



## 2011 ASSEMBLY BILL 40

March 1, 2011 – Introduced by JOINT COMMITTEE ON FINANCE. Referred to Joint Committee on Finance. Referred to Joint Survey Committee on Tax Exemptions.

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

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### *Analysis by the Legislative Reference Bureau*

#### INTRODUCTION

This bill is the “executive budget bill” under section 16.47 (1) of the statutes. It contains the governor’s recommendations for appropriations for the 2011–2013 fiscal biennium.

The bill repeals and recreates the appropriation schedule in chapter 20 of the statutes, thereby setting the appropriation levels for the 2011–2013 fiscal biennium. The descriptions that follow relate to the most significant changes in the law that are proposed in the bill. In most cases, changes in the amounts of existing spending authority and changes in the amounts of bonding authority under existing bonding programs are not discussed.

For additional information concerning this bill, see the Department of Administration’s publication *Budget in Brief* and the executive budget books, the Legislative Fiscal Bureau’s summary document, and the Legislative Reference Bureau’s drafting files, which contain separate drafts on each policy item. In most cases, the policy item drafts contain a more detailed analysis than is printed with this bill.

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#### GUIDE TO THE BILL

As is the case for all other bills, the sections of the budget bill that affect statutes are organized in ascending numerical order of the statutes affected.

**ASSEMBLY BILL 40**

Treatments of prior session laws (styled “laws of [year], chapter ...” from 1848 to 1981, and “[year] Wisconsin Act ...” beginning with 1983) are displayed next by year of original enactment and by act number.

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

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

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

- XX01 Administration.**
- XX02 Aging and Long-Term Care Board.**
- XX03 Agriculture, Trade and Consumer Protection.**
- XX04 Arts Board.**
- XX05 Board for People with Developmental Disabilities.**
- XX06 Building Commission.**
- XX07 Child Abuse and Neglect Prevention Board.**
- XX08 Children and Families.**
- XX09 Circuit Courts.**
- XX10 Commerce.**
- XX11 Corrections.**
- XX12 Court of Appeals.**
- XX13 District Attorneys.**
- XX14 Educational Communications Board.**
- XX15 Employee Trust Funds.**
- XX16 Employment Relations Commission.**
- XX17 Financial Institutions.**
- XX18 Government Accountability Board.**
- XX19 Governor.**
- XX20 Health and Educational Facilities Authority.**
- XX21 Health Services.**
- XX22 Higher Educational Aids Board.**
- XX23 Historical Society.**
- XX24 Housing and Economic Development Authority.**
- XX25 Insurance.**
- XX26 Investment Board.**
- XX27 Joint Committee on Finance.**
- XX28 Judicial Commission.**
- XX29 Justice.**
- XX30 Legislature.**

**ASSEMBLY BILL 40**

- XX31 Lieutenant Governor.**
- XX32 Local Government.**
- XX33 Medical College of Wisconsin.**
- XX34 Military Affairs.**
- XX35 Natural Resources.**
- XX36 Public Defender Board.**
- XX37 Public Instruction.**
- XX38 Public Lands, Board of Commissioners of.**
- XX39 Public Service Commission.**
- XX40 Regulation and Licensing.**
- XX41 Revenue.**
- XX42 Secretary of State.**
- XX43 State Employment Relations, Office of.**
- XX44 State Fair Park Board.**
- XX45 Supreme Court.**
- XX46 Technical College System.**
- XX47 Tourism.**
- XX48 Transportation.**
- XX49 Treasurer.**
- XX50 University of Wisconsin Hospitals and Clinics Authority.**
- XX51 University of Wisconsin Hospitals and Clinics Board.**
- XX52 University of Wisconsin System.**
- XX53 Veterans Affairs.**
- XX54 Workforce Development.**
- XX55 Other.**

For example, for general nonstatutory provisions relating to the State Historical Society, see SECTION 9123. For any agency that is not assigned a two-digit identification number and that is attached to another agency, see the number of the latter agency. For any other agency not assigned a two-digit identification number or any provision that does not relate to the functions of a particular agency, see number “55” (**Other**) within each type of provision.

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

Following is a list of the most commonly used abbreviations appearing in the analysis.

- DATCP . . . Department of Agriculture, Trade and Consumer Protection
- DCF . . . . . Department of Children and Families
- DETF . . . . . Department of Employee Trust Funds
- DFI . . . . . Department of Financial Institutions
- DHS . . . . . Department of Health Services

**ASSEMBLY BILL 40**

DMA . . . . . Department of Military Affairs  
 DNR . . . . . Department of Natural Resources  
 DOA . . . . . Department of Administration  
 DOC . . . . . Department of Corrections  
 DOJ . . . . . Department of Justice  
 DOR . . . . . Department of Revenue  
 DOT . . . . . Department of Transportation  
 DPI . . . . . Department of Public Instruction  
 DRL . . . . . Department of Regulation and Licensing  
 DSPS . . . . . Department of Safety and Professional Services  
 DVA . . . . . Department of Veterans Affairs  
 DWD . . . . . Department of Workforce Development  
 JCF . . . . . Joint Committee on Finance  
 OCI . . . . . Office of the Commissioner of Insurance  
 PSC . . . . . Public Service Commission  
 UW . . . . . University of Wisconsin  
 WEDC . . . . . Wisconsin Economic Development Corporation  
 WHEDA . . . . . Wisconsin Housing and Economic Development Authority  
 WHEFA . . . . . Wisconsin Health and Educational Facilities Authority

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**AGRICULTURE**

Under current law, a farmer may qualify for the farmland preservation tax credit if the farmland is located in a farmland preservation zoning district. Also under current law, a political subdivision may not rezone land out of a farmland preservation zoning district unless the person who requested the rezoning pays a conversion fee equal to the number of acres rezoned multiplied by three times the per acre value of the highest value of cropland in the area, as determined for the purposes of use value assessment. This bill eliminates the requirement that a person who requests that land be rezoned out of a farmland preservation zoning district pay a conversion fee.

Under current law, DATCP administers a program under which it, in conjunction with local governments and nonprofit conservation organizations, purchases agricultural conservation easements from willing landowners. An agricultural conservation easement requires that land covered by the easement be kept in agricultural use. This bill eliminates this program.

Current law requires DATCP to promote the consumption of locally produced foods and to improve the distribution of foods for local consumption. DATCP also awards grants for projects designed to increase the local sale of food grown in this state. This bill eliminates these provisions.

Under current law, DATCP awards grants for land and water resource management projects. This bill increases the general obligation bonding authority for these grants by \$7,000,000.

**ASSEMBLY BILL 40****COMMERCE AND ECONOMIC DEVELOPMENT****ECONOMIC DEVELOPMENT**

Currently, the Department of Commerce (Commerce) administers, or assists in administering, programs intended to promote economic development in this state. Generally, the programs provide assistance in the form of grants, loans, or tax benefits to persons who meet specified eligibility requirements. With certain exceptions, the bill eliminates current programs that provide grants and loans, and transfers Commerce's duties under programs that provide tax benefits to the Wisconsin Economic Development Corporation (WEDC) created in 2011 Wisconsin Act 7.

***Grant and loan programs***

With limited exceptions, the bill eliminates all current economic development grant and loan programs administered by Commerce, including grants to Wisconsin Business Development Finance Corporation for a capital access program; grants and loans to a business or researcher for projects generally related to renewable energy; loans to manufacturing businesses for projects generally related to energy efficiency and renewable energy; grants and loans to businesses for diversifying a local economy; grants and loans for improving the profitability of businesses negatively impacted by a casino; grants to the city of Milwaukee to fund remediation and redevelopment projects in the Menomonee Valley; grants to the Center for Advanced Technology and Innovation; grants to businesses for employee skills training or other education; grants to businesses for expenses in hiring students as paid interns; and grants and loans to businesses, municipalities, and other entities for encouraging minority businesses and businesses in economically distressed areas, and for strengthening urban and rural communities.

Commerce currently awards grants to businesses for innovation and research assistance and awards grants to the Women's Business Initiative Corporation (WBIC). The bill transfers administration of these grants to DSPS, formerly called DRL.

***Tax incentives***

Current law provides tax incentives for conducting certain business activities in the state; Commerce's role is generally to certify that a business meets specified eligibility requirements. The bill transfers Commerce's role in administering most tax incentives to WEDC, including electronic medical records credit; angel investment tax credits; early stage seed investment credit; and jobs credit. The bill transfers Commerce's duties under the film production credit to the Department of Tourism and transfers Commerce's duties under the dairy manufacturing facility investment credit to DATCP.

Currently, Commerce may certify a person as eligible for the jobs tax credit if the person increases net employment in the person's business and one of the following applies: 1) an employee for whom the person claims the credit earns at least \$20,000 or \$30,000 (depending on the classification of the community where the employee is located) but not more than \$100,000 per year; or 2) the person improves employee skills, trains an employee in new technologies, or provides training to an

**ASSEMBLY BILL 40**

employee in his or her first full-time job. The bill provides that WEDC may certify a person for the jobs tax credit if the person conducts training as described above or increases net employment in the person's business, without regard to the salary of the employee for whom the credit is claimed.

Current law also provides tax incentives for projects that create jobs, make capital investments, train employees, or establish or retain corporate headquarters in areas of the state (development zones) that meet specified criteria and Commerce has designated, or that have been designated, by Commerce or by law. The bill transfers Commerce's duties under these development zone programs to WEDC and deletes a current provision authorizing the designation of a business incubator as a development zone.

The bill directs WEDC to award annual grants up to \$100,000 to regional economic development agencies to fund marketing activities.

***Other economic development duties***

Currently, Commerce's Office of Regulatory Assistance must generally help businesses to obtain permits, licenses, and approvals necessary to operate a business in this state. The bill eliminates the Office of Regulatory Assistance.

Current law requires Commerce to facilitate arrangements between investors of venture capital and entrepreneurs seeking to obtain venture capital. Commerce must also develop programs in metropolitan areas for supporting persons who arrange venture capital for entrepreneurs. The bill repeals these requirements.

Current law requires Commerce to enter into an agreement with a recipient of a grant, loan, or specified tax incentives (incentive) that requires the recipient to repay the incentive if, within five years, the recipient ceases to conduct in this state the economic activity for which the incentive was provided and commences substantially the same economic activity outside the state. The bill transfers this requirement to WEDC.

The bill deletes the current State Main Street Program, which generally requires Commerce to assist municipalities with programs to revitalize local, downtown business areas.

The bill eliminates the Small Business Environmental Council, which generally assists small businesses in complying with federal and state laws regulating air and water pollution.

Under current law, Commerce administers programs to certify disabled veteran-owned businesses, woman-owned businesses, and minority businesses that are designed to promote such Wisconsin businesses. A business certified under one of these programs may be eligible to receive certain benefits including advantages bidding on public projects. This bill transfers the administration of those certifications to DSPS.

Under current law, WHEFA may issue a bond to finance certain projects undertaken by a participating health or research institution or educational facility, or refinance the debt of a participating institution, and may engage in other contractual relations with participating institutions incident to its project financing or debt refinancing. This bill specifies that WHEFA may also contract with an affiliate entity that controls, is controlled by, or is under common control with, an

**ASSEMBLY BILL 40**

entity organized under the laws of Wisconsin or authorized by Wisconsin law to provide or operate certain facilities. The bill also authorizes WHEFA to issue a bond for a project located outside of Wisconsin if that project includes a substantial component located in Wisconsin, as determined by WHEFA's executive director.

**BUILDINGS AND SAFETY**

Under current law, Commerce administers various laws, including laws that promote safety in public and private buildings and in the subsystems of those buildings, including building codes. Commerce issues various licenses, permits, registrations, and other credentials (licenses) to persons engaged in occupations regulated by Commerce, such as electricians and plumbers, and in connection with the administration of other laws relating to public health and safety such as those regulating private sewage systems, fireworks, and the storage of flammable liquids. This bill transfers these functions to DSPS.

**FINANCIAL INSTITUTIONS**

Under current law, a person may apply to be a notary public to the Office of the Secretary of State (OSOS). If OSOS determines that the applicant is qualified, OSOS issues a certificate of appointment as a notary public. This bill transfers notary public functions from the OSOS to DFI.

Under current law, a person may file for state trademark or service mark registration with OSOS. If applicable requirements are met, OSOS issues a certificate of registration of the mark. This bill transfers these trademark functions from OSOS to DFI.

Under current law, a person cannot transact business in this state as an investment adviser unless the person registers with DFI or is exempt from registration. This bill eliminates registration exemptions for entities of institutional character with assets of more than \$10,000,000 and for private business development companies, trusts with assets of more than \$5,000,000, and entities in which all of the equity owners are accredited investors.

**HOUSING**

Under current law, Commerce makes grants and loans to defray housing costs for persons and families of low and moderate income; awards grants to various entities to support independent living of, mental health services to, and shelter for, homeless persons; awards grants to supplement the operating budgets of administers housing programs funded by federal block grants and other federal moneys; and administers a program to transfer surplus state-owned real estate. The bill transfers Commerce's duties under these programs to WHEDA, except that the bill eliminates the program for the transfer of surplus state-owned real estate.

Under current law, Commerce must prepare and annually update a state housing strategy plan to inform review of bills and rules affecting housing and generally guide WHEDA's housing-related activities. The bill transfers Commerce's duties related to the plan to WHEDA.

**OTHER COMMERCE**

Commerce currently may contract with the Board of Regents of the UW System for services to assess and educate businesses regarding hazardous substances and

**ASSEMBLY BILL 40**

waste, and must work with DNR to promote pollution prevention among businesses in the state. The bill deletes these provisions.

Currently, Commerce must prepare a report on any introduced bill, which is printed as an appendix to the bill, that directly or substantially affects the development, construction, cost, or availability of housing in the state and must prepare a similar report on any proposed rule that directly or substantially affects the development, construction, cost, or availability of housing in the state. The bill transfers Commerce's duties with respect to bills to WHEDA and repeals Commerce's duties with respect to proposed rules.

**CORRECTIONAL SYSTEM****ADULT CORRECTIONAL SYSTEM**

The 2009–11 biennial budget act (Act 28) made several changes to the adult correctional system, most of which took effect on October 1, 2009. Before the effective date of these provisions (pre-Act 28), a person who was imprisoned for a felony committed before December 31, 1999, could petition the parole commission in DOC to be released to parole after the person served 25 percent of his or her sentence, or six months, whichever was greater. The parole commission determined whether, and under what conditions, the person should be released to parole. A person who committed a felony on or after December 31, 1999, was sentenced to a bifurcated sentence, with the first portion of the sentence served in confinement and the second portion served under extended supervision in the community. A person serving a bifurcated sentence was generally required to serve the entire confinement portion of his or her sentence, which could be extended for violation of a prison regulation, before being released to extended supervision. If a person's confinement portion was extended for a prison regulation violation, his or her extended supervision portion had to be reduced so that the total length of the person's sentence remained unchanged.

The law pre-Act 28 allowed a person serving a bifurcated sentence for certain felonies to petition the sentencing court to adjust his or her sentence and release the person from prison to extended supervision if he or she had served 85 percent (for Class C to Class E felonies) or 75 percent (for Class F to Class I felonies) of the confinement portion of the sentence. If a person's confinement portion was reduced by the sentencing court, his or her extended supervision portion had to be extended so that the total length of the person's sentence remained unchanged. The law pre-Act 28 required a person released to extended supervision to serve his or her entire sentence before extended supervision terminated.

Most persons incarcerated for a Class C to Class I felony may earn "positive adjustment time" toward early release from confinement. Current law allows DOC to release a person to extended supervision when he or she serves his entire period of confinement, minus "positive adjustment time" earned, subject to court review. If a person's period of confinement is reduced by "positive adjustment time," his or her period of extended supervision is increased so that the length of the sentence does not change. Also under current law, the sentencing court may, at the time of sentencing, order a person to serve a risk reduction sentence making the person eligible for early release to extended supervision under certain circumstances.



**ASSEMBLY BILL 40**

Generally, pre-Act 28, a person who had committed a felony could petition the sentencing court for release to extended supervision if the person had a terminal condition, reached age 65 after serving at least five years of the confinement portion of the sentence, or reached age 60 after serving at least ten years of the confinement portion of the sentence. Under current law, a person with any serious health condition may file such a petition with ERRC instead of the sentencing court. In addition, DOC may release to extended supervision any person serving the confinement portion of a bifurcated sentence if the person is not confined following a violent offense and other conditions are satisfied. If DOC releases a person, his or her term of extended supervision must be extended by the length of time he or she was originally sentenced to confinement so that the total length of the sentence does not change.

Pre-Act 28, if a person sentenced to a bifurcated sentence violated any condition of his or her release to extended supervision, the person's extended supervision was revoked and he or she was returned to prison for a period of time determined by the court that convicted the person not to exceed the time remaining on the person's bifurcated sentence. Under current law, DOA's Division of Hearings and Appeals or DOC determines how long to imprison the person whose extended supervision is revoked not to exceed the time remaining on his or her bifurcated sentence.

This bill eliminates "positive adjustment time" and risk reduction sentences, restores the parole commission, eliminates the ERRC, and returns the sentencing provisions and most of the provisions relating to early release from confinement to pre-Act 28 law. Under the bill, a person may petition the sentencing court for release to extended supervision for the remaining term of his or her sentence if the person has an extraordinary health condition, reaches age 65 after serving at least five years of his or her term of confinement portion, or reaches age 60 after serving at least ten years of his or her term of confinement portion.

Under the bill, a person sentenced after October 1, 2009, but before the effective date of the bill, and who earned positive adjustment time during that period may petition the sentencing court for an early release to extended supervision. If the sentencing court agrees to reduce the confinement portion of the person's sentence by the number of positive adjustment time days he or she earned, the sentencing court must increase the term of extended supervision by the same number of days. Under the bill, a person who was sentenced to a risk reduction sentence after October 1, 2009, but before the effective date of the bill and who complied with the program plan developed by DOC may be released to extended supervision after he or she serves at least 75 percent of the confinement portion of his or her sentence.

**JUVENILE CORRECTIONAL SYSTEM**

Under current law, DOC must allocate various state and federal moneys to counties to pay for state-provided juvenile correctional services and local delinquency-related and juvenile justice services. DOC charges counties for the costs of services provided by DOC according to per person daily cost assessments specified by law (the "daily rate").

**ASSEMBLY BILL 40**

This bill increases the daily rates for care in a juvenile correctional facility and for care for juveniles transferred from a juvenile correctional institution and decreases the daily rates for corrective sanctions and after care services. The bill eliminates the statutory daily rates for care for juveniles in a residential care center for children and youth, group home, or foster home, and instead provides that the daily rate is the amount the provider of that care charges DOC.

This bill also decreases by 10 percent from the 2009–11 fiscal biennium the total amounts that DOC must allocate to counties for state–provided juvenile correctional services and local delinquency–related and juvenile justice services in the 2011–13 fiscal biennium.

Under current law, sum certain amounts are appropriated to DOC for juvenile correctional services, juvenile residential aftercare services, and juvenile corrective sanctions services. This bill provides that, if there is a deficit in the juvenile correctional services appropriation account at the end of a fiscal year, certain unencumbered balances in the juvenile residential aftercare services and juvenile corrective sanctions services appropriation accounts, up to the amount of the deficit and less any amounts required to be remitted to counties or deposited in the general fund, are transferred to the juvenile correctional services appropriation account.

**COURTS AND PROCEDURE****CIRCUIT COURTS**

Under current law, with a few exceptions, a person who files a civil action, a small claims action, or a wage garnishment action, or against whom a civil forfeiture is assessed pays a \$21.50 justice information surcharge. Of that amount, some moneys remain in the general fund and some moneys are credited for certain specific purposes.

Under the bill, \$700,000 of the moneys from the justice information surcharge remain in the general fund. The balance is credited to an appropriation account and DOA is required to transfer the balance to various agencies for the following purposes: to provide grants for law enforcement officers; to fund child advocacy centers; to provide victim notification services; to pay for court interpreters; to pay for assistant district attorney positions; to fund state and local information and technology and administrative costs associated with traffic stop data collection; to administer an interoperable public safety communications system; and to administer an automated justice information system.

The bill eliminates the funding for the OJA to gather and analyze statistics and for the provision of civil legal services to indigent persons; and requires district attorney offices to work with the Office of State Employment Relations to allocate the money transferred for assistant district attorneys.

**EDUCATION****PRIMARY AND SECONDARY EDUCATION**

Under current law, each school district must hold school for 180 days each school term and must schedule at least 437 hours of direct pupil instruction in kindergarten, at least 1,050 hours of direct pupil instruction in grades one to six, and at least 1,137 hours of direct pupil instruction in grades seven to twelve. With some

**ASSEMBLY BILL 40**

exceptions, the state superintendent of public instruction must withhold state aid from a school district if the school district fails to hold school for 180 days.

This bill eliminates the requirement that a school district hold school for 180 days each year and requires the state superintendent to withhold state aid from a school district that fails to provide the hours of direct pupil instruction specified above.

Under current law, the board of Milwaukee Public Schools determines the school calendar and vacation periods for the regular day school period each school year, but may not schedule more than 200 teaching days in that period in any school year. This bill eliminates the requirement that no more than 200 teaching days be scheduled in the regular day school period.

Current law generally limits the increase in the total amount of revenue per pupil that a school district may receive from general school aids and property taxes in a school year to the amount of revenue increase allowed per pupil in the previous school year increased by the percentage change in the Consumer Price Index. In the 2011–12 school year, the increase is limited to \$275 and in the 2012–13 school year to the percentage change in the Consumer Price Index. This bill reduces the revenue limit for all school districts by 5.5 percent in the 2011–12 school year. For the 2012–13 school year, a school district may not increase its per pupil revenues above the amount it received in the 2011–12 school year.

Current law exempts a school district from the revenue limit if its per pupil revenue is less than a statutory revenue ceiling, which is set at \$9,000 in 2010–11 and \$9,800 thereafter. This bill decreases the per pupil revenue ceiling to \$8,900 for the 2011–12 school year and for any subsequent school year.

Current law provides that, if a school district's revenue limit, as calculated before any adjustments, is less than the district's base revenue from the previous school year, the district's initial revenue limit is set at the prior year's base revenue. This bill eliminates this provision.

Current law permits a school board to increase its revenue limits by the amount spent by the school district in the second previous school year to pay the salary and fringe benefit costs of school nurses, by the costs of school safety equipment and the compensation costs of security officers, and for pupil transportation costs. This bill eliminates these revenue limit adjustments.

Effective July 1, 2012, this bill eliminates a number of categorical school aid programs, including the Preschool to Grade 5 Program; grants for alcohol and other drug abuse prevention and intervention programs; the Children at Risk Program; grants for nursing services; supplemental aid; grants for advanced placement courses; grants for English instruction for Southeast Asian children; grants for science, technology, engineering, and mathematics (STEM) programs; grants to Milwaukee Public Schools for improving pupil academic achievement; and grants for alternative education programs.

Under current law, each school year a school district is guaranteed an amount of general state aid equal to at least 85 percent of the amount it received in the previous school year. This bill guarantees a school district in the 2011–12 school year

**ASSEMBLY BILL 40**

an amount equal to at least 90 percent of the amount it received in the 2010–11 school year. The percentage reverts to 85 percent in each school year thereafter.

Under the Milwaukee Parental Choice Program (MPCP), a pupil who resides in the city of Milwaukee may attend a participating private school (MPCP school) in the city at state expense if, among other requirements, the pupil is a member of a family that has a total family income that does not exceed 175 percent of the federal poverty level. A pupil attending an MPCP school whose family income increases up to not more than 220 percent of the poverty level may continue to attend the school under the MPCP.

This bill eliminates the family income requirement for a pupil who wishes to attend an MPCP school beginning in the 2011–12 school year if the pupil did not attend an MPCP school in the 2010–11 school year. Also under the bill, an MPCP school may charge tuition and fees to a pupil admitted under the MPCP over and above the payment the private school receives for the pupil from the state, but only if the pupil's family income does not exceed 325 percent of the poverty level.

Under current law, only private schools located in the city of Milwaukee may participate in the MPCP and the number of pupils who may attend a private school under the MPCP is capped at 22,500. This bill provides that any private school located in Milwaukee County may participate in the MPCP and eliminates the cap.

Under current law, MPCP schools must annually administer examinations approved by the state superintendent to pupils attending the school under MPCP and enrolled in grades four, eight, and ten and examinations in reading and mathematics required under the federal No Child Left Behind Act to pupils enrolled in grades three to eight and grade ten. This bill requires, instead, that MPCP schools annually administer a nationally normed standardized test in reading, mathematics, and science to pupils attending the school under the MPCP and enrolled in grades four, eight, and ten.

Under current law MPCP schools must annually submit to DPI evidence of sound fiscal practices and financial viability, as prescribed by DPI by rule. This bill establishes circumstances that would indicate that an MPCP school does not possess sound fiscal practices or the financial ability to continue educational programming operations.

This bill requires DPI to notify each MPCP school, and the parents and guardians of pupils attending a private school under the MPCP, of any changes to the MPCP prior to the school year in which the change is to take effect.

Generally, under current law the state pays MPCP schools the lesser of the private school's educational costs per pupil or the sum of the amount paid per pupil in the previous school year increased by the percentage change in the amount of general state school aids. However, for the 2009–10 and 2010–11 school years, the state's per pupil payment is equal to the lesser of the private school's educational costs per pupil or \$6,442. This bill extends this payment exception through the 2012–13 school year.

Under current law, school boards may enter into contracts with individuals, groups, businesses, or governmental bodies to establish charter schools, which operate with fewer constraints than traditional public schools. Current law also

**ASSEMBLY BILL 40**

permits UW–Milwaukee, UW–Parkside, the Milwaukee Area Technical College, and the city of Milwaukee to operate charter schools (independent charter schools) directly or to contract for the operation of charter schools. Currently, and through the 2010–11 school year, the operator of an independent charter school receives per pupil state aid in an amount equal to the amount paid per pupil in the previous school year, increased by an amount that is tied to the increase in the per pupil state aid received by an MPCP school. Under current law, beginning in the 2011–12 school year, the per pupil payment made to independent charter schools is tied to the per pupil revenue limit adjustment for public schools. Under this bill, the per pupil payment to independent charter schools through the 2012–13 school year remains tied to the method for determining the per pupil payment received by an MPCP school.

This bill allows any four–year institution within the UW System to operate or contract for the operation of a charter school with the approval of the Board of Regents. The bill also allows the UW–Madison to operate or contract for the operation of a charter school.

Currently, if UW–Milwaukee establishes a charter school, it must be located in the city of Milwaukee. UW–Parkside may establish only one charter school and it must be located in the Racine school district or in an adjacent county, it may not enroll more than 480 pupils, and it may not operate high school grades. This bill eliminates all of these restrictions.

Currently, the Racine school district receives additional state aid if UW–Parkside establishes a charter school. This bill eliminates this payment.

Currently, any person who seeks to teach in a public school, including a charter school, must hold a license or permit issued by DPI. This bill exempts teachers in independent charter schools from this requirement and instead requires such a teacher to have a bachelor’s degree from an accredited institution of higher education.

Under current law, state aid to independent charter schools is funded by a reduction in general school aid, applied on a prorated basis to all school districts. Beginning in the 2011–12 school year, instead of reducing general school aid by the amount of charter school aid paid in the same school year, general school aid is reduced by the amount of charter school aid paid in the 2010–11 school year. This bill eliminates this cap on the reduction in general school aid.

This bill prohibits a school board from requiring, as a condition of employment, that a teacher reside within the school district.

Current law requires that each school district employ a reading specialist to develop and coordinate a comprehensive reading curriculum. This bill eliminates this requirement.

Under current law, moneys are appropriated from the normal school fund to DPI for an environmental education consultant. This bill eliminates this appropriation.

Under current law, DPI must award to each person employing an initial educator a grant for providing a mentor for the initial educator. This bill eliminates the initial educator grant program beginning in the 2012–13 fiscal year.

**ASSEMBLY BILL 40**

Under current law, the Indoor Environmental Quality in Schools Task Force must make recommendations to DPI for the development of a model management plan for maintaining indoor environmental quality in public and private schools. DPI must, in turn, establish a model management plan and practices. Each school board and the governing body of each MPCP school must implement such a plan.

This bill eliminates the requirement that DPI establish a model management plan and practices and also the requirements that each school board and the governing body of each MPCP school implement such a plan.

Current law directs DPI to award grants to nonprofit organizations, cooperative educational service agencies, and the Milwaukee Public Schools for gifted and talented pupils.

This bill allows DPI to award grants to the UW–Madison as well, but requires that all grants must provide services and activities not ordinarily provided in a regular school program to allow gifted and talented pupils to fully develop their capabilities.

Under current law, no more than 5,250 pupils may attend virtual charter schools under the Open Enrollment Program (OEP) in any school year. This bill eliminates this limit.

Under the OEP, a pupil may apply to attend a public school in a school district other than the pupil's resident school district (nonresident school district) if certain conditions are met. Current law establishes a time line for filing and processing an application under the OEP. An application to attend a school in a nonresident school district is due between the first Monday in February and the third Friday following the first Monday in February and the resident and nonresident school boards must take certain actions to review and accept or reject the application within a specified time period. By June 30, the nonresident school board must report the name of each pupil accepted under the OEP to the pupil's resident school board.

This bill extends the time line for filing and processing applications under the OEP. Under the new time line, an application is due between the first Monday in February and the last weekday in April. The pupil must inform the nonresident school board whether he or she will attend a school in the nonresident school district by the last Friday in June. By July 7, the nonresident school board must report the name of each pupil accepted under the OEP to the pupil's resident school board. The bill requires a resident school district to provide to a nonresident school district records pertaining to disciplinary proceedings involving a pupil who has applied under the OEP.

The bill also requires the resident school district to forward a copy of the individualized education program (IEP) prepared for a child with a disability who applies to the nonresident district under the OEP. If the resident school district fails to comply with this requirement, the nonresident school district may charge the resident school district for any actual, additional costs incurred by the school district to provide the special education and related services to the child. The nonresident school district must prepare an estimate of the costs to implement an IEP prepared for a child with a disability who applies to the nonresident school district, and to provide the resident school district with a copy of the estimate. If the nonresident

**ASSEMBLY BILL 40**

school district fails to provide the information, the nonresident school district may not charge the resident school district for the costs to provide the special education and related services to the child.

The bill also creates an alternative application process, with a separate time line, under the OEP for a pupil who satisfies one of the following criteria: 1) the pupil has been the victim of a violent criminal offense; 2) the pupil is or has been a homeless pupil; 3) the pupil has been the victim of repeated bullying or harassment; 4) the place of residence of the pupil's parent or guardian and of the pupil has changed as a result of military orders; 5) the pupil has moved into this state; 6) the place of residence of the pupil has changed as a result of a court order or custody agreement or placement in or removal from a foster home; or 7) the parent of the pupil and the nonresident school board agree that attending school in the nonresident school district is in the best interests of the pupil.

A nonresident school district that receives an application under the alternative time line must immediately forward a copy to the resident school board and must notify the applicant, in writing, whether it has accepted the application no later than 20 days after receiving it.

This bill permits a school district to increase the revenue limit applicable to the school by the amount of any reduction to the school district's payment from DPI in the previous year for a pupil who was not included in the calculation of the number of pupils enrolled in that school district in the previous year.

Current law generally requires a school district to provide transportation to and from school for a pupil attending a private school that is located at least two miles from the pupil's residence. If the estimated cost of transporting a pupil to a private school is more than 1.5 times the school district's average cost per pupil for bus transportation, the school board may contract with the pupil's parent or guardian. Except in a first class city school district (currently, only the Milwaukee Public Schools), the contract must provide for an annual payment for each pupil. In a first class city school district, if two or more pupils reside in the same household and attend the same private school, the contract may provide for a total annual payment of the amount described above for all of the pupils instead of for each of the pupils. This bill extends this provision to all school districts.

Under current law, no school bus driver, school district employee, or volunteer may administer medications, including prescription and nonprescription drug products, unless the person has received training approved by DPI. This bill eliminates the requirement that DPI approve the training.

Under current law, a school nurse is defined to mean a registered nurse licensed either under state law or in a party state under the Nurse Licensure Compact who also meets qualifications established by DPI by rule. This bill eliminates the requirement that a school nurse meet qualifications established by DPI.

This bill directs DPI, working with the office of the governor, to establish a student information system to collect and maintain information about public school pupils, including their academic performance and demographic information, aggregated by school district, school, and teacher. DPI may not spend any moneys appropriated for the system unless its annual expenditure plan is approved by the

**ASSEMBLY BILL 40**

governor. The bill requires DPI to charge a fee to any school district that uses the system and authorizes DPI to charge a fee to any other person that uses the system.

This bill creates an appropriation to fund the work of a task force to be created by the governor to assess and improve literacy in elementary school children.

**HIGHER EDUCATION**

Currently, the UW System consists of 13 four-year institutions, including the UW–Madison, 13 two-year colleges, and the UW–Extension. The UW System is governed by the Board of Regents, which consists of the state superintendent of public instruction, the president of the technical college system, 14 citizen members, and two students. The latter 16 members are appointed by the governor and confirmed by the senate. There is a shared, hierarchical system of governance for the UW System: the Board of Regents has primary responsibility, followed by the UW System president, the chancellors of the institutions, the faculty, and the academic staff and students. Three boards are created in or attached to the UW System: the Environmental Education Board, the Laboratory of Hygiene Board, and the Veterinary Diagnostic Laboratory.

This bill creates an authority called the University of Wisconsin–Madison, consisting of the current UW–Madison. The board of Trustees, which governs the authority, consists of 21 members, 11 of whom are appointed by the governor, and the chancellor, who serves as a nonvoting member. The Board of Trustees appoints the chancellor to serve at its pleasure as the chief executive officer of the authority. The bill establishes a shared, hierarchical governance system for the authority, consisting of the Board of Trustees, followed by the chancellor, the faculty, and the academic staff and students.

The bill transfers all assets and liabilities of the current UW–Madison, including real property, and all incumbent UW–Madison employees to the authority. Until July 1, 2012, the authority must adhere to the terms of any collective bargaining agreement covering the employees, and the authority is considered an agency under the state employment relations laws for all purposes. Beginning July 1, 2012, the authority must implement its own personnel system. Tenured faculty at UW–Madison retain their tenure at the authority. The authority remains a participating employer in the Wisconsin Retirement System and authority employees retain health insurance and other benefits they had as state employees. All contracts entered into by the Board of Regents that are primarily related to the operation of the current UW–Madison, including the contracts with the Board of Directors of the UW Hospitals and Clinics Authority, are transferred to the authority's Board of Trustees.

The bill requires the Board of Trustees to adopt rules relating to conduct on university property and authorizes the Board of Trustees to condemn property.

Current law prohibits the Board of Regents of the UW System from increasing resident undergraduate tuition beyond an amount sufficient to fund certain specified costs and activities. This bill does not impose these restrictions on the establishment of tuition by the Board of Trustees.

The bill appropriates general purpose revenue, program revenue, and moneys from segregated funds to the authority. The authority is not required to deposit



**ASSEMBLY BILL 40**

moneys that it receives, such as tuition, gifts, grants, and federal revenue, into the state treasury and may transfer gifts, grants, and donations to the UW Foundation. However, it must transfer daily to the state treasurer for deposit into the local government pooled-investment fund the collected cash balance from all sources except gifts, grants, and donations.

The bill abolishes the Laboratory of Hygiene Board and the Veterinary Diagnostic Laboratory Board and transfers their functions to the authority. The bill directs the Board of Trustees to appoint the director of the laboratory of hygiene, the director of the psychiatric institute, the state geologist, and the state cartographer.

The bill makes other changes regarding the UW-System and the UW-Madison, including the following:

1. Transfers loan assistance programs for physicians and other health care providers, but not dentist and dental hygienist programs, from the Board of Regents to the Board of Trustees.

2. Adds one person associated with the authority to each of the following boards and councils: the teachers retirement board in DETF, the natural areas preservation council in DNR, the professional standards council for teachers in DPI, the Higher Educational Aids Board, and the Technical College System Board.

3. Replaces certain Board of Regents members of the University of Wisconsin Hospitals and Clinics Board and the board of directors of the University of Wisconsin Hospitals and Clinics Authority with the Board of Trustee members.

The bill does the following regarding legal proceedings involving the authority:

1. Under current law, no one may sue a state officer, employee, or agent who is acting in his or her official capacity for damages unless the person serves the attorney general with a written notice of claim within 120 days of the event that allegedly caused the damages. This bill applies the prohibition to actions against an officer, director, employee, or agent of the Board of Trustees.

2. With a few exceptions, current law limits damages in a case against a state officer, employee, or agent who is acting in his or her official capacity to \$250,000. This bill applies the limit to actions against an officer, director, employee, or agent of the Board of Trustees.

3. Under current law, generally, if a public officer or a state employee is sued in an official capacity or for actions undertaken within the scope of his or her employment, the state or the political subdivision that employs the officer or employee must provide legal counsel to the defendant officer or employee or cover legal costs for the officer or employee. If damages are assessed against the officer or employee, the state or political subdivision must pay the damages. Under this bill, an officer, director, employer, or agent of the Board of Trustees is treated as a state officer, director, employer, or agent for purposes of these requirements.

4. Under current law, DOJ represents the state, state agencies, and state employees in certain legal proceedings, reviews, and actions. Under this bill, DOJ represents the Board of Trustees as a department of state government and the officials, employees, and agents of the board as state officials, employees, and agents for the purpose of representation in civil and criminal proceedings, and, upon

**ASSEMBLY BILL 40**

request, for the purpose of appearing for and representing the board or its officials, employees, or agents at an administrative or civil court proceeding.

This bill directs the Board of Regents of the UW System to submit a plan to the secretary of administration by October 1, 2012, for the conversion of the UW–Milwaukee to an authority.

Current law allows the Board of Regents to charge different tuition rates to resident and nonresident students. Current law also includes nonresident tuition exemptions, under which certain nonresident students pay resident tuition rates. One of the exemptions applies to an alien who is not a legal permanent resident of the United States and who: 1) graduated from a Wisconsin high school or received a declaration of equivalency of high school graduation from Wisconsin; 2) was continuously present in Wisconsin for at least three years following the first day of attending a Wisconsin high school or immediately preceding receipt of a declaration of equivalency of high school graduation; and 3) enrolls in a UW System institution and provides the institution with an affidavit stating that he or she has filed or will file an application for permanent residency with U.S. Citizenship and Immigration Services as soon as the person is eligible to do so. This bill eliminates the foregoing nonresident tuition exemption.

Current law also provides that an alien described above is considered a resident of this state for purposes of admission to and payment of fees at a technical college in this state. This bill eliminates that provision.

This bill prohibits a technical college district board's tax levy for operations in 2011 and 2012 from being greater than its tax levy for operations in 2010. If a district board's levy exceeds the allowable amount, the Technical College System Board must reduce the district's state aid payments by the amount of the excess levy unless DOR determines that the district board's excess levy was caused by a clerical error made by DOR or a taxation district or county clerk.

Current law requires the UW System and each technical college to grant full remission of fees for 128 credits or eight semesters, whichever is longer, less the amount of any fees paid under the federal Reserve Officer Training Corps Program, the federal Veterans Vocational Rehabilitation Act, or the federal Post-9/11 Veterans Educational Assistance Act of 2008 to an eligible veteran or to the spouse, unmarried surviving spouse, or child of an eligible veteran.

This bill requires the UW–Madison, the UW System, and a technical college to grant full remission of fees for 128 credits or eight semesters, whichever is longer, without reduction for any fees paid under those federal programs.

**OTHER EDUCATIONAL AND CULTURAL AGENCIES**

Under current law, the Higher Educational Aids Board (HEAB) awards Wisconsin covenant scholar grants to undergraduates enrolled at least half time at nonprofit public or private institutions of higher education or at tribally controlled colleges in this state. Currently, the Office of the Wisconsin Covenant Scholars Program in DOA (office) promotes attendance at nonprofit institutions of higher education in this state and performs certain duties relating to the administration of the program.

**ASSEMBLY BILL 40**

This bill eliminates the office and the promotional activities performed by the office and transfers to HEAB the administrative duties currently performed by the office. The bill also prohibits students from enrolling in the program after September 30, 2011.

Under current law, the Arts Board is attached to the Department of Tourism, which means that, subject to certain exceptions, the Arts Board exercises its powers, duties, and functions, including the duty of appointing an executive secretary, independently of the secretary of tourism.

This bill places the Arts Board in the Department of Tourism so that the Arts Board exercises all of its powers, duties, and functions under the direction and supervision of the secretary of tourism, and requires the secretary of tourism to appoint an executive director of the Arts Board to serve at the pleasure of the secretary.

Current law generally requires at least 0.02 percent of the appropriation for the construction, reconstruction, renovation, or remodeling of, or for an addition to, a state building to be used to acquire works of art for the building (Percent for Art Program). This bill eliminates the Percent for Art Program.

**ENVIRONMENT****RECYCLING**

Current law generally prohibits a person from disposing of certain materials, such as aluminum containers, in a landfill or incinerator and requires a municipality or county to operate a recycling or other program to manage solid waste in compliance with the disposal restrictions. DNR administers a program that provides financial assistance to local governments that operate recycling programs.

This bill eliminates the requirement that a municipality or county operate a recycling or other program to manage solid waste in compliance with the disposal restrictions, eliminates the financial assistance program for local governmental recycling programs, and prohibits an individual from placing materials such as aluminum containers with materials to be disposed of in a landfill or incinerator.

Under current law, the main sources of revenue for the segregated recycling and renewable energy fund are the recycling tipping fee and the recycling surcharge. Currently, the recycling tipping fee is \$7 per ton of solid waste disposed of, other than certain kinds of high-volume industrial waste.

This bill renames the recycling and renewable energy fund to be the economic development fund and renames the recycling surcharge to be the economic development surcharge. The bill directs \$4 per ton of the recycling tipping fee to be deposited in the economic development fund and \$3 per ton to be deposited in the environmental fund.

**WATER QUALITY**

Current law requires DNR to promulgate rules prescribing performance standards for facilities or practices that cause or may cause water pollution from a source other than a discernible, confined, and discrete conveyance (nonpoint source water pollution).

This bill requires DNR to repeal and recreate its nonpoint source water pollution rules effective 90 days after this bill's effective date and specifies that the

**ASSEMBLY BILL 40**

rules may not be more stringent than the requirements under the federal Water Pollution Control Act. The rules must, to the extent allowed under federal law, provide that a fixed-date deadline regarding the reduction of runoff from existing development does not apply to a municipality if the deadline would have a significant adverse economic impact on that municipality.

Under current law, DNR may promulgate rules that establish effluent limitations concerning the discharge of phosphorous if the federal Environmental Protection Agency has not promulgated a phosphorus discharge limitation, standard, or prohibition. This bill prohibits DNR from establishing phosphorous effluent limitations that are more stringent than the effluent limitations established by Illinois, Indiana, Michigan, Minnesota, or Ohio.

Under current law, DNR establishes statewide standards for erosion control at commercial building construction sites. Plans for erosion control at these sites must be submitted to, and approved by, DNR or a municipality to which DNR has delegated authority to act. Current law also requires DNR or a delegated municipality to inspect erosion control activities and structures at these sites.

This bill transfers the responsibility for administering the erosion control laws with regard to commercial building construction sites from DNR to DSPS, formerly called DRL.

Under the Clean Water Fund Program, this state provides financial assistance for projects that control water pollution, including loans at subsidized interest rates.

Under current law, the following interest rates apply: 60 percent of the market interest rate for projects that are necessary to prevent a municipality from exceeding a pollution limit in its wastewater discharge permit, 65 percent of the market interest rate for projects for the treatment of nonpoint source pollution and urban storm water runoff, and 70 percent of the market interest rate for projects for unsewered municipalities. This bill changes the interest rate for all of these kinds of projects to 80 percent of the market interest rate. This bill sets the present value of the Clean Water Fund Program subsidies that may be provided during the 2011–13 biennium at \$54,400,000 and increases the revenue bonding authority for the Clean Water Fund Program by \$353,000,000.

This state also provides financial hardship assistance to municipalities under the Clean Water Fund Program. Current law limits the amount of financial hardship assistance that this state may provide to 15 percent of the total present value of the Clean Water Fund Program subsidies in a fiscal biennium. This bill changes the percentage to 5 percent.

Under the Safe Drinking Water Loan Program, this state provides loans at subsidized rates to local governmental units for construction or modification projects for public water systems. This bill sets the present value of the Safe Drinking Water Loan Program subsidies that may be provided during the 2011–13 biennium at \$30,700,000 and increases the general obligation bonding authority for the Safe Drinking Water Loan Program by \$9,400,000.

**BONDING**

Under current law, DNR administers the targeted runoff management program to provide financial assistance for projects to reduce nonpoint source water

**ASSEMBLY BILL 40**

pollution in areas that have surface water quality problems. This bill increases the authorized general obligation bonding authority for the targeted runoff management program by \$7,000,000.

Under current law, DNR administers programs to provide financial assistance for the management of urban storm water runoff and for flood control and riparian restoration projects. This bill increases the general obligation bonding authority for these programs by \$6,000,000.

Current law authorizes DNR to pay a portion of the costs of a project to remove contaminated sediment from Lake Michigan or Lake Superior or their tributaries. This bill increases the bonding authority for sediment removal projects by \$5,000,000.

Current law authorizes DNR to conduct or fund activities to investigate and remedy environmental contamination in some situations. This bill increases the authorized bonding authority to finance those activities by \$3,000,000.

**OTHER**

The petroleum inspection fund, among other things, pays for projects to clean up discharges from petroleum product storage tanks. This bill transfers \$19,500,000 from the petroleum inspection fund to the transportation fund in each year of the fiscal biennium.

