective bargaining agreement

1 that contains provisions inconsistent with those sections on the day on which the  
2 agreement expires or is terminated, extended, modified, or renewed, whichever  
3 occurs first.

4 **SECTION 9317. Initial applicability; Financial Institutions.**

5 (1f) METHOD OF CALCULATING INTEREST. The treatment of section 138.045 of the  
6 statutes first applies, retroactively, to all existing notes, bonds, or other instruments,  
7 regardless of their origination date.

8 (1u) FINANCIAL INSTITUTION AFFILIATES. The treatment of sections 138.09 (1a) (a)  
9 and 138.14 (3) of the statutes first applies to loans made by affiliates of banks,  
10 savings banks, savings and loan associations, trust companies, or credit unions on  
11 the effective date of this subsection.

12 (2u) PAYDAY LOANS. The treatment of section 138.14 (1) (bd), (be), (k) 1. and 2.,  
13 (7) (e) 6., (9g) (a) 6., (9m), (9r) (c) 4., (10) (a) 2. and (am), (12) (b), and (14) (d) 4., (h),  
14 and (j) of the statutes, the renumbering and amendment of section 138.14 (11g) of the  
15 statutes, and the creation of section 138.14 (11g) (b) of the statutes first apply to  
16 payday loans, as defined in section 138.14 (1) (k) of the statutes, as affected by this  
17 act, made on the effective date of this subsection.

18 (3u) MOTOR VEHICLE TITLE LOANS. The treatment of section 138.16 (1) (a), (bm),  
19 and (c), (1m), (3), and (4) of the statutes, the renumbering and amendment of section  
20 138.16 (2) of the statutes, and the creation of section 138.16 (2) (b) of the statutes first  
21 apply to title loans, as defined in section 138.16 (1) (c) of the statutes, as affected by  
22 this act, made on the effective date of this subsection.

23 **SECTION 9321. Initial applicability; Health Services.**

1 (1) PAYMENT FOR SERVICES FOR RENAL DISEASE. The treatment of section 49.68 (3)  
2 (b) and (e) of the statutes first applies to services that are provided on the effective  
3 date of this subsection.

4 (3) CONGENITAL TESTING FEES; RULES. The treatment of section 253.13 (2) of the  
5 statutes first applies to tests specified under section 253.13 of the statutes that are  
6 submitted to the state laboratory of hygiene on the effective date of this subsection.

7 (4) PATIENT HEALTH CARE RECORDS FEES. The treatment of sections 146.83 (1d),  
8 (1f) (a), (b), (c), and (d) 1. and 2., (1g), (1h) (a), (b), and (c), (1k), and (3f), 146.84 (2)  
9 (a) 1., and 908.03 (6m) (c) 3. of the statutes, the renumbering of section 146.83 (1m)  
10 of the statutes, and the creation of section 146.83 (1m) (b) of the statutes first apply  
11 to requests to inspect patient health care records and requests for copies of patient  
12 health care records that are made on the effective date of this subsection.

13 **SECTION 9325. Initial applicability; Insurance.**

14 (2f) DEPENDENT COVERAGE. The treatment of sections 49.67 (3) (am) 2. b. and  
15 632.885 (1) (a), (af), (ar), and (at), (2) (a) (intro.), 1., 2., and 3., (b) (intro.) and 2., and  
16 (c), (3), (3m), and (4) of the statutes first applies to all of the following:

17 (a) Except as provided in paragraphs (b) and (c), health insurance coverage that  
18 is newly issued or renewed, and self-insured governmental or school district health  
19 plans that are newly established, extended, modified, or renewed, on the effective  
20 date of this paragraph.

21 (b) Health insurance coverage covering employees who are affected by a  
22 collective bargaining agreement containing provisions inconsistent with this act  
23 that is newly issued or renewed on the earlier of the following:

24 1. The day on which the collective bargaining agreement expires.

1           2. The day on which the collective bargaining agreement is extended, modified,  
2 or renewed.

3           (c) Self-insured governmental or school district health plans covering  
4 employees who are affected by a collective bargaining agreement containing  
5 provisions inconsistent with this act that are newly established, extended, modified,  
6 or renewed on the earlier of the following:

7           1. The day on which the collective bargaining agreement expires.

8           2. The day on which the collective bargaining agreement is extended, modified,  
9 or renewed.

10           **SECTION 9332. Initial applicability; Local Government.**

11           (1c) DISCIPLINARY PROVISIONS FOR POLICE AND FIRE PERSONNEL IN CITIES OTHER  
12 THAN MILWAUKEE. The treatment of section 111.70 (4) (c) 2. a. and b. and (mc) 1., 2.,  
13 and 3. of the statutes first applies to an employee who is covered by a collective  
14 bargaining agreement on the day on which the collective bargaining agreement  
15 expires or is extended, modified, or renewed, whichever occurs first.

16           (1q) COLLECTIVE BARGAINING; MUNICIPAL EMPLOYEES. The treatment of sections  
17 66.0506, 111.70 (1) (a), (f), (fm), (n), and (p), (2), (3) (a) 3., 5., 6., 7m., and 9. and (b)  
18 6m., (3m), (3p), (4) (bm), (c) 2., (cg), (d) 2. a. and 3. b., and (p), (mb) 2. b., and (mbb),  
19 (7m) (c) 1. a., and (8) (a), 111.71 (2), (4m), and (5m), 111.77 (9), and 904.085 (2) (a) of  
20 the statutes first applies to employees who are covered by a collective bargaining  
21 agreement under subchapter IV of chapter 111 of the statutes that contains  
22 provisions inconsistent with those sections on the day on which the agreement  
23 expires or is terminated, extended, modified, or renewed, whichever occurs first.

24           (1r) ARBITRATION UNDER MERA. The treatment of sections 111.70 (4) (jm) 4w.  
25 and 5. (intro.) of the statutes, the renumbering and amendment of section 111.77 (6)

1 of the statutes, and the creation of section 111.77 (6) (am) of the statutes first apply  
2 to a petition for arbitration that is filed on the effective date of this subsection.

3 (1u) LIMITATION ON PERFORMANCE OF CONSTRUCTION PROJECTS BY LOCAL  
4 GOVERNMENTS. The treatment of sections 59.52 (30), 62.15 (1d), and 66.0901 (11) of  
5 the statutes first applies to projects for which construction is commenced on the  
6 effective date of this subsection.

7 (2i) METROPOLITAN SEWERAGE DISTRICT COMMISSIONER PER DIEMS. The treatment  
8 of section 200.09 (1) and (7) of the statutes first applies to a commissioner who is  
9 appointed or reappointed on the effective date of this subsection, except that if a  
10 commission specifies by resolution a per diem amount that is at least equal to the per  
11 diem amount that is paid before the resolution takes effect, the amount specified in  
12 the resolution applies to a commissioner on the effective date of that resolution.

13 (2q) ROOM TAX; EXPENDITURE BY A TOURISM ENTITY. The treatment of section  
14 66.0615 (1m) (d) 7. of the statutes first applies to room tax revenue that is paid to a  
15 municipality on the effective date of this subsection.

16 (2r) HEALTH CARE COVERAGE PLAN SELECTION UNDER MERA. The treatment of  
17 section 111.70 (4) (mc) 6. of the statutes first applies to an employee who is covered  
18 by a collective bargaining agreement under subchapter IV of chapter 111 of the  
19 statutes when the collective bargaining agreement expires or is extended, modified,  
20 or renewed, whichever occurs first.

21 **SECTION 9335. Initial applicability; Natural Resources.**

22 (1) STEWARDSHIP ACQUISITION COSTS. The treatment of section 23.0917 (7) (a), (b),  
23 (d) (intro.), and (e) 1. of the statutes, the renumbering and amendment of section  
24 23.0917 (7) (c) of the statutes, and the creation of section 23.0917 (7) (c) 1. of the  
25 statutes first apply to applications for grants, state aid, or funding that are



1 submitted to the department of natural resources on July 1, 2011, and that have not  
2 been approved or denied by the department of natural resources on or before the  
3 effective date of this subsection.

4 (1u) LAKE MANAGEMENT PLANNING GRANTS. The treatment of section 281.68 (2)  
5 (a) of the statutes first applies to grants for which applications are submitted on July  
6 1, 2011.

7 (2) STEWARDSHIP ACQUISITIONS.

8 (a) The treatment of section 23.0917 (5t) of the statutes first applies to  
9 applications for grants and state aid that are submitted to the department of natural  
10 resources on the effective date of this paragraph.

11 (b) The treatment of section 23.0917 (5t) of the statutes first applies to  
12 acquisitions that are submitted to the governor for his or her approval on the effective  
13 date of this paragraph.

14 **SECTION 9337. Initial applicability; Public Instruction.**

15 (3) EXTEND MILWAUKEE PARENTAL CHOICE PROGRAM TO PERMIT PRIVATE SCHOOLS  
16 LOCATED IN MUNICIPALITIES IN ADDITION TO THE CITY OF MILWAUKEE TO PARTICIPATE;  
17 PUPILS. The treatment of section 119.23 (2) (a) (intro.) of the statutes, with respect  
18 to the location of a private school, first applies to pupils who participate in the  
19 program under section 119.23 of the statutes, as affected by this act, in the 2011–12  
20 school year.