**HEALTH AND HUMAN SERVICES****WISCONSIN WORKS**

The Wisconsin Works (W-2) program under current law, which is administered, generally, by W-2 agencies under contracts with DCF, provides work experience and benefits for low-income custodial parents who are at least 18 years old, as well as job search assistance to noncustodial parents who are required to pay child support, to minor custodial parents, and to pregnant women who are not custodial parents. Also, an individual who is the parent of a child under the age of 13 or, if the child is disabled, under the age of 19, who needs child care services to participate in various educational or work activities, and who satisfies other eligibility criteria may receive a subsidy for child care services under W-2's child care subsidy program (Wisconsin Shares). This bill makes a number of miscellaneous changes to W-2, including the following:

1. Limiting the length of time during which a participant may participate in a trial job to three months and in a trial job placement to 24 months; limiting the length of time during which a participant may participate in a community service job to six months and in a community service job placement to 24 months; and limiting the length of time during which a participant may participate in a transitional placement to 24 months.

2. Providing that a participant in a community service job placement may be required to engage in certain job-related activities for up to 30 hours per week and in educational or training activities for up to ten hours per week and that a participant in a transitional placement may be required to engage in certain specified activities for up to 28 hours per week and in educational or training activities for up to 12 hours per week.

**ASSEMBLY BILL 40**

3. Reducing the maximum monthly grant received by a participant in a community service job placement from \$673 to \$653 and by a participant in a transitional placement from \$628 to \$608.

4. Eliminating the requirement that DCF make certain determinations before determining that a participant is ineligible for three months to participate in W-2 due to a failure to participate in an assigned placement and the requirement that, before a participant who has refused to participate in an assigned placement loses eligibility for three months, he or she must be given a conciliation period.

5. Eliminating the requirement that, after a W-2 agency has provided written notice to a W-2 participant whose benefits are about to be reduced by at least 20 percent or whose eligibility is about to be terminated, the W-2 agency also must orally explain the proposed action.

The bill also eliminates the transitional jobs demonstration project, under which DCF provides wage subsidies to employers who employ eligible individuals.

Current law prohibits DCF from increasing the maximum Wisconsin Shares child care provider reimbursement rates in 2009, 2010, or before June 30, 2011. Current law also requires DCF to submit to JCF a plan for implementing the child care quality rating system (quality rating plan). This bill provides that before June 30, 2013, DCF may not increase the maximum Wisconsin Shares child care provider reimbursement rates, but may modify an individual child care provider's reimbursement rate on the basis of the child care provider's quality rating, as that term is described in the quality rating plan, as follows: a provider who receives a one-star rating may be denied reimbursement; one who receives a two-star rating may have the maximum reimbursement rate reduced by up to 5 percent; one who receives a three-star rating will receive reimbursement at the maximum rate; one who receives a four-star rating may have the maximum reimbursement rate increased by up to 5 percent; and one who receives a five-star rating may have the maximum reimbursement rate increased by up to 10 percent. In addition, DCF is authorized to use a severity-index tool, as that term is described in the quality rating plan, to disqualify providers who receive low-quality ratings from providing child care services in Wisconsin Shares.

The bill authorizes DCF to do any of the following to reduce costs under Wisconsin Shares: 1) implement a waiting list; 2) increase the copayments paid by individuals who receive a child care subsidy; 3) adjust the amount of reimbursement paid to child care providers; or 4) adjust the gross income levels for eligibility for child care subsidies.

**PUBLIC ASSISTANCE**

Under current law, income maintenance programs are administered by counties, by tribal governing bodies through contracts with DHS, and by the Milwaukee County enrollment services unit within DHS (Milwaukee unit) in Milwaukee County. Income maintenance programs are currently specified in the statutes as the Medical Assistance program (MA), including BadgerCare Plus; the food stamp program; and the funeral, burial, and cemetery expenses program under which counties pay cemetery, funeral, and burial expenses for decedents who, during life, received certain public assistance benefits.

**ASSEMBLY BILL 40**

This bill requires DHS to establish an income maintenance administration unit (IM unit) in DHS to administer income maintenance programs in all counties. Until the IM unit is prepared to assume income maintenance administration from counties and from the Milwaukee unit, DHS may continue to delegate income maintenance administrative functions to counties, on a county-by-county basis. The Milwaukee unit is eliminated when the IM unit assumes income maintenance program administration in Milwaukee County. This bill requires that the IM unit administer income maintenance programs statewide no later than May 1, 2012. This bill transfers the food stamp program to DCF on January 1, 2013.

Under current law, DHS administers two programs that provide supplemental payments to individuals who are eligible to receive federal supplemental security income (SSI). This bill transfers the administration of these programs to DCF.

Under current law, qualified aliens receive food stamp benefits. Federal law allows, but does not require, a state to provide those benefits, and any state that does provide such benefits must pay the whole cost itself. This bill eliminates the provision of food stamp benefits to qualified aliens in this state.

Under current law, DHS pays the cost of medical treatment for persons with chronic kidney disease at a rate equal to the allowable charges under Medicare. This bill provides that DHS will pay for medical treatment for such persons at a rate that is determined by DHS and that does not exceed the allowable charges under Medicare.

**MEDICAL ASSISTANCE**

Under current law, DHS administers MA, which is a jointly funded federal and state program that provides health services to individuals who have limited resources. MA provides family planning as a benefit to its recipients. Currently, DHS may request a waiver to conduct and may implement a project to provide family planning services under MA to men between the ages of 15 and 44 whose family income is not more than 200 percent of the federal poverty level. This bill eliminates the ability on January 1, 2012, for DHS to request a waiver to conduct or to implement a project providing family planning services under MA to men.

Under the expanded Medicare buy-in program under current law, MA pays premiums, deductibles, and coinsurance for Medicare coverage for elderly or disabled persons who are entitled to coverage under Medicare Part A or under Medicare Part A and Part B and whose income and resources are sufficiently low to satisfy the eligibility criteria. Current law limits any coinsurance payment for a service under Medicare Part B to the allowable charge for the service under MA minus the Medicare payment. This bill limits any coinsurance payment for a service under Medicare Part A to the allowable charge for the service under MA minus the Medicare payment.

The Birth to 3 waiver program and the disabled children's long-term support program are MA waiver programs that permit DHS to offer home and community-based services to children under MA. Counties pay the nonfederal share of MA costs for services provided under the Birth to 3 waiver program and for services provided to some of the children in the disabled children's long-term support

**ASSEMBLY BILL 40**

program. Currently, counties administer these programs and pay providers who provide services under the programs.

Under this bill, DHS must contract with a private entity to administer the Birth to 3 waiver program and the disabled children's long-term support program. The private entity must also pay providers for services provided under these programs.

This bill requires counties to pay the following costs by providing funds to DHS, rather than by paying the costs directly: 1) the nonfederal share of services the county provides without state funding under the disabled children's long-term support program; 2) the nonfederal share of benefits provided under the Birth to 3 waiver program; 3) the administration costs for the Birth to 3 waiver program; and 4) the administration costs for services the county provides without state funding under the disabled children's long-term support program for a participant enrolled after January 1, 2011.

Under current law, DHS reimburses certain hospitals for hospital care provided under MA to MA recipients and makes supplemental payments to certain hospitals. This bill eliminates the supplemental payments from the MA program to essential access city hospitals.

Certain services related to screenings, home health, reproductive health, mental health, physical and psychosocial rehabilitation, and other services (covered services) are among services that are covered under MA. Currently DHS may make MA payment adjustments to a county department for covered services. DHS then may decrease a county's allocation of community aids moneys by the amount of MA payment adjustments paid from general purpose revenue by DHS.

This bill creates a second procedure under which DHS may make payments to county departments for covered services. Under this procedure, county departments must submit, annually, certified cost reports to DHS for covered services. DHS must base the amount of a claim for federal MA funds on the certified cost reports the county departments submit. For those covered services, under this procedure, DHS must pay county departments a percentage, as established in the state's most recent biennial budget, of the federal funds claimed. This bill allows DHS to also pay local health departments under the second payment procedure.

Currently, DHS makes payments to providers of MA health services and other payments related to MA out of various appropriation accounts, including a general purpose revenue (GPR) appropriation account; a program revenue (PR) appropriation account containing moneys from MA cost sharing, penalty assessments, and the pharmacy benefits purchasing pool; and the MA trust fund.

This bill creates a PR appropriation account into which moneys received from provider refunds, third party liability payments, drug rebates, audit recoveries, and other collections related to expenditures from the GPR appropriation account, the MA cost-sharing appropriation account, and the MA trust fund for the MA program, regardless of the fiscal year in which the expenditure was made, are deposited. DHS may expend the moneys in this PR appropriation account for the same purposes it expends moneys from the GPR appropriation account for the MA program.



**ASSEMBLY BILL 40****HEALTH**

Under current law, DHS administers the Senior Care program, which provides assistance to the elderly in the purchase of prescription drugs. To be eligible for Senior Care, a person must be a resident of the state, be at least 65 years of age, not be a recipient of prescription drug coverage through MA, have a household income that does not exceed 240 percent of the federal poverty line, and pay a program enrollment fee. This bill adds as a requirement for eligibility for Senior Care that the person must apply for and, if eligible, enroll in Medicare Part D, which is a federal prescription drug assistance program.

Under current law, in certain counties, a person who meets certain functional and financial criteria and who is either a frail elder or an adult with a physical disability or a developmental disability is eligible for community-based services through Family Care, a medical assistance waiver program known as Family Care Partnership, the Program of All-Inclusive Care for the Elderly (PACE), or a self-directed supports options program (known as IRIS). In a county where Family Care, Family Care Partnership, PACE, or IRIS is available, this bill caps enrollment in an available program at the number of participants in that program on a specific date for the 2011–13 biennium. This bill also prohibits the expansion of Family Care to counties in which the program is not available on July 1, 2011, during the 2011–13 biennium, unless DHS determines that the expansion is cost-effective.

Under current law, DHS provides funding for family planning services, including maintaining a state plan for community-based family planning programs and specific annual grants. This bill eliminates this family planning services funding.

Under current law, DHS regulates various types of long-term care providers, including one- and two-bed adult family homes. This bill eliminates the requirement that DHS regulate one- and two-bed adult family homes and the requirement that DHS certify one- and two-bed adult family homes in order for these homes to provide services to a person who is a recipient of Family Care, a community-based long-term care MA waiver program, or supplemental security income.

Under current law, the fees that a health care provider may charge for copies of patient health care records are set by statute. This bill eliminates statutory fees for copies of patient health care records and requires that DHS promulgate rules to establish maximum fees that a health care provider may charge for copies of patient health care records under certain circumstances.

This bill authorizes DHS to set fees by administrative rule for testing infants for congenital disorders.

**OTHER HEALTH AND HUMAN SERVICES**

Under current law, a county with a population of less than 500,000 must establish a county department of social services and may establish a county department of human services. A county with a population of 500,000 or more must establish both a department of social services and a department of human services. Two or more counties that are contiguous and that each have a population of less than

**ASSEMBLY BILL 40**

500,000 may combine to form a department of social services or a department of human services on a multicounty basis.

This bill authorizes two or more counties to combine to form a department of social services or a department of human services on a multicounty basis, regardless of whether they are contiguous and regardless of population.

Current law requires DCF to establish a pilot program under which not more than four counties and, in Milwaukee County, one licensed child welfare agency (agency) may employ alternative responses to a report of suspected or threatened child abuse or neglect. This bill eliminates those caps on the number of county agencies that may participate in the pilot program.

**INSURANCE**

Current law requires health insurance policies and self-insured governmental and school district health plans to cover the cost of contraceptives prescribed by a health care provider and of outpatient consultations, examinations, procedures, and medical services that are necessary to prescribe, administer, maintain, or remove a contraceptive. This bill eliminates these requirements.

The state life insurance fund (fund), administered by OCI, may issue any type of life insurance policy, with a limit not exceeding \$10,000, to any state resident. This bill prohibits the fund from issuing any life insurance policies on or after the date on which this bill becomes a law except for policies issued on the basis of applications that were received before that date.

**JUSTICE**

Under current law, the Office of Justice Assistance (OJA) makes grants to counties that establish programs to provide alternatives to prosecuting and incarcerating criminal offenders who abuse alcohol or other drugs. This bill requires counties that receive these grants to provide a 25 percent funding match.

Under current law, the OJA provides, in each fiscal year, a \$20,000 grant to each of 14 child advocacy centers within the state for education, training, medical advice, and quality assurance. This bill reduces that amount to \$17,000 in each fiscal year.

Under current law, when a person is convicted of a crime or, if a person was charged with a crime but the criminal charge was amended to a civil offense, when a court finds that the person committed the civil offense, the person pays a crime victim and witness assistance surcharge. DOJ uses a percentage of the surcharge to provide grants for sexual assault victim services. This bill specifies that DOJ may use some of the surcharge funds to pay the costs of administering the grant program.

**LOCAL GOVERNMENT**

Under current law, local levy limits are applied to the property tax levies that were imposed in December 2010. Current law prohibits any city, village, town, or county (political subdivision) from increasing its levy by a percentage that exceeds its “valuation factor,” which is the greater of either 3 percent or the percentage change in the political subdivision’s equalized value due to new construction, less improvements removed.

This bill extends the levy limits to the property tax levies that will be imposed in December 2011 and 2012, and changes the limit to the greater of either zero

**ASSEMBLY BILL 40**

percent or the percentage change in the political subdivision's equalized value due to new construction, less improvements removed.

Also under current law, the base amount of a political subdivision's levy in any year is the maximum allowable levy for the immediately preceding year. Under this bill, the maximum base amount of a political subdivision's levy is limited to its actual levy for the immediately preceding year.

This bill also requires a political subdivision to reduce its levy limit if the amount of its levy in the current year for its payment of debt service for debt issued before July 1, 2005, is less than its levy for that purpose in the previous year. The amount of the levy reduction is the amount by which its levy for such debt service was reduced.

Generally under current law a village with a population of at least 5,000 is required to provide police protection services by creating its own police department, by contracting for police protection services with a political subdivision, or by creating a joint police department with another city, village, or town (municipality). Also under current law, in general, a village with a population of at least 5,500 is required to provide fire protection services by methods that are similar to the way in which it provides police services.

Current law also authorizes any village to provide police and fire protection services (protection services) in one of two additional ways. The first way is by using a combined protective services department, which had to have been created before January 1, 1987, and in which the same person may be required to perform police protection and fire protection duties (protection duties). The second way is by requiring persons in a police department or fire department, alone or in combination with persons designated as police officers or fire fighters, to perform protection duties, subject to the limitation that those persons were required to perform those duties before January 1, 1987.

Generally under current law, 2nd, 3rd, and 4th class cities (presently all cities other than Milwaukee) with populations of at least 4,000 must have police departments and fire departments, and may have joint departments with other municipalities.

Under a decision of the Wisconsin Supreme Court, *Local Union No. 487, IAFF-CIO, v. City of Eau Claire*, 147 Wis. 2d 519 (1989), cities may not create combined protective services departments or require persons in a police department or fire department, alone or in combination with persons designated as police officers or fire fighters, to perform protection duties.

This bill authorizes 2nd, 3rd, and 4th class cities, and towns, to provide protection services in the same two additional ways that villages may do so. The bill also removes the limitations on villages relating to the creation of a department, and the requirement relating to the performance of duties, before January 1, 1987.

If a city creates a combined protective services department, the city must create a chief of the department and must abolish the offices of chief of police and fire chief, which offices are required under current law. The chief of a combined protective services department has the same authority as the chief of police and fire chief.

**ASSEMBLY BILL 40**

Under current law, to participate in a public library system a municipal, county, or joint public library (local library) or a county must meet a maintenance of effort requirement, which relates to the amount of financial support provided to the local library or by the county for library services over the previous three years. This bill repeals these maintenance of effort requirements.

This bill authorizes a county board to direct its clerk of courts to operate a self-help center in the county courthouse to provide individuals with information regarding the court system, including small claims and family law proceedings, where to obtain legal advice and forms, and how to represent oneself in court. A self-help center may be staffed by county employees or volunteers, although no staff member may provide legal advice to self-help center patrons. The bill also authorizes a county to impose a fee on individuals who use the services provided by a self-help center.

**NATURAL RESOURCES****STEWARDSHIP**

Current law authorizes the state to incur public debt by issuing bonds for certain conservation activities under the stewardship program, which DNR administers. The state may authorize bonds to acquire state land or easements that are under the jurisdiction of DNR for areas such as state forests and state parks and the Lower Wisconsin State Riverway. Also, DNR may issue bonds to award grants or state aid to certain governmental units and to nonprofit conservation organizations in order to acquire lands, easements, or development rights.

This bill limits acquisitions of land, easements, and other rights or interests in land under the stewardship program to only acquisitions of land in fee simple, as opposed to just an easement or development rights, and acquisitions of certain easements for forestry purposes (forestry easements), easements for state trails or the Ice Age Trail, and easements that are necessary to provide access to lands or waters that are required to be open to the public and for which there is no public access or limited public access. Under the bill, an easement acquired for a state trail, for the Ice Age Trail, or to provide access to land or a body of water may not be more than five acres in size.

The bill requires a city, village, town, or county to adopt a nonbinding resolution that either supports or opposes a proposed acquisition of land or easement, except for forestry easements, and requires DNR to consider the resolution in determining whether to approve the acquisition.

Under current law, lands, and certain easements on lands, acquired under the stewardship program must be open to the public for nature-based outdoor activities such as hunting, fishing, hiking, and cross-country skiing, unless the DNR board determines that the land may be closed to protect public safety or a unique animal or plant community or to accommodate usership patterns such as conflicts between these types of activities. This bill eliminates the accommodation of usership patterns as a reason for prohibiting public access with respect to lands, or easements on lands, that are not acquired for a state trail or the Ice Age Trail and that are acquired after the bill becomes law.

**ASSEMBLY BILL 40**

Under current law, if a land acquisition or development project under the stewardship program costs more than \$750,000, DNR cannot obligate money from the stewardship fund for that activity until DNR gives to JCF written notice of the proposed activity and JCF reviews the obligation under its passive review process. This bill decreases the \$750,000 threshold to \$250,000.

Under current law, the acquisition costs to be used in calculating the amount of a grant under the stewardship program equal the fair market value of the land being acquired plus any other acquisition costs if the land has been owned by the person conveying the land for three years or more. If the land has been owned for one year or more but less than three years, the acquisition costs equal the sum of the current owner's acquisition price and an annual adjustment increase (adjusted price). If the land has been owned for less than one year, the acquisition costs equal the current owner's acquisition price.

Under this bill, the acquisition costs for land that has been owned for one year or more but less than three years equal the adjusted price or the current fair market value, whichever is lower. The acquisition costs for land that has been owned for less than one year equal the current owner's acquisition price or the current fair market value of the land, whichever is lower.

**OTHER NATURAL RESOURCES**

Under current law, land that DNR purchases is not subject to property taxes. Instead, DNR makes annual payments to municipalities for each parcel of land that the DNR has purchased in those municipalities. This bill eliminates those payments for land purchased after the bill's effective date.

Under current law, DNR administers a financial assistance program for projects that increase dam safety and may contract public debt to fund the program. This bill increases DNR's bonding authority for the program, the debt service on which is paid from the general fund, by \$4,000,000.

Also, under this program, dam owners, including municipalities, generally are eligible to receive a grant only if DNR has issued a directive to the owner to take action to increase the dam's safety and the dam owner requests the grant within six months after having received the directive. This bill eliminates the deadline for making a grant request under the grant program.

Under current law, a person who owns a snowmobile that is not registered in this state or that is exempt from registration must display on the snowmobile a trail use sticker issued by DNR. Current law also requires DNR to calculate an amount equal to the number of those trail use stickers issued by DNR in the previous fiscal year multiplied by \$15 and to credit this amount to an appropriation for aids to counties for activities such as trail development and maintenance. This bill increases the amount by which DNR must multiply the number of trail use stickers to \$32 for purposes of determining the amount to be credited to the appropriation.

**OCCUPATIONAL REGULATION**

Under current law, DRL directly administers the regulation of real estate practice in Wisconsin. DRL's duties and powers include issuing licenses to real estate brokers and sales persons; approving forms for use in real estate practice; promulgating rules regulating real estate practice; and conducting investigations,

**ASSEMBLY BILL 40**

holding hearings, and making findings regarding an alleged violation of real estate law. Currently, the real estate board (board) conducts disciplinary proceedings and may discipline licensees. The board also reviews and comments on administrative rules relating to real estate practice that DRL proposes and advises the secretary of regulation and licensing regarding real estate practice among other powers.

This bill eliminates the board, creates the Real Estate Examining Board, and transfers most of DRL's duties and powers regulating real estate practice to the examining board.

Current law defines the practice of pharmacy to include making therapeutic alternate drug selections, if made in accordance with written guidelines or procedures established by a hospital's pharmacy and therapeutics committee and approved by the hospital's medical staff and approved for a patient by the patient's physician or advanced practice nurse prescriber.

The bill requires that therapeutic alternate drug selections may also be made by a skilled nursing facility or an intermediate care facility for persons with mental retardation. The bill deletes the requirement that the written guidelines or procedures be approved by the hospital's medical staff and the patient's physician or advanced practice nurse prescriber.

Under current law, DRL, and various boards in DRL, administers Wisconsin's professional credentialing laws. DRL is charged with ensuring the safe and competent practice by credentialed professionals in Wisconsin, such as doctors, nurses, cosmetologists, real estate agents, and veterinarians. This bill changes DRL's name to the Department of Safety and Professional Services (DSPS).

**RETIREMENT AND GROUP INSURANCE**

Currently, the Group Insurance Board (GIB) must offer to state employees and annuitants long-term care insurance policies that have been approved for offering under contracts established by GIB if an insurance company requests that the policy be offered. This bill eliminates the authority of an insurance company to require GIB to offer its long-term care insurance policy.

This bill specifies that the Health Insurance Risk-Sharing Plan Authority (HIRSPA) is not required to pay employer contributions for any benefits related to the sick leave conversion program or the supplemental health insurance premium credit program, which are administered by DETF. Employees of HIRSPA are not eligible for these programs.

**SHARED REVENUE**

This bill reduces the total amount of county and municipal aid payments beginning in 2012. The total amount of the reduction for all counties is \$36,500,000 and the total amount of the reduction for all municipalities is \$59,500,000. The reductions are allocated, generally, based on population and limited for each county and municipality to the lesser of a percentage of the entity's property value or 50 percent of the entity's county and municipal aid payment in 2011.

Under current law, a municipality may receive an expenditure restraint payment if its municipal budget has not increased from the previous year by more than the sum of an inflation factor and a valuation factor. The valuation factor is, generally, 60 percent of the change in the municipality's property value resulting

**ASSEMBLY BILL 40**

from new construction. The inflation factor is the average annual percentage change in the U.S. Consumer Price Index, but not less than 3 percent. Under this bill, the inflation factor cannot be less than zero.

**STATE GOVERNMENT****STATE FINANCE**

This bill requires the secretary of administration to lapse to the general fund from the unencumbered balances of general purpose revenue (GPR) and program revenue appropriations to executive branch state agencies, other than sum sufficient appropriations and appropriations of federal revenues, an amount equal to \$145,000,000 in the 2011–13 fiscal biennium and \$145,000,000 in the 2013–15 fiscal biennium, subject to a 14-day passive review process by JCF. Under the bill, all executive branch state agencies, except for the UW System with respect to its program revenue appropriations, are subject to the lapse provisions. The bill further requires the secretary to make additional lapses to the general fund from GPR and program revenue appropriations to most executive branch state agencies and the courts during the 2011–13 and 2013–15 fiscal biennia.

The bill requires the cochairpersons of the Joint Committee on Legislative Organization to take actions during the 2011–13 and 2013–15 fiscal biennia to ensure that from GPR appropriations to the legislature an amount equal to \$9,232,200 is lapsed from sum certain appropriation accounts or is subtracted from the expenditure estimates for any other types of appropriations, or both, during each fiscal biennium.

This bill authorizes the building commission to contract before July 1, 2013, up to \$364,300,000 in state public debt to refund any unpaid indebtedness used to finance tax-supported or self-amortizing facilities.

Current statutes contain a rule of proceeding governing legislative action on certain bills. Generally, the rule provides that no bill directly or indirectly affecting GPR may be adopted if the bill would cause the estimated general fund balance on June 30 of any fiscal year to be less than a certain amount of the total GPR appropriations for that fiscal year. For each of fiscal years 2011–12 and 2012–13, the amount is \$65,000,000. For each fiscal year thereafter, the amount is 2 percent of total GPR appropriations for that fiscal year.

This bill changes the amount for each of fiscal years 2013–14 and 2014–15 to \$65,000,000. For 2015–16 and each fiscal year thereafter, the amount remains at 2 percent of total GPR appropriations for that fiscal year.

Currently, the statutes contain a rule of proceeding that limits the increase in moneys that may be appropriated from GPR during a fiscal biennium, based on changes in the state's aggregate personal income. This bill repeals this provision.

Currently, the College Savings Program Board, which is attached to the Office of the State Treasurer, administers the EdVest program, which is a college savings plan established to enable families to contribute moneys to accounts for the college expenses of dependents. This bill attaches the College Savings Program Board to DOA, as well as requires DOA to administer the other college savings program, which is closed to new participants and currently administered by the state treasurer.

**ASSEMBLY BILL 40**

Under current law, the local government pooled-investment fund (fund) consists of moneys placed in the state investment fund by local governmental units. The state treasurer has several duties relating to the fund, which include prescribing the mechanisms and procedures for deposits and withdrawals into and from the fund. This bill transfers these duties to DOA.

**STATE EMPLOYMENT**

This bill authorizes the secretary of administration to abolish any full-time equivalent position at any executive branch state agency if the position is vacant and the secretary determines that filling the position is not required for the state agency to carry out its duties and exercise its powers.

**STATE BUILDING PROGRAM**

Currently, with limited exceptions, each state agency, including the UW System, must submit for approval of the Building Commission any contract for the engineering, design, construction, reconstruction, remodeling, or expansion of a building, structure, or facility if the project cost exceeds \$150,000. Currently, DOA manages all engineering, design, and construction work for state agencies, including the UW System and, with limited exceptions, must provide public notice of proposed work and let contracts to the lowest responsible bidder. Plans and specifications for all work on UW projects are subject to approval of DOA. DOA may assess and collect from state agencies, including the UW System, a construction project management fee to cover its costs in managing each project. With limited exceptions, each engineering, design, or construction contract for a state building, structure, or facility is subject to approval of DOA and, if the contract involves an expenditure of more than \$60,000, the approval of the governor.

This bill deletes DOA's and the governor's responsibility for managing and approving plans, specifications, and contracts for, any building, structure, or facility to be constructed, reconstructed, remodeled, or expanded for the University of Wisconsin-Madison authority created in this bill if the project is funded entirely from sources other than state general purpose revenue or general fund supported bonding. The bill also deletes the requirement for approval of the Building Commission on any such project if the cost does not exceed \$500,000. Under the bill, the requirements that currently apply to DOA do not apply to the authority with respect to any such project, and DOA may not assess the authority for its construction management services.

**STATE PROCUREMENT**

Current law generally authorizes state agencies to purchase materials, supplies, or equipment under certain circumstances. With some exceptions, purchases for which the estimated cost exceeds \$25,000 require bids to be invited or proposals to be solicited. This bill increases that \$25,000 threshold to \$50,000.

Under current law, DOA must generally approve and monitor contractual services that agencies purchase. No agency may purchase contractual services that involve an estimated expenditure of more than \$25,000 without first conducting a uniform cost-benefit analysis; each agency entering into a contract must submit to DOA justification for the contract, and DOA must be satisfied that the justification conforms to current law before approving the contract; and the Office of State



**ASSEMBLY BILL 40**

Employment Relations must review contracts to ensure that the purchasing agency properly uses the services of state employees, to evaluate the feasibility of using limited term appointments prior to entering into a contract, and to ensure that the contract does not conflict with any collective bargaining agreement covering state employees. This bill repeals these provisions.

Under current law, a state agency purchasing equipment that consumes energy, such as equipment to provide heating, lighting, ventilation, cooling, or refrigeration, must meet certain energy efficiency standards. This bill exempts from the standards purchases that cost \$5,000 or less per unit.

This bill requires DOA to maintain a list of parties who have violated a state procurement contract or a statutory provision governing state procurement. Any party on the list is ineligible to be a party to a state contract unless DOA, after determining that the party complies with the statutory provisions and has adequate safeguards to prevent future contractual or statutory violations, removes the party from the list.

This bill also defines the University of Wisconsin–Madison authority created in this bill, as a state agency for state procurement purposes except that the bill provides the authority the authority to enter into contracts for items not commonly purchased by entities other than universities and allows the authority to be party to purchasing agreements with other higher education institutions.

**OTHER STATE GOVERNMENT**

Currently, eligible candidates for the office of justice of the supreme court may receive state grants funded from general purpose revenue, which is provided to the democracy trust fund when individual income tax filers designate \$2 to be deposited into the fund. If the designations for the fund do not generate sufficient revenue for all candidates to receive full grants, the deficiency is paid from a general purpose revenue (GPR) appropriation. An eligible candidate for the office of justice of the supreme court may also receive supplemental grants from the fund under certain circumstances. This bill deletes the GPR supplement to the democracy trust fund; if there are insufficient moneys available to pay the full amounts of grants to which candidates are entitled, the grants are prorated. The bill also deletes the supplemental grants. The bill permits candidates who accept grants to also accept additional private contributions in an amount sufficient to cover any deficiency in the public grants to which they would otherwise be entitled.

Current law creates the Office of Energy Independence (OEI) in DOA to work on and facilitate initiatives regarding the state's energy independence, bioindustry and biorefineries, renewable energy markets, alternative energy research, and motor vehicle fuels that blend gasoline and certain biofuels. This bill eliminates OEI, requires DOA to develop and implement a cost-effective, balanced, reliable, and environmentally responsible energy strategy to promote economic growth, and requires DOA, whenever feasible and cost-effective, to encourage, rather than require, state agencies to take certain actions regarding hybrid-electric motor vehicles and using gasohol and other alternative fuels.

Under current law, DOA must require that, by 2015, state agencies collectively reduce the usage of gasoline by at least 50 percent below the total used in 2006 and

**ASSEMBLY BILL 40**

reduce the usage of diesel fuel by at least 25 percent below the total used in 2006. Under this bill, DOA must encourage, rather than require, that, by 2015, state agencies collectively reduce the usage of gasoline by at least 20 percent below the total used in 2006 and reduce the usage of diesel fuel by at least 10 percent below the total used in 2006. The bill also eliminates a requirement for DOA to submit an annual report to the legislature regarding the state's usage of hybrid-electric motor vehicles and gasohol and alternative fuels.

Under current law, DOA makes grants from the utility public benefits fund (UPBF) to provide assistance to low-income households for the following: 1) weatherization and other energy conservation services (weatherization and conservation assistance); and 2) payment of energy bills and early identification or prevention of energy crises (bill and crisis assistance). In each fiscal year, DOA must ensure that the amount spent under the program on grants for weatherization and conservation assistance is equal to 47 percent of a specified sum. As a result, 53 percent of the specified sum is available to be spent on grants under the program for bill and crisis assistance.

In fiscal years 2009–10 and 2010–11, DOA was authorized to subtract no more than \$10,000,000 from the amount that must be spent on weatherization and conservation assistance under the program. As a result, any amount subtracted by DOA was available to be spent on bill and crisis assistance. This bill allows DOA to make the same \$10,000,000 subtraction in fiscal years 2011–12 and 2012–13.

Under current law, the chancellor of the UW–Madison and the vice chancellor who serves as deputy are subject to the standards of conduct under the code of ethics for state public officials as well as the requirement to file annual statements of economic interests. Other employees of the UW–Madison are subject to a code of ethics established by the Board of Regents of the UW System. Under the bill, the chancellor and vice chancellor are still subject to the code of conduct but not to the filing requirement, and the Board of Trustees of the University of Wisconsin–Madison authority created in the bill must establish a code of ethics for other employees of the authority.

Currently, DOA manages the state's risk management program, including worker's compensation and liability insurance, and annually assesses each state agency, including the UW System, for its risk management costs. This bill permits the University of Wisconsin–Madison authority, with six months' notice, to opt in or out of the state's risk management program for any fiscal year.

Under current law, certain administrative services functions are performed in the Office of the Secretary of State and certain management services functions are performed in the Office of the State Treasurer. This bill transfers those functions, as determined by the secretary of administration, to DOA. The bill, however, does not transfer any positions relating to those functions. The bill also eliminates from the unclassified service one stenographer appointed by the secretary of state and one stenographer appointed by the state treasurer.

This bill creates an Office of Business Development in DOA to perform the functions determined by the secretary of administration. The office is headed by a

**ASSEMBLY BILL 40**

director outside the classified service who is appointed by the governor to serve at his or her pleasure.

Currently, DOA may maintain a federal–state relations office in Washington, D.C., for the purpose of promoting federal–state cooperation. The director and one staff assistant are appointed by the governor, subject to concurrence of the Joint Committee on Legislative Organization. This bill deletes the requirement for concurrence in these appointments by the joint committee.

Currently, DOA must contract with one or more child care providers to supplement the cost of providing suitable space for child care services provided to the children of employees of state agencies whose work stations are located in the central Madison area. This bill eliminates DOA’s authority to enter into these contracts and to provide child care facilities for state employees.

Currently, with limited exceptions, any person who brings a civil lawsuit against a state employee on account of any act growing out of or committed in the course of the employee’s duties must give the attorney general notice of the claim within 120 days of the act giving rise to the lawsuit, and liability is limited to \$250,000. In addition, with certain limitations, this state must pay damages assessed against a state employee for acts committed while carrying out his or her duties as an employee within the scope of employment.

This bill provides that if this state enters into a valid agreement with the state of Minnesota providing for interchange of employees or services, any employee of the state of Minnesota who is named as a defendant in any civil lawsuit brought under Wisconsin law as a result of performing services for this state under the agreement and any employee of this state who is named as defendant as a result of performing services for the state of Minnesota under the agreement has, for purposes of notice of claim requirements and liability limitations, the same status as when performing the same services for this state in any civil lawsuit brought under the laws of this state. In addition, the bill provides that any employee of the state of Minnesota who is found liable in a civil lawsuit as a result of performing services for this state under the agreement shall be indemnified by this state to the same extent as an employee of this state performing the same services for this state. The bill directs DOJ to represent any employee of the state of Minnesota who is named as a defendant in any civil lawsuit brought under Wisconsin law as a result of performing services for this state under the agreement and any employee of this state who is named as a defendant as a result of performing services for the state of Minnesota under the agreement in any civil lawsuit brought under Wisconsin law.

**TAXATION****INCOME TAXATION**

Under current law, for claims filed in 2011, based on property taxes or rent constituting property taxes from the prior year, the homestead tax credit threshold income is \$8,060; the maximum amount of property taxes, or rent constituting property taxes, that a claimant may use in calculating his or her credit is \$1,460, and the maximum household income is \$24,680. Under the current law formula, as a claimant’s income exceeds \$8,060, the credit is phased out and equals zero when income exceeds \$24,680. Also under the formula, if the household income is \$8,060

**ASSEMBLY BILL 40**

or less, the credit is 80 percent of the property taxes, or rent constituting property taxes, accrued. For claims filed in 2011 and thereafter, the threshold income, maximum property taxes, and maximum household income are all indexed for inflation.

Under this bill, the indexing provisions are repealed and, for claims filed in 2011 and thereafter, the threshold income, the maximum property taxes, and the maximum household income are the same as those for claims filed in 2011.

Under current law, for taxable years beginning after December 31, 2010, an individual; an individual partner or member of a partnership, limited liability company, or limited liability partnership; or an individual shareholder of a tax-option corporation (claimant) may elect to defer the payment of income taxes on up to \$10,000,000 of the gain realized from the sale of any capital asset held more than one year (original asset) that is treated as a long-term gain under the Internal Revenue Code (IRC), if the claimant completes a number of requirements.

This bill creates another income tax deferral under which a claimant may elect to defer the payment of income taxes on any amount of the gain realized from the sale of any capital asset held more than one year (original new asset) that is treated as a long-term gain under the IRC, if the claimant completes a number of requirements.

Current law requires that the claimant must place the gain from the original asset in a segregated account in a financial institution, must invest all of the proceeds in a qualified new business venture (QNBV) as certified by Commerce, within 180 days after the sale of the original asset that generated the gain, and must notify DOR on a form prepared by DOR that the claimant is deferring the payment of income tax on the gain from the original asset because the proceeds have been reinvested. The amount of the investment must be equal to or greater than the gain generated by the sale of the original asset.

The requirements under the bill are the same as current law with regard to placing the original new asset in a segregated account in a financial institution and notifying DOR, but under the bill a claimant must invest all of the proceeds in a qualified Wisconsin business (QWB) as certified by the Wisconsin Economic Development Corporation (WEDC), within 180 days after the sale of the original new asset that generated the gain, instead of in a QNBV.

WEDC may certify a business as a QWB if it determines that, in the taxable year ending immediately before the date of the business's application, at least 50 percent of the business's payroll is paid in Wisconsin and at least 50 percent of the value of the business's real and tangible personal property is used by the business in this state. The bill permits WEDC to adopt rules in consultation with DOR, and it requires WEDC to make a list of certified businesses available at WEDC's Web site.

Under the bill, a claimant may not claim the deferral under this bill if the claimant also claims the current law deferral or the capital gains exclusion for Wisconsin-sourced assets, as created in this bill.

Under current law, there is an income tax exclusion for individuals for 30 percent of the net capital gains realized from the sale of assets held for at least one year, except a farm asset is subject to an exclusion for 60 percent of such gains.

**ASSEMBLY BILL 40**

Under this bill, subject to some exceptions, for taxable years beginning after December 31, 2015, a claimant may subtract from federal adjusted gross income the lesser of the claimant's federal net capital gain as reported on the claimant's federal tax return if, in that year, the claimant had a qualifying gain, or the claimant's qualifying gain.

The bill defines "qualifying gain" as the gain realized by the sale of any asset that is purchased after December 31, 2010, held for at least five consecutive years, is a Wisconsin capital asset at the time of purchase and for at least two of the next four years, and treated as a long-term gain under federal law. A "Wisconsin capital asset" is real or tangible personal property that is located in this state and used in a Wisconsin business, or stock or other ownership interest in a Wisconsin business.

Under current law, for each taxable year that a corporation that is a member of a combined group has net business loss carry-forward from a taxable year beginning on or after January 1, 2009, the corporation may, after using such net business loss carry-forward to offset its own income for the taxable year, use the remaining net business loss carry-forward to offset the income of all other members of the combined group.

Under the bill, for each taxable year that a corporation that is a member of a combined group has net business loss carry-forward from a taxable year beginning prior to January 1, 2009, the corporation may, after using such net business loss carry-forward to offset its own income for the taxable year, use up to 5 percent of the remaining net business loss carry-forward to offset the income of all other members of the combined group.

Under current law, a taxpayer may elect to include in its combined group, for income and franchise tax reporting purposes, every corporation in its commonly controlled group, regardless of whether such corporations are engaged in the same unitary business of the taxpayer. If DOR determines that the election has the effect of tax avoidance, DOR must disregard the election's tax effect or disallow the election. Under the bill, DOR may not disallow such an election, or disregard its effect, regardless of whether DOR determines that the election has the effect of tax avoidance.

Under federal law, the earned income tax credit (EITC) is a refundable tax credit for low-income workers. If the amount of the claim exceeds the worker's tax liability, the claimant receives a check for the excess amount from the Internal Revenue Service.

Under current law, an individual may claim the refundable Wisconsin EITC if he or she has one or more qualifying children. The Wisconsin EITC is equal to 4 percent of the federal EITC if the claimant has one qualifying child, 14 percent if the claimant has two qualifying children, and 43 percent if the claimant has three or more qualifying children.

This bill changes for the Wisconsin EITC the percentages of the federal EITC that may be claimed for taxable years starting after December 31, 2010, to 5 percent if the claimant has one qualifying child, 8 percent if the claimant has two qualifying children, and 40 percent if the claimant has three or more qualifying children.

**ASSEMBLY BILL 40**

The bill adopts, for state income and franchise tax purposes, recent changes made to the federal IRC related to tax credit bonds, allowing Roth individual retirement accounts in certain retirement plans, annuity contracts, and long-term care annuities.

Under current law, the interest income from bonds issued by WHEFA is exempt from income taxation if a health facility uses the bond proceeds to acquire information technology hardware or software. Under the bill, the interest income from bonds issued by WHEFA is also exempt from income taxation if the bonds are issued to a person who is eligible to receive bonds from another issuer for the same purpose and the interest income received from the other bonds is exempt from taxation.

**OTHER TAXATION**

Under the bill, a percentage of the sales and use tax collected on the sale or use of motor vehicle parts and accessories is deposited into the transportation fund.

Under current law, certain aircraft, motor vehicles, and truck bodies that are sold in this state, but used outside this state, are exempt from state and local sales and use taxes. The bill exempts from state and local sales and use taxes modular and manufactured homes that are sold in this state, but used outside this state.

The bill exempts from state and local sales and use taxes vegetable oil or animal fat that will be converted into motor vehicle fuel that is exempt from motor vehicle fuel taxes because it is used by an individual in his or her personal motor vehicle.

Under current law, generally, a railroad company pays public utility taxes based on the value of its property in this state, rather than general local property taxes. All such taxes paid by railroad companies are annually distributed to the towns, villages, and cities in which railroad company property is located. The bill provides that, beginning in 2011, the amount of such taxes distributed to each town, village, or city may be no less than the amount distributed to each town, village, or city in 2010.

**TRANSPORTATION****HIGHWAYS**

Under current law, a major highway project is a project that costs more than \$5,000,000, meets other specified criteria, and must generally receive the approval of the Transportation Projects Commission (TPC) and the legislature (generally referred to as “enumeration”). DOT may not begin preparing an environmental impact statement (EIS) or environmental assessment (EA) for a potential major highway project, and the legislature may not enumerate any major highway project without TPC approval. Major highway projects are funded from state, federal, and local funds appropriations and bond proceeds.

Under current law, southeast Wisconsin freeway rehabilitation projects include certain improvements to state trunk highways located in Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, or Waukesha county. A project may not be considered both a major highway project and a southeast Wisconsin freeway rehabilitation project. Southeast Wisconsin freeway rehabilitation projects, which include the Marquette interchange reconstruction project, the I 94 north-south corridor project, and the Zoo interchange project in Milwaukee County, may be

**ASSEMBLY BILL 40**

funded only from appropriations specifically designated for such projects or from bond proceeds. After June 30, 2011, funding under the state, federal, and local funds appropriations for southeast Wisconsin freeway rehabilitation projects terminates, but bond proceeds may still be used to fund these projects.

Currently, DOT administers a state highway rehabilitation program. This program provides funding for state highway improvements that are not major highway projects or southeast Wisconsin freeway rehabilitation projects and are funded from state, federal, and local funds appropriations and bond proceeds.

This bill modifies the definition of “major highway project” to recognize two categories of major highway projects. In the first category, a major highway project is defined as under current law except that the total cost threshold is increased to \$30,000,000. In the second category, with certain exceptions, a major highway project is a project that costs at least \$75,000,000. For both categories of major highway projects, DOT annually adjusts the total cost threshold based on an inflation index. The bill creates a TPC review and approval process for major highway projects in the second category. Under the bill, DOT may prepare an EIS or EA for a major highway project in the second category without TPC approval but, prior to construction of the project, must submit a report to the TPC and request TPC approval to proceed with the project under a passive review process. Once approved by the TPC, the project is considered enumerated as a major highway project under the statutes.

The bill also creates a category of highway projects called “southeast Wisconsin freeway megaprojects,” which are projects on southeast Wisconsin freeways that have a total cost of more than \$500,000,000 as adjusted for inflation annually by DOT. These projects may be funded only from newly created state, federal, and local funds appropriations for these projects, along with bond proceeds and an existing insurance cost–recovery appropriation. No funding for construction of these projects may be provided without legislative approval by statutory enumeration. The bill enumerates the I 94 north–south corridor project and the Zoo interchange project as southeast Wisconsin freeway megaprojects. The bill also authorizes proceeds from certain general obligation bonding to be used to fund southeast Wisconsin freeway megaprojects.

Under this bill, southeast Wisconsin freeway rehabilitation projects may also be considered major highway projects, eligible for major highway project funding, if they satisfy all criteria and requirements for major highway projects. A southeast Wisconsin freeway rehabilitation project that is not a major highway project and not a southeast Wisconsin freeway megaproject may be eligible for state highway rehabilitation funding.

Under current law, the state may contract up to \$553,550,000 in public debt, in the form of general obligation bonds, for DOT’s funding of the Marquette interchange reconstruction project and the I 94 north–south corridor reconstruction project. This bill increases to \$704,750,000 the limit for this authorized general obligation bonding and allows proceeds from this bonding to also be used to fund the reconstruction of the Zoo interchange.

**ASSEMBLY BILL 40**

Under current law, the state may contract up to \$504,712,200 in public debt to fund state highway rehabilitation projects. This bill increases this authorized general obligation bonding limit by \$115,351,500.

Under current law, the state may contract up to \$60,000,000 in public debt to fund state highway rehabilitation projects. This bill increases this authorized general obligation bonding limit to \$110,000,000.

Under current law, the state may contract up to \$50,000,000 in public debt to fund major highway projects. This bill increases this authorized general obligation bonding limit to \$100,000,000.

Under current law, the Building Commission may issue revenue bonds for major highway projects and transportation administrative facilities in a principal amount that may not exceed \$3,009,784,200. This bill increases the revenue bond limit to \$3,351,547,300.

This bill adds four major highway projects recommended by TPC to the current list of projects already approved for construction.

Under current law, the state may contract up to \$225,000,000 in public debt to fund major interstate bridge projects, but only if the state receives federal funds that cover at least \$75,000,000 of the state's share of the project's cost. This bill eliminates the federal funds precondition.