21 (4) EXTEND MILWAUKEE PARENTAL CHOICE PROGRAM TO PERMIT PRIVATE SCHOOLS  
22 LOCATED IN MUNICIPALITIES IN ADDITION TO THE CITY OF MILWAUKEE TO PARTICIPATE;  
23 PARTICIPATING PRIVATE SCHOOLS. The treatment of section 119.23 (7) (d) 1. of the  
24 statutes first applies to private schools participating in the program under section  
25 119.23 of the statutes, as affected by this act, in the 2011–12 school year.

1           (5q) MILWAUKEE PARENTAL CHOICE PROGRAM AND CHOICE PROGRAMS IN OTHER  
2 ELIGIBLE SCHOOL DISTRICTS; PROGRAM PAYMENTS AND APPLICATIONS. The treatment of  
3 sections 119.23 (3) (a), (4) (b) (intro.), (bg), (c), and (d) and (10) (d) of the statutes, the  
4 renumbering and amendment of section 119.23 (4m) of the statutes, and the creation  
5 of sections 118.60 (4) (bg) and 119.23 (4m) (a) and (b) of the statutes first apply to  
6 applications to attend a private school and payments made to a private school  
7 participating in the program under section 119.23 of the statutes in the 2012–13  
8 school year.

9           (5r) MILWAUKEE PARENTAL CHOICE PROGRAM; PROGRAM AUDITS. The treatment of  
10 section 119.23 (7) (am) 1. and 2. of the statutes first applies to audits performed of  
11 a private school participating in the program under section 119.23 of the statutes in  
12 the 2012–13 school year.

13           **SECTION 9341. Initial applicability; Revenue.**

14           (1) DAIRY MANUFACTURING FACILITY INVESTMENT CREDIT. The treatment of sections  
15 71.07 (3p) (c) 2. and 4., 71.28 (3p) (c) 2. and 4., and 71.47 (3p) (c) 2. and 4. of the  
16 statutes first applies to taxable years beginning after December 31, 2010.

17           (1i) COUNTY AND MUNICIPAL AID PAYMENTS. The treatment of sections 20.835 (1)  
18 (b), (f), (m), and (q), 25.50 (3) (b), 33.32 (3) (b), 48.561 (3) (a) 3. and (b), 79.01 (2d) and  
19 (4), 79.015, 79.02 (2) (b) and (3) (a), (b), (c), and (d) and (4), 79.03, 79.035 (2), (4), and  
20 (5), 79.043 (1), (2), (3), (4), (5), and (6), 79.058, and 79.06 of the statutes, the  
21 amendment of sections 20.835 (1) (db) and 79.035 (1) of the statutes, and the repeal  
22 and recreation of sections 20.835 (1) (db) and 79.035 (1) of the statutes first apply to  
23 county and municipal aid payments distributed in 2012.

24           (2) EXPENDITURE RESTRAINT PAYMENTS. The treatment of section 79.05 (1) (am)  
25 of the statutes first applies to payments made in 2013.

1           (3u) AMERICAN RED CROSS, BADGER CHAPTER CHECKOFF. The treatment of section  
2           71.10 (5k) of the statutes first applies to taxable years beginning on January 1 of the  
3           year in which this subsection takes effect, except that if this subsection takes effect  
4           after July 31 the treatment of section 71.10 (5k) of the statutes first applies to taxable  
5           years beginning on January 1 of the year following the year in which this subsection  
6           takes effect.

7           (4) COMBINED REPORTING ELECTION. The treatment of section 71.255 (2m) (d) of  
8           the statutes first applies retroactively to taxable years beginning on January 1, 2009.

9           (4d) STUDENT HOUSING FACILITIES PROPERTY TAX EXEMPTION. The treatment of  
10          section 70.11 (intro.) and (3m) of the statutes first applies to the property tax  
11          assessments as of January 1, 2013.

12          (5f) SUBTRACT MODIFICATION, EdVEST. The treatment of section 71.05 (6) (b) 28.  
13          h., 32. (intro.), and 33. (intro.) of the statutes first applies to taxable years beginning  
14          on January 1, 2011.

15                   **SECTION 9346. Initial applicability; Technical College System.**

16          (1) FEE REMISSION. The treatment of section 38.24 (7) (bg) and (8) (bg) of the  
17          statutes (with respect to fees paid under federal law) first applies to a student who  
18          is enrolled in the spring 2010 semester.

19          (2) TUITION EXEMPTION FOR ALIENS. The treatment of section 38.22 (6) (e) of the  
20          statutes first applies to persons who enroll for the semester or session following the  
21          effective date of this subsection.

22          (3f) CAPITAL EXPENDITURES. The treatment of section 38.15 (3) (e) of the statutes  
23          first applies to district board resolutions adopted on the effective date of this  
24          subsection.

25                   **SECTION 9348. Initial applicability; Transportation.**

1 (1) COMMERCIAL MOTOR VEHICLES.

2 (a) The treatment of sections 341.10 (16) and (17) and 341.63 (1) (f) and (1m)  
3 of the statutes first applies with respect to notices or identifications received by the  
4 department of transportation on the effective date of this subsection.

5 (b) The treatment of sections 341.405 (3m) (c), 341.41 (7), and 341.63 (1r) of the  
6 statutes first applies to applications received by the department of transportation on  
7 the effective date of this subsection.

8 (c) The treatment of sections 343.315 (2) (h) and 343.44 (1) (c) of the statutes  
9 first applies to violations committed on the effective date of this subsection, but does  
10 not preclude the counting of other violations as prior violations for purposes of  
11 administrative action by the department of transportation or sentencing by a court.

12 (d) The treatment of section 341.63 (3) (b) of the statutes first applies with  
13 respect to federal out-of-service orders issued on the effective date of this subsection.

14 (2) CERTIFICATES OF TITLE. The renumbering and amendment of section 342.09  
15 (1) of the statutes and the creation of section 342.09 (1) (b) of the statutes first apply  
16 to applications for certificates of title that are submitted on the effective date of this  
17 subsection.

18 (3) DRIVING SKILLS TEST FEE. The amendment of section 343.21 (2) (a) of the  
19 statutes first applies to driving skills test fees paid on the effective date of this  
20 subsection.

21 (5) MOTOR VEHICLE ENVIRONMENTAL IMPACT FEE. The treatment of sections 25.40  
22 (1) (a) 3. and 5m., 25.46 (19), 84.59 (2) (b), and 342.14 (1), (1r), and (3) of the statutes  
23 first applies to fees collected by the department of transportation on the effective date  
24 of this subsection.

1           (6) MAJOR HIGHWAY PROJECTS. The treatment of sections 13.489 (1m) (f), (4) (d),  
2           and (4m), 84.013 (1) (a) (intro.), 1., 2. (intro.), a., and b., 2m., and 3., (2m), and (3) (ad),  
3           85.05, and 227.01 (13) (yc) (as it relates to major highway projects) of the statutes  
4           first applies to highway projects which the department of transportation determines  
5           should be initially identified as major highway projects meeting the criterion  
6           described in section 84.013 (1) (a) 2m. of the statutes, as created by this act.

7           **SECTION 9352. Initial applicability; University of Wisconsin System.**

8           (1) FEE REMISSION. The treatment of section 36.27 (3n) (bg) and (3p) (bg) of the  
9           statutes (with respect to fees paid under federal law) first applies to a student who  
10          is enrolled in the spring 2010 semester.

11          (2) TUITION EXEMPTION FOR ALIENS. The treatment of section 36.27 (2) (cr) of the  
12          statutes first applies to persons who enroll for the semester or session following the  
13          effective date of this subsection.

14          **SECTION 9354. Initial applicability; Workforce Development.**

15          (1q) WAITING PERIOD FOR UNEMPLOYMENT INSURANCE BENEFITS. The treatment of  
16          sections 108.02 (26m) and 108.04 (3) of the statutes first applies with respect to  
17          benefit years beginning after December 31, 2011.

18          (1u) PREVAILING WAGES AND HOURS OF LABOR.

19          (a) The treatment of sections 19.36 (12), 66.0903 (3) (av), 66.0904, 103.49 (3)  
20          (ar), 103.50 (4m), 103.503 (title), (1) (a), (c), (e), and (g), (2), and (3) (a) 2., 104.001 (3)  
21          (am), 109.09 (1), 111.322 (2m) (c), 227.01 (13) (t), and 946.15 (title), (1), (2), (3), and  
22          (4) of the statutes first applies to a project proposal that is accepted by a local  
23          governmental unit on the effective date of this paragraph.

24          (b) The treatment of sections 66.0903 (4) (b) (intro.) and 1. and (5) (b), 103.49  
25          (2m) (b) (intro.) and 1. and (3g) (b), and 103.50 (2m) (b) (intro.) and 1. of the statutes

1 first applies to work performed on the effective date of this paragraph, except that,  
2 if that work is performed under a contract that contains provisions that are  
3 inconsistent with those sections, the treatment of those sections first applies to work  
4 performed on the day on which that contract expires or is extended, modified, or  
5 renewed, whichever occurs first.

6 (c) The treatment of sections 66.0903 (10) (c) and 103.49 (5) (c) of the statutes  
7 first applies, with respect to a request for the inspection of the payroll records for a  
8 project of public works, to a project of public works contracted for on the effective date  
9 of this paragraph.

10 (d) The treatment of sections 66.0903 (10) (am) and 103.49 (5) (am) of the  
11 statutes first applies to work performed on the effective date of this paragraph,  
12 except that, if that work is performed under a contract that contains provisions that  
13 are inconsistent with those sections, the treatment of those sections first applies to  
14 work performed on the day on which that contract expires or is extended, modified,  
15 or renewed.