**DRIVERS AND MOTOR VEHICLES**

Under 2007 Wisconsin Act 20, certain provisions specified in the federal REAL ID Act of 2005 are incorporated into state law when DOT provides notice that it is ready to implement the federal REAL ID Act. Among these provisions is the requirement that DOT follow certain procedures in processing applications for driver's licenses and identification cards and that each driver's license and identification card include a photograph. Although the REAL ID Act allows states to issue operator's licenses and identification cards that are not compliant with REAL ID standards under certain circumstances, this provision was not incorporated into state law.

This bill allows DOT, upon the implementation of the REAL ID Act in Wisconsin, to process applications for driver's licenses and identification cards in a manner other than that required by REAL ID if the driver's licenses and identification cards are marked to indicate that they are not REAL ID compliant and DOT processes the applications in compliance with DOT practices and procedures applicable immediately prior to implementation of REAL ID. An applicant for a REAL ID noncompliant driver's license or identification card will still be required to provide certain documentation to DOT, but in processing an application for a REAL ID noncompliant driver's license or identification card, DOT is not required to meet the standards for document retention and verification that are imposed for REAL ID compliant products.

Current law provides for limited exceptions, including a religious belief exception, allowing DOT to issue a driver's license, but not an identification card, that does not contain a photograph of the license holder. After the implementation of REAL ID, however, all REAL ID compliant driver's licenses and identification cards must contain a photograph. This bill creates a new religious belief photograph



**ASSEMBLY BILL 40**

exception for identification cards, until the implementation of the REAL ID Act, and creates, after the implementation of REAL ID, a religious belief photograph exception for REAL ID noncompliant driver's licenses and identification cards.

Under current law, DOT issues and delivers a certificate of title to the owner of a vehicle upon receipt of a proper application. If there is a security interest in the vehicle, the security interest is noted on the certificate of title.

Under this bill, if there is a security interest in a vehicle, DOT issues the certificate of title in the name of the vehicle owner but delivers the certificate of title to the secured party having the primary perfected security interest in the vehicle, not to the vehicle owner.

Under current law, DOT must refuse, or suspend, registration of a vehicle for certain specified reasons and requires DOT, subject to certain conditions, to implement the International Registration Plan (IRP), which is a registration reciprocity agreement among various jurisdictions, including states and Canadian provinces, providing for apportionment by these jurisdictions of the vehicle registration fees of motor carriers operating in more than one jurisdiction.

This bill requires DOT to refuse registration of a vehicle if the applicant applies for IRP registration and identifies as the motor carrier responsible for vehicle safety a motor carrier that is subject to a federal out-of-service order, or other federal notice, for unsatisfactory safety compliance. If DOT receives notice that a motor carrier has been issued a federal out-of-service order for unsatisfactory safety compliance, DOT must suspend the registration of each motor vehicle that is already registered with DOT under the IRP for which this motor carrier is identified on the vehicle's registration application as the motor carrier responsible for vehicle safety.

Current law prohibits a person from operating a commercial motor vehicle (CMV) while the person or the CMV is ordered out-of-service under state or federal law, and a person is disqualified from operating a CMV for a specified time if the person is convicted of operating a CMV while the operator or vehicle is ordered out-of-service under state or federal law.

This bill additionally prohibits a person from operating a CMV while a federal out-of-service order for unsatisfactory safety compliance is in effect for the motor carrier identified on the motor vehicle's registration application as the motor carrier responsible for vehicle safety.

Under current law, all vehicle registration plates must display an indication of the vehicle's registration period or expiration date, and most automobile registration plates must display an indication of the month and year of registration. When renewing a vehicle registration, DOT may issue an insert tag, decal, or other evidence of registration, to be placed on the vehicle's registration plate, to indicate the vehicle's period of registration. In addition, under current law, the registration plates for most vehicles registered on the basis of gross weight must indicate the weight class into which the vehicle falls.

This bill eliminates each of these requirements. The gross weight of a vehicle registered on that basis must be shown on the vehicle's certificate of registration. This bill allows DOT to renew registration plates issued to vehicle dealers,

**ASSEMBLY BILL 40**

distributors, manufacturers, or transporters, or to finance companies or financial institutions without issuing new plates, tags, or decals.

Under current law, DOT issues commercial driver licenses (CDLs) authorizing the licensee to operate CMVs in interstate or intrastate commerce. An applicant must include certification that he or she meets certain driver qualification requirements. If an applicant for a CDL does not meet the physical qualification requirements for CMV drivers operating in interstate commerce but is otherwise qualified to operate a CMV, DOT may issue to the applicant a CDL restricted to authorizing the operation of CMVs that are not in interstate commerce.

Under this bill, if a person issued a CDL authorizing operation of CMVs in interstate commerce does not have on file with DOT a current certification covering the person's physical qualifications to operate CMVs in interstate commerce, DOT may downgrade the CDL to a restricted CDL and impose a "K" restriction on the CDL restricting the licensee from operating CMVs in interstate commerce.

Under current law, an identification card issued by DOT must include a photograph of the cardholder, and DOT may not process an application without taking a photograph. An identification card is valid for eight years, after which it may be renewed.

This bill authorizes DOT to renew identification cards by mail or by any electronic means available to DOT. However, DOT cannot make consecutive renewals by mail or electronic means, so only every other renewal can be completed by mail or electronic means. If DOT renews an identification card by mail or electronic means, DOT is not required to take a new photograph for the identification card.

Under current law, a person must pay to DOT a fee of \$53 for a first certificate of title for a vehicle or for a certificate of title after a vehicle is transferred. In addition, the person must pay an environmental impact fee of \$9 unless the vehicle is a low-speed vehicle. DOT deposits the environmental impact fee in the environmental fund for environmental management.

This bill repeals the environmental impact fee of \$9 and increases the certificate of title fee by \$9, to \$62. The certificate of title fee is first available for the repayment of revenue bonds and, if not needed, is then deposited into the transportation fund.

**TRANSPORTATION AIDS**

Under current law, DOT administers a general transportation aids program that makes payments to a county based on a share-of-costs formula, and to a village, city, or town (municipality) based on the greater of a share-of-costs formula or an aid rate per mile. This bill decreases, for 2012 and thereafter, the maximum amount of aid that may be paid to counties and municipalities under the program.

Also under current law, aid amounts payable to municipalities may not be reduced by more than 5 percent annually, and aid amounts payable to counties may not be reduced by more than 2 percent annually. This bill provides that aid amounts payable to municipalities and counties may not be reduced by more than 15 percent annually.

**ASSEMBLY BILL 40**

Under current law, DOT provides state aid payments for each of four classes of mass transit systems to local public bodies in urban areas served by mass transit systems to assist with the expenses of operating those systems. A fifth class for rail mass transit systems does not have a specified amount payable. This bill decreases the total amount of state aid payments to the four classes of mass transit systems for which aid amounts are specified and changes the funding source for mass transit operating aids from the transportation fund to the general fund beginning in the 2012–2013 fiscal year.

Under current law, DOT administers the Southeast Wisconsin Transit Capital Assistance Program under which DOT awards grants to eligible applicants for transit capital improvements. The only eligible applicant for this program is the Southeastern Regional Transit Authority, often referred to as SERTA. The only source of funding for the program is proceeds from state general obligation bonds. This bill eliminates the program and bonding authority for the program.

Under current law, DOT administers an intercity bus assistance program to award grants to cities, villages, towns, or counties or enter into contracts with private providers of intercity bus service for the purpose of increasing the availability of intercity bus service in this state. This bill eliminates the grant portion of the program.

**RAIL AND AIR TRANSPORTATION**

This bill increases the authorized general obligation bonding limit for the acquisition and improvement of rail property from \$126,500,000 to \$186,500,000.

**OTHER TRANSPORTATION**

The 2009 biennial budget act (Act 28) authorized the creation of several new regional transit authorities (RTAs): the Dane County RTA, the Chippewa Valley RTA, and the Chequamegon Bay RTA. Each RTA, once created, is a public body corporate and politic and a separate governmental entity. The board of directors of an RTA may, upon adopting a resolution, impose a sales and use tax in the RTA's jurisdictional area at a rate not exceeding 0.5 percent of the gross receipts or sales price if certain conditions are satisfied.

This bill requires that an RTA hold a referendum in the RTA's jurisdictional area before the RTA may impose a sales and use tax within its jurisdictional area.

Upon approval by its board of directors, SERTA may impose a rental car transaction fee in the counties of Kenosha, Racine, and Milwaukee.

This bill requires that SERTA hold a referendum in the counties of Kenosha, Racine, and Milwaukee before SERTA may impose the rental car transaction fee in these counties.

Under current law, DOT may accept payment by credit card, debit card, or any other electronic payment mechanism of certain fees, which generally derive from transactions related to motor vehicles or motor vehicle operators. DOT may charge a convenience fee for each transaction in which payment is made in this way.

This bill allows DOT to accept payment of any fee by credit card, debit card, or any other electronic payment mechanism, and to charge a convenience fee whenever payment is made in this way. DOT may promulgate rules requiring a person to pay an additional fee for conducting an in-person, telephone, or paper transaction in lieu

**ASSEMBLY BILL 40**

of using an electronic filing or submission option when DOT has made an electronic filing or submission option available.

This bill increases the authorized general obligation bonding limit for harbor improvement grants from \$66,100,000 to \$78,800,000.

**VETERANS AND MILITARY AFFAIRS**

Currently, DVA operates two veterans homes in the state, one at King and the other at Union Grove. Operation of veterans homes includes hiring personnel and providing services to the residents of the home. A third home, that has not yet been opened, is to be located in Chippewa Falls. For this third home, in lieu of DVA operating the home, DVA may contract with a private entity to operate the home. The bill also specifically requires the Legislative Audit Bureau, at the request of the governor or the legislature, to conduct one or more financial audits of the operation of the Chippewa Falls home by a private entity.

Because this bill directly or substantially affects the development, construction, cost or availability of housing in this state, the Department of Administration, as required by law, will prepare a report to be printed as an appendix to this bill.

Because this bill relates to an exemption from state or local taxes, it may be referred to the Joint Survey Committee on Tax Exemptions for a report to be printed as an appendix to the bill.

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

1           **SECTION 1.** 11.26 (9) (a) and (b) of the statutes are amended to read:

2           11.26 **(9)** (a) Except as provided in par. (ba), no individual who is a candidate  
3 for state or local office may receive and accept more than 65 percent of the value of  
4 the total disbursement level determined under s. 11.31 or 11.511 (7) ~~(a)~~ for the office  
5 for which he or she is a candidate during any primary and election campaign  
6 combined from all committees subject to a filing requirement, including political  
7 party and legislative campaign committees.

8           (b) Except as provided in par. (ba), no individual who is a candidate for state  
9 or local office may receive and accept more than 45 percent of the value of the total  
10 disbursement level determined under s. 11.31 or 11.511 (7) ~~(a)~~ for the office for which

**ASSEMBLY BILL 40**

1 he or she is a candidate during any primary and election campaign combined from  
2 all committees other than political party and legislative campaign committees  
3 subject to a filing requirement.

4 **SECTION 2.** 11.506 (1) of the statutes is amended to read:

5 11.506 (1) An eligible candidate shall not accept private contributions other  
6 than ~~seed money contributions and qualifying contributions that the candidate~~  
7 ~~accepts during the exploratory period and the public financing qualifying period~~  
8 during the primary election campaign period in an aggregate amount exceeding the  
9 difference, if any, between the maximum amount of the public financing benefit for  
10 the primary election campaign period and the actual amount of the public financing  
11 benefit for that period paid to the eligible candidate. An eligible candidate shall not  
12 accept private contributions during the election campaign period in an aggregate  
13 amount exceeding the difference, if any, between the maximum amount of the public  
14 financing benefit for the election campaign period and the actual amount of the  
15 public financing benefit for that period paid to the eligible candidate.

16 **SECTION 3.** 11.51 (title) of the statutes is amended to read:

17 **11.51 (title) Certification Certifications by candidate and board.**

18 **SECTION 4.** 11.51 (1m) of the statutes is created to read:

19 11.51 (1m) Upon determination of the number of eligible candidates who  
20 qualify for a public financing benefit for the primary election campaign period, the  
21 board shall determine the amounts of the public financing benefits that are payable  
22 to all eligible candidates in the primary election campaign period and the election  
23 campaign period by reserving a public financing benefit amount from the democracy  
24 trust fund for the election campaign period for 2 eligible candidates, if 2 or more  
25 candidates qualify to receive a public financing benefit for the primary election

**ASSEMBLY BILL 40****SECTION 4**

1 campaign period, or for one eligible candidate, if only one candidate qualifies to  
2 receive a public financing benefit for the primary election campaign period and, if  
3 there are insufficient moneys in the democracy trust fund to make full payment of  
4 all public financing benefits that are or may become payable for the primary and  
5 election campaign periods, by prorating the amounts of the public financing benefits  
6 to fully allocate all available moneys to the eligible candidates. If, on the day that  
7 the board makes its certification under sub. (3), there are additional moneys in the  
8 democracy trust fund that have become available for distribution to eligible  
9 candidates in the election campaign period, the board shall distribute the additional  
10 moneys in equal amounts to each eligible candidate at the spring election or, if there  
11 is only one eligible candidate, to that candidate alone, up to the maximum amount  
12 of the public financing benefit for the spring election, as provided in s. 11.511 (3) and  
13 (6).

14 **SECTION 5.** 11.51 (2) of the statutes is amended to read:

15 11.51 (2) The board shall certify ~~to the state treasurer~~ the name of each eligible  
16 candidate at the spring primary together with the amount of the public financing  
17 benefit payable to the candidate promptly after the candidate demonstrates his or  
18 her eligibility and, in any event, not later than 5 days after the end of the public  
19 financing qualifying period. ~~The state treasurer~~ Upon certification of an eligible  
20 candidate, the board shall immediately credit that candidate's account with a line of  
21 credit for the amount certified. No candidate may utilize a line of credit received  
22 under this subsection until the beginning of the primary election campaign period.

23 **SECTION 6.** 11.51 (3) of the statutes is amended to read:

24 11.51 (3) The board shall certify ~~to the state treasurer~~ the name of each eligible  
25 candidate at the spring election together with the amount of the public financing

**ASSEMBLY BILL 40**

1 benefit payable to the candidate not later than 48 hours after the date of the spring  
2 primary election for the office of justice, or the date that the primary election would  
3 be held if a primary were required. ~~The state treasurer~~ Upon certification of an  
4 eligible candidate, the board shall immediately credit that candidate's account with  
5 a line of credit for the amount certified. However, no candidate for a particular office  
6 shall receive a line of credit until all candidates for the office of justice who apply and  
7 qualify for a public financing benefit have been certified as eligible candidates.

8 **SECTION 7.** 11.511 (1) of the statutes is amended to read:

9 11.511 (1) ~~The state treasurer~~ board shall provide to each eligible candidate  
10 who qualifies to receive a public financing benefit for the primary or election  
11 campaign period separate lines of credit for the public financing benefits payable to  
12 the candidate for the primary and election campaign periods in the amounts  
13 specified in this section, subject to any required adjustment under s. 11.512 (2) or  
14 11.513 (2). An eligible candidate may use this public financing benefit to finance any  
15 lawful disbursements during the primary and election campaign periods to further  
16 the election of the candidate in that primary or election. An eligible candidate shall  
17 not use this public financing benefit to repay any loan, or in violation of ss. 11.502  
18 to 11.522 or any other applicable law.

19 **SECTION 8.** 11.511 (1) of the statutes, as affected by 2011 Wisconsin Act .... (this  
20 act), is amended to read:

21 11.511 (1) The board shall provide to each eligible candidate who qualifies to  
22 receive a public financing benefit for the primary or election campaign period  
23 separate lines of credit for the public financing benefits payable to the candidate for  
24 the primary and election campaign periods in the amounts specified in this section,  
25 ~~subject to any required adjustment under s. 11.512 (2) or 11.513 (2).~~ An eligible

**ASSEMBLY BILL 40****SECTION 8**

1 candidate may use this public financing benefit to finance any lawful disbursements  
2 during the primary and election campaign periods to further the election of the  
3 candidate in that primary or election. An eligible candidate shall not use this public  
4 financing benefit to repay any loan, or in violation of ss. 11.502 to 11.522 or any other  
5 applicable law.

6 **SECTION 9.** 11.511 (2) of the statutes is amended to read:

7 11.511 (2) ~~Except as provided in ss. 11.512 (2) and 11.513 (2), the~~ The maximum  
8 public financing benefit for a primary election campaign period is \$100,000, subject  
9 to adjustment under s. 11.51 (1m).

10 **SECTION 10.** 11.511 (3) of the statutes is amended to read:

11 11.511 (3) ~~Except as provided in ss. 11.512 (2) and 11.513 (2), the~~ The maximum  
12 public financing benefit for an election campaign period is \$300,000, subject to  
13 adjustment under s. 11.51 (1m).

14 **SECTION 11.** 11.511 (6) of the statutes is amended to read:

15 11.511 (6) Notwithstanding subs. (2) and (3), beginning on July 1, 2012, and  
16 every 2 years thereafter, the board shall modify the maximum public financing  
17 benefits provided for in subs. (2) and (3) to adjust for the change in the consumer price  
18 index, all items, U.S. city average, published by the U.S. department of labor for the  
19 preceding 2-year period ending on December 31.

20 **SECTION 12.** 11.511 (7) (a) of the statutes is renumbered 11.511 (7) and amended  
21 to read:

22 11.511 (7) ~~Except as provided in par. (b), no~~ No candidate for the office of justice  
23 who files an application for a public financing benefit and certification under s. 11.51  
24 (1) and who accepts a public financing benefit may make or authorize total  
25 disbursements in a campaign, beginning with the first day of the exploratory period



**ASSEMBLY BILL 40**

1 and ending on the date of the spring election, to the extent of more than the maximum  
2 amounts specified in ss. 11.502 (2) and 11.508 (1), plus the amount specified in s.  
3 11.511 (3), as adjusted under s. 11.511 (6), and, if there is a primary for the office of  
4 justice, the amount specified in s. 11.511 (2), as adjusted under s. 11.511 (6).

5 **SECTION 13.** 11.511 (7) (b) of the statutes is repealed.

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

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

8 **SECTION 16.** 11.515 of the statutes is amended to read:

9 **11.515 Democracy trust fund.** The democracy trust fund shall be  
10 administered by the ~~state treasurer~~ government accountability board. The state  
11 treasurer board shall establish an account within the fund for each eligible  
12 candidate.

13 **SECTION 17.** 11.517 (1) of the statutes is amended to read:

14 11.517 (1) Notwithstanding s. 11.60 (1), if an eligible candidate makes  
15 disbursements that exceed the total amount of the public financing benefit allocated  
16 to the candidate for any campaign ~~and~~, the total qualifying and seed money  
17 contributions lawfully accepted by the candidate, and the total private contributions  
18 that the candidate may accept under s. 11.506 (1), the candidate may be required to  
19 forfeit not more than 10 times the amount by which the disbursements exceed the  
20 allocation that total.

21 **SECTION 18.** 11.522 of the statutes is amended to read:

22 **11.522 Contributions to nonparticipating candidates.** A  
23 nonparticipating candidate may accept contributions from private sources ~~without~~  
24 ~~limitation, except that no person may make any contribution or contributions to a~~

**ASSEMBLY BILL 40****SECTION 18**

1 ~~nonparticipating candidate exceeding a total of \$1,000 during any campaign, subject~~  
2 ~~to applicable limitations under s. 11.26.~~

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

4 13.099 (1) (a) “~~Department~~” “Authority” means the ~~department of commerce~~  
5 Wisconsin Housing and Economic Development Authority.

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

7 13.099 (1) (b) “State housing strategy plan” means the plan developed under  
8 s. ~~560.9802~~ 234.5602.

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

10 13.099 (2) (a) If any bill that is introduced in either house of the legislature  
11 directly or substantially affects the development, construction, cost, or availability  
12 of housing in this state, the ~~department~~ authority shall prepare a report on the bill  
13 within 30 days after it is introduced. The ~~department~~ authority may request any  
14 information from other state agencies, local governments or individuals, or  
15 organizations that is reasonably necessary for the ~~department~~ authority to prepare  
16 the report.

17 **SECTION 22.** 13.099 (2) (b) of the statutes is amended to read:

18 13.099 (2) (b) A bill that requires a report by the ~~department~~ authority under  
19 this section shall have that requirement noted on its jacket when the jacket is  
20 prepared. When a bill that requires a report under this section is introduced, the  
21 legislative reference bureau shall submit a copy of the bill to the ~~department~~  
22 authority.

23 **SECTION 23.** 13.099 (3) (title) of the statutes is amended to read:

24 13.099 (3) (title) FINDINGS OF THE ~~DEPARTMENT~~ AUTHORITY TO BE CONTAINED IN THE  
25 REPORT.

**ASSEMBLY BILL 40**

1           **SECTION 24.** 13.099 (3) (a) (intro.) of the statutes is amended to read:

2           13.099 **(3)** (a) (intro.) The report of the department authority shall contain  
3 information about the effect of the bill on housing in this state, including information  
4 on the effect of the bill on all of the following:

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

6           13.099 **(3)** (a) 5. Housing costs, as defined in s. ~~560.9801~~ 234.5601 (3) (a) and  
7 (b).

8           **SECTION 26.** 13.099 (4) of the statutes is amended to read:

9           13.099 **(4)** ~~RULE-MAKING AUTHORITY~~ RULES. The department authority may  
10 ~~promulgate~~ adopt any rules necessary for the administration of this section.

11           **SECTION 27.** 13.101 (6) (a) of the statutes is amended to read:

12           13.101 **(6)** (a) As an emergency measure necessitated by decreased state  
13 revenues and to prevent the necessity for a state tax on general property, the  
14 committee may reduce any appropriation made to any board, commission,  
15 department, or the University of Wisconsin System, or to any other state agency or  
16 activity, by such amount as it deems feasible, not exceeding 25% of the  
17 appropriations, except appropriations made by ss. 20.255 (2) (ac), ~~(be)~~, (bh), (cg), and  
18 (cr), 20.395 (1), (2) (cq), (eq) to (ex) and (gq) to (gx), (3), (4) (aq) to (ax), and (6) (af),  
19 (aq), (ar), and (au), 20.435 (7) (a) and (da), and 20.437 (2) (a) and (dz) or for forestry  
20 purposes under s. 20.370 (1), or any other moneys distributed to any county, city,  
21 village, town, or school district. Appropriations of receipts and of a sum sufficient  
22 shall for the purposes of this section be regarded as equivalent to the amounts  
23 expended under such appropriations in the prior fiscal year which ended June 30.  
24 All functions of said state agencies shall be continued in an efficient manner, but  
25 because of the uncertainties of the existing situation no public funds should be

**ASSEMBLY BILL 40****SECTION 27**

1 expended or obligations incurred unless there shall be adequate revenues to meet the  
2 expenditures therefor. For such reason the committee may make reductions of such  
3 appropriations as in its judgment will secure sound financial operations of the  
4 administration for said state agencies and at the same time interfere least with their  
5 services and activities.

6 **SECTION 28.** 13.106 (title) of the statutes is amended to read:

7 **13.106 (title) ~~Medical College of Wisconsin and UW-Madison Medical~~**  
8 **~~School~~ school reports.**

9 **SECTION 29.** 13.106 (1) (intro.) of the statutes is amended to read:

10 13.106 **(1)** (intro.) The Medical College of Wisconsin and the University of  
11 ~~Wisconsin-Madison Medical~~ Wisconsin School of Medicine and Public Health shall  
12 biennially report to the governor and the joint committee on finance on the:

13 **SECTION 30.** 13.106 (2) of the statutes is amended to read:

14 13.106 **(2)** The Medical College of Wisconsin and the University of  
15 ~~Wisconsin-Madison Medical~~ Wisconsin School of Medicine and Public Health shall  
16 submit a biennial report containing financial summaries for the college and school  
17 to the governor and the joint committee on finance, in a consistent format and  
18 methodology to be developed in consultation with the medical education review  
19 committee under s. 39.16.

20 **SECTION 31.** 13.106 (3) (intro.) of the statutes is amended to read:

21 13.106 **(3)** (intro.) By October 15 of each even-numbered year, the Medical  
22 College of Wisconsin and the University of ~~Wisconsin-Madison Medical~~ Wisconsin  
23 School of Medicine and Public Health shall submit a report to the governor and to  
24 the chief clerk of each house of the legislature for distribution to the legislature under  
25 s. 13.172 (2) that provides information on all of the following:

**ASSEMBLY BILL 40**

1           **SECTION 32.** 13.172 (1) of the statutes, as affected by 2011 Wisconsin Act 7, is  
2 amended to read:

3           13.172 (1) In this section, “agency” means an office, department, agency,  
4 institution of higher education, association, society, or other body in state  
5 government created or authorized to be created by the constitution or any law, that  
6 is entitled to expend moneys appropriated by law, including the legislature and the  
7 courts, and any authority created in subch. II of ch. 114 or subch. III of ch. 149 or in  
8 ch. 37, 52, 231, 233, 234, 238, or 279.

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

10          **SECTION 34.** 13.48 (1) of the statutes is amended to read:

11          13.48 (1) **POLICY.** The legislature finds and determines that it is necessary to  
12 improve the adequacy of the public building facilities that are required by the various  
13 state agencies and the University of Wisconsin–Madison including the educational  
14 institutions, for the proper performance of their duties and functions, and that it is  
15 in the interest of economy, efficiency and the public welfare that such improvement  
16 be accomplished by means of a long–range public building program, with funds to be  
17 provided by successive legislatures. The long–range program shall include the  
18 necessary lands, new buildings, and all facilities and equipment required and also  
19 the remodeling, reconstruction, maintenance and reequipping of existing buildings  
20 and facilities, as determined by the building commission.

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

22          13.48 (1m) (b) The long–range public building program shall recognize the  
23 importance of historic properties and shall include a program of preservation and  
24 restoration of those historic properties under the control of the state and the

**ASSEMBLY BILL 40****SECTION 35**

1 University of Wisconsin–Madison as provided in s. 44.41, including criteria for  
2 determining which historic properties should be preserved and restored.

3 **SECTION 36.** 13.48 (1m) (c) of the statutes is amended to read:

4 13.48 **(1m)** (c) The long–range public building program shall require the  
5 biennial review of each historic property under the control of the state and the  
6 University of Wisconsin–Madison to determine the current uses of the property and  
7 compliance by state agency–compliance agencies and the University of  
8 Wisconsin–Madison with the requirements of the long–range program.

9 **SECTION 37.** 13.48 (1m) (d) of the statutes is amended to read:

10 13.48 **(1m)** (d) The building commission shall allocate, from that portion of the  
11 state building program funding which is available to all state agencies and the  
12 University of Wisconsin–Madison, an amount of funds deemed necessary by the  
13 building commission for the preservation, restoration and maintenance of historic  
14 properties under the control of the state and the University of Wisconsin–Madison.

15 **SECTION 38.** 13.48 (2) (b) 2. of the statutes is amended to read:

16 13.48 **(2)** (b) 2. In the construction of all new buildings or additions to existing  
17 buildings used for housing state offices and constructed for general state purposes  
18 and not specially for the use of any particular state agency or the University of  
19 Wisconsin–Madison, the building commission shall function with respect to such  
20 construction in the same manner as other state agencies function with respect to  
21 buildings constructed for such agencies. The building commission shall fix the rental  
22 for all space in such buildings, and, notwithstanding any other statute, may remove  
23 to any building any department housed in the state capitol. After the completion of  
24 such buildings, they shall be in the charge of the department of administration as  
25 provided by s. 16.84.

**ASSEMBLY BILL 40**

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

2           **SECTION 40.** 13.48 (2) (d) of the statutes is repealed.

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

4           13.48 (2) (e) 2. It is the intent of the legislature that it be given a complete  
5 picture of the results of its past decisions regarding the ~~state's~~ state building program  
6 which will serve as background for making further decisions.

7           **SECTION 42.** 13.48 (2) (g) of the statutes is amended to read:

8           13.48 (2) (g) The building commission shall review assessments on property of  
9 the state and the University of Wisconsin–Madison under s. 66.0703 (6).

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

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

12          13.48 (3) STATE BUILDING TRUST FUND. In the interest of the continuity of the  
13 program, the moneys appropriated to the state building trust fund under s. 20.867  
14 (2) (f) shall be retained as a nonlapsing building depreciation reserve. Such moneys  
15 shall be deposited into the state building trust fund. At such times as the building  
16 commission directs, or in emergency situations under s. 16.855 (16) (b), the governor  
17 shall authorize releases from this fund to become available for projects of state  
18 agencies or the University of Wisconsin–Madison and shall direct the department of  
19 administration to allocate from this fund such amounts as are approved for these  
20 projects. In issuing such directions, the building commission shall consider the cash  
21 balance in the state building trust fund, the necessity and urgency of the proposed  
22 improvement, employment conditions and availability of materials in the locality in  
23 which the improvement is to be made. The building commission may authorize any  
24 project costing \$500,000 or less for any state agency or the University of  
25 Wisconsin–Madison in accordance with priorities to be established by the building

**ASSEMBLY BILL 40****SECTION 44**

1 commission and may adjust the priorities by deleting, substituting or adding new  
2 projects as needed to reflect changing program needs and unforeseen circumstances.  
3 The building commission may enter into contracts for the construction of buildings  
4 for any state agency or the University of Wisconsin–Madison, except a project  
5 authorized under sub. (10) (c), and shall be responsible for accounting for all funds  
6 released to projects. The building commission may designate the department of  
7 administration, the University of Wisconsin–Madison, or the agency for which the  
8 project is constructed to act as its representative in such accounting.

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

10 13.48 (4) STATE AGENCIES AND THE UNIVERSITY OF WISCONSIN–MADISON TO REPORT  
11 PROPOSED PROJECTS. ~~Each~~ Whenever any state agency ~~contemplating or the~~  
12 University of Wisconsin–Madison contemplates a project under ~~this~~ the state  
13 building program, it shall report ~~its proposed projects~~ the project to the building  
14 commission. The report shall be made on such date and in such manner as the  
15 building commission prescribes. This subsection does not apply to projects identified  
16 in sub. (10) (c).

17 **SECTION 46.** 13.48 (6) of the statutes is amended to read:

18 13.48 (6) REVIEW OF PROJECTS. All reports submitted as provided by sub. (4)  
19 shall be reviewed by the building commission, which shall make its report as soon  
20 after November 20 as is possible. Such report shall include specific  
21 recommendations and establish priorities for the next 3 biennia from among all  
22 projects submitted which the building commission deems essential and shall  
23 recommend additional appropriations if necessary for the execution thereof. The  
24 building commission shall include in the report any projects proposed by the state  
25 fair park board involving a cost of not more than \$250,000, together with the method



**ASSEMBLY BILL 40**

1 of financing proposed for those projects by the board, without recommendation. The  
2 building commission shall include in its report an appraisal and recommendation of  
3 available and alternative methods of financing buildings for the use of state agencies  
4 and the University of Wisconsin–Madison and shall file copies of its report with the  
5 governor–elect.

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

7 13.48 (10) (a) ~~No Except as provided in par. (c). no state board, agency, officer,~~  
8 ~~department, commission, or body corporate, including the University of~~  
9 ~~Wisconsin–Madison.~~ may enter into a contract for the construction, reconstruction,  
10 remodeling of, or addition to any building, structure, or facility, in connection with  
11 any building project which involves a cost in excess of \$150,000 without completion  
12 of final plans and arrangement for supervision of construction and prior approval by  
13 the building commission. ~~The building commission may not approve a contract for~~  
14 ~~the construction, reconstruction, renovation or remodeling of or an addition to a state~~  
15 ~~building as defined in s. 44.51 (2) unless it determines that s. 44.57 has been complied~~  
16 ~~with or does not apply.~~ This section applies to the department of transportation only  
17 in respect to buildings, structures, and facilities to be used for administrative or  
18 operating functions, including buildings, land, and equipment to be used for the  
19 motor vehicle emission inspection and maintenance program under s. 110.20.

20 **SECTION 48.** 13.48 (10) (c) of the statutes is created to read:

21 13.48 (10) (c) Paragraph (a) does not apply to any contract for a building project  
22 involving a cost of not more than \$500,000 to be constructed for the University of  
23 Wisconsin–Madison that is funded entirely from sources other than general purpose  
24 revenue or general fund supported borrowing.

25 **SECTION 49.** 13.48 (12) (b) 6. of the statutes is created to read:

**ASSEMBLY BILL 40****SECTION 49**

1           13.48 (12) (b) 6. A facility constructed by or for the University of  
2 Wisconsin–Madison.

3           **SECTION 50.** 13.48 (13) (a) of the statutes, as affected by 2011 Wisconsin Act 7,  
4 is amended to read:

5           13.48 (13) (a) Except as provided in par. (b) or (c), every building, structure or  
6 facility that is constructed for the benefit of or use of the state, any state agency,  
7 board, commission or department, the University of Wisconsin–Madison, the  
8 University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational  
9 System Authority, the Wisconsin Quality Home Care Authority, the Wisconsin  
10 Economic Development Corporation, or any local professional baseball park district  
11 created under subch. III of ch. 229 if the construction is undertaken by the  
12 department of administration on behalf of the district, shall be in compliance with  
13 all applicable state laws, rules, codes and regulations but the construction is not  
14 subject to the ordinances or regulations of the municipality in which the construction  
15 takes place except zoning, including without limitation because of enumeration  
16 ordinances or regulations relating to materials used, permits, supervision of  
17 construction or installation, payment of permit fees, or other restrictions.

18           **SECTION 51.** 13.48 (15) of the statutes is amended to read:

19           13.48 (15) ACQUISITION OF LEASEHOLD INTERESTS. Subject to the requirements  
20 of s. 20.924 (1) (i), the building commission shall have the authority to acquire  
21 leasehold interests in land and buildings where such authority is not otherwise  
22 provided to an agency or the University of Wisconsin–Madison by law.

23           **SECTION 52.** 13.48 (19) of the statutes is amended to read:

24           13.48 (19) ALTERNATIVES TO STATE CONSTRUCTION. Whenever the building  
25 commission determines that the use of innovative types of design and construction

**ASSEMBLY BILL 40**

1 processes will make better use of the resources and technology available in the  
2 building industry, the building commission may waive any or all of s. 16.855 if such  
3 action is in the best interest of the state or the University of Wisconsin–Madison and  
4 if the waiver is accomplished through formal action of the building commission. The  
5 building commission may authorize the lease, lease purchase or acquisition of ~~such~~  
6 state facilities constructed in the manner authorized by the building commission.  
7 Subject to the requirements of s. 20.924 (1) (i), the building commission may also  
8 authorize the lease, lease purchase or acquisition of existing facilities in lieu of state  
9 construction of any project enumerated in the authorized state building program.

10 **SECTION 53.** 13.48 (25) of the statutes is amended to read:

11 13.48 (25) WISCONSIN INITIATIVE FOR STATE TECHNOLOGY AND APPLIED RESEARCH.

12 There is created a program, to be known as the Wisconsin initiative for state  
13 technology and applied research, for the purpose of providing financial support to  
14 maintain the ability of the University of Wisconsin–Madison and the University of  
15 Wisconsin System and other state agencies, as defined in s. 20.001 (1), to attract  
16 federal and private research funds which enable the state to engage in  
17 high–technology endeavors, which expand the state’s economy and which influence  
18 the ability of the state and nation to compete in an increasingly complex world. To  
19 carry out the program, the building commission may authorize new construction  
20 projects and projects to repair and renovate existing research facilities and  
21 supporting systems. Projects shall be financed from the appropriation under s.  
22 20.866 (2) (z) or as otherwise provided in the authorized state building program.

23 **SECTION 54.** 13.48 (25t) of the statutes is amended to read:

24 13.48 (25t) WISBUILD INITIATIVE. There is created a program, to be known as the  
25 “Wisbuild initiative”, for the purpose of providing financial support for the

**ASSEMBLY BILL 40****SECTION 54**

1 maintenance, repair and renovation of state-owned buildings owned by the state  
2 and the University of Wisconsin-Madison. Funding may be provided under the  
3 initiative for high priority, comprehensive building renovation projects, as well as for  
4 the maintenance and repair of the exterior components of buildings and, without  
5 limitation because of enumeration, systems such as mechanical, electrical, plumbing  
6 and other building systems. Funding may also be provided under the initiative for  
7 projects to remove barriers that reduce access to and use of state facilities and  
8 University of Wisconsin-Madison facilities by persons with disabilities. The  
9 building commission shall allocate available funding for the initiative. Projects  
10 funded as a part of the initiative shall be financed from the appropriation under s.  
11 20.866 (2) (z) or as otherwise provided in the authorized state building program.

12 **SECTION 55.** 13.48 (28) (title) of the statutes is amended to read:

13 13.48 (28) (title) STATE AND UNIVERSITY OF WISCONSIN-MADISON PROPERTY LEASED  
14 TO THE UNIVERSITY OF WISCONSIN HOSPITALS AND CLINICS AUTHORITY.

15 **SECTION 56.** 13.48 (29) of the statutes is amended to read:

16 13.48 (29) SMALL PROJECTS. Except as otherwise required under s. 16.855  
17 (10m), the building commission may prescribe simplified policies and procedures to  
18 be used in lieu of the procedures provided in s. 16.855 for any project that does not  
19 require prior approval of the building commission under sub. (10) (a), except projects  
20 specified in sub. (10) (c).

21 **SECTION 57.** 13.488 (1) (intro.) of the statutes is amended to read:

22 13.488 (1) (intro.) For the purpose of providing housing for state departments  
23 and agencies and the University of Wisconsin-Madison, including housing for state  
24 offices anywhere in the state and the completion of the state office building, and all  
25 buildings, improvements, facilities or equipment or other capital items required in

**ASSEMBLY BILL 40**

1 connection therewith, for the acquisition of lands for future office building  
2 development, and to refinance indebtedness previously or hereafter created by a  
3 nonprofit-sharing corporation for the purpose of providing a state office building or  
4 buildings or additions or improvements thereto which are located on land owned by  
5 the state or by the nonprofit-sharing corporation, or for any one or more of said  
6 purposes, the building commission shall have the following powers and duties:

7 **SECTION 58.** 13.488 (5) of the statutes is amended to read:

8 13.488 (5) Unless the context requires otherwise, the terms “building”, “new  
9 buildings” and “existing buildings”, as used in this section, include all buildings,  
10 structures, improvements, facilities, equipment or other capital items as the  
11 building commission determines to be necessary or desirable for the purpose of  
12 providing housing for state departments and agencies, and the University of  
13 Wisconsin-Madison.

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

15 13.489 (1m) (f) This subsection does not apply to major highway projects  
16 described in s. 84.013 (1) (a) 2m.

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

18 13.489 (4) (d) This subsection does not apply to major highway projects  
19 described in s. 84.013 (1) (a) 2m.

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

21 13.489 (4m) REVIEW OF HIGH-COST MAJOR HIGHWAY PROJECTS. (a)  
22 Notwithstanding sub. (4), for any major highway project described in s. 84.013 (1) (a)  
23 2m., the department of transportation shall submit a report to the commission, prior  
24 to construction of the project, which report may request the commission’s approval  
25 to proceed with the project. The department may submit this request at any time

**ASSEMBLY BILL 40****SECTION 61**

1 following completion by the department of a draft environmental impact statement  
2 or environmental assessment for the project.

3 (b) After receiving a request under par. (a) for approval to proceed with a major  
4 highway project described in s. 84.013, if the chairperson of the commission does not  
5 notify the department of transportation within 14 working days after the date on  
6 which the department submits the request under par. (a) that the commission has  
7 scheduled a meeting for the purpose of reviewing the request, the request is  
8 considered approved and the department may proceed with the project. If, within  
9 14 working days after the date on which the department submits the request, the  
10 chairperson of the commission notifies the department that the commission has  
11 scheduled a meeting for the purpose of reviewing the request, the department may  
12 implement the request only as approved by the commission, including approval after  
13 modification by the commission.

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

17 (d) The procedures specified in this subsection shall apply to all major highway  
18 projects described in s. 84.013 (1) (a) 2m. in lieu of the procedures described in sub.  
19 (4).

20 **SECTION 62.** 13.62 (2) of the statutes, as affected by 2011 Wisconsin Act 7, is  
21 amended to read:

22 13.62 (2) “Agency” means any board, commission, department, office, society,  
23 institution of higher education, council, or committee in the state government, or any  
24 authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 37, 52, 231,

**ASSEMBLY BILL 40**

1 232, 233, 234, 237, 238, or 279, except that the term does not include a council or  
2 committee of the legislature.

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

4 13.625 (9) This section does not apply to the solicitation, acceptance, or  
5 furnishing of anything of pecuniary value by the ~~department of commerce~~ Wisconsin  
6 Economic Development Corporation, or to a principal furnishing anything of  
7 pecuniary value to the ~~department of commerce~~ Wisconsin Economic Development  
8 Corporation, under s. 19.56 (3) (e) or (f) for the activities specified in s. 19.56 (3) (e).

9 **SECTION 64.** 13.94 (1) (intro.) of the statutes is amended to read:

10 13.94 (1) DUTIES OF THE BUREAU. (intro.) The legislative audit bureau shall be  
11 responsible for conducting postaudits of the accounts and other financial records of  
12 departments to assure that all financial transactions have been made in a legal and  
13 proper manner. In connection with such postaudits, the legislative audit bureau  
14 shall review the performance and program accomplishments of the department  
15 during the fiscal period for which the audit is being conducted to determine whether  
16 the department carried out the policy of the legislature and the governor during the  
17 period for which the appropriations were made. In performing postaudits under this  
18 subsection, the legislative audit bureau shall not examine issues related to academic  
19 freedom within the University of Wisconsin–Madison or the University of Wisconsin  
20 System. A postaudit shall not examine into or comment upon the content of the  
21 various academic programs, including degree requirements, majors, curriculum or  
22 courses within the University of Wisconsin–Madison or the University of Wisconsin  
23 System, nor shall any such postaudit examine into the manner in which individual  
24 faculty members or groups of faculty members conduct their instructional, research  
25 or public service activities. This subsection does not preclude the bureau from

**ASSEMBLY BILL 40****SECTION 64**

1 reviewing the procedures by which decisions are made and priorities set in the  
2 University of Wisconsin–Madison or the University of Wisconsin System, or the  
3 manner in which such decisions and priorities are implemented within the  
4 University of Wisconsin–Madison or the University of Wisconsin System, insofar as  
5 such review is not inconsistent with s. 36.09 or 37.03. The legislative audit bureau  
6 shall audit the fiscal concerns of the state as required by law. To this end, it shall:

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

8 13.94 (1) (dp) In addition to any other audit to be performed under this section  
9 relating to veterans homes, perform one or more financial audits of the operation of  
10 the Wisconsin Veterans Home at Chippewa Falls by any private entity with which  
11 the department of veterans affairs enters into an agreement under s. 45.50 (2m) (c).  
12 The audit shall be performed at such time as the governor or legislature directs.

13 **SECTION 66.** 13.94 (1) (mm) of the statutes, as affected by 2011 Wisconsin Act  
14 7, is amended to read:

15 13.94 (1) (mm) No later than July 1, 2012, prepare a financial and performance  
16 evaluation audit of the economic development programs administered by ~~the~~  
17 ~~department of commerce~~, the University of Wisconsin System, the department of  
18 agriculture, trade and consumer protection, the department of natural resources, the  
19 Wisconsin Housing and Economic Development Authority, the Wisconsin Economic  
20 Development Corporation, the department of tourism, the technical college system,  
21 and the department of transportation. In this paragraph, economic development  
22 program has the meaning given in s. ~~560.001 (1m)~~ 23.167 (1). The legislative audit  
23 bureau shall file a copy of the report of the audit under this paragraph with the  
24 distributees specified in par. (b).

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



**ASSEMBLY BILL 40**

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

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

6           13.94 (1) (n) Provide periodic performance audits of any division of the  
7 department of ~~commerce~~ safety and professional services that is responsible for  
8 inspections of multifamily housing under s. 101.973 (11).

9           **SECTION 69.** 13.94 (1) (o) of the statutes is created to read:

10           13.94 (1) (o) Annually, by June 30, prepare a financial and performance  
11 evaluation audit of at least one program funded by the universal service fund  
12 established under s. 25.95. The legislative audit bureau shall file a copy of each audit  
13 report under this paragraph with the distributees specified in par. (b).

14           **SECTION 70.** 13.94 (4) (a) 1. of the statutes, as affected by 2011 Wisconsin Act  
15 7, is amended to read:

16           13.94 (4) (a) 1. Every state department, board, examining board, affiliated  
17 credentialing board, commission, independent agency, council or office in the  
18 executive branch of state government; all bodies created by the legislature in the  
19 legislative or judicial branch of state government; any public body corporate and  
20 politic created by the legislature including specifically the University of  
21 Wisconsin-Madison, the Wisconsin Quality Home Care Authority, the Fox River  
22 Navigational System Authority, the Lower Fox River Remediation Authority, and  
23 the Wisconsin Aerospace Authority, the Wisconsin Economic Development  
24 Corporation, a professional baseball park district, a local professional football  
25 stadium district, a local cultural arts district and a long-term care district under s.

**ASSEMBLY BILL 40****SECTION 70**

1 46.2895; every Wisconsin works agency under subch. III of ch. 49; every provider of  
2 medical assistance under subch. IV of ch. 49; technical college district boards; every  
3 county department under s. 51.42 or 51.437; every nonprofit corporation or  
4 cooperative or unincorporated cooperative association to which moneys are  
5 specifically appropriated by state law; and every corporation, institution, association  
6 or other organization which receives more than 50% of its annual budget from  
7 appropriations made by state law, including subgrantee or subcontractor recipients  
8 of such funds.