16 (f) The treatment of sections 66.0903 (2) (c) and (5) (f) and (g) and 103.49 (1m)  
17 (b) and (3g) (g) and (h) of the statutes first applies to a contract for the erection,  
18 construction, remodeling, repair, or demolition of a project entered into, or extended,  
19 modified, or renewed, on the effective date of this paragraph.

20 (2q) FAILURE OR REFUSAL TO TAKE TEST FOR PRESENCE OF ILLEGAL DRUGS. The  
21 treatment of sections 108.04 (8) (b) and (13) (cm) and 108.09 (4r) of the statutes first  
22 applies with respect to weeks of unemployment beginning after the effective date of  
23 this subsection.

24 **SECTION 9355. Initial applicability; Other.**

1           (1f) TENANT PROTECTIONS IN FORECLOSURE. The treatment of sections 704.35 (3)  
2           and 846.35 of the statutes first applies to foreclosure actions that are commenced on  
3           the effective date of this subsection.

4           (2f) RENTAL AGREEMENTS REGARDING FORECLOSURE. The treatment of section  
5           704.35 (2) of the statutes first applies to rental agreements that are entered into on  
6           the effective date of this subsection.

7           **SECTION 9400. Effective dates; general.** Except as otherwise provided in  
8           SECTIONS 9401 to 9455 of this act, this act takes effect on July 1, 2011, or on the day  
9           after publication, whichever is later.

10          **SECTION 9401. Effective dates; Administration.**

11          (1) CHILD CARE FACILITIES FOR STATE EMPLOYEES. The treatment of sections 13.48  
12          (2) (b) 4., and (j), 16.841, 16.85 (1) (by SECTION 267), 20.505 (5) (ka), and 20.865 (2)  
13          (am), (gm), and (qm) of the statutes takes effect on September 1, 2011.

14          (1f) PENALTY SURCHARGE DEFICIT; REPORT. The repeal of s. 16.513 (3) (bn) takes  
15          effect on July 1, 2013.

16          (2i) ENUMERATION OF STATE BUILDING PROJECTS. The treatment of section 20.924  
17          (1) (b) (by SECTION 815i) of the statutes takes effect on July 1, 2002, or upon  
18          completion of acquisition of property sufficient for the construction of a facility to  
19          meet the space needs of the state law library, the legislative reference bureau library,  
20          and the legislative and judicial branch agencies and support staffs.

21          **SECTION 9408. Effective dates; Children and Families.**

22          (1d) REDUCTION IN CHILD'S AGE FOR CARETAKER OF NEWBORN GRANT. The treatment  
23          of section 49.148 (1m) (a) 1. of the statutes takes effect on January 1, 2012.

1           (3f) TRANSITIONAL JOBS DEMONSTRATION PROJECT. The treatment of sections  
2 49.143 (2r) and 106.14 (2) of the statutes, the repeal of section 49.162 of the statutes,  
3 and SECTIONS 3568, 3569, and 3570 of this act take effect on July 1, 2013.

4           (3i) MISCELLANEOUS WISCONSIN WORKS PARTICIPATION CHANGES. The treatment  
5 of sections 49.147 (4) (as) and (5) (bs) (by SECTION 1357), 49.148 (1) (b) 1., 1m. d., and  
6 3. and (c) (by SECTION 1361) and (4) (b), 49.1515 (title), (2), and (3), and 49.153 (1)  
7 (am), (bm), and (c) and (2) of the statutes and SECTION 9308 (4) of this act take effect  
8 on October 1, 2011.

9           (3j) TIME LIMITS UNDER WISCONSIN WORKS. The treatment of sections 49.147 (3)  
10 (c), (4) (b), and (5) (b) (intro.), 1m., 2., 2m., 3., and 4. and (bs) (by SECTION 1357f),  
11 49.148 (1) (c) (by SECTION 1361f) and (1m) (c) (intro.), and 49.151 (1) (b) of the statutes  
12 and SECTION 9308 (5i) of this act take effect on January 1, 2012.

13           (3q) WISCONSIN WORKS CASE MANAGEMENT SERVICES. The treatment of sections  
14 49.147 (2) (a) 1. and 2., (am), and (b), 49.152 (1) and (3) (a), and 49.159 (3) of the  
15 statutes takes effect on January 1, 2012.

16           **SECTION 9417. Effective dates; Financial Institutions.**

17           (1) INVESTMENT ADVISER REGISTRATION. The treatment of section 551.403 (2) (a)  
18 2. and 2m. of the statutes takes effect on October 31, 2011, or on the day after  
19 publication, whichever is later.

20           **SECTION 9421. Effective dates; Health Services.**

21           (1i) MEDICAL ASSISTANCE PROGRAM CHANGES. The treatment of sections 49.45 (8)  
22 (b) (by SECTION 1436b), (8) (c) (by SECTION 1436i), (8r) (by SECTION 1437b), (8v) (by  
23 SECTION 1437f), (18) (ac) (by SECTION 1437k), (18) (ag) (intro.) (by SECTION 1437o), (18)  
24 (b) (intro.) (by SECTION 1437r), (18) (d) (by SECTION 1437u), (23) (a) (by SECTION  
25 1438e), (23) (b) (by SECTION 1438i), (24g) (c) (by SECTION 1438m), (24s) (a) (by SECTION



1 1441bg), (25g) (c) (by SECTION 1441d), (27) (by SECTION 1441g), and (39) (b) 1. (by  
2 SECTION 1442h), 49.46 (2) (a) (intro.) (by SECTION 1453i) and (2) (b) (intro.) (by SECTION  
3 1453L), 49.465 (2) (intro.) (by SECTION 1453s), 49.47 (4) (a) (intro.) (by SECTION 1457q)  
4 and (6) (a) (intro.) (by SECTION 1459o), 49.472 (3) (intro.) (by SECTION 1461q) and (4)  
5 (b) (intro.) (by SECTION 1462h), 49.473 (2) (intro.) (by SECTION 1465p) and (5) (by  
6 SECTION 1470b) of the statutes and the repeal of sections 49.45 (2m), (3) (n), and (6m)  
7 (n), 49.46 (1) (n), 49.47 (5) (c), and 49.471 (13) of the statutes take effect on January  
8 1, 2015.

9 (4u) INCOME MAINTENANCE ADMINISTRATION. The treatment of sections 20.435 (4)  
10 (bn) (by SECTION 640m), 46.215 (1) (intro.), 46.27 (7) (am), 49.78 (1m) (a), (c), and (d),  
11 (1r), (2r), (8) (a) and (b), (10) (a) and (b), (11) (a), (b), and (c) 1., 2., and 3., 49.79 (9)  
12 (a) 1., 49.793 (1), 49.795 (8) (d) 2., 49.797 (8), and 49.825 (2) (d) 1. and 2. and (3) (a)  
13 of the statutes takes effect on January 1, 2012.

14 (5) CONGENITAL TESTING FEES; RULES. The treatment of section 253.13 (2) of the  
15 statutes and SECTION 9321 (3) of this act take effect on the first day of the 4th month  
16 beginning after publication.

17 (6q) NURSING HOME PAYMENT LABOR REGIONS. The treatment of section 49.45 (6m)  
18 (ar) 1. a. of the statutes takes effect on July 1, 2013.

19 (7) FAMILY PLANNING DEMONSTRATION PROJECT. The repeal of section 49.45 (24r)  
20 of the statutes takes effect on January 1, 2012.

21 **SECTION 9425. Effective dates; Insurance.**

22 (2f) DEPENDENT COVERAGE. The treatment of sections 49.67 (3) (am) 2. b. and  
23 632.885 (1) (a), (af), (ar), and (at), (2) (a) (intro.), 1., 2., and 3., (b) (intro.) and 2., and  
24 (c), (3), (3m), and (4) of the statutes and SECTION 9325 (2f) of this act take effect on  
25 January 1, 2012.

1           **SECTION 9432. Effective dates; Local Government.**

2           (1u) LIMITATION ON PERFORMANCE OF CONSTRUCTION PROJECTS BY LOCAL  
3 GOVERNMENTS. The creation of sections 59.52 (30), 62.15 (1d), and 66.0901 (11) of the  
4 statutes and SECTION 9332 (1u) of this act take effect on the first day of the 4th month  
5 beginning after publication.

6           **SECTION 9435. Effective dates; Natural Resources.**

7           (1i) WATER USE FEE LIMITATION. The treatment of section 281.346 (12) (a) of the  
8 statutes takes effect retroactively to January 1, 2011.

9           (1q) SOUTHEASTERN WISCONSIN FOX RIVER COMMISSION. The repeal and  
10 recreation of section 20.370 (5) (cq) of the statutes takes effect on July 1, 2013.

11           **SECTION 9437. Effective dates; Public Instruction.**

12           (1) INITIAL EDUCATOR GRANT PROGRAM. The treatment of sections 20.255 (2) (kg)  
13 and 115.405 (2m) of the statutes takes effect on July 1, 2012.

14           **SECTION 9439. Effective dates; Public Service Commission.**

15           (1q) ENERGY EFFICIENCY AND RENEWABLE RESOURCE PROGRAM SPENDING. The  
16 treatment of section 196.374 (3) (b) 2. (intro.) and a. to h. and 3. of the statutes takes  
17 effect on January 1, 2012.