9 **SECTION 71.** 13.95 (intro.) of the statutes, as affected by 2011 Wisconsin Act 7,  
10 is amended to read:

11 **13.95 Legislative fiscal bureau.** (intro.) There is created a bureau to be  
12 known as the “Legislative Fiscal Bureau” headed by a director. The fiscal bureau  
13 shall be strictly nonpartisan and shall at all times observe the confidential nature  
14 of the research requests received by it; however, with the prior approval of the  
15 requester in each instance, the bureau may duplicate the results of its research for  
16 distribution. Subject to s. 230.35 (4) (a) and (f), the director or the director’s  
17 designated employees shall at all times, with or without notice, have access to all  
18 state agencies, the University of Wisconsin Hospitals and Clinics Authority, the  
19 University of Wisconsin–Madison, the Wisconsin Aerospace Authority, the Health  
20 Insurance Risk–Sharing Plan Authority, the Lower Fox River Remediation  
21 Authority, the Wisconsin Quality Home Care Authority, the Wisconsin Economic  
22 Development Corporation, and the Fox River Navigational System Authority, and to  
23 any books, records, or other documents maintained by such agencies or authorities  
24 and relating to their expenditures, revenues, operations, and structure.

25 **SECTION 72.** 14.015 (1) of the statutes is amended to read:

**ASSEMBLY BILL 40**

1           14.015 (1) DISABILITY BOARD. There is created a disability board which is  
2 attached to the office of the governor under s. 15.03. Where not in conflict with s.  
3 17.025, s. 15.07 applies to the disability board. The disability board shall consist of  
4 the governor, the chief justice of the supreme court, the speaker of the assembly, the  
5 president of the senate, the minority leader of the assembly, the minority leader of  
6 the senate, and the dean of the University of Wisconsin Medical School of Medicine  
7 and Public Health. In case of the absence or disability of any of the members to serve  
8 for a particular meeting of the board, the lieutenant governor, a justice of the  
9 supreme court designated by the chief justice, the deputy speaker of the assembly,  
10 the majority leader of the senate, the assistant minority leader of the assembly, the  
11 assistant minority leader of the senate, or an associate dean of the University of  
12 Wisconsin Medical School of Medicine and Public Health designated by the dean  
13 shall serve, respectively, in place of the officers.

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

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

18           **SECTION 74.** 14.57 of the statutes is renumbered 15.105 (25m), and 15.105  
19 (25m) (intro.) and (a), as renumbered, are amended to read:

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

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

**ASSEMBLY BILL 40****SECTION 75**

1           **SECTION 75.** 14.63 of the statutes is renumbered 16.64, and 16.64 (2) (intro.)  
2 and (b), (3) (a), (c) and (d), (5) (b) (intro.), (6) (a) 5. and (b), (7) (a) (intro.), 4. and 5. and  
3 (b), (7m) (a) (intro.), (b) and (c), (9), (10) (a) and (b), (12) (title), (a) (intro.) and (b)  
4 (intro.) and (13), as renumbered, are amended to read:

5           16.64 **(2)** **WEIGHTED AVERAGE TUITION; TUITION UNIT COST.** (intro.) Annually, the  
6 ~~state treasurer~~ department and the board jointly shall determine all of the following:

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

14           **(3)** (a) An individual, trust, legal guardian, or entity described under 26 USC  
15 529 (e) (1) (C) may enter into a contract with the ~~state treasurer~~ department for the  
16 sale of tuition units on behalf of a beneficiary.

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

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

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

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

**ASSEMBLY BILL 40**

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

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

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

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

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

18           **(7m)** (a) (intro.) The ~~state treasurer~~ department may adjust the value of a  
19 tuition unit based on the actual earnings attributable to the tuition unit less the costs  
20 of administering the program under this section that are attributable to the tuition  
21 unit if any of the following applies:

22           (b) The ~~state treasurer~~ department may not increase the value of a tuition unit  
23 under par. (a) to an amount that exceeds the value of a tuition unit that was  
24 purchased at a similar time, held for a similar period and used or refunded in the

**ASSEMBLY BILL 40****SECTION 75**

1 anticipated academic year of the beneficiary's attendance, as specified in the  
2 contract.

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

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

13 **(10) (a)** Annually, the ~~state treasurer~~ department shall submit a report to the  
14 governor, and to the appropriate standing committees of the legislature under s.  
15 13.172 (3), on the program under this section. The report shall include any  
16 recommendations for changes to the program that the ~~state treasurer~~ department  
17 determines are necessary to ensure the sufficiency of the tuition trust fund to meet  
18 the ~~state treasurer's~~ department's obligations under this section.

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

**ASSEMBLY BILL 40**

1           **(12)** (title) ~~ADDITIONAL DUTIES AND POWERS OF THE STATE TREASURER.~~ (a) (intro.)

2           The state treasurer department shall do all of the following:

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

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

8           **SECTION 76.** 14.64 of the statutes is renumbered 16.641, and 16.641 (2) (g), as  
9           renumbered, is amended to read:

10           16.641 **(2)** (g) Ensure that if the department ~~of administration~~ changes  
11           vendors, the balances of college savings accounts are promptly transferred into  
12           investment instruments as similar to the original investment instruments as  
13           possible.

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

15           **16.642 Repayment to the general fund.** **(1)** The secretary of  
16           ~~administration~~ shall transfer from the tuition trust fund, the college savings  
17           program trust fund, the college savings program bank deposit trust fund, or the  
18           college savings program credit union deposit trust fund to the general fund an  
19           amount equal to the amount expended from the appropriations under s. 20.505 (9)  
20           (a), 1995 stats., s. 20.585 (2) (a), 2001 stats., and s. 20.585 (2) (am), 2001 stats., when  
21           the secretary ~~of administration~~ determines that funds in those trust funds are  
22           sufficient to make the transfer. The secretary ~~of administration~~ may make the  
23           transfer in installments.

24           **(2)** Annually, by June 1, the state treasurer secretary shall submit a report to  
25           ~~the secretary of administration and the joint committee on finance~~ on the amount

**ASSEMBLY BILL 40****SECTION 77**

1 available for repayment under sub. (1), the amount repaid under sub. (1), and the  
2 outstanding balance under sub. (1).

3 **SECTION 78.** 14.76 (1m) of the statutes is created to read:

4 14.76 **(1m)** In this section, “state agency” includes the University of  
5 Wisconsin–Madison.

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

7 14.85 **(2)** ~~The secretary of commerce, the secretary of tourism, the secretary of~~  
8 ~~natural resources, the secretary of transportation, and the director of the historical~~  
9 ~~society, or their designees, shall serve as nonvoting members of the commission.~~

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

11 14.85 **(8)** (d) ~~If permitted by law, any state agency or local public body, board,~~  
12 ~~commission or agency may allocate funds under its control to fund programs~~  
13 ~~recommended by the commission. If the department of commerce determines that~~  
14 ~~a program recommended by the commission to undertake activities relating to the~~  
15 ~~promotion of economic development is consistent with the department’s statewide~~  
16 ~~economic development plans, priorities and resources, the department shall have~~  
17 ~~primary responsibility to support the activities of the program. If the department~~  
18 ~~of tourism determines that a program recommended by the commission to undertake~~  
19 ~~activities relating to the promotion of tourism is consistent with the department’s~~  
20 ~~statewide tourism marketing plans, priorities, and resources, the department shall~~  
21 ~~have primary responsibility to support the activities of the program.~~

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

23 14.85 **(9)** The commission may establish a technical committee to advise the  
24 commission. The members of the committee shall include at least one employee each  
25 from the department of transportation, and the department of tourism ~~and the~~



**ASSEMBLY BILL 40**

1 ~~department of commerce.~~ The commission shall request the department of  
2 transportation, and the department of tourism ~~and the department of commerce~~ to  
3 designate employees to serve on the committee and may request any other state  
4 agency to designate an employee to serve on the committee.

5 **SECTION 82.** 15.01 (2) of the statutes is amended to read:

6 15.01 (2) “Commission” means a 3-member governing body in charge of a  
7 department or independent agency or of a division or other subunit within a  
8 department, except for the Wisconsin waterways commission which shall consist of  
9 5 members and the ~~earned release review~~ parole commission which shall consist of  
10 8 members. A Wisconsin group created for participation in a continuing interstate  
11 body, or the interstate body itself, shall be known as a “commission”, but is not a  
12 commission for purposes of s. 15.06. The ~~earned release review~~ parole commission  
13 created under s. 15.145 (1) shall be known as a “commission”, but is not a commission  
14 for purposes of s. 15.06.

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

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

**ASSEMBLY BILL 40****SECTION 83**

1 care and the office of educational accountability in the department of public  
2 instruction have the meaning of “bureau” under this subsection.

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

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

13 **SECTION 85.** 15.06 (6) of the statutes is amended to read:

14 15.06 (6) QUORUM. A majority of the membership of a commission constitutes  
15 a quorum to do business, except that vacancies shall not prevent a commission from  
16 doing business. This subsection does not apply to the earned release review parole  
17 commission.

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

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

20 15.07 (1) (cm) The term of one member of the government accountability board  
21 shall expire on each May 1. ~~The terms of 3 members of the economic policy board~~  
22 ~~appointed under s. 15.155 (2) (a) 4. shall expire on May 1 of every even-numbered~~  
23 ~~year and the terms of the other 3 members appointed under s. 15.155 (2) (a) 4. shall~~  
24 ~~expire on May 1 of every odd-numbered year.~~ The terms of the 3 members of the land  
25 and water conservation board appointed under s. 15.135 (4) (b) 2. shall expire on

**ASSEMBLY BILL 40**

1 January 1. The term of the member of the land and water conservation board  
2 appointed under s. 15.135 (4) (b) 2m. shall expire on May 1 of an even-numbered  
3 year. ~~The terms of members of the real estate board shall expire on July 1.~~ The terms  
4 of the appraiser members of the real estate appraisers board and the terms of the  
5 auctioneer and auction company representative members of the auctioneer board  
6 shall expire on May 1 in an even-numbered year. The terms of the members of the  
7 cemetery board shall expire on July 1 in an even-numbered year. The term of the  
8 student member of the Board of Regents of the University of Wisconsin System who  
9 is at least 24 years old shall expire on May 1 of every even-numbered year.

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

11 15.07 (1) (cs) No member of the auctioneer board, cemetery board, or real estate  
12 appraisers board, ~~or real estate board~~ may be an officer, director, or employee of a  
13 private organization that promotes or furthers any profession or occupation  
14 regulated by that board.

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

16 15.07 (3) (b) Except as provided in par. (bm), each board not covered under par.  
17 (a) shall meet annually, and may meet at other times on the call of the chairperson  
18 or a majority of its members. The auctioneer board, the cemetery board, ~~the real~~  
19 ~~estate board,~~ and the real estate appraisers board shall also meet on the call of the  
20 secretary of ~~regulation and licensing~~ safety and professional services or his or her  
21 designee within the department.

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

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

24 15.08 (1m) (c) The membership of each examining board and examining  
25 council created in the department of ~~regulation and licensing~~ safety and professional

**ASSEMBLY BILL 40****SECTION 91**

1 services after June 1, 1975, shall be increased by one member who shall be a public  
2 member appointed to serve for the same term served by the other members of such  
3 examining board or examining council, unless the act relating to the creation of such  
4 examining board or examining council provides that 2 or more public members shall  
5 be appointed to such examining board or examining council.

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

7 15.105 (12) (a) 1. The secretary of transportation, the secretary of agriculture,  
8 trade and consumer protection and the secretary of ~~commerce~~ safety and  
9 professional services or their formally appointed designees.

10 **SECTION 93.** 15.105 (25m) (bm) of the statutes is created to read:

11 15.105 (25m) (bm) The chairperson of the board of trustees of the University  
12 of Wisconsin–Madison or his or her designee.

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

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

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

16 15.105 (32) OFFICE OF BUSINESS DEVELOPMENT. There is created an office of  
17 business development which is attached to the department of administration under  
18 s. 15.03. The office shall be under the direction and supervision of a director who  
19 shall be appointed by the governor to serve at his or her pleasure.

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

21 15.107 (2) COUNCIL ON SMALL BUSINESS, VETERAN-OWNED BUSINESS AND MINORITY  
22 BUSINESS OPPORTUNITIES. There is created in the department of administration a  
23 council on small business, veteran-owned business and minority business  
24 opportunities consisting of 13 members, appointed by the secretary of  
25 administration for 3-year terms, with representation as follows: at least 2 shall be

**ASSEMBLY BILL 40**

1 owners or employees of small businesses at least 51% owned by one or more members  
2 of a racial minority group; at least one shall be an owner or employee of a small  
3 business at least 51% owned by one or more handicapped persons; at least one shall  
4 be an owner or employee of a small business operated on a nonprofit basis for the  
5 rehabilitation of disabled persons; at least 2 shall be owners or employees of  
6 veteran-owned businesses, as defined in s. 16.75 (4) (d); at least one shall be a  
7 representative of the department of ~~commerce~~ safety and professional services; and  
8 at least one shall be a consumer member. No member may serve for more than 2  
9 consecutive full terms. The secretary of administration, or a department employee  
10 who is the secretary's designee, shall serve as the council's nonvoting secretary.

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

12 15.107 **(16)** (b) 3. The secretary of ~~commerce~~ safety and professional services.

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

14 15.137 **(2)** (a) 3m. The ~~secretary of commerce~~ chief executive officer of the  
15 Wisconsin Economic Development Corporation or his or her designee.

16 **SECTION 100.** 15.145 (1) of the statutes is amended to read:

17 15.145 **(1)** ~~EARNED-RELEASE-REVIEW~~ PAROLE COMMISSION. There is created in the  
18 department of corrections ~~an earned release review~~ a parole commission consisting  
19 of 8 members. Members shall have knowledge of or experience in corrections or  
20 criminal justice. The members shall include a chairperson who is nominated by the  
21 governor, and with the advice and consent of the senate appointed, for a 2-year term  
22 expiring March 1 of the odd-numbered years, subject to removal under s. 17.07 (3m),  
23 and the remaining members in the classified service appointed by the chairperson.

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

**ASSEMBLY BILL 40****SECTION 101**

1           15.145 (5) COUNCIL ON OFFENDER REENTRY. (intro.) There is created a council  
2 on offender reentry which is attached to the department of corrections under s. 15.03,  
3 which shall have the duties, responsibilities, and powers set forth under s. 301.095.  
4 The council shall consist of 22 members, and the appointed members shall serve for  
5 2-year terms and may be appointed for a maximum of 2 consecutive terms. The  
6 chairperson of the council shall be the secretary of corrections or the reentry director,  
7 as decided by the secretary of corrections. The chairperson may appoint  
8 subcommittees and the council shall meet no less frequently than 4 times per year  
9 at a date and location to be determined by the chairperson. Members of the council  
10 shall include the secretary of corrections, or his or her designee; the secretary of  
11 workforce development, or his or her designee; the secretary of health services, or his  
12 or her designee; the secretary of children and families, or his or her designee; the  
13 ~~secretary of commerce, or his or her designee;~~ the secretary of transportation, or his  
14 or her designee; the attorney general, or his or her designee; the chairperson of the  
15 parole commission, or his or her designee; the state superintendent of public  
16 instruction; the reentry director as appointed by the secretary of corrections; a  
17 current or former judge, as appointed by the director of state courts; an individual  
18 who has been previously convicted of, and incarcerated for, a crime in Wisconsin, as  
19 appointed by the secretary of corrections; and the following persons, as appointed by  
20 the governor:

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

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

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

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

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

**ASSEMBLY BILL 40**

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

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

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

5           15.105 **(33)** SMALL BUSINESS REGULATORY REVIEW BOARD. There is created a small  
6 business regulatory review board, attached to the department of ~~commerce~~  
7 administration under s. 15.03. The board shall consist of a representative of the  
8 department of administration; a representative of the department of agriculture,  
9 trade and consumer protection; a representative of the department of children and  
10 families; ~~a representative of the department of commerce~~; a representative of the  
11 department of health services; a representative of the department of natural  
12 resources; a representative of the department of ~~regulation and licensing~~ safety and  
13 professional services; a representative of the department of revenue; a  
14 representative of the department of workforce development; 6 representatives of  
15 small businesses, as defined in s. 227.114 (1), who shall be appointed for 3-year  
16 terms; and the chairpersons of one senate and one assembly committee concerned  
17 with small businesses, appointed as are members of standing committees. The  
18 representatives of the departments shall be selected by the secretary of that  
19 department.

20           **SECTION 110.** 15.155 (6) of the statutes is renumbered 15.405 (1m), and 15.405  
21 (1m) (a) (intro.), 3. and 5., as renumbered, are amended to read:

22           15.405 **(1m)** (a) (intro.) There is created a building inspector review board  
23 which is attached to the department of ~~commerce~~ safety and professional services  
24 under s. 15.03 that consists of the following members:

**ASSEMBLY BILL 40****SECTION 110**

1           3. The secretary of ~~commerce~~ safety and professional services or his or her  
2     designee.

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

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

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

9           15.407 **(10)** DWELLING CODE COUNCIL. There is created in the department of  
10    ~~commerce~~ safety and professional services, a dwelling code council, consisting of 18  
11    members appointed for staggered 3-year terms. Four members shall be  
12    representatives of building trade labor organizations; 4 members shall be certified  
13    building inspectors employed by local units of government; 2 members shall be  
14    representatives of building contractors actively engaged in on-site construction of  
15    one- and 2-family housing; 2 members shall be representatives of manufacturers or  
16    installers of manufactured one- and 2-family housing; one member shall be an  
17    architect, engineer or designer actively engaged in the design or evaluation of one-  
18    and 2-family housing; 2 members shall represent the construction material supply  
19    industry; one member shall represent remodeling contractors actively engaged in  
20    the remodeling of one-family and 2-family housing; and 2 members shall represent  
21    the public, one of whom shall represent persons with disabilities, as defined in s.  
22    106.50 (1m) (g). An employee of the department designated by the secretary of  
23    ~~commerce~~ safety and professional services shall serve as nonvoting secretary of the  
24    council. The council shall meet at least twice a year. Eleven members of the council



**ASSEMBLY BILL 40****SECTION 112**

1 shall constitute a quorum. For the purpose of conducting business a majority vote  
2 of the council is required.

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

5 15.407 (11) CONTRACTOR CERTIFICATION COUNCIL. There is created in the  
6 department of ~~commerce~~ safety and professional services a contractor certification  
7 council consisting of 3 members who are building contractors holding certificates of  
8 financial responsibility under s. 101.654 and who are involved in, or who have  
9 demonstrated an interest in, continuing education for building contractors. The  
10 members shall be appointed by the secretary of ~~commerce~~ safety and professional  
11 services for 3-year terms.

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

14 15.407 (16) PLUMBERS COUNCIL. There is created in the department of ~~commerce~~  
15 safety and professional services a plumbers council consisting of 3 members. One  
16 member shall be an employee of the department of ~~commerce~~ safety and professional  
17 services, selected by the secretary of ~~commerce~~ safety and professional services, to  
18 serve as the secretary of the council. Two members, one a master plumber and one  
19 a journeyman plumber, shall be appointed by the secretary of ~~commerce~~ safety and  
20 professional services for 2-year terms.

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

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

24 15.407 (17) AUTOMATIC FIRE SPRINKLER SYSTEM CONTRACTORS AND JOURNEYMEN  
25 COUNCIL. There is created in the department of ~~commerce~~ safety and professional

**ASSEMBLY BILL 40****SECTION 116**

1 services an automatic fire sprinkler system contractors and journeymen council  
2 consisting of 5 members. One member shall be an employee of the department of  
3 ~~commerce~~ safety and professional services, selected by the secretary of ~~commerce~~  
4 safety and professional services, to serve as secretary of the council. Two members  
5 shall be licensed journeymen automatic fire sprinkler fitters and 2 members shall be  
6 persons representing licensed automatic fire sprinkler contractors, all appointed by  
7 the secretary of ~~commerce~~ safety and professional services for staggered 4-year  
8 terms.

9 **SECTION 117.** 15.157 (10) of the statutes is renumbered 15.407 (18), and 15.407  
10 (18) (intro.) and (g), as renumbered, are amended to read:

11 15.407 **(18)** SMALL BUSINESS ENVIRONMENTAL COUNCIL. (intro.) There is created  
12 in the department of ~~commerce~~ safety and professional services a small business  
13 environmental council consisting of the following members appointed for 3-year  
14 terms:

15 (g) One member appointed by the secretary of ~~commerce~~ safety and  
16 professional services to represent the department of ~~commerce~~ safety and  
17 professional services.

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

20 15.407 **(12)** (a) (intro.) There is created in the department of ~~commerce~~ safety  
21 and professional services a multifamily dwelling code council consisting of the  
22 following members appointed for 3-year terms:

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

**ASSEMBLY BILL 40****SECTION 119**

1           15.407 **(13)** (a) (intro.) There is created in the department of ~~commerce~~ safety  
2 and professional services a manufactured housing code council consisting of the  
3 following members appointed by the secretary of ~~commerce~~ safety and professional  
4 services for 3–year terms:

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

7           15.407 **(14)** (a) (intro.) There is created in the department of ~~commerce~~ safety  
8 and professional services a conveyance safety code council consisting of the following  
9 members appointed for 3–year terms:

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

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

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

19           **SECTION 121.** 15.157 (15) of the statutes is renumbered 15.407 (15), and 15.407  
20 (intro.), as renumbered, is amended to read:

21           15.407 **(15)** THERMAL SYSTEM INSULATION COUNCIL. (intro.) There is created in  
22 the department of ~~commerce~~ safety and professional services a thermal system  
23 insulation council consisting of the state thermal system insulation inspector who  
24 shall serve as a nonvoting secretary of the council, the secretary of ~~commerce~~ safety

**ASSEMBLY BILL 40****SECTION 121**

1 and professional services or his or her designee, and the following members  
2 appointed for 3-year terms:

3 **SECTION 122.** 15.165 (3) (a) (intro.) of the statutes is amended to read:

4 15.165 (3) (a) (intro.) There is created in the department of employee trust  
5 funds a teachers retirement board. The board shall consist of ~~13~~ 14 members, to  
6 serve for staggered 5-year terms. The board shall consist of the following members:

7 **SECTION 123.** 15.165 (3) (a) 8. of the statutes is created to read:

8 15.165 (3) (a) 8. One University of Wisconsin–Madison representative who is  
9 a teacher participant in the Wisconsin retirement system.

10 **SECTION 124.** 15.347 (4) (f) of the statutes is created to read:

11 15.347 (4) (f) One from the University of Wisconsin–Madison appointed by the  
12 board of trustees of the University of Wisconsin–Madison.

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

14 15.347 (13) (b) 2. The secretary of ~~commerce~~ safety and professional services.

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

16 **SECTION 127.** 15.377 (8) (c) 8m. of the statutes is created to read:

17 15.377 (8) (c) 8m. One faculty member of a department or the School of  
18 Education in the University of Wisconsin–Madison recommended by the chancellor  
19 of the University of Wisconsin–Madison.

20 **SECTION 128.** 15.377 (8) (c) 10. of the statutes is amended to read:

21 15.377 (8) (c) 10. One additional faculty member, appointed from the list of  
22 persons recommended under subd. 8., 8m. or 9.

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

24 **15.40 Department of ~~regulation and licensing~~ safety and professional**  
25 **services; creation.** There is created a department of ~~regulation and licensing~~

**ASSEMBLY BILL 40****SECTION 129**

1 safety and professional services under the direction and supervision of the secretary  
2 of regulation and licensing safety and professional services.

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

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

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

11 15.405 (2) EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,  
12 PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS. There is created an  
13 examining board of architects, landscape architects, professional engineers,  
14 designers and land surveyors in the department of ~~regulation and licensing~~ safety  
15 and professional services. Any professional member appointed to the examining  
16 board shall be registered to practice architecture, landscape architecture,  
17 professional engineering, the design of engineering systems or land surveying under  
18 ch. 443. The examining board shall consist of the following members appointed for  
19 4-year terms: 3 architects, 3 landscape architects, 3 professional engineers, 3  
20 designers, 3 land surveyors and 10 public members.

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

22 15.405 (2m) (a) (intro.) There is created in the department of ~~regulation and~~  
23 ~~licensing~~ safety and professional services an examining board of professional  
24 geologists, hydrologists and soil scientists consisting of the following members  
25 appointed for 4-year terms:

**ASSEMBLY BILL 40****SECTION 133**

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

2           15.405 **(3)** (a) (intro.) There is created in the department of ~~regulation and~~  
3 ~~licensing~~ safety and professional services an auctioneer board consisting of the  
4 following members appointed for 4-year terms:

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

6           15.405 **(3m)** (b) (intro.) There is created in the department of ~~regulation and~~  
7 ~~licensing~~ safety and professional services a cemetery board consisting of the  
8 following members, who shall serve 4-year terms:

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

10           15.405 **(5)** CHIROPRACTIC EXAMINING BOARD. There is created a chiropractic  
11 examining board in the department of ~~regulation and licensing~~ safety and  
12 professional services. The chiropractic examining board shall consist of 6 members,  
13 appointed for staggered 4-year terms. Four members shall be graduates from a  
14 school of chiropractic and licensed to practice chiropractic in this state. Two  
15 members shall be public members. No person may be appointed to the examining  
16 board who is in any way connected with or has a financial interest in any chiropractic  
17 school.

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

19           15.405 **(5g)** CONTROLLED SUBSTANCES BOARD. There is created in the department  
20 of ~~regulation and licensing~~ safety and professional services a controlled substances  
21 board consisting of the attorney general, the secretary of health services and the  
22 secretary of agriculture, trade and consumer protection, or their designees; the  
23 chairperson of the pharmacy examining board or a designee; and one psychiatrist  
24 and one pharmacologist appointed for 3-year terms.

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

**ASSEMBLY BILL 40****SECTION 137**

1           15.405 **(6)** DENTISTRY EXAMINING BOARD. (intro.) There is created a dentistry  
2           examining board in the department of ~~regulation and licensing~~ safety and  
3           professional services consisting of the following members appointed for 4-year  
4           terms:

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

6           15.405 **(6m)** HEARING AND SPEECH EXAMINING BOARD. (intro.) There is created  
7           a hearing and speech examining board in the department of ~~regulation and licensing~~  
8           safety and professional services consisting of the following members appointed for  
9           4-year terms:

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

11          15.405 **(7)** (a) There is created a medical examining board in the department  
12          of ~~regulation and licensing~~ safety and professional services.

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

14          15.405 **(7c)** (a) (intro.) There is created a marriage and family therapy,  
15          professional counseling, and social work examining board in the department of  
16          ~~regulation and licensing~~ safety and professional services consisting of the following  
17          members appointed for 4-year terms:

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

19          15.405 **(7e)** RADIOGRAPHY EXAMINING BOARD. (intro.) There is created in the  
20          department of ~~regulation and licensing~~ safety and professional services a  
21          radiography examining board consisting of the following 7 members appointed for  
22          4-year terms:

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

24          15.405 **(7g)** BOARD OF NURSING. There is created a board of nursing in the  
25          department of ~~regulation and licensing~~ safety and professional services. The board

**ASSEMBLY BILL 40****SECTION 142**

1 of nursing shall consist of the following members appointed for staggered 4–year  
2 terms: 5 currently licensed registered nurses under ch. 441; 2 currently licensed  
3 practical nurses under ch. 441; and 2 public members. Each registered nurse  
4 member shall have graduated from a program in professional nursing and each  
5 practical nurse member shall have graduated from a program in practical nursing  
6 accredited by the state in which the program was conducted.

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

8 15.405 (7m) NURSING HOME ADMINISTRATOR EXAMINING BOARD. There is created  
9 a nursing home administrator examining board in the department of ~~regulation and~~  
10 ~~licensing~~ safety and professional services consisting of 9 members appointed for  
11 staggered 4–year terms and the secretary of health services or a designee, who shall  
12 serve as a nonvoting member. Five members shall be nursing home administrators  
13 licensed in this state. One member shall be a physician. One member shall be a  
14 nurse licensed under ch. 441. Two members shall be public members. No more than  
15 2 members may be officials or full–time employees of this state.

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

17 15.405 (7r) PHYSICAL THERAPY EXAMINING BOARD. (intro.) There is created in the  
18 department of ~~regulation and licensing~~ safety and professional services a physical  
19 therapy examining board consisting of the following members appointed for  
20 staggered 4–year terms:

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

22 15.405 (8) OPTOMETRY EXAMINING BOARD. There is created an optometry  
23 examining board in the department of ~~regulation and licensing~~ safety and  
24 professional services. The optometry examining board shall consist of 7 members



**ASSEMBLY BILL 40****SECTION 145**

1 appointed for staggered 4-year terms. Five of the members shall be licensed  
2 optometrists in this state. Two members shall be public members.

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

4 15.405 (9) PHARMACY EXAMINING BOARD. There is created a pharmacy examining  
5 board in the department of ~~regulation and licensing~~ safety and professional services.

6 The pharmacy examining board shall consist of 7 members appointed for staggered  
7 4-year terms. Five of the members shall be licensed to practice pharmacy in this  
8 state. Two members shall be public members.

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

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

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

17 15.405 (10r) (a) (intro.) There is created a real estate appraisers board in the  
18 department of ~~regulation and licensing~~ safety and professional services consisting  
19 of the following members appointed for 4-year terms:

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

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

22 15.405 (11m) REAL ESTATE EXAMINING BOARD. There is created a real estate  
23 examining board in the department of safety and professional services. The real  
24 estate examining board shall consist of 7 members appointed to staggered 4-year  
25 terms. Five of the members shall be real estate brokers or salespersons licensed in

**ASSEMBLY BILL 40****SECTION 150**

1 this state. Two members shall be public members. No member may serve more than  
2 2 terms.

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

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

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

13 15.405 (16) FUNERAL DIRECTORS EXAMINING BOARD. There is created a funeral  
14 directors examining board in the department of ~~regulation and licensing~~ safety and  
15 professional services. The funeral directors examining board shall consist of 6  
16 members appointed for staggered 4-year terms. Four members shall be licensed  
17 funeral directors under ch. 445 in this state. Two members shall be public members.

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

19 15.405 (17) BARBERING AND COSMETOLOGY EXAMINING BOARD. There is created a  
20 barbering and cosmetology examining board in the department of ~~regulation and~~  
21 ~~licensing~~ safety and professional services. The barbering and cosmetology  
22 examining board shall consist of 9 members appointed for 4-year terms. Four  
23 members shall be licensed barbers, aestheticians, or cosmetologists, 2 members shall  
24 be public members, one member shall be a representative of a private school of  
25 barbering or cosmetology, one member shall be a representative of a public school of

**ASSEMBLY BILL 40****SECTION 153**

1       barbering or cosmetology and one member shall be a licensed electrologist. Except  
2       for the 2 members representing schools, no member may be connected with or have  
3       any financial interest in a barbering or cosmetology school.

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

5               15.406 (2) DIETITIANS AFFILIATED CREDENTIALING BOARD. (intro.) There is created  
6       in the department of ~~regulation and licensing~~ safety and professional services,  
7       attached to the medical examining board, a dietitians affiliated credentialing board  
8       consisting of the following members appointed for 4-year terms:

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

10              15.406 (3) PODIATRY AFFILIATED CREDENTIALING BOARD. (intro.) There is created  
11       in the department of ~~regulation and licensing~~ safety and professional services,  
12       attached to the medical examining board, a podiatry affiliated credentialing board  
13       consisting of the following members appointed for 4-year terms:

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

15              15.406 (4) ATHLETIC TRAINERS AFFILIATED CREDENTIALING BOARD. (intro.) There  
16       is created in the department of ~~regulation and licensing~~ safety and professional  
17       services, attached to the medical examining board, an athletic trainers affiliated  
18       credentialing board consisting of the following members appointed for 4-year terms:

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

20              15.406 (5) OCCUPATIONAL THERAPISTS AFFILIATED CREDENTIALING BOARD. (intro.)  
21       There is created in the department of ~~regulation and licensing~~ safety and  
22       professional services, attached to the medical examining board, an occupational  
23       therapists affiliated credentialing board consisting of the following members  
24       appointed for 4-year terms:

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

**ASSEMBLY BILL 40****SECTION 158**

1           15.406 **(6)** (a) (intro.) There is created in the department of ~~regulation and~~  
2     licensing safety and professional services, attached to the medical examining board,  
3     a massage therapy and bodywork therapy affiliated credentialing board. The  
4     affiliated credentialing board shall consist of the following 7 members appointed for  
5     4-year terms:

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

7           15.407 **(1m)** RESPIRATORY CARE PRACTITIONERS EXAMINING COUNCIL. There is  
8     created a respiratory care practitioners examining council in the department of  
9     ~~regulation and licensing~~ safety and professional services and serving the medical  
10    examining board in an advisory capacity in the formulating of rules to be  
11    promulgated by the medical examining board for the regulation of respiratory care  
12    practitioners. The respiratory care practitioners examining council shall consist of  
13    3 certified respiratory care practitioners, each of whom shall have engaged in the  
14    practice of respiratory care for at least 3 years preceding appointment, one physician  
15    and one public member. The respiratory care practitioner and physician members  
16    shall be appointed by the medical examining board. The members of the examining  
17    council shall serve 3-year terms. Section 15.08 (1) to (4) (a) and (6) to (10) shall apply  
18    to the respiratory care practitioners examining council.

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

20          15.407 **(2)** COUNCIL ON PHYSICIAN ASSISTANTS. (intro.) There is created a council  
21    on physician assistants in the department of ~~regulation and licensing~~ safety and  
22    professional services and serving the medical examining board in an advisory  
23    capacity. The council's membership shall consist of:

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

**ASSEMBLY BILL 40****SECTION 161**

1           15.407 **(2m)** (intro.) There is created a perfusionists examining council in the  
2 department of ~~regulation and licensing~~ safety and professional services and serving  
3 the medical examining board in an advisory capacity. The council shall consist of the  
4 following members appointed for 3-year terms:

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

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

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

11          15.407 **(5)** COUNCIL ON REAL ESTATE CURRICULUM AND EXAMINATIONS. There is  
12 created in the department of ~~regulation and licensing~~ safety and professional  
13 services a council on real estate curriculum and examinations consisting of 7  
14 members appointed for 4-year terms. Five members shall be real estate brokers or  
15 salespersons licensed under ch. 452 and 2 members shall be public members. Of the  
16 real estate broker or salesperson members, one member shall be a member of the real  
17 estate examining board appointed by the real estate examining board, at least 2  
18 members shall be licensed real estate brokers with at least 5 years of experience as  
19 real estate brokers, and at least one member shall be a licensed real estate  
20 salesperson with at least 2 years of experience as a real estate salesperson. Of the  
21 2 public members, at least one member shall have at least 2 years of experience in  
22 planning or presenting real estate educational programs. No member of the council  
23 may serve more than 2 consecutive terms.

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

**ASSEMBLY BILL 40****SECTION 164**

1           15.407 (6) PHARMACIST ADVISORY COUNCIL. (intro.) There is created a pharmacist  
2 advisory council in the department of ~~regulation and licensing~~ safety and  
3 professional services and serving the pharmacy examining board in an advisory  
4 capacity. The council shall consist of the following members appointed for 3-year  
5 terms:

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

7           15.407 (8) CREMATORY AUTHORITY COUNCIL. (intro.) There is created a crematory  
8 authority council in the department of ~~regulation and licensing~~ safety and  
9 professional services consisting of the secretary of ~~regulation and licensing~~ safety  
10 and professional services or a designee of the secretary, who shall serve as a  
11 nonvoting member, and the following persons appointed for 3-year terms:

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

13           15.407 (9) (a) (intro.) There is created a sign language interpreter council in  
14 the department of ~~regulation and licensing~~ safety and professional services  
15 consisting of the secretary of ~~regulation and licensing~~ safety and professional  
16 services or a designee of the secretary and the following 8 members nominated by the  
17 governor, and with the advice and consent of the senate appointed, for 3-year terms:

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

19           15.435 (1) (a) 1. The ~~secretary of commerce~~ chief executive officer of the  
20 Wisconsin Economic Development Corporation and the secretary of revenue or their  
21 designees.

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

23           15.445 (1) ARTS BOARD. There is created an arts board ~~which is attached to in~~  
24 the department of tourism ~~under s. 15.03~~. The arts board shall consist of 15 members  
25 appointed for 3-year terms who are residents of this state and who are known for

**ASSEMBLY BILL 40****SECTION 168**

1 their concern for the arts. At least 2 members shall be from the northwest portion  
2 of this state, at least 2 members shall be from the northeast portion of this state, at  
3 least 2 members shall be from the southwest portion of this state, and at least 2  
4 members shall be from the southeast portion of this state.

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

6 15.445 (2) (e) *Liaison representatives.* The secretary of agriculture, trade and  
7 consumer protection, the secretary of natural resources, the secretary of  
8 transportation, ~~the secretary of commerce,~~ the secretary of administration, the  
9 director of the state historical society and the chancellor of the University of  
10 Wisconsin–Extension, or their designees, shall serve as liaison representatives to  
11 the board. The board may request any federally recognized American Indian tribe  
12 or band in this state, other than the Ho–Chunk Nation, that expresses an interest  
13 in the governance of the Kickapoo valley reserve to appoint a liaison representative  
14 to the board. The liaison representatives are not board members and have no voting  
15 power.

16 **SECTION 170.** 15.67 (1) (a) 1m. of the statutes is created to read:

17 15.67 (1) (a) 1m. One member of the board of trustees of the University of  
18 Wisconsin–Madison.

19 **SECTION 171.** 15.797 (1) (b) 8. of the statutes is amended to read:

20 15.797 (1) (b) 8. One member who is a University of Wisconsin System or  
21 University of Wisconsin–Madison faculty member with expertise regarding the  
22 health impacts of wind energy systems.

23 **SECTION 172.** 15.91 of the statutes is amended to read:

24 **15.91 Board of regents of the University of Wisconsin System; creation.**

25 There is created a board of regents of the University of Wisconsin System consisting

**ASSEMBLY BILL 40****SECTION 172**

1 of the state superintendent of public instruction, the president, or by his or her  
2 designation another member, of the technical college system board and 14 citizen  
3 members appointed for staggered 7-year terms, and 2 students enrolled at least  
4 half-time and in good academic standing at institutions within the University of  
5 Wisconsin System who are residents of this state, for 2-year terms. The student  
6 members may be selected from recommendations made by elected representatives  
7 of student governments at institutions within the University of Wisconsin System.  
8 The governor shall appoint one student member who is at least 18 years old and one  
9 undergraduate student member who is at least 24 years old and represents the views  
10 of nontraditional students, such as those who are employed or are parents. The  
11 governor may not appoint a student member from the same institution in any 2  
12 consecutive terms; and the 2 student members who are appointed may not be from  
13 the same institution; ~~and a student from the University of Wisconsin-Madison and~~  
14 ~~a student from the University of Wisconsin-Milwaukee may not serve on the Board~~  
15 ~~of Regents at the same time.~~ If a student member loses the status upon which the  
16 appointment was based, he or she shall cease to be a member of the board of regents.

17 **SECTION 173.** 15.915 (1) of the statutes is repealed.

18 **SECTION 174.** 15.915 (2) of the statutes is repealed.

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:



**ASSEMBLY BILL 40****SECTION 176**

1           **SECTION 176.** 15.917 (1) (a) of the statutes is amended to read:

2           15.917 (1) (a) A representative of the University of Wisconsin Medical School  
3           of Medicine and Public Health.

4           **SECTION 177.** 15.94 (intro.) of the statutes is amended to read:

5           **15.94 Technical college system board; creation.** (intro.) There is created  
6           a technical college system board consisting of ~~13~~ 14 members. No person may serve  
7           as president of the board for more than 2 successive annual terms. The board shall  
8           be composed of:

9           **SECTION 178.** 15.94 (2v) of the statutes is created to read:

10          15.94 (2v) The chairperson, or by his or her designation another member, of the  
11          board of trustees of the University of Wisconsin–Madison.

12          **SECTION 179.** 15.96 (1) (b) of the statutes is amended to read:

13          15.96 (1) (b) Three members of the board of ~~regents~~ trustees of the University  
14          of Wisconsin–Madison appointed by the ~~president~~ chairperson of the board of ~~regents~~  
15          trustees.

16          **SECTION 180.** 15.96 (1) (d) of the statutes is amended to read:

17          15.96 (1) (d) The dean of the University of ~~Wisconsin–Madison Medical~~  
18          Wisconsin School of Medicine and Public Health.

19          **SECTION 181.** 15.96 (1) (e) of the statutes is amended to read:

20          15.96 (1) (e) A chairperson of a department at the University of  
21          ~~Wisconsin–Madison Medical~~ Wisconsin School of Medicine and Public Health,  
22          appointed by the chancellor of the University of Wisconsin–Madison.

23          **SECTION 182.** 15.96 (1) (f) of the statutes is amended to read:

24          15.96 (1) (f) A faculty member of a health professions school of the University  
25          of Wisconsin–Madison ~~health professions school,~~ other than the University of

**ASSEMBLY BILL 40****SECTION 182**

1 ~~Wisconsin–Madison Medical~~ Wisconsin School of Medicine and Public Health,  
2 appointed by the chancellor of the University of Wisconsin–Madison.

3 **SECTION 183.** 16.002 (2) of the statutes, as affected by 2011 Wisconsin Act 7,  
4 is amended to read:

5 16.002 (2) “Departments” means constitutional offices, departments, and  
6 independent agencies and includes all societies, associations, and other agencies of  
7 state government for which appropriations are made by law, but not including  
8 authorities created in subch. II of ch. 114 or subch. III of ch. 149 or in ~~chs.~~ ch. 37, 52,  
9 231, 232, 233, 234, 235, 237, 238, or 279.

10 **SECTION 184.** 16.004 (4) of the statutes, as affected by 2011 Wisconsin Act 7,  
11 is amended to read:

12 16.004 (4) FREEDOM OF ACCESS. The secretary and such employees of the  
13 department as the secretary designates may enter into the offices of state agencies  
14 and authorities created under subch. II of ch. 114 or subch. III of ch. 149 and under  
15 ~~chs.~~ 37, 52, 231, 233, 234, 237, 238, and 279, and may examine their books and  
16 accounts and any other matter that in the secretary’s judgment should be examined  
17 and may interrogate the agency’s employees publicly or privately relative thereto.

18 **SECTION 185.** 16.004 (5) of the statutes, as affected by 2011 Wisconsin Act 7,  
19 is amended to read:

20 16.004 (5) AGENCIES AND EMPLOYEES TO COOPERATE. All state agencies and  
21 authorities created under subch. II of ch. 114 or subch. III of ch. 149 and under ~~chs.~~  
22 37, 52, 231, 233, 234, 237, 238, and 279, and their officers and employees, shall  
23 cooperate with the secretary and shall comply with every request of the secretary  
24 relating to his or her functions.

25 **SECTION 186.** 16.004 (8) (am) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 186**

1           16.004 **(8)** (am) The secretary shall maintain a system of rental policies for  
2 state-owned housing administered by all agencies other than the University of  
3 Wisconsin-Madison, and shall periodically review the system for possible changes.  
4 Whenever the secretary proposes to change rental policies other than rental rates,  
5 the secretary shall submit a report relating to the system to the joint committee on  
6 finance. The report shall include any changes in rental policies recommended by the  
7 secretary.

8           **SECTION 187.** 16.004 (12) (a) of the statutes, as affected by 2011 Wisconsin Act  
9 7, is amended to read:

10           16.004 **(12)** (a) In this subsection, “state agency” means an association,  
11 authority, board, department, commission, independent agency, institution, office,  
12 society, or other body in state government created or authorized to be created by the  
13 constitution or any law, including the legislature, the office of the governor, and the  
14 courts, but excluding the University of Wisconsin Hospitals and Clinics Authority,  
15 the University of Wisconsin-Madison, the Wisconsin Aerospace Authority, the  
16 Health Insurance Risk-Sharing Plan Authority, the Lower Fox River Remediation  
17 Authority, the Wisconsin Quality Home Care Authority, the Wisconsin Economic  
18 Development Corporation, and the Fox River Navigational System Authority.

19           **SECTION 188.** 16.004 (15) (bm) of the statutes is repealed.

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

21           16.009 **(1)** (em) 6. An adult family home, as defined in s. 50.01 (1) ~~(a) or (b)~~.

22           **SECTION 190.** 16.04 (1) (intro.) of the statutes is amended to read:

23           16.04 **(1)** (intro.) The department shall ensure optimum efficiency and economy  
24 in the fleet management and maintenance activities of all agencies, as defined in s.  
25 16.52 (7), other than the University of Wisconsin- Madison. The department may:

**ASSEMBLY BILL 40****SECTION 191**

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

2           16.04 **(1)** (a) Develop uniform state policies and guidelines for vehicle and  
3 aircraft acquisition, use, maintenance, recording of operational and other costs,  
4 performance evaluation and replacement of vehicles and aircraft. The department  
5 shall incorporate the fuel usage requirements policies under s. 16.045 (4m) in any  
6 policies or guidelines developed under this paragraph.

7           **SECTION 192.** 16.045 (1) (a) of the statutes, as affected by 2011 Wisconsin Act  
8 7, is amended to read:

9           16.045 **(1)** (a) “Agency” means an office, department, independent agency,  
10 institution of higher education, association, society, or other body in state  
11 government created or authorized to be created by the constitution or any law, that  
12 is entitled to expend moneys appropriated by law, including the legislature and the  
13 courts, but not including an authority created in subch. II of ch. 114 or subch. III of  
14 ch. 149 or in ch. 37, 52, 231, 232, 233, 234, 235, 237, 238, or 279.