18           **SECTION 9441. Effective dates; Revenue.**

19           (1) JOBS TAX CREDIT. The treatment of section 20.835 (2) (bb) of the statutes takes  
20 effect on January 1, 2012.

21           (1d) ADVERTISING AND PROMOTIONAL DIRECT MAIL. The treatment of section 77.54  
22 (59) of the statutes takes effect on July 1, 2013.

23           (2) COMBINED REPORTING ELECTION. The treatment of section 71.255 (2m) (d) of  
24 the statutes takes effect retroactively on January 1, 2009.

1           (2i) COUNTY AND MUNICIPAL AID PAYMENTS. The treatment of section 20.835 (1)  
2           (q) of the statutes and the repeal and recreation of sections 20.835 (1) (db) and 79.035  
3           (1) of the statutes take effect on December 31, 2012.

4           (2q) PRODUCTS PROVIDED FREE OF CHARGE. The renumbering and amendment of  
5           section 77.52 (21) of the statutes and the creation of section 77.52 (21) (b) of the  
6           statutes take effect on the first day of the 2nd month beginning after publication, or  
7           on September 1, 2011, whichever is later.

8           (3) MODULAR AND MANUFACTURED HOMES. The treatment of section 77.54 (5) (am)  
9           of the statutes takes effect on the first day of the 3rd month beginning after  
10          publication.

11          (3b) SNOWMAKING AND SNOWGROOMING. The treatment of section 77.54 (58) of the  
12          statutes takes effect on July 1, 2013.

13          (3u) MOIST SNUFF. The treatment of sections 139.76 (1) and 139.78 (1) of the  
14          statutes takes effect on January 1, 2012.

15          (4) VEGETABLE OIL CONVERTED TO FUEL. The treatment of section 77.54 (11m) of  
16          the statutes takes effect on the first day of the 3rd month beginning after publication.

17          (4d) STUDENT HOUSING FACILITIES PROPERTY TAX EXEMPTION. The treatment of  
18          section 70.11 (intro.) and (3m) of the statutes takes effect on January 1, 2013.

19           **SECTION 9446. Effective dates; Technical College System.**

20          (1q) FEE REMISSION. The treatment of sections 38.22 (6) (f), 38.24 (7) (a) (intro.),  
21          1., 1p., and 2., (b) (intro.), (bg), and (c) and (8) (a) (intro.), 1., 1g., 2., 3., 4., 5., and 6.,  
22          (b), (bg), and (c), and 45.03 (13) (L) and (m) of the statutes takes effect retroactively  
23          on January 1, 2010.

24           **SECTION 9448. Effective dates; Transportation.**

1           (1) CERTIFICATES OF TITLE. The treatment of sections 218.0171 (2) (c) and (cm)  
2 2., 218.23 (1), 342.13 (1), 342.15 (1) (a) and (c) and (5), 342.20 (1), 342.22 (1) (intro.)  
3 and (2), and 342.23 (2) (a) and (b) and (4) of the statutes, the renumbering and  
4 amendment of sections 342.09 (1) of the statutes, and the creation of section 342.09  
5 (1) (b) of the statutes and SECTIONS 9148 (1) and 9348 (2) of this act take effect on  
6 January 1, 2012.

7           (2) IDENTIFICATION CARD RENEWALS. The repeal and recreation of sections 343.20  
8 (2) (a) and 343.50 (4) and (6) of the statutes takes effect on July 1, 2011, on the day  
9 after publication, or on the date on which the creation of section 343.165 of the  
10 statutes by 2007 Wisconsin Act 20 takes effect, whichever is latest.

11           (4) REAL ID NONCOMPLIANT OPERATOR'S LICENSES AND IDENTIFICATION CARDS. The  
12 treatment of sections 343.03 (3r), 343.06 (1) (L), 343.10 (7) (d), 343.11 (3) (by SECTION  
13 3150), 343.14 (3) and (3m), 343.165 (1) (intro.), (2), (3) (a), (4) (a), (c), and (d), (5), and  
14 (7), and 343.17 (3) (a) 2. and 14. of the statutes and the repeal and recreation of  
15 sections 343.17 (5) and 343.50 (1), (3), and (4g) of the statutes take effect on July 1,  
16 2011, on the day after publication, or on the date on which the creation of section  
17 343.165 of the statutes by 2007 Wisconsin Act 20 takes effect, whichever is latest.

18           (6g) SOUTHEAST WISCONSIN FREEWAY FUNDING. Section 9148 (7f) of this act takes  
19 effect on the day after publication, or retroactively to June 30, 2011, whichever is  
20 earlier.

21           (6u) TRANSIT AUTHORITIES.