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

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

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

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

23           16.045 **(4)** The department shall require, whenever feasible and cost-effective,  
24 encourage all state employees to utilize hybrid-electric vehicles or vehicles that  
25 operate on gasohol or alternative fuel for all state-owned or state-leased motor

**ASSEMBLY BILL 40****SECTION 195**

1 vehicles whenever such utilization is feasible. However, the department shall not  
2 lease or purchase any hybrid–electric vehicle, or authorize the lease or purchase of  
3 any hybrid–electric vehicle, unless the manufacturer certifies to the department  
4 that final assembly of the vehicle occurred in the United States.

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

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

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

12 16.045 **(4m)** (a) For gasoline: 1. ~~Twenty, 20~~ percent by 2010 2015.

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

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

16 16.045 **(4m)** (b) For diesel fuel: 1. ~~Ten, 10~~ percent by 2010 2015.

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

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

19 16.045 **(5)** The department shall, whenever feasible and cost–effective,  
20 encourage distribution of gasohol and alternative fuels and usage of hybrid–electric  
21 vehicles or vehicles that operate on gasohol or alternative fuels by officers and  
22 employees who use personal motor vehicles on state business and by residents of this  
23 state generally. ~~The department shall report to the appropriate standing committees~~  
24 ~~under s. 13.172 (3) concerning distribution of gasohol and alternative fuels and usage~~

**ASSEMBLY BILL 40****SECTION 201**

1 of hybrid–electric vehicles and vehicles that operate on gasohol or alternative fuels  
2 in this state, no later than April 30 of each year.

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

4 **SECTION 203.** 16.15 (1) (ae) of the statutes is amended to read:

5 16.15 (1) (ae) “Cost of disposing of processed material” has the meaning given  
6 in s. ~~287.11 (2m) (a) 1~~ means the gross cost of transferring processed material to a  
7 solid waste disposal facility and disposing of the processed material in the facility,  
8 including any disposal costs not paid through fees charged by the facility.

9 **SECTION 204.** 16.15 (1) (ah) of the statutes is amended to read:

10 16.15 (1) (ah) “Cost of selling processed material” has the meaning given in s.  
11 ~~287.11 (2m) (a) 2~~ means the net cost, including any storage costs, of selling processed  
12 material to a broker, dealer or manufacturing facility, plus any cost of transporting  
13 the processed material from the waste processing facility to the destination specified  
14 by the broker, dealer, or manufacturing facility.

15 **SECTION 205.** 16.15 (1) (ar) of the statutes is amended to read:

16 16.15 (1) (ar) “Processed material” has the meaning given in s. ~~287.11 (2m) (a)~~  
17 ~~3~~ means a component of solid waste that has been collected, transported to a waste  
18 processing facility, and prepared for sale to a broker, dealer, or manufacturer.

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

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

21 16.255 (1) (intro.) The department shall determine the factors to be considered  
22 in selecting a vendor of the program under s. ~~14.64~~ 16.641, which shall include:

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

24 16.255 (3) (d) That the vendor communicate to the beneficiary and account  
25 owner the requirements of s. ~~14.64~~ 16.641 (8).

**ASSEMBLY BILL 40****SECTION 209**

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

2           **SECTION 210.** 16.27 (5) (c) of the statutes is amended to read:

3           16.27 (5) (c) A household entirely composed of persons receiving aid to families  
4 with dependent children under s. 49.19, food stamps under 7 USC 2011 to 2036, or  
5 supplemental security income or state supplemental payments under 42 USC 1381  
6 to 1383c or s. ~~49.77~~ 49.39.

7           **SECTION 211.** 16.27 (5) (c) of the statutes, as affected by 2011 Wisconsin Act ...  
8 (this act), is amended to read:

9           16.27 (5) (c) A household entirely composed of persons receiving aid to families  
10 with dependent children under s. 49.19, ~~food stamps~~ supplemental nutrition  
11 assistance program benefits under 7 USC 2011 to 2036, or supplemental security  
12 income or state supplemental payments under 42 USC 1381 to 1383c or s. 49.39.

13           **SECTION 212.** 16.27 (5) (e) of the statutes is amended to read:

14           16.27 (5) (e) A household that is not eligible under par. (c) that includes at least  
15 one person who is eligible for ~~food stamps~~ supplemental nutrition assistance  
16 program benefits under 7 USC 2011 to 2036, excluding any household in an  
17 institution, as defined by the department of health services by rule.  
18 Notwithstanding sub. (6), a household under this paragraph shall be eligible for a  
19 heating assistance benefit of not more than \$1.

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

21           **16.28 Office of business development. (1)** The office of business  
22 development shall perform the functions determined by the secretary.

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

25           **SECTION 214.** 16.40 (24) of the statutes is created to read:

**ASSEMBLY BILL 40****SECTION 214**

1           16.40 (24) Ensure performance of a duty or satisfaction of an obligation  
2 transferred to the Wisconsin Housing and Economic Development Authority under  
3 2011 Wisconsin Act .... (this act), section 9110 (1), if the Wisconsin Housing and  
4 Economic Development Authority fails to perform the duty or satisfy the obligation.

5           **SECTION 215.** 16.41 (1) of the statutes is amended to read:

6           16.41 (1) All agencies shall keep their accounts and other financial records as  
7 prescribed by the secretary under s. 16.40 (5), except as otherwise specifically  
8 directed by law. All agencies and authorities and the University of  
9 Wisconsin-Madison shall furnish to the secretary all information relating to their  
10 financial transactions which the secretary requests pursuant to this subchapter for  
11 such periods as the secretary requests, and shall render such assistance in  
12 connection with the preparation of the state budget report and the budget bill and  
13 in auditing accounts, as the secretary or the governor may require.

14           **SECTION 216.** 16.417 (1) (a) of the statutes, as affected by 2011 Wisconsin Act  
15 7, section 19, is amended to read:

16           16.417 (1) (a) “Agency” means an office, department, independent agency,  
17 institution of higher education, association, society, or other body in state  
18 government created or authorized to be created by the constitution or any law, that  
19 is entitled to expend moneys appropriated by law, including the legislature and the  
20 courts, but not including an authority or the body created under subch. III of ch. 149  
21 or under ch. 37 or 238.

22           **SECTION 217.** 16.417 (1) (a) of the statutes, as affected by 2011 Wisconsin Act  
23 7, section 20, and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

24           16.417 (1) (a) “Agency” means an office, department, independent agency,  
25 institution of higher education, association, society, or other body in state



**ASSEMBLY BILL 40****SECTION 217**

1 government created or authorized to be created by the constitution or any law, that  
2 is entitled to expend moneys appropriated by law, including the legislature and the  
3 courts, but not including an authority or the body created under subch. III of ch. 149  
4 or under ch. 37.

5 **SECTION 218.** 16.42 (1) (intro.) of the statutes is amended to read:

6 16.42 (1) (intro.) All agencies, ~~other than~~ including the University of  
7 Wisconsin-Madison but excluding the legislature and the courts, no later than  
8 September 15 of each even-numbered year, in the form and content prescribed by the  
9 department, shall prepare and forward to the department and to the legislative fiscal  
10 bureau the following program and financial information:

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

12 16.505 (2m) The board of regents of the University of Wisconsin System may  
13 create or abolish a full-time equivalent position or portion thereof from revenues  
14 appropriated under s. 20.285 (1) ~~(gs),~~ (h), (ip), (iz), (j), ~~(ke),~~ (m), (n), or (q) to (w) or (3)  
15 (iz) or (n) and may create or abolish a full-time equivalent position or portion thereof  
16 from revenues appropriated under s. 20.285 (1) (im) that are generated from  
17 increased enrollment and from courses for which the academic fees or tuition  
18 charged equals the full cost of offering the courses. No later than the last day of the  
19 month following completion of each calendar quarter, the board of regents shall  
20 report to the department and the cochairpersons of the joint committee on finance  
21 concerning the number of full-time equivalent positions created or abolished by the  
22 board under this subsection during the preceding calendar quarter and the source  
23 of funding for each such position.

24 **SECTION 220.** 16.513 (1) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 220**

1           16.513 (1) Each agency, including the University of Wisconsin–Madison, which  
2 has a program revenue appropriation or appropriation of segregated revenues from  
3 program receipts shall, at such times as required by the secretary, make quarterly  
4 reports to the department projecting the revenues and expenditures for the ensuing  
5 quarterly period under each such appropriation to the agency.

6           **SECTION 221.** 16.513 (3) (a) of the statutes is amended to read:

7           16.513 (3) (a) If there are insufficient moneys, assets, or accounts receivable,  
8 as determined under s. 20.903 (2), that are projected by an agency, including the  
9 University of Wisconsin–Madison, or projected by the department under s. 16.40 (7)  
10 to cover anticipated expenditures under a program revenue appropriation or  
11 appropriation of segregated revenues from program receipts, the agency shall  
12 propose and submit to the department a plan to assure that there are sufficient  
13 moneys, assets, or accounts receivable to meet projected expenditures under the  
14 appropriation.

15           **SECTION 222.** 16.528 (1) (a) of the statutes, as affected by 2011 Wisconsin Act  
16 7, is amended to read:

17           16.528 (1) (a) “Agency” means an office, department, independent agency,  
18 institution of higher education, association, society, or other body in state  
19 government created or authorized to be created by the constitution or any law, that  
20 is entitled to expend moneys appropriated by law, including the legislature and the  
21 courts, but not including an authority created in subch. II of ch. 114 or subch. III of  
22 ch. 149 or in ch. 37, 52, 231, 233, 234, 237, 238, or 279.

23           **SECTION 223.** 16.53 (2) of the statutes, as affected by 2011 Wisconsin Act 7, is  
24 amended to read:

**ASSEMBLY BILL 40****SECTION 223**

1           16.53 (2) IMPROPER INVOICES. If an agency receives an improperly completed  
2 invoice, the agency shall notify the sender of the invoice within 10 working days after  
3 it receives the invoice of the reason it is improperly completed. In this subsection,  
4 “agency” means an office, department, independent agency, institution of higher  
5 education, association, society, or other body in state government created or  
6 authorized to be created by the constitution or any law, that is entitled to expend  
7 moneys appropriated by law, including the legislature and the courts, but not  
8 including an authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch.  
9 37, 52, 231, 233, 234, 237, 238, or 279.

10           **SECTION 224.** 16.53 (7) of the statutes is amended to read:

11           16.53 (7) CERTIFICATION OF BOARDS, EVIDENCE OF CORRECTNESS OF ACCOUNT. The  
12 certificate of the proper officers of the ~~board of regents~~ Board of Regents of the  
13 University of Wisconsin System, the Board of Trustees of the University of  
14 Wisconsin–Madison, the department of health services, or the proper officers of any  
15 other board or commission organized or established by the state, shall in all cases be  
16 evidence of the correctness of any account which may be certified by them.

17           **SECTION 225.** 16.54 (8g) of the statutes is amended to read:

18           16.54 (8g) Subsections (1) to (8) do not apply to federal moneys made available  
19 to the ~~board of regents~~ Board of Regents of the University of Wisconsin System or the  
20 Board of Trustees of the University of Wisconsin–Madison for instruction, extension,  
21 special projects or emergency employment opportunities.

22           **SECTION 226.** 16.54 (8r) (a) of the statutes is amended to read:

23           16.54 (8r) (a) Whenever the federal government makes available moneys for  
24 instruction, extension, special projects or emergency employment opportunities, the  
25 ~~board of regents~~ Board of Regents of the University of Wisconsin System and the

**ASSEMBLY BILL 40****SECTION 226**

1 Board of Trustees of the University of Wisconsin–Madison may accept the moneys  
2 on behalf of the state. The ~~board of regents~~ Board of Regents and the Board of  
3 Trustees shall, in the administration of the expenditure of such moneys, comply with  
4 the requirements of the act of congress making the moneys available and with the  
5 regulations prescribed by the federal government or the federal agency  
6 administering the act, insofar as the act or regulations are consistent with state law.  
7 The ~~board of regents~~ Board of Regents and the Board of Trustees may submit any  
8 plan, budget, application or proposal required by the federal agency as a precondition  
9 to receipt of the moneys. The ~~board of regents~~ Board of Regents and the Board of  
10 Trustees may, consistent with state law, perform any act required by the act of  
11 congress or the federal agency to carry out the purpose of the act of congress. The  
12 ~~board of regents~~ Board of Regents shall deposit all moneys received under this  
13 paragraph in the appropriation account under s. 20.285 (1) (m).

14 **SECTION 227.** 16.54 (9) (a) 1. of the statutes, as affected by 2011 Wisconsin Act  
15 7, is amended to read:

16 16.54 **(9)** (a) 1. “Agency” means an office, department, independent agency,  
17 institution of higher education, association, society or other body in state  
18 government created or authorized to be created by the constitution or any law, which  
19 is entitled to expend moneys appropriated by law, including the legislature and the  
20 courts, but not including an authority created in subch. II of ch. 114 or subch. III of  
21 ch. 149 or in ch. 37, 52, 231, 233, 234, 237, 238, or 279.

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

23 **SECTION 229.** 16.548 (1) of the statutes is amended to read:

24 16.548 **(1)** The department may maintain a federal–state relations office in  
25 Washington, D.C., for the purpose of promoting federal–state cooperation, headed by

**ASSEMBLY BILL 40**

1 a director. The director and a staff assistant for the office shall be appointed by the  
2 governor outside the classified service, ~~subject to the concurrence of the joint~~  
3 ~~committee on legislative organization.~~ The director and staff assistant shall serve  
4 at the pleasure of the governor.

5 **SECTION 230.** 16.61 (13) (a) of the statutes is amended to read:

6 16.61 **(13)** (a) The historical society, as trustee for the state, shall be the  
7 ultimate depository of the archives of the state, and the board may transfer to the  
8 society such original records and reproductions as it deems proper and worthy of  
9 permanent preservation, including records and reproductions which the custodian  
10 thereof has been specifically directed by statute to preserve or keep in the custodian's  
11 office. The permanent preservation of records of the University of Wisconsin System  
12 and of the University of Wisconsin-Madison may be accomplished under par. (b).  
13 The society may deposit in the regional depositories established under s. 44.10, title  
14 remaining with the society, the records of state agencies or their district or regional  
15 offices which are primarily created in the geographic area serviced by the depository,  
16 but the records of all central departments, offices, establishments and agencies shall  
17 remain in the main archives in the capital city under the society's immediate  
18 jurisdiction, except that the society may place the records temporarily at a regional  
19 depository for periods of time to be determined by the society. Nothing in this  
20 subsection nor in ch. 44 prevents the society's taking the steps for the safety of  
21 articles and materials entrusted to its care in library, museum or archives, including  
22 temporary removal to safer locations, dictated by emergency conditions arising from  
23 a state of war, civil rebellion or other catastrophe.

24 **SECTION 231.** 16.61 (13) (b) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 231**

1           16.61 (13) (b) The board may designate an archival depository at the  
2 University of Wisconsin–Madison and at each university as defined in s. 36.05 (13)  
3 which shall meet standards for university archival depositories established by the  
4 board with the advice of the ~~board of regents~~ Board of Trustees, the Board of Regents,  
5 and the historical society or their respective designated representatives. The board  
6 may transfer to the appropriate university archival depository all original records  
7 and reproductions the board deems worthy of permanent preservation.

8           **SECTION 232.** 16.70 (1e) of the statutes is amended to read:

9           16.70 (1e) “Agency” means an office, department, agency, institution of higher  
10 education, association, society or other body in state government created or  
11 authorized to be created by the constitution or any law, which is entitled to expend  
12 moneys appropriated by law, including the legislature and the courts, ~~but not~~  
13 ~~including an.~~ “Agency” includes the University of Wisconsin–Madison but does not  
14 include any other authority.

15           **SECTION 233.** 16.70 (3g) of the statutes is renumbered 84.01 (13) (a) and  
16 amended to read:

17           84.01 (13) (a) ~~“Cost–benefit~~ In this subsection, “cost–benefit analysis” means  
18 a comprehensive study to identify and compare the total cost, quality, technical  
19 expertise, and timeliness of a service performed by state employees and resources  
20 with the total cost, quality, technical expertise, and timeliness of the same service  
21 obtained by means of a contract for contractual services.

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

23           16.705 (1p) Subsection (1) does not apply to an agreement entered into by the  
24 department of veterans affairs under s. 45.50 (2m) (c).

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

**ASSEMBLY BILL 40****SECTION 235**

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), (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 Board of Trustees of the  
6 University of Wisconsin–Madison with moneys other than moneys appropriated  
7 under s. 20.280 (1) (a) to (s).

8           **SECTION 237.** 16.705 (2) of the statutes is repealed.

9           **SECTION 238.** 16.705 (3) of the statutes is repealed.

10          **SECTION 239.** 16.705 (8) of the statutes is repealed.

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

12          16.705 **(9)** The department shall maintain a list of persons that are or have  
13 been a party to a contract with the state under this subchapter who have violated a  
14 provision of this subchapter or a contract under this subchapter. The parties on the  
15 list are ineligible for state contracts and no state contract may be awarded to a party  
16 on the ineligible list. The department may remove any party from the ineligible list  
17 if the department determines that the party's practices comply with this subchapter  
18 and provide adequate safeguards against future violations of this subchapter or  
19 contracts under this subchapter.

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

21          16.71 **(4)** The department shall delegate to the Board of Trustees of the  
22 University of Wisconsin–Madison the authority to enter into contracts for materials,  
23 supplies, equipment, or services that relate to higher education and that agencies  
24 other than the University of Wisconsin–System or the University of  
25 Wisconsin–Madison do not commonly purchase.

**ASSEMBLY BILL 40****SECTION 242**

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

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

3           16.72 **(8)** The department may purchase educational technology materials,  
4 supplies, equipment, or contractual services from orders placed with the department  
5 by school districts, cooperative educational service agencies, technical college  
6 districts, and the ~~board of regents~~ Board of Regents of the University of Wisconsin  
7 System, and the Board of Trustees of the University of Wisconsin–Madison.

8           **SECTION 244.** 16.73 (4m) of the statutes is created to read:

9           16.73 **(4m)** The Board of Trustees of the University of Wisconsin–Madison may  
10 enter into agreements with other higher education institutions under which any of  
11 the parties may agree to participate in, administer, sponsor, or conduct purchasing  
12 of materials, supplies, equipment, permanent personal property, miscellaneous  
13 capital, or contractual services. The University of Wisconsin–Madison may  
14 purchase from any vendor selected as a result of such purchasing agreements.

15           **SECTION 245.** 16.73 (5) of the statutes is amended to read:

16           16.73 **(5)** If the department designates the ~~board of regents~~ Board of Trustees  
17 of the University of ~~Wisconsin System~~ Wisconsin–Madison as its purchasing agent  
18 for any purpose under s. 16.71 (1), the board may enter into a contract to sell any  
19 materials, supplies, equipment or contractual services purchased by the board to the  
20 University of Wisconsin Hospitals and Clinics Authority, and may contract with the  
21 University of Wisconsin Hospitals and Clinics Authority for the joint purchase of any  
22 materials, supplies, equipment or contractual services if the sale or purchase is made  
23 consistently with that delegation and with this subchapter.

24           **SECTION 246.** 16.75 (1) (b) of the statutes is amended to read:



**ASSEMBLY BILL 40****SECTION 246**

1           16.75 (1) (b) When the estimated cost exceeds ~~\$25,000~~ \$50,000, the department  
2 shall invite bids to be submitted. The department either shall either solicit sealed  
3 bids to be opened publicly at a specified date and time, or shall solicit bidding by  
4 auction to be conducted electronically at a specified date and time. Whenever bids  
5 are invited, due notice inviting bids shall be published as a class 2 notice, under ch.  
6 985 or posted on the Internet at a site determined or approved by the department.  
7 The bid opening or auction shall occur at least 7 days after the date of the last  
8 insertion of the notice or at least 7 days after the date of posting on the Internet. The  
9 notice shall specify whether sealed bids are invited or bids will be accepted by  
10 auction, and shall give a clear description of the materials, supplies, equipment, or  
11 contractual services to be purchased, the amount of any bond, share draft, check, or  
12 other draft to be submitted as surety with the bid or prior to the auction, and the date  
13 and time that the public opening or the auction will be held.

14           **SECTION 247.** 16.75 (1) (c) of the statutes is amended to read:

15           16.75 (1) (c) Except as provided in sub. (7), when the estimated cost is \$25,000  
16 \$50,000 or less, the award may be made in accordance with simplified procedures  
17 established by the department for such transactions.

18           **SECTION 248.** 16.75 (2m) (b) of the statutes is amended to read:

19           16.75 (2m) (b) When the estimated cost exceeds ~~\$25,000~~ \$50,000, the  
20 department may invite competitive sealed proposals by publishing a class 2 notice  
21 under ch. 985 or by posting notice on the Internet at a site determined or approved  
22 by the department. The notice shall describe the materials, supplies, equipment, or  
23 contractual services to be purchased, the intent to make the procurement by  
24 solicitation of proposals rather than by solicitation of bids, any requirement for  
25 surety and the date the proposals will be opened, which shall be at least 7 days after

**ASSEMBLY BILL 40****SECTION 248**

1 the date of the last insertion of the notice or at least 7 days after the date of posting  
2 on the Internet.

3 **SECTION 249.** 16.75 (2m) (c) of the statutes is amended to read:

4 16.75 **(2m)** (c) When the estimated cost is ~~\$25,000~~ \$50,000 or less, the  
5 department may award the order or contract may be awarded in accordance with  
6 simplified procedures established by the department for such transactions.

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

8 16.75 **(3m)** (a) 1. “Disabled veteran–owned business” means a business  
9 certified by the department of ~~commerce~~ safety and professional services under s.  
10 ~~560.0335~~ 490.02 (3).

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

12 16.75 **(3m)** (a) 2. “Disabled veteran–owned financial adviser” means a financial  
13 adviser certified by the department of ~~commerce~~ safety and professional services  
14 under s. ~~560.0335~~ 490.02 (3).

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

16 16.75 **(3m)** (a) 3. “Disabled veteran–owned investment firm” means an  
17 investment firm certified by the department of ~~commerce~~ safety and professional  
18 services under s. ~~560.0335~~ 490.02 (3).

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

20 16.75 **(3m)** (a) 4. “Minority business” means a business certified by the  
21 department of ~~commerce~~ safety and professional services under s. ~~560.036~~ 490.04 (2).

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

23 16.75 **(3m)** (c) 5. a. In determining whether a purchase, contract or subcontract  
24 complies with the goal established under par. (b) 1. or s. 16.855 (10m) (am) 1., 16.87  
25 (2) (b), or 25.185 (2), the department shall include only amounts paid to minority

**ASSEMBLY BILL 40****SECTION 254**

1 businesses, minority financial advisers and minority investment firms certified by  
2 the department of ~~commerce~~ safety and professional services under s. ~~560.036~~ 490.04  
3 (2).

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

5 16.75 **(3m)** (c) 5. b. In determining whether a purchase, contract, or subcontract  
6 is made with a disabled veteran-owned business, the department shall include only  
7 amounts paid to disabled veteran-owned businesses certified by the department of  
8 ~~commerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

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

10 16.75 **(3t)** (c) (intro.) The department of corrections shall periodically provide  
11 to the department of administration a current list of all materials, supplies,  
12 equipment or contractual services, excluding commodities, that are supplied by  
13 prison industries, as created under s. 303.01. The department of administration  
14 shall distribute the list to all designated purchasing agents under s. 16.71 (1). Except  
15 as otherwise provided in sub. (6) (am), prior to seeking bids or competitive sealed  
16 proposals with respect to the purchase of any materials, supplies, equipment or  
17 contractual services enumerated in the list, the department of administration or any  
18 other designated purchasing agent under s. 16.71 (1) shall offer prison industries the  
19 opportunity to supply the materials, supplies, equipment or contractual services if  
20 the department of corrections is able to provide them at a price ~~comparable to that~~  
21 is equal to or lower than one which may be obtained through competitive bidding or  
22 competitive sealed proposals and is able to conform to the specifications, ~~provided the~~  
23 ~~specifications are written in accordance with s. 16.72 (2) (d).~~ If the department of  
24 administration or other purchasing agent is unable to determine whether the price  
25 of prison industries is ~~comparable~~ equal to or lower than one obtained through

**ASSEMBLY BILL 40****SECTION 256**

1 competitive bidding or competitive sealed proposals, it may solicit bids or  
2 competitive proposals before awarding the order or contract. This paragraph does  
3 not apply to the printing of the following forms:

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

5 16.75 **(4)** (b) The department shall seek the cooperation and assistance of the  
6 department of ~~commerce~~ safety and professional services in the performance of its  
7 duties under par. (a).

8 **SECTION 258.** 16.75 (6) (bm) of the statutes is amended to read:

9 16.75 **(6)** (bm) If the secretary determines that it is in the best interest of this  
10 state to do so, he or she may waive any requirement under subs. (1) to (5) and ss.  
11 16.705 (1) ~~and (2) to (8), (5), (6), and (7)~~ and 16.72 (2) (e) and (f) and (5) with respect  
12 to any contract entered into by the department of children and families under s.  
13 49.143, if the department of children and families presents the secretary with a  
14 process for the procurement of contracts under s. 49.143 and the secretary approves  
15 the process.

16 **SECTION 259.** 16.75 (6) (c) of the statutes is amended to read:

17 16.75 **(6)** (c) If the secretary determines that it is in the best interest of this state  
18 to do so, he or she may, with the approval of the governor, waive the requirements  
19 of subs. (1) to (5) and may purchase supplies, material, equipment, or contractual  
20 services, other than printing and stationery, from a private source other than a  
21 source specified in par. (b). Except as provided in sub. (2g) (c), if the cost of the  
22 purchase is expected to exceed ~~\$25,000~~ \$50,000, the department shall first publish  
23 a class 2 notice under ch. 985 or post a notice on the Internet at the site determined  
24 or approved by the department under sub. (1) (b) describing the materials, supplies,  
25 equipment, or contractual services to be purchased, stating the intent to make the

**ASSEMBLY BILL 40****SECTION 259**

1 purchase from a private source without soliciting bids or competitive sealed  
2 proposals and stating the date on which the contract or purchase order will be  
3 awarded. The date of the award shall be at least 7 days after the date of the last  
4 insertion or the date of posting on the Internet.

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

6 16.75 (10e) (b) The If s. 16.855 (10s) (a) provides an applicable standard for the  
7 type of agency consuming equipment being purchased and the purchase will cost  
8 more than \$5,000 per unit the department, any other designated purchasing agent  
9 under s. 16.71 (1), any agency making purchases under s. 16.74, and any authority  
10 may not purchase that type of energy consuming equipment unless the specifications  
11 for the equipment meet the applicable standards for the equipment established  
12 under s. 16.855 (10s) (a). If there is no standard under s. 16.855 (10s) (a) applicable  
13 to the type of energy consuming equipment being purchased, or if, If there is an  
14 applicable standard under s. 16.855 (10s) (a), but the energy consuming equipment  
15 meeting that standard is not reasonably available, the department, purchasing  
16 agent, agency, or authority shall ensure, for purchases over \$5,000 per unit, that the  
17 energy consuming equipment that is purchased maximizes energy efficiency to the  
18 extent technically and economically feasible. The department, purchasing agent,  
19 agency, or authority shall not determine that energy consuming equipment that  
20 meets the applicable standard under s. 16.855 (10s) (a) either is not reasonably  
21 available on the basis of cost alone or is not cost-effective unless the difference in the  
22 cost of the purchase and installation of the equipment that meets the standard and  
23 the equipment that would otherwise be installed is greater than the difference in the  
24 cost of operating the equipment that meets the standard and the equipment that  
25 would otherwise be installed over the anticipated life of the equipment.

**ASSEMBLY BILL 40****SECTION 261**

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

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

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

7           16.752 **(8)** (e) Comply with applicable occupational health and safety standards  
8 prescribed by the U.S. secretary of labor, the federal occupational health and safety  
9 administration or the department of ~~commerce~~ safety and professional services.

10           **SECTION 263.** 16.78 (1) of the statutes, as affected by 2011 Wisconsin Act 7, is  
11 amended to read:

12           16.78 **(1)** Every agency other than the ~~board of regents~~ Board of Regents of the  
13 University of Wisconsin System, the Board of Trustees of the University of  
14 Wisconsin–Madison, or an agency making purchases under s. 16.74 shall make all  
15 purchases of materials, supplies, equipment, and contractual services relating to  
16 information technology or telecommunications from the department, unless the  
17 department requires the agency to purchase the materials, supplies, equipment, or  
18 contractual services pursuant to a master contract established under s. 16.972 (2)  
19 (h), or grants written authorization to the agency to procure the materials, supplies,  
20 equipment, or contractual services under s. 16.75 (1) or (2m), to purchase the  
21 materials, supplies, equipment, or contractual services from another agency or to  
22 provide the materials, supplies, equipment, or contractual services to itself. The  
23 ~~board of regents~~ Board of Regents of the University of Wisconsin System may make  
24 purchases of materials, supplies, equipment, and contractual services relating to  
25 information technology or telecommunications from the department.

**ASSEMBLY BILL 40****SECTION 264**

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

2           **SECTION 265.** 16.847 (1) (b) of the statutes is amended to read:

3           16.847 (1) (b) “State facilities” means all property owned and operated by the  
4 state for the purpose of carrying out usual state functions, including the University  
5 of Wisconsin–Madison and each institution within the University of Wisconsin  
6 System.

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

8           16.85 (1) To take charge of and supervise all engineering or architectural  
9 services or construction work, as defined in s. 16.87, performed by, or for, the state,  
10 or any department, board, institution, commission, or officer of the state, and any  
11 such work to be performed for the University of Wisconsin–Madison, including  
12 nonprofit–sharing corporations organized for the purpose of assisting the state in the  
13 construction and acquisition of new buildings or improvements and additions to  
14 existing buildings as contemplated under ss. 13.488, 36.09, and 36.11, 37.03, and  
15 37.11, except work to be performed for the University of Wisconsin–Madison with  
16 respect to a building, structure, or facility that is funded entirely from sources other  
17 than general purpose revenue or general fund supported borrowing; the engineering,  
18 architectural, and construction work of the department of transportation; and the  
19 engineering service performed by the department of commerce safety and  
20 professional services, department of revenue, public service commission,  
21 department of health services, and other departments, boards, and commissions  
22 when the service is not related to the maintenance, and construction and planning,  
23 of the physical properties of the state. The department may not authorize  
24 construction work for any state office facility in the city of Madison after May 11,

**ASSEMBLY BILL 40****SECTION 266**

1 1990, unless the department first provides suitable space for a child care center  
2 primarily for use by children of state employees.

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

5 16.85 (1) To take charge of and supervise all engineering or architectural  
6 services or construction work, as defined in s. 16.87, performed by, or for, the state,  
7 or any department, board, institution, commission, or officer of the state, and any  
8 such work to be performed for the University of Wisconsin–Madison, including  
9 nonprofit–sharing corporations organized for the purpose of assisting the state in the  
10 construction and acquisition of new buildings or improvements and additions to  
11 existing buildings as contemplated under ss. 13.488, 36.09, 36.11, 37.03, and 37.11,  
12 except work to be performed for the University of Wisconsin–Madison with respect  
13 to a building, structure, or facility that is funded entirely from sources other than  
14 general purpose revenue or general fund supported borrowing; the engineering,  
15 architectural, and construction work of the department of transportation; and the  
16 engineering service performed by the department of safety and professional services,  
17 department of revenue, public service commission, department of health services,  
18 and other departments, boards, and commissions when the service is not related to  
19 the maintenance, and construction and planning, of the physical properties of the  
20 state. ~~The department may not authorize construction work for any state office  
21 facility in the city of Madison after May 11, 1990, unless the department first  
22 provides suitable space for a child care center primarily for use by children of state  
23 employees.~~

24 **SECTION 268.** 16.85 (2) of the statutes, as affected by 2011 Wisconsin Act 7, is  
25 amended to read:



**ASSEMBLY BILL 40****SECTION 268**

1           16.85 (2) To furnish engineering, architectural, project management, and other  
2 building construction services whenever requisitions therefor are presented to the  
3 department by any agency or the University of Wisconsin–Madison. The department  
4 may deposit moneys received from the provision of these services in the account  
5 under s. 20.505 (1) (kc) or in the general fund as general purpose revenue — earned.  
6 In this subsection, “agency” means an office, department, independent agency,  
7 institution of higher education, association, society, or other body in state  
8 government created or authorized to be created by the constitution or any law, which  
9 is entitled to expend moneys appropriated by law, including the legislature and the  
10 courts, but not including an authority created in subch. II of ch. 114 or subch. III of  
11 ch. 149 or in ch. 37, 52, 231, 233, 234, 237, 238, or 279.

12           **SECTION 269.** 16.85 (5) of the statutes is amended to read:

13           16.85 (5) To promote the use of energy conservation methods in state–owned  
14 facilities and facilities owned by the University of Wisconsin–Madison, to implement  
15 and refine a statewide energy monitoring system and to develop and implement  
16 initiatives of replacing fossil fuels with renewable energy fuels.

17           **SECTION 270.** 16.85 (7) of the statutes is amended to read:

18           16.85 (7) To rebuild and repair discarded machinery of the several state  
19 institutions and the University of Wisconsin–Madison when found feasible, and put  
20 the same back into service in the same department or at the university or in any other  
21 state department or the university, and upon requisition to furnish services and  
22 material and loan equipment at fair rentals based on the cost thereof, in connection  
23 with the construction, operation and maintenance of heating and power plants,  
24 utilities and equipment.

25           **SECTION 271.** 16.85 (10) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 271**

1           16.85 (10) To prepare in cooperation with the state agencies concerned and  
2 with the University of Wisconsin–Madison, plans for the future growth and  
3 development of various state institutions and to serve as technical adviser to the  
4 building commission in connection with the development of the state long–range  
5 building program provided in ss. 13.48 and 13.482.

6           **SECTION 272.** 16.85 (12) of the statutes is amended to read:

7           16.85 (12) To review and approve plans and specifications for any building or  
8 structure that is constructed for the benefit of the University of Wisconsin System  
9 or any institution thereof, and to periodically review the progress of any such  
10 building or structure during construction to assure compliance with the approved  
11 plans and specifications. This subsection does not apply to any building, structure,  
12 or facility that is constructed, remodeled, repaired, renewed, or expanded for the  
13 University of Wisconsin–Madison if the project is funded entirely from sources other  
14 than general purpose revenue or general fund supported borrowing.

15           **SECTION 273.** 16.851 of the statutes is amended to read:

16           **16.851 Plans for state and university buildings, structures or facilities.**

17 Except as the department otherwise provides by rule, records of the department and  
18 the University of Wisconsin–Madison containing plans or specifications for any  
19 state–owned or state–leased or any university–owned or university–leased building,  
20 structure or facility, or any proposed state–owned or state–leased or  
21 university–owned or university–leased building, structure or facility, are not subject  
22 to the right of public inspection or copying under s. 19.35 (1). If the department or  
23 the University of Wisconsin–Madison transfers any records containing any such  
24 plans or specifications to any other authority as defined in s. 19.32 (1), the  
25 department or university shall require the authority to agree in writing not to make

**ASSEMBLY BILL 40****SECTION 273**

1 the record available for public inspection or copying except as the department  
2 otherwise permits by rule.

3 **SECTION 274.** 16.8511 of the statutes is amended to read:

4 **16.8511 Secretary of administration; powers, duties. (1)** The secretary  
5 or the secretary's designated assistants shall make a biennial inspection of each  
6 building of each institution of the state and the University of Wisconsin–Madison.  
7 The secretary may delegate this responsibility to the board, commission or officer in  
8 charge of such institution.

9 **(2)** The secretary may delegate any of the work under this subchapter to the  
10 various state agencies or to the University of Wisconsin–Madison when the secretary  
11 determines that the best interests of the state or the university will be served. All  
12 such delegation will be in writing and accompanied by the proper rules and  
13 guidelines the agencies or the university must follow to ensure performance to the  
14 satisfaction of the secretary.

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

16 16.854 **(1)** (a) “Minority business” has the meaning given in s. ~~560.036~~ 490.04  
17 (1) (e).

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

19 16.854 **(1)** (b) “Minority group member” has the meaning given in s. ~~560.036~~  
20 490.04 (1) (f).

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

22 16.855 **(2)** (intro.) Except for projects authorized under s. 16.858, whenever the  
23 estimated construction cost of a project exceeds \$40,000, or if less and in the best  
24 interest of the state or the University of Wisconsin–Madison, the department shall:

25 **SECTION 278.** 16.855 (2) (b) 2. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 278**

1           16.855 (2) (b) 2. If the federal government participates in a state or University  
2 of Wisconsin–Madison project, the bid guarantee required in this paragraph  
3 controls, unless the federal government makes a specific provision for a different bid  
4 guarantee.

5           **SECTION 279.** 16.855 (5) of the statutes is amended to read:

6           16.855 (5) Any or all bids may be rejected if, in the opinion of the department,  
7 it is in the best interest of the state or the University of Wisconsin–Madison. The  
8 reasons for rejection shall be given to the bidder or bidders in writing.

9           **SECTION 280.** 16.855 (7) of the statutes is amended to read:

10           16.855 (7) The department may issue contract change orders, if they are  
11 deemed to be in the best interests of the state or the University of  
12 Wisconsin–Madison.

13           **SECTION 281.** 16.855 (10) of the statutes is amended to read:

14           16.855 (10) When the department believes that it is in the best interests of the  
15 state or the University of Wisconsin–Madison to contract for certain articles or  
16 materials available from only one source, it may contract for said articles or  
17 materials without the usual statutory procedure, after a publication of a class 1  
18 notice, under ch. 985, in the official state newspaper.

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

20           16.855 (10m) (ac) In this subsection, “disabled veteran–owned business”  
21 means a business certified by the department of commerce safety and professional  
22 services under s. ~~560.0335~~ 490.02 (3).

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

24           16.855 (10n) (a) In this subsection, “minority group member” has the meaning  
25 given in s. ~~560.036~~ 490.04 (1) (f).

**ASSEMBLY BILL 40****SECTION 284**

1           **SECTION 284.** 16.855 (13) (c) of the statutes is amended to read:

2           16.855 **(13)** (c) Changes may be made in the list of subcontractors, with the  
3 agreement of the department and the prime contractor, when in the opinion of the  
4 department it is in the best interests of the state or the University of  
5 Wisconsin–Madison to require the change.

6           **SECTION 285.** 16.855 (14) (b) of the statutes is amended to read:

7           16.855 **(14)** (b) The state is and the University of Wisconsin–Madison are not  
8 liable to a prime contractor for damage from delay caused by another prime  
9 contractor if the department or the university takes reasonable action to require the  
10 delaying prime contractor to comply with its contract. If the state or the university  
11 is not liable under this paragraph, the delayed prime contractor may bring an action  
12 for damages against the delaying prime contractor.

13           **SECTION 286.** 16.855 (16) (a) of the statutes is amended to read:

14           16.855 **(16)** (a) This section does not apply to contracts between the state or the  
15 University of Wisconsin–Madison and federal government or any agency thereof, or  
16 with any political subdivision of the state. Subject to the approval of the governor,  
17 the requirements of this section may be waived in emergency situations involving the  
18 public health, welfare or safety or with respect to contracting with public utilities,  
19 but only when any such waiver is deemed by the governor to be in the best interests  
20 of the state or the university.

21           **SECTION 287.** 16.855 (16) (b) 2. of the statutes is amended to read:

22           16.855 **(16)** (b) 2. In emergency situations, the governor may approve repairs  
23 and construction of a building, structure, or facility in lieu of building commission  
24 approval under s. 13.48 (10), and for such purposes, may authorize the expenditure  
25 of up to \$500,000 from the state building trust fund or from other available moneys

**ASSEMBLY BILL 40****SECTION 287**

1 appropriated to an agency or other available moneys of the University of  
2 Wisconsin–Madison derived from any revenue source. The governor may delegate  
3 to the secretary the authority to grant approvals under this subdivision. The  
4 governor shall report any such authorization to the building commission at its next  
5 regular meeting following the authorization. In this subdivision, “emergency”  
6 means any natural or human–caused situation that results in or may result in  
7 substantial injury or harm to the population or substantial damage to or loss of  
8 property.

9 **SECTION 288.** 16.855 (20) of the statutes is amended to read:

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

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

18 16.855 (22) The provisions of this section, except sub. (10m), do not apply to  
19 construction work for any project that does not require the prior approval of the  
20 building commission under s. 13.48 (10) (a) if the project is constructed in accordance  
21 with policies and procedures prescribed by the building commission under s. 13.48  
22 (29). The provisions of this section do not apply to construction work for any project  
23 by or for the University of Wisconsin–Madison that is funded entirely from sources  
24 other than general purpose revenue or general fund supported borrowing. If the  
25 estimated construction cost of any project, other than a University of

**ASSEMBLY BILL 40****SECTION 289**

1 Wisconsin–Madison project that is exempted under this subsection, is at least  
2 \$40,000, and the building commission elects to utilize the procedures prescribed  
3 under s. 13.48 (29) to construct the project, the department shall provide adequate  
4 public notice of the project and the procedures to be utilized to construct the project  
5 on a publicly accessible computer site.

6 **SECTION 290.** 16.865 (1) (a) of the statutes is amended to read:

7 16.865 (1) (a) ~~Protect~~ Except as provided in sub. (10), protect the state and the  
8 University of Wisconsin–Madison from losses which are catastrophic in nature and  
9 minimize total cost to the state of all activities related to the control of accidental loss.

10 **SECTION 291.** 16.865 (2) of the statutes is amended to read:

11 16.865 (2) ~~Identify~~ Except as provided in sub. (10), identify and evaluate  
12 exposure to loss to the state, ~~its~~ and University of Wisconsin–Madison and their  
13 employees or injury to the public by reason of fire or other accidents and fortuitous  
14 events at state–owned and the university–owned properties or facilities.

15 **SECTION 292.** 16.865 (3) of the statutes is amended to read:

16 16.865 (3) ~~Recommend~~ Except as provided in sub. (10), recommend changes in  
17 procedures, program conditions or capital improvement for all agencies and the  
18 University of Wisconsin–Madison which would satisfactorily eliminate or reduce the  
19 existing exposure.

20 **SECTION 293.** 16.865 (4) of the statutes is amended to read:

21 16.865 (4) ~~Manage the state employees'~~ Except as provided in sub. (10),  
22 manage the worker's compensation program for state and University of  
23 Wisconsin–Madison employees and the statewide self–funded programs to protect  
24 the state and the University of Wisconsin–Madison from losses of and damage to  
25 state property and liability.

**ASSEMBLY BILL 40****SECTION 294**

1           **SECTION 294.** 16.865 (5) of the statutes is amended to read:

2           16.865 (5) ~~Arrange appropriate~~ Except as provided in sub. (10), arrange  
3 insurance contracts for the transfer of risk of loss on the part of the state and the  
4 University of Wisconsin–Madison or its their employees, to the extent such loss  
5 cannot reasonably be assumed by the individual agencies or the university or the  
6 self-funded programs. The placement of insurance may be by private negotiation  
7 rather than competitive bid, if such insurance has a restricted number of interested  
8 carriers. The department shall approve all insurance purchases.

9           **SECTION 295.** 16.865 (8) of the statutes, as affected by 2011 Wisconsin Act 7,  
10 is amended to read:

11           16.865 (8) ~~Annually~~ Except as provided in sub. (10), annually in each fiscal  
12 year, allocate as a charge to each agency and to the University of Wisconsin–Madison  
13 a proportionate share of the estimated costs attributable to programs administered  
14 by the agency or the university to be paid from the appropriation under s. 20.505 (2)  
15 (k). The department may charge premiums to agencies and to the University of  
16 Wisconsin–Madison to finance costs under this subsection and pay the costs from the  
17 appropriation on an actual basis. The department shall deposit all collections under  
18 this subsection in the appropriation account under s. 20.505 (2) (k). Costs assessed  
19 under this subsection may include judgments, investigative and adjustment fees,  
20 data processing and staff support costs, program administration costs, litigation  
21 costs, and the cost of insurance contracts under sub. (5). In this subsection, “agency”  
22 means an office, department, independent agency, institution of higher education,  
23 association, society, or other body in state government created or authorized to be  
24 created by the constitution or any law, that is entitled to expend moneys  
25 appropriated by law, including the legislature and the courts, but not including an



**ASSEMBLY BILL 40****SECTION 295**

1 authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 37, 52, 231,  
2 232, 233, 234, 235, 237, 238, or 279.

3 **SECTION 296.** 16.865 (10) of the statutes is created to read:

4 16.865 (10) This section does not apply to the University of Wisconsin–Madison  
5 for any fiscal year if the University of Wisconsin–Madison, no later than December  
6 31 preceding the beginning of that fiscal year, provides written notice to the  
7 department that it has elected not to be governed by this section. Any notice of  
8 nonelection applies to all subsequent fiscal years unless the University of  
9 Wisconsin–Madison, no later than December 31 preceding the beginning of a fiscal  
10 year, provides written notice to the department that it has elected to be governed by  
11 this section. Any notice of election applies to all subsequent fiscal years unless the  
12 University of Wisconsin–Madison again provides timely notice of nonelection.

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

14 16.87 (1) (am) “Disabled veteran–owned business” means a business certified  
15 by the department of ~~commerce~~ safety and professional services under s. ~~560.0335~~  
16 490.02 (3).

17 **SECTION 298.** 16.87 (2) (a) of the statutes is amended to read:

18 16.87 (2) (a) A contract for engineering services or architectural services or a  
19 contract involving an expenditure of \$10,000 or more for construction work, or  
20 \$30,000 or more for limited trades work, to be done for or furnished to the state or  
21 a department, board, commission, or officer of the state or the University of  
22 Wisconsin–Madison is exempt from the requirements of ss. 16.705 and 16.75.

23 **SECTION 299.** 16.87 (5) of the statutes is created to read:

**ASSEMBLY BILL 40****SECTION 299**

1           16.87 (5) This subsection does not apply to any project for the University of  
2 Wisconsin–Madison that is funded entirely from sources other than general purpose  
3 revenue or general fund supported borrowing.

4           **SECTION 300.** 16.875 of the statutes is amended to read:

5           **16.875 Setoffs.** All amounts owed by this state or the University of  
6 Wisconsin–Madison under this subchapter are subject to being set off under s. 73.12.

7           **SECTION 301.** 16.89 of the statutes is amended to read:

8           **16.89 Construction and services controlled by this chapter.** No  
9 department, independent agency, constitutional office or agent of the state shall  
10 employ engineering, architectural or allied services or expend money for  
11 construction purposes on behalf of the state, except as provided in this chapter. The  
12 University of Wisconsin–Madison shall not employ engineering, architectural, or  
13 allied services or expend money for construction purposes on behalf of the university,  
14 except as provided in this chapter and except that the university may engage such  
15 employment for any project that is financed entirely from sources other than general  
16 purpose revenue or general fund supported borrowing.

17           **SECTION 302.** 16.891 (1) (b) of the statutes is amended to read:

18           16.891 (1) (b) “Total cost of occupancy” means the cost to operate and maintain  
19 the physical plant of a building, structure, or facility, including administrative costs  
20 of an agency or the University of Wisconsin–Madison attributable to operation and  
21 maintenance of a building, structure, or facility, together with any debt service costs  
22 associated with the building, structure, or facility, computed in the manner  
23 prescribed by the department.

24           **SECTION 303.** 16.891 (2) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 303**

1           16.891 (2) Except as provided in sub. (4), each agency and the University of  
2 Wisconsin–Madison shall report to the department no later than October 1 of each  
3 year concerning the total cost of occupancy of each state–owned or university–owned  
4 building, structure, and facility, excluding public highways and bridges, under the  
5 jurisdiction of the agency or university for the preceding fiscal year. The report shall  
6 be made in a format prescribed by the department. Beginning in 2009, if a building,  
7 structure, or facility is a part of an institution, the agency having jurisdiction of the  
8 institution or the University of Wisconsin–Madison shall also include in its report  
9 the total cost of occupancy of all of the buildings, structures, and facilities within the  
10 institution.

11           **SECTION 304.** 16.891 (4) of the statutes is amended to read:

12           16.891 (4) The department may exempt an agency or the University of  
13 Wisconsin–Madison from compliance with the reporting requirement under sub. (2)  
14 with respect to any building, structure, or facility that the department determines  
15 to have a minimal total cost of occupancy.

16           **SECTION 305.** 16.895 (title) of the statutes is amended to read:

17           **16.895** (title) **State–owned State– or university–owned or operated**  
18 **heating, cooling or power plants.**

19           **SECTION 306.** 16.895 (2) (a) of the statutes is amended to read:

20           16.895 (2) (a) Prepare all specifications, bid and administer contracts for the  
21 purchase of fuels for all state–owned ~~or operated~~ heating, cooling or power plants  
22 that are owned or operated by the state or the University of Wisconsin–Madison.

23           **SECTION 307.** 16.895 (2) (c) of the statutes is amended to read:

24           16.895 (2) (c) Determine the method of operation of state–owned state– or  
25 university–owned or operated heating, cooling or power plants, including

**ASSEMBLY BILL 40****SECTION 307**

1 maintenance standards and policies concerning utilization of alternative fuels and  
2 energy conservation.

3 **SECTION 308.** 16.895 (2) (d) of the statutes is amended to read:

4 16.895 (2) (d) Assure compliance with federal and state laws, federal  
5 regulations and state administrative rules applicable to ~~state-owned~~ state- or  
6 university-owned or operated heating, cooling or power plants.

7 **SECTION 309.** 16.895 (2) (e) of the statutes is amended to read:

8 16.895 (2) (e) Delegate to any agency or to the University of  
9 Wisconsin-Madison the department's authority under par. (c) or (d) and approve all  
10 expenditures of the agency or university under par. (c) or (d).

11 **SECTION 310.** 16.895 (2) (g) of the statutes is amended to read:

12 16.895 (2) (g) Provide for emissions testing, waste product disposal and fuel  
13 quality testing at ~~state-owned~~ state- or university-owned or operated heating,  
14 cooling or power plants, and secure permits that are required for operation of the  
15 plants.

16 **SECTION 311.** 16.895 (2) (h) of the statutes is amended to read:

17 16.895 (2) (h) Periodically assess to agencies and the University of  
18 Wisconsin-Madison their proportionate cost of the expenses incurred by the  
19 department under this subsection and ss. 16.85 (4), 16.90, 16.91 and 16.92 in  
20 accordance with a method of apportionment determined by the department.

21 **SECTION 312.** 16.897 of the statutes is amended to read:

22 **16.897 Space and water heating systems.** In planning and designing space  
23 or water heating systems for new or existing state facilities and facilities of the  
24 University of Wisconsin-Madison, the department shall ensure that geothermal

**ASSEMBLY BILL 40****SECTION 312**

1 technologies are utilized to the greatest extent that is cost-effective and technically  
2 feasible.

3 **SECTION 313.** 16.90 (title) of the statutes is amended to read:

4 **16.90 (title) Fuel for state and university heating, cooling or power**  
5 **plants.**

6 **SECTION 314.** 16.90 (2) (a) of the statutes is amended to read:

7 16.90 (2) (a) Prepare all specifications for contracts for the purchase of fuel for  
8 each state-owned or operated heating, cooling or power plant that is owned or  
9 operated by the state or the University of Wisconsin-Madison. All such  
10 specifications where feasible shall provide for purchase of such fuel on a heating  
11 value and quality basis and may provide for an adjustment of the base price of any  
12 fuel as a result of changes in production or transportation costs during the term of  
13 a contract.

14 **SECTION 315.** 16.90 (2) (b) of the statutes is amended to read:

15 16.90 (2) (b) Distribute fuel purchased by the department ~~or~~ any other agency,  
16 or the University of Wisconsin-Madison to agencies ~~that require it or to the~~  
17 University of Wisconsin-Madison as required, and reallocate such fuel between  
18 agencies or the University of Wisconsin-Madison in the event of a shortage.

19 **SECTION 316.** 16.90 (2) (c) of the statutes is amended to read:

20 16.90 (2) (c) Set standards for storage of fuel by agencies and the University  
21 of Wisconsin-Madison.

22 **SECTION 317.** 16.90 (2) (d) of the statutes is amended to read:

23 16.90 (2) (d) Test all fuel purchased for each state-owned state- or  
24 university-owned or operated heating, cooling or power plant wherein the annual

**ASSEMBLY BILL 40****SECTION 317**

1 requirement is in excess of 12,500 therms and where purchased on a heating value  
2 and quality basis.

3 **SECTION 318.** 16.90 (2) (e) of the statutes is amended to read:

4 16.90 (2) (e) Promulgate such rules as the secretary considers necessary, not  
5 inconsistent with this section, to promote efficiency, energy conservation and  
6 economy in the testing, handling and use of fuel for ~~state-owned~~ state- or  
7 university-owned or operated heating, cooling or power plants.

8 **SECTION 319.** 16.91 (2) of the statutes is amended to read:

9 16.91 (2) No contract for the purchase of fuel for any ~~state-owned~~ state- or  
10 university-owned or operated heating or heating and power plant wherein the  
11 annual requirement is in excess of 12,500 therms is binding unless purchased upon  
12 specifications furnished by the secretary. A contract for fuel may be for any term  
13 deemed to be in the best interests of the state or the University of  
14 Wisconsin-Madison, but the term and any provisions for renewal or extension shall  
15 be incorporated in the bid specifications and the contract document.

16 **SECTION 320.** 16.91 (3) of the statutes is amended to read:

17 16.91 (3) Payments for fuel delivered under contracts specified in sub. (2) and  
18 for delivery costs shall be made upon vouchers approved by the secretary. Upon being  
19 audited and paid, the department shall charge each purchase against the  
20 appropriation to the agency which has jurisdiction over the facility at which the fuel  
21 is used or to the University of Wisconsin-Madison, if the university has such  
22 jurisdiction. The secretary shall report on a quarterly basis to each such agency and  
23 to the University of Wisconsin-Madison the total amount of payments charged under  
24 this subsection to each of its appropriations and facilities. Approval of the payments  
25 by ~~the~~ any agency whose appropriation is charged is not required.

**ASSEMBLY BILL 40****SECTION 321**

1           **SECTION 321.** 16.92 (2) of the statutes is amended to read:

2           16.92 (2) Each agency and the University of Wisconsin–Madison shall utilize  
3 the most cost–effective means of procurement of fuel, electricity, heat and chilled  
4 water.

5           **SECTION 322.** 16.93 (2) of the statutes is amended to read:

6           16.93 (2) Except as provided in sub. (3), any agency or the University of  
7 Wisconsin–Madison, with the approval of the department, may sell fuel, water,  
8 sewage treatment service, electricity, heat or chilled water to another agency, a  
9 federal agency, a local government or a private entity.

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

11          **16.95 Powers and duties.** (intro.) The department shall, through a system  
12 of comprehensive long–range planning, promote the development and the maximum  
13 wise use of the energy, natural, and human resources of the state. It and develop and  
14 implement a cost–effective, balanced, reliable, and environmentally responsible  
15 energy strategy to promote economic growth. The department shall do all of the  
16 following:

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

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

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

20          16.957 (2) (d) 2m. In fiscal years 2011–12 and 2012–13, at the department’s  
21 discretion, subtract no more than \$10,000,000 from the amount required to be spent  
22 on weatherization and other energy conservation services under par. (a).

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

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

**ASSEMBLY BILL 40****SECTION 328**

1           16.964 (5) (a) The office shall provide grants from the appropriation under s.  
2           20.505 (6) ~~(e)~~ (kb) to cities to employ additional uniformed law enforcement officers  
3           whose primary duty is beat patrolling. A city is eligible for a grant under this  
4           subsection in fiscal year 1994–95 if the city has a population of 25,000 or more. A city  
5           may receive a grant for a calendar year if the city applies for a grant before September  
6           1 of the preceding calendar year. Grants shall be awarded to the 10 eligible cities  
7           submitting an application for a grant that have the highest rates of violent crime  
8           index offenses in the most recent full calendar year for which data is available under  
9           the uniform crime reporting system of the federal bureau of investigation.

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

11           16.964 (12) (b) The office shall make grants to counties to enable them to  
12           establish and operate programs, including suspended and deferred prosecution  
13           programs and programs based on principles of restorative justice, that provide  
14           alternatives to prosecution and incarceration for criminal offenders who abuse  
15           alcohol or other drugs. The office shall make the grants from the appropriations  
16           under s. 20.505 (6) (b), ~~(j)~~ (kn), and (ku). The office shall collaborate with the  
17           departments of corrections and health services in establishing this grant program.

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

19           16.964 (12) (br) Any county that receives a grant under this subsection on or  
20           after January 1, 2012, shall provide matching funds that are equal to 25 percent of  
21           the amount of the grant.

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

23           16.964 (14) (intro.) Beginning in fiscal year 2008–09 2011–2012, from the  
24           appropriation under s. 20.505 (6) ~~(f)~~ (ke), the office shall in each fiscal year provide



**ASSEMBLY BILL 40****SECTION 331**

1     \$20,000 \$17,000 to each of the following child advocacy centers for education,  
2     training, medical advice, and quality assurance activities:

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

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

5             16.964 **(15)** (b) 2. The office may charge a person that is not a state agency a  
6     fee for use of the statewide public safety interoperable communication system under  
7     par. (a).

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

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

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

24             16.971 **(9)** In conjunction with the public defender board, the director of state  
25    courts, the departments of corrections and justice and district attorneys, the

**ASSEMBLY BILL 40****SECTION 335**

1 department may maintain, promote and coordinate automated justice information  
2 systems that are compatible among counties and the officers and agencies specified  
3 in this subsection, using the moneys appropriated under s. 20.505 (1) ~~(ja)~~ (kh), (kp),  
4 and (kq). The department shall annually report to the legislature under s. 13.172  
5 (2) concerning the department's efforts to improve and increase the efficiency of  
6 integration of justice information systems.

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 338.** 16.993 (1) of the statutes is amended to read:

15 16.993 **(1)** In cooperation with school districts, cooperative educational service  
16 agencies, the technical college system board, the Board of Trustees of the University  
17 of Wisconsin–Madison, and the ~~board of regents~~ Board of Regents of the University  
18 of Wisconsin System, promote the efficient, cost–effective procurement, installation,  
19 and maintenance of educational technology by school districts, cooperative  
20 educational service agencies, technical college districts, the University of  
21 Wisconsin–Madison, and the University of Wisconsin System.

22 **SECTION 339.** 16.993 (4) of the statutes is amended to read:

23 16.993 **(4)** In cooperation with the Board of Trustees of the University of  
24 Wisconsin–Madison, the ~~board of regents~~ Board of Regents of the University of  
25 Wisconsin System, the technical college system board, the department of public

**ASSEMBLY BILL 40****SECTION 339**

1 instruction and other entities, support the development of courses for the instruction  
2 of professional employees who are licensed by the state superintendent of public  
3 instruction concerning the effective use of educational technology.

4 **SECTION 340.** 16.993 (7) of the statutes is amended to read:

5 16.993 (7) Purchase educational technology materials, supplies, equipment,  
6 and contractual services for school districts, cooperative educational service  
7 agencies, technical college districts, the Board of Trustees of the University of  
8 Wisconsin–Madison, and the ~~board of regents~~ Board of Regents of the University of  
9 Wisconsin System under s. 16.72 (8), and establish standards and specifications for  
10 purchases of educational technology hardware and software by school districts,  
11 cooperative educational service agencies, technical college districts, and the ~~board~~  
12 ~~of regents~~ Board of Regents of the University of Wisconsin System.

13 **SECTION 341.** 17.07 (3m) of the statutes is amended to read:

14 17.07 (3m) Notwithstanding sub. (3), the ~~earned release review~~ parole  
15 commission chairperson may be removed by the governor, at pleasure.

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

17 18.16 (1) (a) “Disabled veteran–owned financial adviser” means a financial  
18 adviser certified by the department of ~~commerce~~ safety and professional services  
19 under s. ~~560.0335~~ 490.02 (3).

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

21 18.16 (1) (b) “Disabled veteran–owned investment firm” means an investment  
22 firm certified by the department of ~~commerce~~ safety and professional services under  
23 s. ~~560.0335~~ 490.02 (3).

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

**ASSEMBLY BILL 40****SECTION 344**

1           18.16 (1) (c) “Minority financial adviser” means a financial adviser certified by  
2 the department of ~~commerce~~ safety and professional services under s. ~~560.036~~ 490.04  
3 (2).

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

5           18.16 (1) (d) “Minority investment firm” means an investment firm certified by  
6 the department of ~~commerce~~ safety and professional services under s. ~~560.036~~ 490.04  
7 (2).

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

9           18.64 (1) (a) “Disabled veteran–owned financial adviser” means a financial  
10 adviser certified by the department of ~~commerce~~ safety and professional services  
11 under s. ~~560.0335~~ 490.02 (3).

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

13           18.64 (1) (b) “Disabled veteran–owned investment firm” means an investment  
14 firm certified by the department of ~~commerce~~ safety and professional services under  
15 s. ~~560.0335~~ 490.02 (3).

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

17           18.64 (1) (c) “Minority financial adviser” means a financial adviser certified by  
18 the department of ~~commerce~~ safety and professional services under s. ~~560.036~~ 490.04  
19 (2).

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

21           18.64 (1) (d) “Minority investment firm” means an investment firm certified by  
22 the department of ~~commerce~~ safety and professional services under s. ~~560.036~~ 490.04  
23 (2).

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

**ASSEMBLY BILL 40****SECTION 350**

1           18.77 (1) (a) “Disabled veteran–owned financial adviser” means a financial  
2 adviser certified by the department of ~~commerce~~ safety and professional services  
3 under s. ~~560.0335~~ 490.02 (3).

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

5           18.77 (1) (b) “Disabled veteran–owned investment firm” means an investment  
6 firm certified by the department of ~~commerce~~ safety and professional services under  
7 s. ~~560.0335~~ 490.02 (3).

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

9           18.77 (1) (c) “Minority financial adviser” means a financial adviser certified by  
10 the department of ~~commerce~~ safety and professional services under s. ~~560.036~~ 490.04  
11 (2).

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

13           18.77 (1) (d) “Minority investment firm” means an investment firm certified by  
14 the department of ~~commerce~~ safety and professional services under s. ~~560.036~~ 490.04  
15 (2).

16           **SECTION 354.** 19.32 (1) (w) of the statutes is created to read:

17           19.32 (1) (w) “Public institution of higher education” means the University of  
18 Wisconsin–Madison, an institution within the University of Wisconsin System, or a  
19 technical college.

20           **SECTION 355.** 19.36 (14) of the statutes is created to read:

21           19.36 (14) Any authority may withhold from access under s. 19.35 (1)  
22 information in a record that is produced or collected by or for the faculty or staff of  
23 a public institution of higher education in the conduct of, or as a result of, study or  
24 research on a commercial, scientific, or technical subject, whether sponsored by the

**ASSEMBLY BILL 40****SECTION 355**

1 institution alone or in conjunction with an authority or a private person, until that  
2 information is publicly disseminated or patented.

3 **SECTION 356.** 19.42 (13) (bm) of the statutes is created to read:

4 19.42 **(13)** (bm) The positions of chancellor and vice chancellor of the University  
5 of Wisconsin–Madison.

6 **SECTION 357.** 19.45 (11) (e) of the statutes is created to read:

7 19.45 **(11)** (e) The board of trustees of the University of Wisconsin–Madison  
8 shall establish a code of ethics for its employees who are not state public officials.

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

10 19.56 **(2)** (b) 6. Is made available to the official by the ~~department of commerce~~  
11 Wisconsin Economic Development Corporation or the department of tourism in  
12 accordance with sub. (3) (e), (em) or (f).

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

14 19.56 **(3)** (e) (intro.) A state public official who is an officer or employee of the  
15 ~~department of commerce~~ Wisconsin Economic Development Corporation may solicit,  
16 receive and retain on behalf of the state anything of value for the purpose of any of  
17 the following:

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

19 19.56 **(3)** (e) 1. The sponsorship by the ~~department of commerce~~ Wisconsin  
20 Economic Development Corporation of a trip to a foreign country primarily to  
21 promote trade between that country and this state that the ~~department of commerce~~  
22 Wisconsin Economic Development Corporation can demonstrate through clear and  
23 convincing evidence is primarily for the benefit of this state.

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

**ASSEMBLY BILL 40****SECTION 361**

1           19.56 (3) (f) A state public official may receive and retain from the department  
2 of commerce Wisconsin Economic Development Corporation anything of value which  
3 the department of commerce Wisconsin Economic Development Corporation is  
4 authorized to provide under par. (e) and may receive and retain from the department  
5 of tourism anything of value which the department of tourism is authorized to  
6 provide under par. (em).

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

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

16           **SECTION 363.** 19.84 (5m) of the statutes is created to read:

17           19.84 (5m) Departments and their subunits in the University of  
18 Wisconsin–Madison are exempt from the requirements of subs. (1) to (4) but shall  
19 provide meeting notice that is reasonably likely to apprise interested persons and  
20 news media who have filed written requests for such notice.

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

22           **SECTION 365.** 20.001 (2) (b) of the statutes is amended to read:

23           20.001 (2) (b) *Program revenues.* “Program revenues” consist of revenues  
24 which are paid into the general fund and are credited by law to an appropriation to  
25 finance a specified program or state agency. In this chapter, “program revenues”

**ASSEMBLY BILL 40****SECTION 365**

1 refers to program revenues in the general fund. Program revenues are identified by  
2 the abbreviation “PR” in s. 20.005. For any sum certain program revenue  
3 appropriation ~~which is limited to the amounts in the schedule~~ that is not a continuing  
4 appropriation, no expenditures may be made exceeding the amounts in the schedule,  
5 except as provided in ss. 13.101 and 16.515, regardless of the amounts credited to  
6 that appropriation account. They shall be deposited pursuant to s. 20.906.  
7 Notwithstanding any other provision of this chapter, program revenues shall be used  
8 to reimburse the general fund for payments transferred under the appropriations  
9 made in s. 20.865 for the purposes of program revenue appropriations.

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

11 20.001 (5) REFUNDS OF EXPENDITURES. Any amount not otherwise appropriated  
12 under this chapter that is received by a state agency as a result of an adjustment  
13 made to a previously recorded expenditure from a sum certain appropriation to that  
14 agency due to activities that are of a temporary nature or activities that could not be  
15 anticipated during budget development and which serves to reduce or eliminate the  
16 previously recorded expenditure in the same fiscal year in which the previously  
17 recorded expenditure was made, except as provided in s. ss. 20.435 (4) (gm) and  
18 20.437 (2) (md), may, upon request of the agency, be designated by the secretary of  
19 administration as a refund of an expenditure. Except as otherwise provided in this  
20 subsection, the secretary of administration may designate an amount received by a  
21 state agency as a refund of an expenditure only if the agency submits to the secretary  
22 a written explanation of the circumstances under which the amount was received  
23 that includes a specific reference in a statutory or nonstatutory law to a function of  
24 the agency under which the amount was received and the appropriation from which  
25 the previously recorded expenditure was made. A refund of an expenditure shall be



**ASSEMBLY BILL 40****SECTION 366**

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

13 **SECTION 367.** 20.002 (11) (b) 3. of the statutes is amended to read:

14 20.002 (11) (b) 3. In addition to the amount permitted for temporary  
15 reallocations in subd. 2., the secretary may permit an additional 3% 6 percent of the  
16 total amounts shown in the schedule under s. 20.005 (3) of appropriations of general  
17 purpose revenues, calculated by the secretary as of that time and for that fiscal year,  
18 to be used for temporary reallocations to the general fund but only if the reallocation  
19 is for a period not to exceed 30 days. Reallocations may not be made under this  
20 subdivision for consecutive periods.

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

22 20.003 (4) (gk) For fiscal year 2013–14, \$65,000,000.

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

24 20.003 (4) (gL) For fiscal year 2014–15, \$65,000,000.

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

**ASSEMBLY BILL 40****SECTION 370**

1           20.003 (4) (L) For fiscal year ~~2013–14~~ 2015–16 and each fiscal year thereafter,  
2           2 percent.

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

4           20.005 (1) SUMMARY OF ALL FUNDS. The budget governing fiscal operations for  
5           the state of Wisconsin for all funds beginning on July 1, 2011, and ending on June  
6           30, 2013, is summarized as follows: [See Figure 20.005 (1) following]

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**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>	\$ 65,115,400	\$ 99,032,500
<b>Revenues</b>		
Taxes	\$ 13,139,035,000	\$ 13,597,066,000
Departmental Revenues		
Tribal Gaming	25,700,700	26,882,300
Other	<u>596,232,900</u>	<u>607,234,800</u>
<b>Total Available</b>	<b>\$ 13,826,084,000</b>	<b>\$ 14,330,215,600</b>
<b>Appropriations and Reserves</b>		
Gross Appropriations	\$ 13,987,426,400	\$ 14,727,480,500
Reserve for Legal Settlements	25,000,000	25,000,000
Compensation Reserves	26,790,000	77,910,000
Less Lapses	<u>-312,164,900</u>	<u>-607,512,400</u>
<b>Total Expenditures</b>	<b>\$ 13,727,051,500</b>	<b>\$ 14,222,878,100</b>
<b>Balances</b>		
Gross Balance	\$ 99,032,500	\$ 107,337,500
Less Required Statutory Balance	<u>-65,000,000</u>	<u>-65,000,000</u>

**ASSEMBLY BILL 40****SECTION 371**

	<b>2011-12</b>	<b>2012-13</b>
<b>Net Balance, June 30</b>	\$ 34,032,500	\$ 42,337,500

**SUMMARY OF APPROPRIATIONS — ALL FUNDS**

	<b>2011-12</b>	<b>2012-13</b>
General Purpose Revenue	\$ 13,987,426,400	\$ 14,727,480,500
Federal Revenue	\$ 8,634,801,200	\$ 8,550,444,100
Program	7,735,233,300	7,645,001,800
Segregated	899,567,900	905,442,300
Program Revenue	\$ 3,009,021,800	\$ 3,034,934,400
Nonservice	2,203,407,500	2,220,886,900
Service	805,614,300	814,047,500
Segregated Revenue	\$ 3,629,478,700	\$ 3,671,455,600
State nonservice	3,289,171,200	3,325,148,100
Local	108,559,400	108,559,400
Service	231,748,100	237,748,100
<b>GRAND TOTAL</b>	<b>\$ 29,260,728,100</b>	<b>\$ 29,984,314,600</b>

**ASSEMBLY BILL 40****SECTION 371****SUMMARY OF COMPENSATION RESERVES — ALL FUNDS**

General Purpose Revenue	\$ 26,790,000	\$ 77,910,000
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>	\$ 56,388,100	\$ 159,881,000

**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

**ASSEMBLY BILL 40**

	<b>2011–12</b>	<b>2012–13</b>
<b>Total Available for Property Tax Relief</b>		
Opening Balance	\$ 9,605,100	\$ 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>
	\$ 142,086,900	\$ 143,473,500
<b>Property Tax Relief</b>	<b>\$ 132,328,300</b>	<b>\$ 133,720,400</b>
<b>Gross Closing Balance</b>	<b>\$ 9,611,700</b>	<b>\$ 9,605,900</b>
<b>Reserve</b>	<b>\$ 9,611,700</b>	<b>\$ 9,605,900</b>
<b>Net Closing Balance</b>	<b>\$ –0–</b>	<b>\$ –0–</b>

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**SECTION 372.** 20.005 (2) of the statutes is repealed and recreated to read:

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

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

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

<b>Source and Purpose</b>	<b>Amount</b>
<b>GENERAL OBLIGATIONS</b>	
Agriculture, Trade and Consumer Protection	
Soil and water	\$ 7,000,000
Agricultural conservation easements	–12,000,000

**ASSEMBLY BILL 40****SECTION 372**

<b>Source and Purpose</b>	<b>Amount</b>
Building Commission	
Refunding tax-supported and self-amortizing general obligation debt before July 1, 2013	364,300,000
Environmental Improvement Fund	
Safe drinking water loan program	9,400,000
Natural Resources	
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
Transportation	
Southeast Wisconsin transit improvements	-100,000,000
Marquette interchange, Zoo Interchange, I 94 north-south corridor	151,200,000
State highway rehabilitation projects	115,351,500
Major highway projects	50,000,000
State highway rehabilitation, certain projects	50,000,000
Harbor improvements	12,700,000
Rail acquisitions and improvements	<u>60,000,000</u>
<b>TOTAL General Obligation Bonds</b>	<b>\$ 732,951,500</b>

**REVENUE OBLIGATIONS**

Environmental Improvement Fund	
Clean water fund program	\$ 353,000,000

Transportation

**ASSEMBLY BILL 40**

<b>Source and Purpose</b>	<b>Amount</b>
Major highway projects, transportation facilities	<u>341,763,100</u>
<b>TOTAL Revenue Obligation Bonds</b>	\$ 694,763,100
<b>GRAND TOTAL General and Revenue Obligation Bonding Authority Modifications</b>	\$ 1,427,714,600

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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	\$ 3,100	\$ 13,000
(7) (b) Principal repayment and interest, conservation reserve enhancement	GPR	388,100	1,909,900
(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	308,900	1,106,400
(1) (d) Principal repayment and interest	GPR	887,700	2,257,400
<b><i>20.225 Educational communications board</i></b>			
(1) (c) Principal repayment and interest	GPR	1,043,100	3,225,400
<b><i>20.245 Historical society</i></b>			
(1) (e) Principal repayment, interest, and rebates	GPR	739,900	2,462,900

**ASSEMBLY BILL 40**

<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>2011-12</b>	<b>2012-13</b>
<b><i>20.250 Medical College of Wisconsin</i></b>			
(1) (c) Principal repayment, interest, and rebates; biomedical research and technology incubator	GPR	1,181,300	2,917,400
(1) (e) Principal repayment and interest	GPR	59,800	191,600
<b><i>20.255 Public instruction, department of</i></b>			
(1) (d) Principal repayment and interest	GPR	265,600	952,200
<b><i>20.280 University of Wisconsin-Madison</i></b>			
(1) (d) Principal repayment and interest	GPR	38,184,300	108,278,600
<b><i>20.285 University of Wisconsin System</i></b>			
(1) (d) Principal repayment and interest	GPR	34,354,300	97,417,900
(1) (db) Self-amortizing facilities principal and interest	GPR	-0-	-0-
<b><i>20.320 Environmental improvement program</i></b>			
(1) (c) Principal repayment and interest – clean water fund program	GPR	14,068,700	34,809,800
(2) (c) Principal repayment and interest – safe drinking water loan program	GPR	1,805,400	4,476,200
<b><i>20.370 Natural resources, department of</i></b>			
(7) (aa) Resource acquisition and development – principal repayment and interest	GPR	20,338,700	69,834,900
(7) (ac) Principal repayment and interest – recreational boating bonds	GPR	-0-	-0-
(7) (cb) Principal repayment and interest – pollution abatement bonds	GPR	-0-	9,602,700



**ASSEMBLY BILL 40**

<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>2011-12</b>	<b>2012-13</b>
(7) (cc) Principal repayment and interest – combined sewer overflow; pollution abatement bonds	GPR	1,144,100	5,054,500
(7) (cd) Principal repayment and interest – municipal clean drinking water grants	GPR	77,500	298,100
(7) (ea) Administrative facilities – principal repayment and interest	GPR	304,400	894,100
<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><i>20.410 Corrections, department of</i></b>			
(1) (e) Principal repayment and interest	GPR	25,815,000	88,418,900
(1) (ec) Prison industries principal, interest and rebates	GPR	–0–	–0–
(3) (e) Principal repayment and interest	GPR	1,722,100	6,205,400
<b><i>20.435 Health services, department of</i></b>			
(2) (ee) Principal repayment and interest	GPR	6,904,100	21,446,300
<b><i>20.465 Military affairs, department of</i></b>			
(1) (d) Principal repayment and interest	GPR	1,963,400	6,141,000
<b><i>20.485 Veterans affairs, department of</i></b>			
(1) (f) Principal repayment and interest	GPR	476,100	1,836,600
<b><i>20.505 Administration, department of</i></b>			
(4) (es) Principal, interest, and rebates; general purpose revenue – schools	GPR	580,700	2,287,100

**ASSEMBLY BILL 40****SECTION 372**

<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>2011-12</b>	<b>2012-13</b>
(4) (et) Principal, interest, and rebates; general purpose revenue – public library boards	GPR	3,700	15,500
(5) (c) Principal repayment and interest; Black Point Estate	GPR	76,700	170,400
<b><i>20.855 Miscellaneous appropriations</i></b>			
(8) (a) Dental clinic and education facility; principal repayment, interest and rebates	GPR	682,800	1,801,600
<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	4,115,900	13,479,500
(3) (a) Principal repayment and interest	GPR	6,815,800	28,051,100
(3) (b) Principal repayment, interest, and rebates	GPR	537,100	2,394,500
(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

**ASSEMBLY BILL 40**

<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>2011-12</b>	<b>2012-13</b>
(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) (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	475,800	1,038,700
(3) (br) Principal repayment, interest and rebates	GPR	38,600	100,200
(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>\$208,947,900</b>	<b>\$682,769,700</b>

**ASSEMBLY BILL 40**

<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>2011-12</b>	<b>2012-13</b>
<b><i>20.190 State Fair Park Board</i></b>			
(1) (j) State fair principal repayment, interest and rebates	PR	\$3,764,100	\$3,778,100
<b><i>20.225 Educational communications board</i></b>			
(1) (i) Program revenue facilities; principal repayment, interest, and rebates	PR	14,100	13,800
<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>20.280 University of Wisconsin-Madison</i></b>			
(1) (jq) Steam and chilled-water plant; principal repayment, interest, and rebates; nonstate entities (15%)	PR	-0-	-0-
(1) (kd) Principal repayment, interest and rebates	PR	40,629,000	45,077,900
(1) (ko) Steam and chilled-water plant; principal repayment, interest, and rebates (85%)	PR	5,909,300	5,900,600
<b><i>20.285 University of Wisconsin System</i></b>			
(1) (in) Payment of debt service; University of Wisconsin-Platteville tri-state initiative facilities	PR	-0-	-0-
(1) (jq) Steam and chilled-water plant; principal repayment, interest, and rebates; nonstate entities (15%)	PR	-0-	-0-
(1) (kd) Principal repayment, interest and rebates	PR	64,030,900	71,042,400
(1) (km) Aquaculture demonstration facility; principal repayment and interest	PR	263,400	264,700

**ASSEMBLY BILL 40**

STATUTE, AGENCY AND PURPOSE	SOURCE	2011-12	2012-13
(1) (ko) Steam and chilled-water plant; principal repayment, interest, and rebates (85%)	PR	-0-	-0-
<b>20.370 Natural resources, department of</b>			
(7) (ag) Land acquisition – principal repayment and interest	PR	-0-	-0-
(7) (cg) Principal repayment and interest – nonpoint repayments	PR	-0-	-0-
<b>20.410 Corrections, department of</b>			
(1) (ko) Prison industries principal repayment, interest and rebates	PR	91,300	96,100
<b>20.485 Veterans affairs, department of</b>			
(1) (go) Self-amortizing facilities; principal repayment and interest	PR	1,230,700	1,309,400
<b>20.505 Administration, department of</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>20.867 Building commission</b>			
(3) (g) Principal repayment, interest and rebates; program revenues	PR	-0-	-0-
(3) (h) Principal repayment, interest, and rebates	PR	-0-	-0-
(3) (i) Principal repayment, interest and rebates; capital equipment	PR	-0-	-0-

**ASSEMBLY BILL 40****SECTION 372**

<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>2011-12</b>	<b>2012-13</b>
(3) (kd) Energy conservation construction projects; principal repayment, interest and rebates	PR	<u>2,183,000</u>	<u>3,013,300</u>
<b>TOTAL Program Revenue Debt Service</b>		\$139,952,300	\$150,082,500

***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
(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

**ASSEMBLY BILL 40**

<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>2011-12</b>	<b>2012-13</b>
(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
(4) (qm) Repayment of principal and interest	SEG	86,100	85,500
<b><i>20.866 Public debt</i></b>			
(1) (u) Principal repayment and interest	SEG	–0–	–0–

**ASSEMBLY BILL 40**

**SECTION 372**

STATUTE, AGENCY AND PURPOSE	SOURCE	2011-12	2012-13
<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>		\$ 486,208,700	\$ 985,455,800

**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



**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(gb) Food regulation	PR	A	5,603,300	5,644,900
2	(gf) Fruit and vegetable inspection	PR	C	1,031,500	1,031,500
3	(gg) Meat and poultry inspection	PR	A	274,000	274,000
4	(gh) Public warehouse regulation	PR	A	124,800	124,800
5	(gm) Dairy trade regulation	PR	A	156,300	156,300
6	(h) Grain inspection and certification	PR	C	1,400,800	1,400,800
7	(hm) Ozone-depleting refrigerants and				
8	products regulation	PR	A	463,200	466,500
9	(i) Sale of supplies	PR	A	25,400	25,400
10	(im) Consumer protection; telephone				
11	solicitor fees	PR	A	263,400	273,600
12	(ip) Bisphenol A enforcement	PR	C	-0-	-0-
13	(j) Weights and measures inspection	PR	A	1,342,400	1,343,600
14	(jb) Consumer protection, information,				
15	and education	PR	A	147,800	147,800
16	(jm) Telecommunications utility trade				
17	practices	PR	A	394,900	401,400
18	(m) Federal funds	PR-F	C	5,603,300	5,853,200
19	(q) Dairy, grain, and vegetable security	SEG	A	1,091,300	1,094,200
20	(r) Unfair sales act enforcement	SEG	A	213,600	213,600
21	(s) Weights and measures; petroleum				
22	inspection fund	SEG	A	771,400	771,400

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(u) Recyclable and nonrecyclable				
2	products regulation	SEG	A	-0-	-0-
3	(v) Agricultural producer security;				
4	contingent financial backing	SEG	S	350,000	350,000
5	(w) Agricultural producer security;				
6	payments	SEG	S	2,000,000	2,000,000
7	(wb) Agricultural producer security;				
8	proceeds of contingent financial				
9	backing	SEG	C	-0-	-0-
10	(wc) Agricultural producer security;				
11	repayment of contingent financial				
12	backing	SEG	S	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			8,930,800	9,189,400
	PROGRAM REVENUE			16,873,800	17,186,500
	FEDERAL			(5,603,300)	(5,853,200)
	OTHER			(11,270,500)	(11,333,300)
	SEGREGATED REVENUE			4,426,300	4,429,200
	OTHER			(4,426,300)	(4,429,200)
	TOTAL-ALL SOURCES			30,230,900	30,805,100
13	(2) ANIMAL HEALTH SERVICES				
14	(a) General program operations	GPR	A	2,691,000	2,691,000
15	(b) Animal disease indemnities	GPR	S	108,600	108,600
16	(c) Financial assistance for				
17	paratuberculosis testing	GPR	A	211,200	211,200
18	(d) Principal repayment and interest	GPR	S	3,100	13,000
19	(g) Related services	PR	C	-0-	-0-

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(h) Sale of supplies	PR	A	28,400	28,400
2	(ha) Inspection, testing and enforcement	PR	C	566,300	566,300
3	(j) Dog licenses, rabies control, and				
4	related services	PR	C	506,700	516,800
5	(m) Federal funds	PR-F	C	2,721,400	2,588,800
6	(q) Animal health inspection, testing				
7	and enforcement	SEG	A	351,700	351,700
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			3,013,900	3,023,800
	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			7,188,400	7,075,800
8	(3) AGRICULTURAL DEVELOPMENT SERVICES				
9	(a) General program operations	GPR	A	2,205,000	2,205,000
10	(at) Farm to school program				
11	administration	GPR	A	64,900	64,900
12	(g) Related services	PR	A	-0-	-0-
13	(h) Loans for rural development	PR	C	58,700	58,700
14	(i) Marketing orders and agreements	PR	C	95,200	95,200
15	(j) Stray voltage program	PR	A	534,400	534,400
16	(ja) Agricultural development services				
17	and materials	PR	C	147,300	147,300
18	(jm) Stray voltage program; rural				
19	electric cooperatives	PR	A	22,300	22,300

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(L) Something special from Wisconsin				
2	promotion	PR	A	49,200	58,000
3	(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
4	(4) AGRICULTURAL ASSISTANCE				
5	(a) Aid to Wisconsin livestock breeders				
6	association	GPR	A	-0-	-0-
7	(as) Farm to school grants	GPR	A	-0-	-0-
8	(b) Aids to county and district fairs	GPR	A	356,400	356,400
9	(c) Agricultural investment aids	GPR	B	321,000	321,000
10	(e) Aids to World Dairy Expo, Inc.	GPR	A	20,100	20,100
11	(f) Exposition center grants	GPR	A	182,700	182,700
12	(q) Grants for agriculture in the				
13	classroom program	SEG	A	93,900	93,900
14	(qm) Grants for agricultural facilities	SEG	B	-0-	-0-
15	(r) Agricultural investment aids,				
16	agricultural management fund	SEG	B	-0-	-0-
17	(s) Grazing lands conservation	SEG	A	375,500	375,500
18	(t) Aids to county and district fairs for				
19	2009-11 fiscal biennium	SEG	A	-0-	-0-
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			880,200	880,200

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
	SEGREGATED REVENUE			469,400	469,400
	OTHER			(469,400)	(469,400)
	TOTAL-ALL SOURCES			1,349,600	1,349,600
1	(7) AGRICULTURAL RESOURCE MANAGEMENT				
2	(a) General program operations	GPR	A	768,200	768,200
3	(b) Principal repayment and interest,				
4	conservation reserve enhancement	GPR	S	388,100	1,909,900
5	(c) Soil and water resource				
6	management program	GPR	C	3,843,100	3,843,100
7	(dm) Farmland preservation planning				
8	grants	GPR	A	374,200	374,200
9	(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	135,600
13	(ha) Liming material research funds	PR	C	21,100	21,100
14	(ja) Plant protection	PR	C	324,800	324,800
15	(k) Agricultural resource management				
16	services	PR-S	C	666,000	666,000
17	(m) Federal funds	PR-F	C	4,066,100	4,075,000
18	(qc) Plant protection; conservation fund	SEG	A	1,570,600	1,570,600
19	(qd) Soil and water administration;				
20	environmental fund	SEG	A	2,189,500	2,189,500

**ASSEMBLY BILL 40**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(qe) Soil and water management; local				
2	assistance	SEG	A	5,036,900	5,036,900
3	(qf) Soil and water management; aids	SEG	A	5,356,700	5,356,700
4	(r) General program operations;				
5	agrichemical management	SEG	A	6,607,800	6,713,100
6	(s) Principal repayment and interest;				
7	soil and water, environmental fund	SEG	S	3,061,800	3,384,300
8	(tm) Farmland preservation planning				
9	grants; working lands fund	SEG	A	-0-	-0-
10	(ts) Working lands programs	SEG	A	-0-	-0-
11	(va) Clean sweep grants	SEG	A	750,000	750,000
12	(wm) Agricultural chemical cleanup				
13	reimbursement	SEG	C	2,815,900	2,815,900
(7) PROGRAM TOTALS					
GENERAL PURPOSE REVENUE				5,373,600	6,895,400
PROGRAM REVENUE				5,941,000	5,952,200
FEDERAL				(4,066,100)	(4,075,000)
OTHER				(1,208,900)	(1,211,200)
SERVICE				(666,000)	(666,000)
SEGREGATED REVENUE				27,389,200	27,817,000
OTHER				(27,389,200)	(27,817,000)
TOTAL-ALL SOURCES				38,703,800	40,664,600
14	(8) CENTRAL ADMINISTRATIVE SERVICES				
15	(a) General program operations	GPR	A	5,718,400	5,718,400
16	(g) Gifts and grants	PR	C	1,273,300	1,178,000
17	(ge) Agricultural education and				
18	workforce development council,				
19	gifts and grants	PR	C	19,300	19,300

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(gm) Enforcement cost recovery	PR	A	4,600	4,600
2	(h) Sale of material and supplies	PR	C	9,600	9,600
3	(ha) General laboratory related services	PR	C	74,100	74,100
4	(hm) Restitution	PR	C	-0-	-0-
5	(i) Related services	PR	A	85,600	85,600
6	(j) Electronic processing	PR	C	-0-	-0-
7	(jm) Telephone solicitation regulation	PR	C	764,600	767,600
8	(k) Computer system equipment, staff				
9	and services	PR-S	A	1,944,900	1,945,600
10	(kL) Central services	PR-S	C	927,500	927,500
11	(km) General laboratory services	PR-S	B	2,956,500	2,982,000
12	(ks) State services	PR-S	C	187,900	187,900
13	(m) Federal funds	PR-F	C	1,899,900	1,899,900
14	(pz) Indirect cost reimbursements	PR-F	C	2,132,100	2,065,400
<b>(8) PROGRAM TOTALS</b>					
	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
<b>20.115 DEPARTMENT TOTALS</b>					
	GENERAL PURPOSE REVENUE			26,186,800	27,977,100
	PROGRAM REVENUE			44,805,100	44,882,500
	FEDERAL			(21,403,300)	(21,462,800)
	OTHER			(16,719,000)	(16,710,700)
	SERVICE			(6,682,800)	(6,709,000)
	SEGREGATED REVENUE			32,636,600	33,067,300
	OTHER			(32,636,600)	(33,067,300)
	TOTAL-ALL SOURCES			103,628,500	105,926,900

**ASSEMBLY BILL 40****SECTION 373**

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
<b>1 20.144 Department of Financial Institutions</b>				
<b>2 (1) SUPERVISION OF FINANCIAL INSTITUTIONS, SECURITIES REGULATION AND OTHER FUNCTIONS</b>				
<b>3 (a) Losses on public deposits</b>	GPR	S	-0-	-0-
<b>4 (g) General program operations</b>	PR	A	16,563,900	16,606,600
<b>5 (h) Gifts, grants, settlements and</b>				
<b>6 publications</b>	PR	C	58,500	58,500
<b>7 (i) Investor education and training</b>				
<b>8 fund</b>	PR	A	84,500	84,500
<b>9 (j) Payday loan database and financial</b>				
<b>10 literacy</b>	PR	C	900,000	900,000
<b>11 (m) Credit union examinations, federal</b>				
<b>12 funds</b>	PR-F	C	-0-	-0-
<b>13 (u) State deposit fund</b>	SEG	S	-0-	-0-
<b>(1) PROGRAM TOTALS</b>				
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
<b>20.144 DEPARTMENT TOTALS</b>				
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



**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	<b>20.145 Office of the Commissioner of Insurance</b>				
2	(1) SUPERVISION OF THE INSURANCE INDUSTRY				
3	(g) General program operations	PR	A	16,675,800	16,675,800
4	(gm) Gifts and grants	PR	C	-0-	-0-
5	(h) Holding company restructuring				
6	expenses	PR	C	-0-	-0-
7	(m) Federal funds	PR-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	PROGRAM REVENUE			16,675,800	16,675,800
	FEDERAL			(-0-)	(-0-)
	OTHER			(16,675,800)	(16,675,800)
	TOTAL-ALL SOURCES			16,675,800	16,675,800
8	(2) INJURED PATIENTS AND FAMILIES COMPENSATION FUND				
9	(a) Supplement for claims payable	GPR	S	-0-	-0-
10	(q) Interest earned on future medical				
11	expenses	SEG	S	-0-	-0-
12	(u) Administration	SEG	A	1,216,400	1,216,400
13	(um) Peer review council	SEG	A	153,500	153,500
14	(v) Specified responsibilities,				
15	investment board payments, and				
16	future medical expenses	SEG	C	54,150,400	54,150,400
	(2) PROGRAM TOTALS				
	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
17	(3) LOCAL GOVERNMENT PROPERTY INSURANCE FUND				