22           (a) The treatment of sections 59.58 (7) (e) (intro.), (i), and (j) and 66.1039 (4) (s)  
23 1. of the statutes, the renumbering of section 77.9973 of the statutes, and the creation  
24 of sections 77.708 (3) and 77.9973 (2) of the statutes and SECTION 9148 (3u) (c) of this  
25 act take effect on the 10th day after the day of publication.

1 (b) The treatment of sections 20.566 (1) (gc) and (gh), 20.835 (4) (gc) and (gh),  
2 32.02 (11), 32.05 (1) (a), 32.07 (2), 40.02 (28), 59.58 (6), 66.0301 (1) (a) (by Section  
3 1720b), 66.0903 (1) (d), 67.01 (5), 70.11 (2), 71.05 (1) (c) 9., 71.26 (1) (b), 71.26 (1m)  
4 (j), 71.45 (1t) (j), chapter 77 (title) (by Section 2177m), 77.54 (9a) (er), subchapter V  
5 (title) of chapter 77, 77.71, 77.73 (2) and (3), 77.75, 77.76 (1), (2), (3r), (4), and (5),  
6 77.77 (1) and (3), 77.78, subchapter XIII (title) of chapter 77, 77.9971, 77.9972,  
7 85.062 (3) (c), 85.063 (3) (b) 1., 85.064 (1) (b), 111.70 (1) (j), 345.05 (1) (ag), 345.05 (2),  
8 and 611.11 (4) (a) of the statutes, the repeal of sections 59.58 (7), 66.1039, 77.708, and  
9 77.9973 of the statutes, and SECTIONS 3567m and 9148 (3u) (a) and (b) take effect on  
10 the 90th day after the day of publication.

11 **SECTION 9452. Effective dates; University of Wisconsin System.**

12 (1d) UNIVERSITY OF WISCONSIN. The treatment of sections 16.705 (1r) (d) and (e),  
13 (2), (3) (intro.), and (8) (intro.), 16.71 (1m) (by SECTION 241f) and (4), 16.72 (8), 16.73  
14 (5), 16.78 (1), 16.993 (7), 19.42 (13) (b), (c), and (cm), 19.45 (11) (a) and (b), 20.865 (1)  
15 (c), (ci), (i), (ic), (s), and (si), 20.916 (10), 20.923 (4g), (5), (6) (Lm) and (m), (14) (b), (15)  
16 (b), and (16), 36.09 (1) (e), (i), (j), and (k), 36.15 (2), 36.30, 36.52, 40.02 (30), 111.335  
17 (1) (cv), 111.81 (7) (ar) and (at), 111.815 (1) and (2), 111.825 (1r), (1t), (2) (a), (b), (c),  
18 (f), (g), (h), and (i), (3), (3m), (4), (6), and (7), 111.83 (5) (a), (b), and (c), 111.84 (2) (c),  
19 111.91 (4), 111.93 (2) and (3), 111.935 (2), 230.01 (1), 230.03 (3), (6), (6m), (10h), and  
20 (13), 230.08 (2) (cm), (d), (dm), and (k), 230.10 (2), 230.12 (1) (a) 1. b. and (3) (e) (title)  
21 and 1., and 230.34 (1) (ar) of the statutes, the repeal of sections 36.58 (5) and 230.143  
22 (1) and (2) of the statutes, the renumbering of sections 111.83 (7) and 111.85 (5) of the  
23 statutes, the renumbering and amendment of sections 16.417 (2) (f), 16.75 (1) (b) and  
24 (2m) (b), 111.92 (1) (a), and 230.143 (intro.) of the statutes, the creation of sections  
25 16.417 (2) (f) 2., 16.75 (1) (b) 2. and (2m) (b) 2., 111.83 (7) (b), 111.85 (5) (b), and 111.92

1 (1) (a) 2. and 3. of the statutes, and SECTIONS 9152 (1c) and 9301 (3f) of this act take  
2 effect on July 1, 2013.

3 (1q) FEE REMISSION. The treatment of section 36.27 (3n) (a) (intro.), 1., 1g., and  
4 2., and (bg) and (3p) (a) (intro.), 1., 1g., 1m., 2., 3., 4., 5., and 6. and (bg) of the statutes  
5 takes effect retroactively on January 1, 2010.

6 **SECTION 9453. Effective dates; Veterans Affairs.**

7 (1j) FISCAL CHANGES. SECTION 9253 (1j) of this act takes effect on the day after  
8 publication or retroactively to June 30, 2011, whichever is earlier.

9 **SECTION 9455. Effective dates; Other.**

10 (1) DUAL EMPLOYMENT. The repeal and recreation of section 16.417 (1) (a) of the  
11 statutes takes effect on January 1, 2012.

12 (2u) CAPITOL SECURITY COSTS. The treatment of section 20.865 (4) (a) (by SECTION  
13 778n) of the statutes takes effect on July 1, 2013.

14 (END)