**ASSEMBLY BILL 40****SECTION 373**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(u) Administration	SEG	A	1,352,800	1,389,100
2	(v) Specified payments, fire dues and				
3	reinsurance	SEG	C	26,195,700	26,159,400
	(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
4	(4) STATE LIFE INSURANCE FUND				
5	(u) Administration	SEG	A	664,300	664,300
6	(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			16,675,800	16,675,800
	FEDERAL			(-0-)	(-0-)
	OTHER			(16,675,800)	(16,675,800)
	SEGREGATED REVENUE			87,261,500	87,261,500
	OTHER			(87,261,500)	(87,261,500)
	TOTAL-ALL SOURCES			103,937,300	103,937,300
7	<b>20.155 Public Service Commission</b>				
8	(1) REGULATION OF PUBLIC UTILITIES				
9	(g) Utility regulation	PR	A	14,421,300	14,421,300
10	(h) Holding company and nonutility				
11	affiliate regulation	PR	C	679,200	679,200
12	(j) Intervenor financing and grants	PR	B	1,042,500	1,042,500
13	(L) Stray voltage program	PR	A	108,800	108,800

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(Lb) Gifts for stray voltage program	PR	C	-0-	-0-
2	(Lm) Consumer education and awareness	PR	C	-0-	-0-
3	(m) Federal funds	PR-F	C	538,000	538,000
4	(n) Indirect costs reimbursement	PR-F	C	50,000	50,000
5	(q) Universal telecommunications				
6	service	SEG	A	5,940,000	5,940,000
7	(r) Nuclear waste escrow fund	SEG	S	-0-	-0-
	(1) PROGRAM TOTALS				
	PROGRAM REVENUE			16,839,800	16,839,800
	FEDERAL			(588,000)	(588,000)
	OTHER			(16,251,800)	(16,251,800)
	SEGREGATED REVENUE			5,940,000	5,940,000
	OTHER			(5,940,000)	(5,940,000)
	TOTAL-ALL SOURCES			22,779,800	22,779,800
8	(2) OFFICE OF THE COMMISSIONER OF RAILROADS				
9	(g) Railroad and water carrier				
10	regulation and general program				
11	operations	PR	A	583,000	583,000
12	(m) Railroad and water carrier				
13	regulation; federal funds	PR-F	C	-0-	-0-
	(2) PROGRAM TOTALS				
	PROGRAM REVENUE			583,000	583,000
	FEDERAL			(-0-)	(-0-)
	OTHER			(583,000)	(583,000)
	TOTAL-ALL SOURCES			583,000	583,000
14	(3) OTHER PROGRAMS				
15	(q) General program operations and				
16	grants	SEG	C	-0-	-0-

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>	
1	(s) Energy efficiency and renewable					
2	resource programs	SEG	A	452,500	452,500	
3	(t) Police and fire protection fee					
4	administration	SEG	A	166,600	166,600	
		(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			17,422,800	17,422,800	
	FEDERAL			(588,000)	(588,000)	
	OTHER			(16,834,800)	(16,834,800)	
	SEGREGATED REVENUE			6,559,100	6,559,100	
	OTHER			(6,559,100)	(6,559,100)	
	TOTAL-ALL SOURCES			23,981,900	23,981,900	
5	<b>20.165 Department of Safety and Professional Services</b>					
6	(1) PROFESSIONAL REGULATION AND ADMINISTRATIVE SERVICES					
7	(a) General program operations –					
8	executive and administrative					
9	services	GPR	A	435,500	435,500	
10	(fw) Women's business initiative					
11	corporation	GPR	A	99,000	99,000	
12	(g) General program operations	PR	A	10,171,100	10,171,100	
13	(gc) Chiropractic examination	PR	C	–0–	–0–	
14	(gm) Applicant investigation					
15	reimbursement	PR	C	113,000	113,000	

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(gr) Disabled veteran-owned,				
2	woman-owned, and minority				
3	business certification fees	PR	C	31,500	31,500
4	(h) Technical assistance; nonstate				
5	agencies and organizations	PR	C	-0-	-0-
6	(hg) General program operations;				
7	medical examining board	PR	B	1,978,900	1,978,900
8	(i) Examinations; general program				
9	operations	PR	C	1,271,300	1,271,300
10	(im) Boxing and mixed martial arts				
11	fighting; enforcement	PR	C	-0-	-0-
12	(ir) Minority business projects;				
13	repayments	PR	C	510,500	510,500
14	(j) Gifts, grants, settlements and				
15	proceeds	PR	C	12,000	12,000
16	(jm) Nursing workforce survey				
17	administration	PR	B	9,000	9,000
18	(k) Technical assistance; state agencies	PR-S	C	-0-	-0-
19	(ka) Sale of materials and services –				
20	local assistance	PR-S	C	-0-	-0-
21	(kb) Sale of materials and services –				
22	individuals and organizations	PR-S	C	-0-	-0-
23	(kc) Sale of materials and services	PR-S	C	35,600	35,600
24	(kd) Administrative services	PR-S	A	3,196,400	3,196,400

**ASSEMBLY BILL 40****SECTION 373**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(ke) Transfer of unappropriated				
2	balances	PR-S	C	-0-	-0-
3	(m) Federal funds	PR-F	C	333,700	333,700
4	(n) Federal aid, local assistance	PR-F	C	-0-	-0-
5	(o) Federal aid, individuals and				
6	organizations	PR-F	C	-0-	-0-
7	(pz) Indirect cost reimbursement	PR-F	C	242,300	242,300
8	(s) Wholesale drug distributor bonding	SEG	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			534,500	534,500
	PROGRAM REVENUE			17,905,300	17,905,300
	FEDERAL			(576,000)	(576,000)
	OTHER			(14,097,300)	(14,097,300)
	SERVICE			(3,232,000)	(3,232,000)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			18,439,800	18,439,800
9	(2) REGULATION OF INDUSTRY, SAFETY AND BUILDINGS				
10	(a) General program operations	GPR	A	-0-	-0-
11	(de) Private sewage system replacement				
12	and rehabilitation	GPR	C	2,338,600	2,338,600
13	(dm) Storage tank inventory	GPR	A	-0-	-0-
14	(g) Gifts and grants	PR	C	18,000	18,000
15	(ga) Auxiliary services	PR	C	21,000	21,000
16	(gb) Local agreements	PR	C	-0-	-0-
17	(h) Local energy resource system fees	PR	A	-0-	-0-
18	(j) Safety and building operations	PR	A	16,263,200	16,263,200

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(ka) Interagency agreements	PR-S	C	113,500	113,500
2	(kg) Construction career academy grant	PR	B	-0-	-0-
3	(km) Crex Meadows Youth Conservation				
4	Camp grant	PR	B	-0-	-0-
5	(ks) Data processing	PR-S	C	-0-	-0-
6	(L) Fire dues distribution	PR	C	14,655,600	14,655,600
7	(La) Fire prevention and fire dues				
8	administration	PR	A	633,900	633,900
9	(Lm) Petroleum storage remedial action				
10	fees	PR	A	-0-	-0-
11	(m) Federal funds	PR-F	C	1,768,600	1,768,600
12	(ma) Federal aid – program				
13	administration	PR-F	C	-0-	-0-
14	(pz) Indirect cost reimbursements	PR-F	C	-0-	-0-
15	(q) Groundwater – standards;				
16	implementation	SEG	A	-0-	-0-
17	(qa) Brownfields redevelopment				
18	activities; administration	SEG	A	194,000	194,000
19	(r) Safety and building operations;				
20	petroleum inspection fund	SEG	A	5,369,700	5,369,700
21	(sm) Diesel truck idling reduction grants	SEG	A	1,000,000	1,000,000
22	(sn) Diesel truck idling reduction grant				
23	administration	SEG	A	79,800	79,800

**ASSEMBLY BILL 40****SECTION 373**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(t) Petroleum inspection fund –				
2	revenue obligation repayment	SEG	S	–0–	–0–
3	(v) Petroleum storage environmental				
4	remedial action; awards	SEG	B	4,550,000	4,550,000
5	(vm) Removal of underground petroleum				
6	storage tanks	SEG	A	100,000	100,000
7	(w) Petroleum storage environmental				
8	remedial action; administration	SEG	A	2,645,100	2,645,100
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			2,338,600	2,338,600
	PROGRAM REVENUE			33,473,800	33,473,800
	FEDERAL			(1,768,600)	(1,768,600)
	OTHER			(31,591,700)	(31,591,700)
	SERVICE			(113,500)	(113,500)
	SEGREGATED REVENUE			13,938,600	13,938,600
	OTHER			(13,938,600)	(13,938,600)
	TOTAL-ALL SOURCES			49,751,000	49,751,000
	20.165 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			2,873,100	2,873,100
	PROGRAM REVENUE			51,379,100	51,379,100
	FEDERAL			(2,344,600)	(2,344,600)
	OTHER			(45,689,000)	(45,689,000)
	SERVICE			(3,345,500)	(3,345,500)
	SEGREGATED REVENUE			13,938,600	13,938,600
	OTHER			(13,938,600)	(13,938,600)
	TOTAL-ALL SOURCES			68,190,800	68,190,800
9	<b>20.190 State Fair Park Board</b>				
10	(1) STATE FAIR PARK				
11	(c) Housing facilities principal				
12	repayment, interest and rebates	GPR	S	308,900	1,106,400
13	(d) Principal repayment and interest	GPR	S	887,700	2,257,400
14	(h) State fair operations	PR	C	13,585,300	13,825,400



**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(i) State fair capital expenses	PR	C	180,000	180,000
2	(j) State fair principal repayment,				
3	interest and rebates	PR	S	3,764,100	3,778,100
4	(jm) Gifts and grants	PR	C	-0-	-0-
5	(m) Federal funds	PR-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			1,196,600	3,363,800
	PROGRAM REVENUE			17,529,400	17,783,500
	FEDERAL			(-0-)	(-0-)
	OTHER			(17,529,400)	(17,783,500)
	TOTAL-ALL SOURCES			18,726,000	21,147,300
	20.190 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			1,196,600	3,363,800
	PROGRAM REVENUE			17,529,400	17,783,500
	FEDERAL			(-0-)	(-0-)
	OTHER			(17,529,400)	(17,783,500)
	TOTAL-ALL SOURCES			18,726,000	21,147,300
6	<b>20.192 Wisconsin Economic Development Corporation</b>				
7	(1) PROMOTION OF ECONOMIC DEVELOPMENT				
8	(a) Operations and programs	GPR	C	18,743,700	16,399,600
9	(k) Transferred general fund moneys				
10	from department of commerce	PR-S	C	4,861,200	4,861,200
11	(m) Federal aids; programs	PR-F	C	36,390,600	36,390,600
12	(r) Economic development fund;				
13	programs	SEG	C	38,850,000	39,850,000
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			18,743,700	16,399,600
	PROGRAM REVENUE			41,251,800	41,251,800
	FEDERAL			(36,390,600)	(36,390,600)
	SERVICE			(4,861,200)	(4,861,200)
	SEGREGATED REVENUE			38,850,000	39,850,000

**ASSEMBLY BILL 40****SECTION 373**

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13		
OTHER			(38,850,000)	(39,850,000)		
TOTAL-ALL SOURCES			98,845,500	97,501,400		
20.192 DEPARTMENT TOTALS						
GENERAL PURPOSE REVENUE			18,743,700	16,399,600		
PROGRAM REVENUE			41,251,800	41,251,800		
FEDERAL			(36,390,600)	(36,390,600)		
SERVICE			(4,861,200)	(4,861,200)		
SEGREGATED REVENUE			38,850,000	39,850,000		
OTHER			(38,850,000)	(39,850,000)		
TOTAL-ALL SOURCES			98,845,500	97,501,400		
Commerce						
FUNCTIONAL AREA TOTALS						
GENERAL PURPOSE REVENUE			49,000,200	50,613,600		
PROGRAM REVENUE			206,670,900	207,045,100		
FEDERAL			(60,726,500)	(60,786,000)		
OTHER			(131,054,900)	(131,343,400)		
SERVICE			(14,889,500)	(14,915,700)		
SEGREGATED REVENUE			179,245,800	180,676,500		
FEDERAL			(-0-)	(-0-)		
OTHER			(179,245,800)	(180,676,500)		
SERVICE			(-0-)	(-0-)		
LOCAL			(-0-)	(-0-)		
TOTAL-ALL SOURCES			434,916,900	438,335,200		
<b>1</b>	<b>20.220 Wisconsin Artistic Endowment Foundation</b>					
<b>2</b>	(1)	SUPPORT OF THE ARTS				
<b>3</b>	(a)	Education and marketing	GPR	C	-0-	-0-
<b>4</b>	(q)	General program operations	SEG	A	-0-	-0-
<b>5</b>	(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-
		SEGREGATED REVENUE			-0-	-0-

**ASSEMBLY BILL 40**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	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				
5	assessments	GPR	A	725,100	755,800
6	(c) Principal repayment and interest	GPR	S	1,043,100	3,225,400
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,				
11	instructional material, and				
12	copyrights	PR	C	9,831,000	9,831,000
13	(i) Program revenue facilities;				
14	principal repayment, interest, and				
15	rebates	PR	S	14,100	13,800
16	(k) Funds received from other state				
17	agencies	PR-S	C	-0-	-0-
18	(kb) Emergency weather warning				
19	system operation	PR-S	A	134,300	134,300
20	(m) Federal grants	PR-F	C	1,171,800	1,171,800
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			5,797,900	8,010,900
	PROGRAM REVENUE			11,151,200	11,150,900
	FEDERAL			(1,171,800)	(1,171,800)
	OTHER			(9,845,100)	(9,844,800)

**ASSEMBLY BILL 40****SECTION 373**

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
SERVICE			(134,300)	(134,300)
TOTAL-ALL SOURCES			16,949,100	19,161,800
20.225 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			5,797,900	8,010,900
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			16,949,100	19,161,800

<b>1</b>	<b>20.235 Higher Educational Aids Board</b>					
<b>2</b>	(1)	STUDENT SUPPORT ACTIVITIES				
<b>3</b>	(b)	Tuition grants	GPR	B	26,870,300	26,870,300
<b>4</b>	(cg)	Nursing student loans	GPR	A	-0-	-0-
<b>5</b>	(cm)	Nursing student loan program	GPR	A	445,500	445,500
<b>6</b>	(cr)	Minority teacher loans	GPR	A	259,500	259,500
<b>7</b>	(cu)	Teacher education loan program	GPR	A	272,200	272,200
<b>8</b>	(cx)	Loan program for teachers and				
<b>9</b>		orientation and mobility instructors				
<b>10</b>		of visually impaired pupils	GPR	A	99,000	99,000
<b>11</b>	(d)	Dental education contract	GPR	A	1,386,400	1,386,400
<b>12</b>	(e)	Minnesota-Wisconsin student				
<b>13</b>		reciprocity agreement	GPR	S	15,000,000	16,000,000
<b>14</b>	(fc)	Independent student grants				
<b>15</b>		program	GPR	B	-0-	-0-
<b>16</b>	(fd)	Talent incentive grants	GPR	B	4,458,800	4,458,800

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(fe) Wisconsin higher education grants;				
2	University of Wisconsin-Madison				
3	and University of Wisconsin System				
4	students	GPR	S	58,345,400	58,345,400
5	(ff) Wisconsin higher education grants;				
6	technical college students	GPR	B	18,797,900	18,797,900
7	(fg) Minority undergraduate retention				
8	grants program	GPR	B	819,000	819,000
9	(fj) Handicapped student grants	GPR	B	122,600	122,600
10	(fm) Wisconsin covenant scholars grants	GPR	A	9,622,700	19,245,400
11	(fy) Academic excellence higher				
12	education scholarship program	GPR	S	3,309,300	3,309,300
13	(fz) Remission of fees and				
14	reimbursement for veterans and				
15	dependents	GPR	B	6,496,700	6,496,700
16	(g) Student loans	PR	A	-0-	-0-
17	(gg) Nursing student loan repayments	PR	C	-0-	-0-
18	(gm) Indian student assistance;				
19	contributions	PR	C	-0-	-0-
20	(i) Gifts and grants	PR	C	-0-	-0-
21	(k) Indian student assistance	PR-S	B	779,700	779,700
22	(km) Wisconsin higher education grants;				
23	tribal college students	PR-S	B	454,200	454,200

**ASSEMBLY BILL 40****SECTION 373**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(no) Federal aid; aids to individuals and				
2	organizations	PR-F	C	1,567,700	1,567,700
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			146,305,300	156,928,000
	PROGRAM REVENUE			2,801,600	2,801,600
	FEDERAL			(1,567,700)	(1,567,700)
	OTHER			(-0-)	(-0-)
	SERVICE			(1,233,900)	(1,233,900)
	TOTAL-ALL SOURCES			149,106,900	159,729,600
3	(2) ADMINISTRATION				
4	(aa) General program operations	GPR	A	980,000	981,500
5	(bb) Student loan interest, loans sold or				
6	conveyed	GPR	S	-0-	-0-
7	(bc) Write-off of uncollectible student				
8	loans	GPR	A	-0-	-0-
9	(bd) Purchase of defective student loans	GPR	S	-0-	-0-
10	(ga) Student interest payments	PR	C	900	900
11	(gb) Student interest payments, loans				
12	sold or conveyed	PR	C	-0-	-0-
13	(ia) Student loans; collection and				
14	administration	PR	C	-0-	-0-
15	(ja) Write-off of defaulted student loans	PR	A	-0-	-0-
16	(n) Federal aid; state operations	PR-F	C	-0-	-0-
17	(qa) Student loan revenue obligation				
18	repayment	SEG	C	-0-	-0-
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			980,000	981,500
	PROGRAM REVENUE			900	900
	FEDERAL			(-0-)	(-0-)

**ASSEMBLY BILL 40**

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
OTHER			(900)	(900)
SEGREGATED REVENUE			-0-	-0-
OTHER			(-0-)	(-0-)
TOTAL-ALL SOURCES			980,900	982,400

## 20.235 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUE			147,285,300	157,909,500
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			150,087,800	160,712,000

**1 20.245 Historical Society**

<b>2</b>	(1)	HISTORY SERVICES				
<b>3</b>	(a)	General program operations	GPR	A	10,318,300	10,320,700
<b>4</b>	(b)	Wisconsin black historical society				
<b>5</b>		and museum	GPR	A	84,500	84,500
<b>6</b>	(c)	Energy costs; energy-related				
<b>7</b>		assessments	GPR	A	1,036,000	1,075,700
<b>8</b>	(e)	Principal repayment, interest, and				
<b>9</b>		rebates	GPR	S	739,900	2,462,900
<b>10</b>	(h)	Gifts, grants, and membership				
<b>11</b>		sales	PR	C	452,700	448,300
<b>12</b>	(j)	Self-amortizing facilities; principal				
<b>13</b>		repayment, interest and rebates	PR	S	8,400	6,900
<b>14</b>	(k)	Storage facility	PR-S	B	199,100	199,100
<b>15</b>	(km)	Northern great lakes center	PR-S	A	239,700	239,700

**ASSEMBLY BILL 40****SECTION 373**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(ks) General program operations –				
2	service funds	PR-S	C	1,541,200	1,541,200
3	(kw) Records management — service				
4	funds	PR-S	C	227,500	227,500
5	(m) General program operations;				
6	federal funds	PR-F	C	1,098,700	1,098,700
7	(n) Federal aids	PR-F	C	–0–	–0–
8	(pz) Indirect cost reimbursements	PR-F	C	98,200	98,200
9	(q) Endowment	SEG	C	588,000	588,000
10	(r) History preservation partnership				
11	trust fund	SEG	C	3,200,300	3,200,300
12	(y) Northern great lakes center;				
13	interpretive programming	SEG	A	47,200	47,200

**(1) PROGRAM TOTALS**

GENERAL PURPOSE REVENUE	12,178,700	13,943,800
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	19,879,700	21,638,900

**20.245 DEPARTMENT TOTALS**

GENERAL PURPOSE REVENUE	12,178,700	13,943,800
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	19,879,700	21,638,900



**ASSEMBLY BILL 40**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	<b>20.250 Medical College of Wisconsin</b>				
2	(1) TRAINING OF HEALTH PERSONNEL				
3	(a) General program operations	GPR	A	1,733,900	1,733,900
4	(b) Family medicine education	GPR	A	2,848,500	2,848,500
5	(c) Principal repayment, interest, and				
6	rebates; biomedical research and				
7	technology incubator	GPR	S	1,181,300	2,917,400
8	(e) Principal repayment and interest	GPR	S	59,800	191,600
9	(k) Tobacco-related illnesses	PR-S	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			5,823,500	7,691,400
	PROGRAM REVENUE			-0-	-0-
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			5,823,500	7,691,400
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			5,823,500	7,691,400
	PROGRAM REVENUE			247,500	247,500
	OTHER			(247,500)	(247,500)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			6,071,000	7,938,900
13	<b>20.255 Department of Public Instruction</b>				
14	(1) EDUCATIONAL LEADERSHIP				

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(a) General program operations	GPR	A	10,868,100	10,868,100
2	(b) General program operations;				
3	Wisconsin Educational Services				
4	Program for the Deaf and Hard of				
5	Hearing and Wisconsin Center for				
6	the Blind and Visually Impaired	GPR	A	11,210,300	11,210,300
7	(c) Energy costs; Wisconsin				
8	Educational Services Program for				
9	the Deaf and Hard of Hearing and				
10	Wisconsin Center for the Blind and				
11	Visually Impaired; energy-related				
12	assessments	GPR	A	577,000	622,100
13	(d) Principal repayment and interest	GPR	S	265,600	952,200
14	(dw) Pupil assessment	GPR	A	5,109,200	5,109,200
15	(e) Student information system	GPR	B	15,000,000	–0–
16	(g) Student activity therapy	PR	A	800	800
17	(gb) Wisconsin Educational Services				
18	Program for the Deaf and Hard of				
19	Hearing and Wisconsin Center for				
20	the Blind and Visually Impaired;				
21	nonresident fees	PR	C	49,500	49,500

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(gL) Wisconsin Educational Services				
2	Program for the Deaf and Hard of				
3	Hearing and Wisconsin Center for				
4	the Blind and Visually Impaired;				
5	leasing of space	PR	C	8,100	8,100
6	(gs) Wisconsin Educational Services				
7	Program for the Deaf and Hard of				
8	Hearing and Wisconsin Center for				
9	the Blind and Visually Impaired;				
10	services	PR	C	32,400	32,400
11	(gt) Wisconsin Educational Services				
12	Program for the Deaf and Hard of				
13	Hearing and Wisconsin Center for				
14	the Blind and Visually Impaired;				
15	pupil transportation	PR	A	1,140,300	1,140,300
16	(hg) Personnel licensure, teacher supply,				
17	information and analysis and				
18	teacher improvement	PR	A	3,132,500	3,132,500
19	(hj) General educational development				
20	and high school graduation				
21	equivalency	PR	A	121,100	120,700
22	(hm) Services for drivers	PR-S	A	253,600	253,600
23	(i) Publications	PR	A	171,900	171,900
24	(im) Library products and services	PR	C	141,100	141,100

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(j) Milwaukee parental choice				
2	program; financial audits	PR	C	129,900	132,000
3	(jg) School lunch handling charges	PR	A	13,386,200	13,386,200
4	(jm) Professional services center charges	PR	A	147,800	147,800
5	(jr) Gifts, grants and trust funds	PR	C	2,050,000	2,050,000
6	(jz) School district boundary appeal				
7	proceedings	PR	C	10,000	10,000
8	(kd) Alcohol and other drug abuse				
9	program	PR-S	A	599,800	599,800
10	(ke) Funds transferred from other state				
11	agencies; program operations	PR-S	C	2,768,700	2,768,700
12	(km) State agency library processing				
13	center	PR-S	A	29,500	29,500
14	(ks) Data processing	PR-S	C	4,493,500	4,693,500
15	(me) Federal aids; program operations	PR-F	C	43,224,300	43,733,100
16	(pz) Indirect cost reimbursements	PR-F	C	3,472,500	3,527,600
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			43,030,200	28,761,900
	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			118,393,700	104,891,000
17	(2) AIDS FOR LOCAL EDUCATIONAL PROGRAMMING				
18	(ac) General equalization aids	GPR	A	4,261,954,000	4,293,658,000
19	(ae) Sparsity aid	GPR	A	13,453,300	13,453,300

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(b) Aids for special education and				
2	school age parents programs	GPR	A	368,939,100	368,939,100
3	(bb) Aid for high poverty school districts	GPR	A	16,830,000	16,830,000
4	(bd) Additional special education aid	GPR	A	3,500,000	3,500,000
5	(be) Supplemental special education aid	GPR	A	1,750,000	1,750,000
6	(bh) Aid to county children with				
7	disabilities education boards	GPR	A	4,067,300	4,067,300
8	(cc) Bilingual-bicultural education aids	GPR	A	8,589,800	8,589,800
9	(cg) Tuition payments; full-time open				
10	enrollment transfer payments	GPR	A	8,242,900	8,242,900
11	(cm) Reimbursement for school				
12	breakfast programs	GPR	C	2,510,500	2,510,500
13	(cn) Aids for school lunches and				
14	nutritional improvement	GPR	A	4,218,100	4,218,100
15	(cp) Wisconsin school day milk program	GPR	A	617,100	617,100
16	(cr) Aid for pupil transportation	GPR	A	23,703,600	23,703,600
17	(cs) Aid for debt service	GPR	A	133,700	133,700
18	(cu) Achievement guarantee contracts	GPR	A	109,184,500	109,184,500
19	(cw) Aid for transportation; youth				
20	options program	GPR	A	17,400	17,400
21	(cy) Aid for transportation; open				
22	enrollment	GPR	A	434,200	434,200
23	(dp) Four-year-old kindergarten grants	GPR	A	1,350,000	1,350,000

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(eh) Head start supplement	GPR	A	6,264,100	6,264,100
2	(ep) Second chance partnership	GPR	S	132,800	132,800
3	(fg) Aid for cooperative educational				
4	service agencies	GPR	A	260,600	260,600
5	(fk) Grant program for peer review and				
6	mentoring	GPR	A	434,300	1,606,700
7	(fm) Charter schools	GPR	S	60,645,000	69,975,000
8	(fu) Milwaukee parental choice program	GPR	S	139,147,200	147,521,800
9	(fv) Milwaukee Parental Choice				
10	Program; transfer pupils	GPR	S	-0-	-0-
11	(fy) Grants to support gifted and				
12	talented pupils	GPR	A	237,200	237,200
13	(k) Funds transferred from other state				
14	agencies; local aids	PR-S	C	9,490,500	9,490,500
15	(kd) Aid for alcohol and other drug				
16	abuse programs	PR-S	A	1,284,700	1,284,700
17	(kg) Mentoring grants for initial				
18	educators	GPR	A	1,172,400	-0-
19	(km) Tribal language revitalization				
20	grants	PR-S	A	222,800	222,800
21	(m) Federal aids; local aid	PR-F	C	664,923,500	664,923,500
22	(n) Federal aid; economic stimulus				
23	funds	PR-F	C	20,100,000	-0-
24	(p) Federal aids; state allocations	PR-F	C	-0-	-0-

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(s) School library aids	SEG	C	35,000,000	37,000,000
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			5,037,789,100	5,087,197,700
	PROGRAM REVENUE			696,021,500	675,921,500
	FEDERAL			(685,023,500)	(664,923,500)
	SERVICE			(10,998,000)	(10,998,000)
	SEGREGATED REVENUE			35,000,000	37,000,000
	OTHER			(35,000,000)	(37,000,000)
	TOTAL-ALL SOURCES			5,768,810,600	5,800,119,200
2	(3) AIDS TO LIBRARIES, INDIVIDUALS AND ORGANIZATIONS				
3	(b) Adult literacy grants	GPR	A	62,400	62,400
4	(c) Grants for national teacher				
5	certification or master educator				
6	licensure	GPR	S	1,963,800	2,224,900
7	(d) Elks and Easter Seals Center for				
8	Respite and Recreation	GPR	A	73,900	73,900
9	(dn) Project Lead the Way Grants	GPR	A	-0-	-0-
10	(eg) Milwaukee Public Museum	GPR	A	42,200	42,200
11	(f) Interstate compact on educational				
12	opportunity for military children	GPR	S	900	900
13	(fa) Very special arts	GPR	A	63,300	63,300
14	(fg) Special Olympics	GPR	A	67,500	67,500
15	(fz) Precollege scholarships	GPR	A	1,931,500	1,931,500
16	(mm) Federal funds; local assistance	PR-F	C	1,199,300	1,199,300
17	(ms) Federal funds; individuals and				
18	organizations	PR-F	C	56,644,900	56,644,900

**ASSEMBLY BILL 40****SECTION 373**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(q) Periodical and reference				
2	information databases; newslines for				
3	the blind	SEG	A	2,304,000	2,304,000
4	(qm) Aid to public library systems	SEG	A	15,013,100	15,013,100
5	(r) Library service contracts	SEG	A	1,052,800	1,052,800
	(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			18,369,900	18,369,900
	OTHER			(18,369,900)	(18,369,900)
	TOTAL-ALL SOURCES			80,419,600	80,680,700
	20.255 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			5,085,024,800	5,120,426,200
	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			53,369,900	55,369,900
	OTHER			(53,369,900)	(55,369,900)
	TOTAL-ALL SOURCES			5,967,623,900	5,985,690,900
6	<b>20.280 University of Wisconsin-Madison</b>				
7	(1) UNIVERSITY OF WISCONSIN-MADISON				
8	(a) General program operations	GPR	A	262,947,000	269,947,000
9	(c) Energy costs; energy-related				
10	assessments	GPR	A	62,172,200	69,615,000
11	(d) Principal repayment and interest	GPR	S	38,184,300	108,278,600
12	(fd) State laboratory of hygiene; general				
13	program operations	GPR	A	9,374,300	9,374,300
14	(fj) Veterinary diagnostic laboratory	GPR	A	5,018,200	5,018,200



**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(g) Services provided to authority	PR	C	35,640,000	35,640,000
2	(ia) State laboratory of hygiene, drivers	PR-S	C	1,619,200	1,619,200
3	(je) Veterinary diagnostic laboratory;				
4	fees	PR	C	3,948,900	3,948,900
5	(jq) Steam and chilled-water plant;				
6	principal repayment, interest, and				
7	rebates; nonstate entities	PR	S	-0-	-0-
8	(k) Funds transferred from other state				
9	agencies	PR-S	C	-0-	-0-
10	(kd) Principal repayment, interest, and				
11	rebates	PR-S	S	40,629,000	45,077,900
12	(kg) Veterinary diagnostic laboratory;				
13	state agencies	PR-S	C	831,100	831,100
14	(ko) Steam and chilled-water plant;				
15	principal repayment, interest, and				
16	rebates	PR-S	C	5,909,300	5,900,600
17	(ks) Physician and health care provider				
18	loan assistance programs;				
19	repayments	PR-S	B	488,700	488,700
20	(L) Mellon Foundation grant; matching				
21	funds	PR	C	1,000,000	1,000,000
22	(qe) Rural physician residency				
23	assistance program	SEG	B	750,000	750,000

**ASSEMBLY BILL 40****SECTION 373**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(qj) Physician and health care provider				
2	loan assistance programs; critical				
3	access hospital assessment fund	SEG	B	250,000	250,000
4	(qm) Grants for forestry programs	SEG	A	50,000	50,000
5	(rm) Environmental program grants	SEG	A	100,000	100,000
6	(s) Wisconsin Bioenergy Initiative	SEG	A	3,560,000	3,560,000
7	(zz) University trust funds	SEG	C	21,160,000	21,160,000
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			377,696,000	462,233,100
	PROGRAM REVENUE			90,066,200	94,506,400
	OTHER			(40,588,900)	(40,588,900)
	SERVICE			(49,477,300)	(53,917,500)
	SEGREGATED REVENUE			25,870,000	25,870,000
	OTHER			(25,870,000)	(25,870,000)
	TOTAL-ALL SOURCES			493,632,200	582,609,500
	20.280 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			377,696,000	462,233,100
	PROGRAM REVENUE			90,066,200	94,506,400
	OTHER			(40,588,900)	(40,588,900)
	SERVICE			(49,477,300)	(53,917,500)
	SEGREGATED REVENUE			25,870,000	25,870,000
	OTHER			(25,870,000)	(25,870,000)
	TOTAL-ALL SOURCES			493,632,200	582,609,500
8	<b>20.285 University of Wisconsin System</b>				
9	(1) UNIVERSITY EDUCATION, RESEARCH AND PUBLIC SERVICE				
10	(a) General program operations	GPR	A	446,608,900	446,608,900
11	(ab) Student aid	GPR	A	1,017,400	1,017,400
12	(am) Distinguished professorships	GPR	A	611,700	611,700
13	(as) Industrial and economic				
14	development research	GPR	A	620,200	620,200

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(bm) Fee remissions	GPR	A	29,700	29,700
2	(c) Energy costs; energy-related				
3	assessments	GPR	A	55,049,300	56,207,400
4	(cd) WiSys technology foundation grants	GPR	S	1,000,000	1,000,000
5	(cm) Educational technology	GPR	A	5,846,400	5,846,400
6	(d) Principal repayment and interest	GPR	S	34,354,300	97,417,900
7	(eb) Business plan competition	GPR	A	125,000	125,000
8	(em) Schools of business	GPR	A	778,700	778,700
9	(eo) Extension outreach	GPR	A	-0-	-0-
10	(ep) Extension local planning program	GPR	A	91,800	91,800
11	(er) Grants for study abroad	GPR	A	821,700	821,700
12	(fm) Laboratories	GPR	A	2,580,200	2,580,200
13	(fs) Farm safety program grants	GPR	A	-0-	-0-
14	(ft) Wisconsin humanities council	GPR	A	71,900	71,900
15	(fx) Alcohol and other drug abuse				
16	prevention and intervention	GPR	A	-0-	-0-
17	(g) Physical plant service departments	PR	C	-0-	-0-
18	(h) Auxiliary enterprises	PR	C	374,721,700	374,721,700
19	(ha) Stores	PR	C	39,200	39,200
20	(hm) Extension outreach	PR	C	-0-	-0-
21	(im) Academic student fees	PR	C	684,617,100	708,761,800

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(in) Payment of debt service;				
2	UW-Platteville tri-state initiative				
3	facilities	PR-S	C	-0-	-0-
4	(ip) Extension student fees	PR	C	37,403,600	37,403,600
5	(iz) General operations receipts	PR	C	79,011,200	79,011,200
6	(j) Gifts and donations	PR	C	74,081,400	74,081,400
7	(ja) Gifts; student loans	PR	C	519,500	519,500
8	(jc) Dentist and dental hygienist loan				
9	assistance programs	PR	C	-0-	-0-
10	(jm) Distinguished professorships	PR	C	453,800	453,800
11	(jp) License plate scholarship programs	PR	C	52,500	52,500
12	(k) Funds transferred from other state				
13	agencies	PR-S	C	250,000	250,000
14	(kb) Great Lakes studies	PR-S	A	51,900	51,900
15	(kd) Principal repayment, interest and				
16	rebates	PR-S	S	32,270,500	39,282,000
17	(kf) Outdoors skills training	PR-S	A	53,700	53,700
18	(kj) Academic fee increase grants	PR-S	A	1,900,000	1,900,000
19	(km) Aquaculture demonstration facility;				
20	principal repayment and interest	PR-S	A	263,400	264,700
21	(kn) Aquaculture demonstration facility;				
22	operational costs	PR-S	A	417,500	417,500
23	(ks) Dentist and dental hygienist loan				
24	assistance programs; repayments	PR-S	B	-0-	-0-

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(Lm) Laboratories	PR	C	2,939,300	2,939,300
2	(Ls) Schools of business	PR	C	258,500	258,500
3	(m) Federal aid	PR-F	C	123,170,100	123,170,100
4	(ma) Federal aid; loans and grants	PR-F	C	724,158,800	724,158,800
5	(n) Federal indirect cost				
6	reimbursement	PR-F	C	13,023,400	13,023,400
7	(q) Telecommunications services	SEG	A	1,054,800	1,054,800
8	(qe) Rural physician residency				
9	assistance program	SEG	B	-0-	-0-
10	(qj) Dentist and dental hygienist loan				
11	assistance programs; critical access				
12	hospital assessment fund	SEG	B	-0-	-0-
13	(qm) Grants for paper science program	SEG	A	83,300	83,300
14	(qr) Discovery farm grants	SEG	A	248,400	248,400
15	(r) Environmental education;				
16	environmental assessments	SEG	C	130,500	130,500
17	(rc) Environmental education; forestry	SEG	A	400,000	400,000
18	(rm) Environmental scholarships	SEG	A	100,000	100,000
19	(s) Wisconsin Bioenergy Initiative	SEG	A	490,000	490,000
20	(tb) Extension recycling education	SEG	A	388,200	388,200
21	(tm) Solid waste research and				
22	experiments	SEG	A	155,400	155,400
23	(u) Trust fund income	SEG	C	4,903,200	4,903,200

**ASSEMBLY BILL 40****SECTION 373**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(w) Trust fund operations	SEG	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			549,607,200	613,828,900
	PROGRAM REVENUE			2,149,657,100	2,180,814,600
	FEDERAL			(860,352,300)	(860,352,300)
	OTHER			(1,254,097,800)	(1,278,242,500)
	SERVICE			(35,207,000)	(42,219,800)
	SEGREGATED REVENUE			7,953,800	7,953,800
	OTHER			(7,953,800)	(7,953,800)
	TOTAL-ALL SOURCES			2,707,218,100	2,802,597,300
2	(3) UNIVERSITY SYSTEM ADMINISTRATION				
3	(a) General program operations	GPR	A	7,214,000	7,214,000
4	(iz) General operations receipts	PR	C	172,000	172,000
5	(n) Federal indirect cost				
6	reimbursement	PR-F	C	2,500,000	2,500,000
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			7,214,000	7,214,000
	PROGRAM REVENUE			2,672,000	2,672,000
	FEDERAL			(2,500,000)	(2,500,000)
	OTHER			(172,000)	(172,000)
	TOTAL-ALL SOURCES			9,886,000	9,886,000
7	(4) MINORITY AND DISADVANTAGED PROGRAMS				
8	(a) Minority and disadvantaged				
9	programs	GPR	A	9,425,200	9,425,200
10	(b) Graduate student financial aid	GPR	A	3,388,500	3,388,500
11	(dd) Lawton minority undergraduate				
12	grants program	GPR	A	5,279,800	5,279,800
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			18,093,500	18,093,500
	TOTAL-ALL SOURCES			18,093,500	18,093,500
	20.285 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			574,914,700	639,136,400

**ASSEMBLY BILL 40****SECTION 373**

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2011-12	2012-13
	PROGRAM REVENUE			2,152,329,100	2,183,486,600
	FEDERAL			(862,852,300)	(862,852,300)
	OTHER			(1,254,269,800)	(1,278,414,500)
	SERVICE			(35,207,000)	(42,219,800)
	SEGREGATED REVENUE			7,953,800	7,953,800
	OTHER			(7,953,800)	(7,953,800)
	TOTAL-ALL SOURCES			2,735,197,600	2,830,576,800
<b>1</b>	<b>20.292 Wisconsin Technical College System</b>				
<b>2</b>	<b>(1) TECHNICAL COLLEGE SYSTEM</b>				
<b>3</b>	(a) General program operations	GPR	A	2,753,500	2,753,500
<b>4</b>	(am) Fee remissions	GPR	A	14,200	14,200
<b>5</b>	(b) Displaced homemakers' program	GPR	A	805,300	805,300
<b>6</b>	(c) Minority student participation and				
<b>7</b>	retention grants	GPR	A	583,300	583,300
<b>8</b>	(ce) Basic skills grants	GPR	A	-0-	-0-
<b>9</b>	(ch) Health care education programs	GPR	A	5,395,500	5,395,500
<b>10</b>	(d) State aid for technical colleges;				
<b>11</b>	statewide guide	GPR	A	83,534,900	83,534,900
<b>12</b>	(dc) Incentive grants	GPR	C	6,418,300	6,418,300
<b>13</b>	(dd) Farm training program tuition				
<b>14</b>	grants	GPR	A	141,800	141,800
<b>15</b>	(de) Services for handicapped students;				
<b>16</b>	local assistance	GPR	A	378,200	378,200
<b>17</b>	(dm) Aid for special collegiate transfer				
<b>18</b>	programs	GPR	A	1,063,000	1,063,000

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(e) Technical college instructor				
2	occupational competency program	GPR	A	67,400	67,400
3	(ef) School-to-work programs for				
4	children at risk	GPR	A	282,100	282,100
5	(eg) Faculty development grants	GPR	A	786,700	786,700
6	(eh) Training program grants	GPR	B	3,970,000	3,970,000
7	(em) Apprenticeship curriculum				
8	development	GPR	A	70,900	70,900
9	(fc) Driver education, local assistance	GPR	A	304,400	304,400
10	(fg) Chauffeur training grants	GPR	C	189,100	189,100
11	(fm) Supplemental aid	GPR	A	1,418,200	1,418,200
12	(fp) Emergency medical technician –				
13	basic training; state operations	GPR	A	-0-	-0-
14	(g) Text materials	PR	A	115,500	115,500
15	(ga) Auxiliary services	PR	C	15,200	15,200
16	(gm) Fire schools; state operations	PR	A	406,200	406,200
17	(gr) Fire schools; local assistance	PR	A	600,000	600,000
18	(h) Gifts and grants	PR	C	20,600	20,600
19	(hm) Truck driver training	PR-S	C	150,000	150,000
20	(i) Conferences	PR	C	72,600	72,600
21	(j) Personnel certification	PR	A	259,200	259,200
22	(k) Gifts and grants	PR	C	30,200	30,200



**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(ka) Interagency projects; local				
2	assistance	PR-S	A	2,000,000	2,000,000
3	(kb) Interagency projects; state				
4	operations	PR-S	A	238,000	238,000
5	(kd) Transfer of Indian gaming receipts;				
6	work-based learning programs	PR-S	A	594,000	594,000
7	(km) Master logger apprenticeship				
8	grants	PR-S	C	-0-	-0-
9	(kx) Interagency and intra-agency				
10	programs	PR-S	C	79,200	79,200
11	(L) Services for district boards	PR	A	45,500	45,500
12	(m) Federal aid, state operations	PR-F	C	3,421,100	3,421,100
13	(n) Federal aid, local assistance	PR-F	C	28,424,300	28,424,300
14	(o) Federal aid, aids to individuals and				
15	organizations	PR-F	C	800,000	800,000
16	(pz) Indirect cost reimbursements	PR-F	C	196,000	196,000
17	(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
18	(2) EDUCATIONAL APPROVAL BOARD				
19	(g) Proprietary school programs	PR	A	511,700	511,700

**ASSEMBLY BILL 40****SECTION 373**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(gm) Student protection	PR	C	56,600	56,600
2	(i) Closed schools; preservaton of				
3	student records	PR	C	12,100	12,100
	(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			6,316,968,200	6,517,598,600
	PROGRAM REVENUE			3,127,739,200	3,143,996,300
	FEDERAL			(1,689,194,600)	(1,669,658,500)
	OTHER			(1,328,080,300)	(1,352,220,500)
	SERVICE			(110,464,300)	(122,117,300)
	SEGREGATED REVENUE			91,029,200	93,029,200
	FEDERAL			(-0-)	(-0-)
	OTHER			(91,029,200)	(93,029,200)
	SERVICE			(-0-)	(-0-)
	LOCAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			9,535,736,600	9,754,624,100
4	<b>20.320 Environmental Improvement Fund Program</b>				
5	(1) CLEAN WATER FUND PROGRAM OPERATIONS				
6	(a) Environmental aids — clean water				
7	fund program	GPR	A	-0-	-0-
8	(c) Principal repayment and				
9	interest — clean water fund				
10	program	GPR	S	14,068,700	34,809,800

**ASSEMBLY BILL 40**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(q) Clean water fund program revenue				
2	obligation funding	SEG-S	C	-0-	-0-
3	(r) Clean water fund program				
4	repayment of revenue obligations	SEG	S	-0-	-0-
5	(s) Clean water fund program financial				
6	assistance	SEG	S	-0-	-0-
7	(sm) Land recycling loan program				
8	financial assistance	SEG	S	-0-	-0-
9	(t) Principal repayment and				
10	interest — clean water fund				
11	program bonds	SEG	A	8,000,000	8,000,000
12	(u) Principal repayment and				
13	interest — clean water fund				
14	program revenue obligation				
15	repayment	SEG	C	-0-	-0-
16	(x) Clean water fund program financial				
17	assistance; federal	SEG-F	C	-0-	-0-
18	(y) Clean water fund program federal				
19	financial hardship assistance	SEG-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			14,068,700	34,809,800
	SEGREGATED REVENUE			8,000,000	8,000,000
	FEDERAL			(-0-)	(-0-)
	OTHER			(8,000,000)	(8,000,000)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			22,068,700	42,809,800
20	(2) SAFE DRINKING WATER LOAN PROGRAM OPERATIONS				

**ASSEMBLY BILL 40****SECTION 373**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(c) Principal repayment and				
2	interest — safe drinking water loan				
3	program	GPR	S	1,805,400	4,476,200
4	(s) Safe drinking water loan programs				
5	financial assistance	SEG	S	-0-	-0-
6	(x) Safe drinking water loan programs				
7	financial assistance; federal	SEG-F	C	-0-	-0-
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			1,805,400	4,476,200
	SEGREGATED REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			1,805,400	4,476,200
8	(3) PRIVATE SEWAGE SYSTEM PROGRAM				
9	(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			15,874,100	39,286,000
	SEGREGATED REVENUE			8,000,000	8,000,000
	FEDERAL			(-0-)	(-0-)
	OTHER			(8,000,000)	(8,000,000)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			23,874,100	47,286,000
10	<b>20.360 Lower Wisconsin State Riverway Board</b>				
11	(1) CONTROL OF LAND DEVELOPMENT AND USE IN THE LOWER WISCONSIN STATE RIVERWAY				
12	(g) Gifts and grants	PR	C	-0-	-0-
13	(q) General program operations —				
14	conservation fund	SEG	A	202,600	202,600

**ASSEMBLY BILL 40**

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13	
(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>1</b>	<b>20.370 Department of Natural Resources</b>				
<b>2</b>	(1)	LAND			
<b>3</b>	(cq)	Forestry — reforestation	SEG C	100,500	100,500
<b>4</b>	(cr)	Forestry — recording fees	SEG C	89,100	89,100
<b>5</b>	(cs)	Forestry — forest fire emergencies	SEG C	-0-	-0-
<b>6</b>	(ct)	Timber sales contracts – repair and			
<b>7</b>		reimbursement costs	SEG C	-0-	-0-
<b>8</b>	(cu)	Forestry – forestry education			
<b>9</b>		curriculum	SEG A	198,000	198,000
<b>10</b>	(cv)	Forestry – public education	SEG C	198,000	198,000
<b>11</b>	(cx)	Forestry–management plans	SEG C	316,800	316,800
<b>12</b>	(cy)	Forestry – cooperating foresters	SEG C	-0-	-0-
<b>13</b>	(ea)	Parks — general program			
<b>14</b>		operations	GPR A	2,551,600	4,911,000
<b>15</b>	(eq)	Parks and forests – operation and			
<b>16</b>		maintenance	SEG S	-0-	-0-

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(er) Parks and forests – campground				
2	reservation fees	SEG	C	1,250,000	1,250,000
3	(es) Parks – interpretive programs	SEG	C	–0–	–0–
4	(fb) Endangered resources — general				
5	program operations	GPR	A	–0–	–0–
6	(fc) Endangered resources — Wisconsin				
7	stewardship program	GPR	A	–0–	–0–
8	(fd) Endangered resources — natural				
9	heritage inventory program	GPR	A	257,200	257,200
10	(fe) Endangered resources — general				
11	fund	GPR	S	500,000	500,000
12	(fs) Endangered resources — voluntary				
13	payments; sales, leases, and fees	SEG	C	1,463,700	1,463,700
14	(ft) Endangered resources —				
15	application fees	SEG	C	–0–	–0–
16	(gr) Endangered resources program —				
17	gifts and grants; sale of				
18	state-owned lands	SEG	C	–0–	–0–
19	(gt) Habitat conservation plan fees	SEG	C	9,900	9,900
20	(hc) Indemnification agreements	GPR	S	–0–	–0–
21	(hk) Elk management	PR-S	A	92,100	92,100
22	(hq) Elk hunting fees	SEG	C	–0–	–0–
23	(hr) Pheasant restoration	SEG	C	239,200	239,200

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(hs) Chronic wasting disease				
2	management	SEG	A	-0-	-0-
3	(ht) Wild turkey restoration	SEG	C	784,000	784,000
4	(hu) Wetlands habitat improvement	SEG	C	362,100	362,100
5	(hv) Aquatic and terrestrial resources				
6	inventory	SEG	A	128,500	128,500
7	(hw) Pheasant stocking and propagation	SEG	C	345,600	345,600
8	(iu) Gravel pit reclamation	SEG	C	-0-	-0-
9	(iv) Utility terrain vehicle fees	SEG	C	20,000	20,000
10	(jr) Rental property and equipment —				
11	maintenance and replacement	SEG	C	519,400	519,400
12	(kq) Taxes and assessments;				
13	conservation fund	SEG	A	297,000	297,000
14	(Lk) Reintroduction of whooping cranes	PR-S	A	62,300	62,300
15	(Lq) Trapper education program	SEG	C	49,700	49,700
16	(Lr) Beaver control; fish and wildlife				
17	account	SEG	C	36,200	36,200
18	(Ls) Control of wild animals	SEG	C	283,600	283,600
19	(Lt) Wildlife management	SEG	A	-0-	-0-
20	(Lu) Fish and wildlife habitat	SEG	S	-0-	-0-
21	(ma) General program operations —				
22	state funds	GPR	A	5,200	5,200

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(mi) General program operations —				
2	private and public sources	PR	C	674,200	674,200
3	(mk) General program operations —				
4	service funds	PR-S	C	774,800	774,800
5	(mq) General program operations —				
6	state snowmobile trails and areas	SEG	A	209,700	209,700
7	(ms) General program operations —				
8	state all-terrain vehicle projects	SEG	A	310,500	310,500
9	(mt) Land preservation and				
10	management – endowment fund	SEG	S	–0–	–0–
11	(mu) General program operations —				
12	state funds	SEG	A	–0–	–0–
13	Land program management	SEG	A	1,063,300	1,063,300
14	Wildlife management	SEG	A	12,653,100	12,653,100
15	Southern forests	SEG	A	5,299,800	5,299,800
16	Parks and recreation	SEG	A	14,286,800	11,849,100
17	Endangered resources	SEG	A	768,800	768,800
18	Facilities and lands	SEG	A	7,413,500	7,413,500
	NET APPROPRIATION			41,485,300	39,047,600
19	(mv) General program operations – state				
20	funds; forestry	SEG	A	50,599,400	50,599,400
21	(my) General program operations —				
22	federal funds	SEG-F	C	–0–	–0–
23	Wildlife management	SEG-F	C	5,499,000	5,499,000



**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	Forestry	SEG-F	C	1,461,000	1,461,000
2	Southern forests	SEG-F	C	127,500	127,500
3	Parks and recreation	SEG-F	C	808,700	808,700
4	Endangered resources	SEG-F	C	2,122,500	2,068,400
5	Facilities and lands	SEG-F	C	2,244,700	2,244,700
	NET APPROPRIATION			12,263,400	12,209,300
6	(mz) Forest fire emergencies — federal				
7	funds	SEG-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			3,314,000	5,673,400
	PROGRAM REVENUE			1,603,400	1,603,400
	OTHER			(674,200)	(674,200)
	SERVICE			(929,200)	(929,200)
	SEGREGATED REVENUE			111,559,600	109,067,800
	FEDERAL			(12,263,400)	(12,209,300)
	OTHER			(99,296,200)	(96,858,500)
	TOTAL-ALL SOURCES			116,477,000	116,344,600
8	(2) AIR AND WASTE				
9	(bg) Air management — stationary				
10	sources	PR	A	6,932,900	6,932,900
11	(bh) Air management — state permit				
12	sources	PR	A	2,386,300	2,386,300
13	(bi) Air management — asbestos				
14	management	PR	C	563,800	563,800
15	(bq) Air management — vapor recovery				
16	administration	SEG	A	95,400	95,400
17	(br) Air management — mobile sources	SEG	A	1,393,800	1,393,800

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(cf) Air management — motor vehicle				
2	emission inspection and				
3	maintenance program, state funds	GPR	A	67,700	67,700
4	(cg) Air management — recovery of				
5	ozone-depleting refrigerants	PR	A	158,000	158,000
6	(ch) Air management — emission				
7	analysis	PR	C	-0-	-0-
8	(ci) Air management — permit review				
9	and enforcement	PR	A	2,243,600	2,243,600
10	(cL) Air waste management —				
11	incinerator operator certification	PR	C	-0-	-0-
12	(dg) Solid waste management — solid				
13	and hazardous waste disposal				
14	administration	PR	C	2,579,900	2,579,900
15	(dh) Solid waste				
16	management-remediated property	PR	C	872,200	872,200
17	(dq) Solid waste management — waste				
18	management fund	SEG	C	-0-	-0-
19	(dt) Solid waste management — closure				
20	and long-term care	SEG	C	-0-	-0-
21	(du) Solid waste management —				
22	site-specific remediation	SEG	C	-0-	-0-
23	(dv) Solid waste management —				
24	environmental repair; spills;				
25	abandoned containers	SEG	C	2,292,700	2,292,700

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(dw) Solid waste management —				
2	environmental repair; petroleum				
3	spills; administration	SEG	A	1,674,500	1,674,500
4	(dy) Solid waste management —				
5	corrective action; proofs of financial				
6	responsibility	SEG	C	-0-	-0-
7	(dz) Solid waste management —				
8	assessments and legal action	SEG	C	-0-	-0-
9	(eg) Solid waste facility siting board fee	PR	C	-0-	-0-
10	(eh) Solid waste management — source				
11	reduction review	PR	C	-0-	-0-
12	(eq) Solid waste management — dry				
13	cleaner environmental response	SEG	A	177,700	177,700
14	(fq) Indemnification agreements	SEG	S	-0-	-0-
15	(gh) Mining — mining regulation and				
16	administration	PR	A	76,300	76,300
17	(gr) Solid waste management — mining				
18	programs	SEG	C	-0-	-0-
19	(hq) Recycling; administration	SEG	A	1,606,300	1,582,600
20	(hr) Electronic waste recycling	SEG	C	152,300	128,600
21	(ma) General program operations —				
22	state funds	GPR	A	1,782,300	1,782,300
23	(mi) General program operations —				
24	private and public sources	PR	C	-0-	-0-

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>	
1	(mk) General program operations —					
2	service funds	PR-S	C	84,500	84,500	
3	(mm) General program operations —					
4	federal funds	PR-F	C	8,494,700	8,468,400	
5	(mq) General program operations —					
6	environmental fund	SEG	A	3,406,700	3,406,700	
7	(mr) General program operations —					
8	brownfields	SEG	A	304,500	304,500	
9	(mu) Petroleum inspection fund					
10	supplement to environmental fund;					
11	environmental repair and well					
12	compensation	SEG	A	985,000	985,000	
13	(my) General program operations —					
14	environmental fund; federal funds	SEG-F	C	606,300	606,300	
	(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	
15	(3) ENFORCEMENT AND SCIENCE					
16	(ad) Law enforcement — car killed deer;					
17	general fund	GPR	A	458,500	458,500	

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(ak) Law enforcement – snowmobile				
2	enforcement and safety training;				
3	service funds	PR-S	A	1,197,900	1,197,900
4	(aq) Law enforcement — snowmobile				
5	enforcement and safety training	SEG	A	122,000	122,000
6	(ar) Law enforcement — boat				
7	enforcement and safety training	SEG	A	2,993,300	2,959,700
8	(as) Law enforcement — all-terrain				
9	vehicle enforcement	SEG	A	1,296,900	1,282,500
10	(at) Education and safety programs	SEG	C	337,600	337,600
11	(aw) Law enforcement — car kill deer	SEG	A	509,500	509,500
12	(ax) Law enforcement – water resources				
13	enforcement	SEG	A	204,400	200,900
14	(bg) Enforcement — stationary sources	PR	A	106,900	106,900
15	(bL) Operator certification — fees	PR	A	89,800	89,800
16	(dg) Environmental impact —				
17	consultant services; printing and				
18	postage costs	PR	C	-0-	-0-
19	(dh) Environmental impact — power				
20	projects	PR	C	26,900	26,900
21	(di) Environmental consulting costs —				
22	federal power projects	PR	A	-0-	-0-
23	(fj) Environmental quality – laboratory				
24	certification	PR	A	754,100	754,100

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(is) Aquatic invasive species control;				
2	voluntary contributions	SEG	C	69,300	69,300
3	(ma) General program operations —				
4	state funds	GPR	A	3,329,000	3,329,000
5	(mi) General program operations —				
6	private and public sources	PR	C	350,300	350,300
7	(mk) General program operations —				
8	service funds	PR-S	C	1,582,100	1,514,100
9	(mm) General program operations —				
10	federal funds	PR-F	C	554,000	554,000
11	(mq) General program operations —				
12	environmental fund	SEG	A	1,197,300	1,184,400
13	(mr) Recycling; enforcement and				
14	research	SEG	A	299,600	295,800
15	(ms) General program operations –				
16	pollution prevention	SEG	A	84,900	84,900
17	(mt) General program operations,				
18	nonpoint source — environmental				
19	fund	SEG	A	424,500	424,500
20	(mu) General program operations —				
21	state funds	SEG	A	20,358,100	20,138,300
22	(mw) Water resources – public health	SEG	A	24,700	24,700
23	(my) General program operations —				
24	federal funds	SEG-F	C	7,089,500	7,089,500

**ASSEMBLY BILL 40**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			3,787,500	3,787,500
	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			35,011,600	34,723,600
	FEDERAL			(7,089,500)	(7,089,500)
	OTHER			(27,922,100)	(27,634,100)
	TOTAL-ALL SOURCES			43,461,100	43,105,100
1	(4) WATER				
2	(ac) Wisconsin River monitoring and				
3	study	GPR	A	150,000	150,000
4	(af) Water resources – remedial action	GPR	C	120,400	120,400
5	(ag) Water resources – pollution credits	PR	C	–0–	–0–
6	(ah) Water resources – Great Lakes				
7	protection fund	PR	C	214,900	214,900
8	(ai) Water resources — water use fees	PR	C	780,800	780,800
9	(aj) Water resources — ballast water				
10	discharge permits	PR	C	246,900	246,900
11	(aq) Water resources management –				
12	lake, river and invasive species				
13	management	SEG	A	3,253,300	3,253,300
14	(ar) Water resources – groundwater				
15	management	SEG	B	91,900	91,900
16	(as) Water resources — trading water				
17	pollution credits	SEG	C	–0–	–0–

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(at) Watershed — nonpoint source				
2	contracts	SEG	B	997,600	997,600
3	(au) Cooperative remedial action;				
4	contributions	SEG	C	-0-	-0-
5	(av) Cooperative remedial action;				
6	interest on contributions	SEG	S	-0-	-0-
7	(bg) Water regulation and zoning –				
8	computer access fees	PR	C	-0-	-0-
9	(bh) Water regulation and zoning —				
10	dam inspections and safety				
11	administration; general fund	PR	A	-0-	-0-
12	(bi) Water regulation and zoning – fees	PR	C	1,025,300	1,025,300
13	(bj) Storm water management – fees	PR	A	1,909,300	1,909,300
14	(bL) Wastewater management – fees	PR	C	133,200	133,200
15	(br) Water regulation and zoning —				
16	dam safety & wetland mapping;				
17	conservation fund	SEG	A	678,800	678,800
18	(cg) Groundwater quantity				
19	administration	PR	A	505,200	505,200
20	(ch) Groundwater quantity research	PR	B	84,500	84,500
21	(kk) Fishery resources for ceded				
22	territories	PR-S	A	167,600	167,600
23	(kr) Commercial fish protection and				
24	Great Lakes resource surcharges	SEG	C	25,000	25,000



**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(ku) Great Lakes trout and salmon	SEG	C	1,632,600	1,632,600
2	(kv) Trout habitat improvement	SEG	C	1,405,500	1,405,500
3	(kw) Sturgeon stock and habitat	SEG	C	199,700	199,700
4	(ky) Sturgeon stock and habitat – inland				
5	waters	SEG	C	60,000	60,000
6	(ma) General program operations – state				
7	funds	GPR	A	–0–	–0–
8	Watershed management	GPR	A	11,719,200	11,719,200
9	Fisheries management	GPR	A	126,200	126,200
10	Drinking water and groundwater	GPR	A	2,474,700	2,474,700
11	Water program management	GPR	A	1,118,200	1,118,200
	NET APPROPRIATION			15,438,300	15,438,300
12	(mi) General program operations –				
13	private and public sources	PR	C	238,800	238,800
14	(mk) General program operations —				
15	service funds	PR-S	C	516,300	516,300
16	(mm) General program operations –				
17	federal funds	PR-F	C	–0–	–0–
18	Watershed management	PR-F	C	11,275,100	11,275,100
19	Fisheries management	PR-F	C	229,300	229,300
20	Drinking water and groundwater	PR-F	C	4,997,700	4,997,700
	NET APPROPRIATION			16,502,100	16,502,100

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(mq) General program operations –				
2	environmental fund	SEG	A	–0–	–0–
3	Watershed management	SEG	A	1,997,500	1,997,500
4	Drinking water and groundwater	SEG	A	2,289,600	2,289,600
5	Water program management	SEG	A	–0–	–0–
	NET APPROPRIATION			4,287,100	4,287,100
6	(mr) General program operations,				
7	nonpoint source	SEG	A	583,500	583,500
8	(mt) General program				
9	operations–environmental				
10	improvement programs; state funds	SEG	A	738,200	738,200
11	(mu) General program operations – state				
12	funds	SEG	A	16,406,400	16,406,400
13	(mw) Petroleum inspection fund				
14	supplement to environmental fund;				
15	groundwater management	SEG	A	719,800	719,800
16	(mx) General program operations – clean				
17	water fund program; federal funds	SEG-F	C	802,300	802,300
18	(my) General program operations –				
19	environmental fund – federal funds	SEG-F	C	–0–	–0–
20	(mz) General program operations –				
21	federal funds	SEG-F	C	5,677,300	5,677,300

**ASSEMBLY BILL 40**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(nz) General program operations–safe				
2	drinking water loan programs;				
3	federal funds	SEG-F	C	2,026,700	2,026,700
	(4) PROGRAM TOTALS				
	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			39,585,700	39,585,700
	FEDERAL			(8,506,300)	(8,506,300)
	OTHER			(31,079,400)	(31,079,400)
	TOTAL-ALL SOURCES			77,619,300	77,619,300
4	(5) CONSERVATION AIDS				
5	(ac) Resource aids – Milwaukee Public				
6	Museum	GPR	A	–0–	–0–
7	(ad) Resource aids — interpretive center	GPR	A	22,800	22,800
8	(aq) Resource aids – Canadian agencies				
9	migratory waterfowl aids	SEG	C	167,500	167,500
10	(ar) Resource aids – county				
11	conservation aids	SEG	C	148,500	148,500
12	(as) Recreation aids – fish, wildlife and				
13	forestry recreation aids	SEG	C	112,200	112,200
14	(at) Ice age trail area grants	SEG	A	74,200	74,200
15	(au) Resource aids – Ducks Unlimited,				
16	Inc., payments	SEG	C	–0–	–0–
17	(av) Resource aids – forest grants	SEG	B	1,147,900	1,147,900

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(aw) Resource aids — nonprofit				
2	conservation organizations	SEG	C	232,600	232,600
3	(ax) Resource aids – forestry	SEG	A	148,500	148,500
4	(ay) Resource aids – urban land				
5	conservation	SEG	A	74,200	74,200
6	(az) Resource aids — urban forestry				
7	grants	SEG	B	524,600	524,600
8	(bq) Resource aids – county forest loans;				
9	severance share payments	SEG	C	100,000	100,000
10	(br) Resource aids – forest croplands				
11	and managed forest land aids	SEG	A	1,237,500	1,237,500
12	(bs) Resource aids – county forest loans	SEG	A	616,200	616,200
13	(bt) Resource aids – county forest				
14	project loans	SEG	C	396,000	396,000
15	(bu) Resource aids – county forest				
16	project loans; severance share				
17	payments	SEG	C	350,000	350,000
18	(bv) Resource aids — county forests,				
19	forest croplands and managed				
20	forest land aids	SEG	S	1,416,400	1,416,400
21	(bw) Resource aids — county sustainable				
22	forestry and county forest adm.				
23	grants	SEG	B	1,576,900	1,576,900
24	(bx) Resource aids – national forest				
25	income aids	SEG-F	C	782,200	782,200

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(by) Resource aids — fire suppression				
2	grants	SEG	A	170,000	170,000
3	(bz) Resource aids – forestry outdoor				
4	activity grants	SEG	C	–0–	–0–
5	(cb) Recreation aids – snowmobile trail				
6	and area aids; general fund	GPR	A	–0–	–0–
7	(cq) Recreation aids – recreational				
8	boating and other projects	SEG	C	400,000	400,000
9	(cr) Recreation aids – county				
10	snowmobile trail and area aids	SEG	C	2,475,400	2,475,400
11	(cs) Recreation aids – snowmobile trail				
12	areas	SEG	C	4,989,500	5,089,300
13	(ct) Recreation aids – all-terrain				
14	vehicle project aids; gas tax				
15	payment	SEG	C	1,745,500	1,708,400
16	(cu) Recreation aids — all-terrain				
17	vehicle project aids	SEG	C	1,670,000	1,670,000
18	(cv) Recreation aids — all terrain				
19	vehicle landowner incentive				
20	program	SEG	B	405,900	405,900
21	(cw) Recreation aids – supplemental				
22	snowmobile trail aids	SEG	C	375,000	375,000
23	(cx) Recreation aids — all-terrain				
24	vehicle safety program	SEG	A	297,000	297,000

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(cy) Recreation and resource aids,				
2	federal funds	SEG-F	C	3,162,100	3,162,100
3	(da) Aids in lieu of taxes – general fund	GPR	S	8,240,000	8,240,000
4	(dq) Aids in lieu of taxes – sum				
5	sufficient	SEG	S	780,000	780,000
6	(dr) Aids in lieu of taxes – sum certain	SEG	A	4,660,000	5,285,000
7	(dx) Resource aids — payment in lieu of				
8	taxes; federal	SEG-F	C	440,000	440,000
9	(ea) Enforcement aids — spearfishing				
10	enforcement	GPR	C	-0-	-0-
11	(eq) Enforcement aids — boating				
12	enforcement	SEG	A	1,386,000	1,386,000
13	(er) Enforcement aids — all-terrain				
14	vehicle enforcement	SEG	A	495,000	495,000
15	(es) Enforcement aids — snowmobiling				
16	enforcement	SEG	A	396,000	396,000
17	(ex) Enforcement aids — federal funds	SEG-F	C	-0-	-0-
18	(fq) Wildlife damage claims and				
19	abatement	SEG	C	3,300,000	3,300,000
20	(fr) Wildlife abatement and control				
21	grants	SEG	B	24,700	24,700
22	(fs) Venison processing	SEG	B	594,000	594,000
23	(ft) Venison processing; voluntary				
24	contributions	SEG	C	14,800	14,800

**ASSEMBLY BILL 40**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			8,262,800	8,262,800
	SEGREGATED REVENUE			36,886,300	37,574,000
	FEDERAL			(4,384,300)	(4,384,300)
	OTHER			(32,502,000)	(33,189,700)
	TOTAL-ALL SOURCES			45,149,100	45,836,800
1	(6) ENVIRONMENTAL AIDS				
2	(aa) Environmental aids – nonpoint				
3	source	GPR	B	709,100	709,100
4	(ac) Lake Koshkonong study	GPR	A	–0–	–0–
5	(ar) Environmental aids – lake				
6	protection	SEG	C	2,648,600	2,648,600
7	(as) Environmental aids — invasive				
8	aquatic species and lake monitoring	SEG	B	4,257,000	4,257,000
9	(au) Environmental aids — river				
10	protection; environmental fund	SEG	A	–0–	–0–
11	(av) Environmental aids – river				
12	protection; conservation fund	SEG	A	289,500	289,500
13	(aw) Environmental aids – river				
14	protection, nonprofit organization				
15	contracts	SEG	C	74,200	74,200
16	(bj) Environmental aids — waste				
17	reduction and recycling grants and				
18	gifts	PR	C	–0–	–0–
19	(bk) Environmental aids — wastewater				
20	and drinking water grant	PR-S	A	–0–	–0–

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(ca) Environmental aids – scenic urban				
2	waterways	GPR	C	–0–	–0–
3	(cm) Environmental aids – federal funds	PR-F	C	–0–	–0–
4	(cr) Environmental aids – compensation				
5	for well contamination and				
6	abandonment	SEG	C	276,000	276,000
7	(da) Environmental planning aids –				
8	local water quality planning	GPR	A	227,400	227,400
9	(dm) Environmental planning aids –				
10	federal funds	PR-F	C	150,000	150,000
11	(dq) Environmental aids — urban				
12	nonpoint source	SEG	B	1,313,200	1,313,200
13	(ef) Brownfields revolving loan				
14	repayments	PR	C	–0–	–0–
15	(eg) Groundwater mitigation and local				
16	assistance	PR	C	432,600	432,600
17	(eh) Brownfields revolving loan funds				
18	administered for other entity	PR	C	–0–	–0–
19	(em) Federal brownfields revolving loan				
20	funds	PR-F	C	1,000,000	1,000,000
21	(eq) Environmental aids – dry cleaner				
22	environmental response	SEG	B	763,600	763,600
23	(ev) Reimbursement for disposal of				
24	contaminated sediment	SEG	A	3,000,000	3,000,000



**ASSEMBLY BILL 40**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	(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			12,622,100	12,622,100
	OTHER			(12,622,100)	(12,622,100)
	TOTAL-ALL SOURCES			15,141,200	15,141,200
1	(7) DEBT SERVICE AND DEVELOPMENT				
2	(aa) Resource acquisition and				
3	development – principal repayment				
4	and interest	GPR	S	20,338,700	69,834,900
5	(ac) Principal repayment and interest –				
6	recreational boating bonds	GPR	S	-0-	-0-
7	(ag) Land acquisition – principal				
8	repayment and interest	PR	C	-0-	-0-
9	(aq) Resource acquisition and				
10	development – principal repayment				
11	and interest	SEG	S	16,600	16,600
12	(ar) Dam repair and removal – principal				
13	repayment and interest	SEG	S	481,200	515,600
14	(at) Recreation development – principal				
15	repayment and interest	SEG	S	-0-	-0-
16	(au) State forest acquisition and				
17	development – principal				
18	repayment and interest	SEG	A	13,500,000	13,500,000

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(bq) Principal repayment and interest –				
2	remedial action	SEG	S	3,865,600	4,062,600
3	(br) Principal repayment and interest –				
4	contaminated sediment	SEG	S	696,100	1,045,600
5	(cb) Principal repayment and interest –				
6	pollution abatement bonds	GPR	S	–0–	9,602,700
7	(cc) Principal repayment and				
8	interest — combined sewer				
9	overflow; pollution abatement				
10	bonds	GPR	S	1,144,100	5,054,500
11	(cd) Principal repayment and interest –				
12	municipal clean drinking water				
13	grants	GPR	S	77,500	298,100
14	(cg) Principal repayment and interest –				
15	nonpoint repayments	PR	C	–0–	–0–
16	(cq) Principal repayment and				
17	interest — nonpoint source grants	SEG	S	8,437,600	8,508,000
18	(cr) Principal repayment and				
19	interest — nonpoint source	SEG	S	832,000	1,036,200
20	(cs) Principal repayment and				
21	interest — urban nonpoint source				
22	cost-sharing	SEG	S	2,403,000	2,537,400
23	(ct) Principal and interest — pollution				
24	abatement, environmental fund	SEG	A	8,000,000	8,000,000

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(ea) Administrative facilities – principal				
2	repayment and interest	GPR	S	304,400	894,100
3	(eq) Administrative facilities – principal				
4	repayment and interest	SEG	S	4,713,200	5,148,300
5	(er) Administrative facilities —				
6	principal repayment and interest;				
7	environmental fund	SEG	S	635,700	659,300
8	(fa) Resource maintenance and				
9	development – state funds	GPR	C	755,600	755,600
10	(fk) Resource acquisition and				
11	development – service funds;				
12	transportation moneys	PR-S	C	990,000	990,000
13	(fr) Resource acquisition and				
14	development — boating access to				
15	southeastern lakes	SEG	C	99,000	99,000
16	(fs) Resource acquisition and				
17	development – state funds	SEG	C	889,100	889,100
18	(ft) Resource acquisition and				
19	development – boating access	SEG	C	198,000	198,000
20	(fu) Resource acquisition and				
21	development — nonmotorized				
22	boating improvements	SEG	C	–0–	–0–
23	(fw) Resource acquisition and				
24	development — Mississippi and St.				
25	Croix rivers management	SEG	C	61,900	61,900

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(fy) Resource acquisition and				
2	development — federal funds	SEG-F	C	9,120,000	9,120,000
3	(gg) Ice age trail – gifts and grants	PR	C	-0-	-0-
4	(gq) State trails – gifts and grants	SEG	C	-0-	-0-
5	(ha) Facilities acquisition, development				
6	and maintenance	GPR	C	144,400	144,400
7	(hq) Facilities acquisition, development				
8	and maintenance — conservation				
9	fund	SEG	C	373,000	373,000
10	(jr) Rental property and equipment –				
11	maintenance and replacement	SEG	C	180,000	180,000
12	(mc) Resource maintenance and				
13	development – state park, forest,				
14	and riverway roads	GPR	C	2,658,100	2,658,100
15	(mi) General program operations –				
16	private and public sources	PR	C	-0-	-0-
17	(mk) General program operations –				
18	service funds	PR-S	C	-0-	-0-
		(7) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			25,422,800	89,242,400
	PROGRAM REVENUE			990,000	990,000
	OTHER			(-0-)	(-0-)
	SERVICE			(990,000)	(990,000)
	SEGREGATED REVENUE			54,502,000	55,950,600
	FEDERAL			(9,120,000)	(9,120,000)
	OTHER			(45,382,000)	(46,830,600)
	TOTAL-ALL SOURCES			80,914,800	146,183,000

19 (8) ADMINISTRATION AND TECHNOLOGY

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(ir) Promotional activities and				
2	publications	SEG	C	82,200	82,200
3	(iw) Statewide recycling administration	SEG	A	407,200	407,200
4	(ma) General program operations —				
5	state funds	GPR	A	2,638,600	2,638,600
6	(mg) General program operations —				
7	stationary sources	PR	A	-0-	-0-
8	(mi) General program operations —				
9	private and public sources	PR	C	-0-	-0-
10	(mk) General program operations —				
11	service funds	PR-S	C	4,364,600	4,364,600
12	(mq) General program operations —				
13	mobile sources	SEG	A	878,100	878,100
14	(mr) General program operations —				
15	environmental improvement fund	SEG	A	343,500	343,500
16	(mt) Equipment pool operations	SEG-S	C	-0-	-0-
17	(mu) General program operations —				
18	state funds	SEG	A	15,548,600	15,548,600
19	(mv) General program operations —				
20	environmental fund	SEG	A	1,443,300	1,443,300
21	(mz) Indirect cost reimbursements	SEG-F	C	7,175,100	7,102,700
22	(ni) Geographic information systems,				
23	general program operations — other				
24	funds	PR	C	32,700	32,700

**ASSEMBLY BILL 40****SECTION 373**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(nk) Geographic information systems,				
2	general program operations —				
3	service funds	PR-S	C	1,464,100	1,464,100
4	(zq) Gifts and donations	SEG	C	-0-	-0-
	(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			25,878,000	25,805,600
	FEDERAL			(7,175,100)	(7,102,700)
	OTHER			(18,702,900)	(18,702,900)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			34,378,000	34,305,600
5	(9) CUSTOMER ASSISTANCE AND EXTERNAL RELATIONS				
6	(eg) Gifts and grants; environmental				
7	management systems	PR	C	-0-	-0-
8	(gb) Education programs – program fees	PR	B	94,400	94,400
9	(hk) Approval fees to Lac du Flambeau				
10	band-service funds	PR-S	A	84,500	84,500
11	(hs) Approval fees from Lac du				
12	Flambeau band	SEG	C	-0-	-0-
13	(ht) Approval fees to Lac du Flambeau				
14	band	SEG	S	-0-	-0-
15	(hu) Handling and other fees	SEG	C	152,500	152,500
16	(hv) Fee amounts for statewide				
17	automated issuing system	SEG	C	2,863,100	2,863,100
18	(iq) Natural resources magazine	SEG	C	979,700	979,700

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(is) Statewide recycling administration	SEG	A	210,500	210,500
2	(ma) General program operations – state				
3	funds	GPR	A	1,573,400	1,573,400
4	(mh) General programs operations —				
5	stationary sources	PR	A	185,300	185,300
6	(mi) General program operations —				
7	private and public sources	PR	C	79,700	79,700
8	(mk) General program operations —				
9	service funds	PR-S	C	1,500,000	1,500,000
10	(mm) General program operations –				
11	federal funds	PR-F	C	1,033,000	1,033,000
12	(mq) General program operations –				
13	mobile sources	SEG	A	30,400	30,400
14	(mt) Aids administration —				
15	environmental improvement				
16	programs; state funds	SEG	A	1,313,000	1,313,000
17	(mu) General program operations – state				
18	funds	SEG	A	9,531,100	9,531,100
19	(mv) General program operations —				
20	environmental fund	SEG	A	1,054,200	1,054,200
21	(mw) Aids administration – snowmobile				
22	recreation	SEG	A	191,500	191,500
23	(mx) Aids administration – clean water				
24	fund program; federal funds	SEG-F	C	1,196,700	1,196,700

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(my) General program operations –				
2	federal funds	SEG-F	C	302,600	302,600
3	(mz) Indirect cost reimbursements	SEG-F	C	963,400	963,400
4	(nq) Aids administration – dry cleaner				
5	environmental response	SEG	A	83,900	83,900
6	(ny) Aids administration – safe drinking				
7	water loan programs; federal funds	SEG-F	C	166,800	166,800
	(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			19,039,400	19,039,400
	FEDERAL			(2,629,500)	(2,629,500)
	OTHER			(16,409,900)	(16,409,900)
	TOTAL-ALL SOURCES			23,589,700	23,589,700
	20.370 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			63,494,300	129,673,300
	PROGRAM REVENUE			64,393,400	64,299,100
	FEDERAL			(27,733,800)	(27,707,500)
	OTHER			(23,778,800)	(23,778,800)
	SERVICE			(12,880,800)	(12,812,800)
	SEGREGATED REVENUE			347,779,900	347,016,600
	FEDERAL			(51,774,400)	(51,647,900)
	OTHER			(296,005,500)	(295,368,700)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			475,667,600	540,989,000
8	<b>20.373 Fox River Navigational System Authority</b>				
9	(1) INITIAL COSTS				
10	(g) Administration, operation, repair,				
11	and rehabilitation	PR	C	-0-	-0-
12	(r) Establishment and operation	SEG	C	125,400	125,400



**ASSEMBLY BILL 40**

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2011-12	2012-13
(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
<b>1</b>	<b>20.375 Lower Fox River Remediation Authority</b>				
<b>2</b>	(1) INITIAL COSTS				
<b>3</b>	(a) Initial costs	GPR	B	-0-	-0-
(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>4</b>	<b>20.380 Department of Tourism</b>				
<b>5</b>	(1) TOURISM DEVELOPMENT AND PROMOTION				
<b>6</b>	(a) General program operations	GPR	A	2,756,100	2,756,100
<b>7</b>	(b) Tourism marketing; general				
<b>8</b>	purpose revenue	GPR	A	-0-	2,344,100
<b>9</b>	(g) Gifts, grants and proceeds	PR	C	7,300	7,300
<b>10</b>	(h) Tourism promotion; sale of surplus				
<b>11</b>	property receipts	PR	C	-0-	-0-
<b>12</b>	(ig) Golf promotion	PR	C	-0-	-0-

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(ir) Payments to the WPGA Junior				
2	Foundation	PR	C	-0-	-0-
3	(j) Tourism promotion – private and				
4	public sources	PR	C	99,000	99,000
5	(k) Sale of materials or services	PR-S	C	-0-	-0-
6	(ka) Sale of materials and services–local				
7	assistance	PR-S	C	-0-	-0-
8	(kb) Sale of materials and				
9	services–individuals and				
10	organizations	PR-S	C	-0-	-0-
11	(kc) Marketing clearinghouse charges	PR-S	A	-0-	-0-
12	(kg) Tourism marketing; gaming				
13	revenue	PR-S	B	9,397,900	9,397,900
14	(km) Grants for regional tourist				
15	information centers	PR-S	A	160,000	160,000
16	(m) Federal aid, state operations	PR-F	C	-0-	-0-
17	(n) Federal aid, local assistance	PR-F	C	-0-	-0-
18	(o) Federal aid, individuals and				
19	organizations	PR-F	C	-0-	-0-
20	(q) Administrative				
21	services–conservation fund	SEG	A	12,100	12,100
22	(w) Tourism marketing; transportation				
23	fund	SEG	B	1,595,900	1,595,900
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			2,756,100	5,100,200
	PROGRAM REVENUE			9,664,200	9,664,200

**ASSEMBLY BILL 40**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	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			14,028,300	16,372,400
1	(2) KICKAPOO VALLEY RESERVE				
2	(ip) Kickapoo reserve management				
3	board; program services	PR	C	160,500	160,500
4	(ir) Kickapoo reserve management				
5	board; gifts and grants	PR	C	-0-	-0-
6	(kc) Kickapoo valley reserve; law				
7	enforcement services	PR-S	A	30,100	30,100
8	(ms) Kickapoo reserve management				
9	board; federal aid	PR-F	C	-0-	-0-
10	(q) Kickapoo reserve management				
11	board; general program operations	SEG	A	420,300	420,300
12	(r) Kickapoo valley reserve; aids in lieu				
13	of taxes	SEG	S	402,000	402,000
	(2) PROGRAM TOTALS				
	PROGRAM REVENUE			190,600	190,600
	FEDERAL			(-0-)	(-0-)
	OTHER			(160,500)	(160,500)
	SERVICE			(30,100)	(30,100)
	SEGREGATED REVENUE			822,300	822,300
	OTHER			(822,300)	(822,300)
	TOTAL-ALL SOURCES			1,012,900	1,012,900
14	(3) SUPPORT OF ART PROJECTS				
15	(a) General program operations	GPR	A	270,000	270,000
16	(b) State aid for the arts	GPR	A	359,300	359,300

**ASSEMBLY BILL 40****SECTION 373**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>	
1	(c) Portraits of governors	GPR	A	-0-	-0-	
2	(d) Challenge grant program	GPR	A	-0-	-0-	
3	(e) High Point fund	GPR	A	-0-	-0-	
4	(f) Wisconsin regranting program	GPR	A	116,700	116,700	
5	(g) Gifts and grants; state operations	PR	C	20,000	20,000	
6	(h) Gifts and grants; aids to individuals					
7	and organizations	PR	C	-0-	-0-	
8	(j) Support of arts programs	PR	C	-0-	-0-	
9	(km) State aid for the arts; Indian					
10	gaming receipts	PR-S	A	24,900	24,900	
11	(m) Federal grants; state operations	PR-F	C	231,000	231,000	
12	(o) Federal grants; aids to individuals					
13	and organizations	PR-F	C	524,500	524,500	
	<b>(3) PROGRAM TOTALS</b>					
	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	
	<b>20.380 DEPARTMENT TOTALS</b>					
	GENERAL PURPOSE REVENUE			3,502,100	5,846,200	
	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)	
	SEGREGATED REVENUE			2,430,300	2,430,300	
	OTHER			(2,430,300)	(2,430,300)	
	TOTAL-ALL SOURCES			16,587,600	18,931,700	

**ASSEMBLY BILL 40**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	<b>20.395 Department of Transportation</b>				
2	(1) AIDS				
3	(ar) Corrections of transportation aid				
4	payments	SEG	S	-0-	-0-
5	(as) Transportation aids to counties,				
6	state funds	SEG	A	101,806,400	93,975,100
7	(at) Transportation aids to				
8	municipalities, state funds	SEG	A	312,082,000	295,656,600
9	(br) Milwaukee urban area rail transit				
10	system planning study; state funds	SEG	A	-0-	-0-
11	(bs) Transportation employment and				
12	mobility, state funds	SEG	C	332,600	332,600
13	(bt) Urban rail transit system grants	SEG	C	-0-	-0-
14	(bv) Transit and other				
15	transportation-related aids, local				
16	funds	SEG-L	C	110,000	110,000
17	(bx) Transit and other				
18	transportation-related aids, federal				
19	funds	SEG-F	C	38,000,000	38,000,000
20	(ck) Tribal elderly transportation grants	PR-S	A	247,500	247,500
21	(cq) Elderly and disabled capital aids,				
22	state funds	SEG	C	912,700	912,700
23	(cr) Elderly and disabled county aids,				
24	state funds	SEG	A	13,623,400	13,623,400

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(cv) Elderly and disabled aids, local				
2	funds	SEG-L	C	605,500	605,500
3	(cx) Elderly and disabled aids, federal				
4	funds	SEG-F	C	1,500,000	1,500,000
5	(ex) Highway safety, local assistance,				
6	federal funds	SEG-F	C	1,700,000	1,700,000
7	(fq) Connecting highways aids, state				
8	funds	SEG	A	12,063,500	12,063,500
9	(fs) Flood damage aids, state funds	SEG	S	600,000	600,000
10	(ft) Lift bridge aids, state funds	SEG	B	2,659,200	2,659,200
11	(fu) County forest road aids, state funds	SEG	A	284,700	284,700
12	(gq) Expressway policing aids, state				
13	funds	SEG	A	1,023,900	1,023,900
14	(gt) Soo Locks improvements, state				
15	funds	SEG	A	-0-	-0-
16	(ha) Tier B transit operating aids, state				
17	funds	GPR	A	-0-	23,267,200
18	(hb) Tier C transit operating aids, state				
19	funds	GPR	A	-0-	5,267,000
20	(hc) Tier A-1 transit operating aids,				
21	state funds	GPR	A	-0-	61,724,900
22	(hd) Tier A-2 transit operating aids,				
23	state funds	GPR	A	-0-	16,219,200

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(he) Tier A-3 transit operating aids,				
2	state funds	GPR	A	-0-	-0-
3	(hr) Tier B transit operating aids, state				
4	funds	SEG	A	25,206,200	-0-
5	(hs) Tier C transit operating aids, state				
6	funds	SEG	A	5,705,900	-0-
7	(ht) Tier A-1 transit operating aids,				
8	state funds	SEG	A	66,868,600	-0-
9	(hu) Tier A-2 transit operating aids,				
10	state funds	SEG	A	17,570,800	-0-
11	(hw) Tier A-3 transit operating aids,				
12	state funds	SEG	A	-0-	-0-
13	(ig) Professional football stadium				
14	maintenance and operating costs,				
15	state funds	PR	C	-0-	-0-
16	(ih) Child abuse and neglect prevention,				
17	state funds	PR	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	106,478,300
	PROGRAM REVENUE			247,500	247,500
	OTHER			(-0-)	(-0-)
	SERVICE			(247,500)	(247,500)
	SEGREGATED REVENUE			602,655,400	463,047,200
	FEDERAL			(41,200,000)	(41,200,000)
	OTHER			(560,739,900)	(421,131,700)
	LOCAL			(715,500)	(715,500)
	TOTAL-ALL SOURCES			602,902,900	569,773,000
18	(2) LOCAL TRANSPORTATION ASSISTANCE				

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(aq) Accelerated local bridge				
2	improvement assistance, state				
3	funds	SEG	C	-0-	-0-
4	(av) Accelerated local bridge				
5	improvement assistance, local				
6	funds	SEG-L	C	-0-	-0-
7	(ax) Accelerated local bridge				
8	improvement assistance, federal				
9	funds	SEG-F	C	-0-	-0-
10	(bq) Rail service assistance, state funds	SEG	C	596,200	646,200
11	(bu) Freight rail infrastructure				
12	improvements, state funds	SEG	C	-0-	-0-
13	(bv) Rail service assistance, local funds	SEG-L	C	500,000	500,000
14	(bw) Freight rail assistance loan				
15	repayments, local funds	SEG-L	C	4,000,000	4,000,000
16	(bx) Rail service assistance, federal				
17	funds	SEG-F	C	50,000	50,000
18	(cq) Harbor assistance, state funds	SEG	C	571,200	571,200
19	(cr) Rail passenger service, state funds	SEG	C	2,600,000	4,137,500
20	(cs) Harbor assistance, federal funds	SEG-F	C	-0-	-0-
21	(ct) Passenger railroad station				
22	improvement and commuter rail				
23	transit system grants, state funds	SEG	B	-0-	-0-



**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(cu) Passenger railroad station				
2	improvement and commuter rail				
3	transit system grants, local funds	SEG-L	C	-0-	-0-
4	(cv) Rail passenger service, local funds	SEG-L	C	-0-	-0-
5	(cw) Harbor assistance, local funds	SEG-L	C	-0-	-0-
6	(cx) Rail passenger service, federal				
7	funds	SEG-F	C	6,300,000	7,550,000
8	(dq) Aeronautics assistance, state funds	SEG	C	13,145,100	13,145,100
9	(ds) Aviation career education, state				
10	funds	SEG	A	157,300	157,300
11	(dv) Aeronautics assistance, local funds	SEG-L	C	42,000,000	42,000,000
12	(dx) Aeronautics assistance, federal				
13	funds	SEG-F	C	73,939,900	73,939,900
14	(eq) Highway and local bridge				
15	improvement assistance, state				
16	funds	SEG	C	8,459,000	8,459,000
17	(ev) Local bridge improvement and				
18	traffic marking enhancement				
19	assistance, local and transferred				
20	funds	SEG-L	C	8,780,400	8,780,400
21	(ex) Local bridge improvement				
22	assistance, federal funds	SEG-F	C	24,409,600	24,409,600
23	(fb) Local roads for job preservation,				
24	state funds	GPR	C	-0-	-0-

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(fr) Local roads improvement program,				
2	state funds	SEG	C	16,197,000	16,197,000
3	(ft) Local roads improvement program;				
4	discretionary grants, state funds	SEG	C	6,836,000	6,836,000
5	(fv) Local transportation facility				
6	improvement assistance, local				
7	funds	SEG-L	C	38,895,500	38,895,500
8	(fx) Local transportation facility				
9	improvement assistance, federal				
10	funds	SEG-F	C	72,238,000	72,238,000
11	(fz) Local roads for job preservation,				
12	federal funds	SEG-F	C	-0-	-0-
13	(gj) Railroad crossing protection				
14	installation and maintenance, state				
15	funds	SEG	C	-0-	-0-
16	(gq) Railroad crossing improvement and				
17	protection maintenance, state funds	SEG	A	2,112,000	2,112,000
18	(gr) Railroad crossing improvement and				
19	protection installation, state funds	SEG	C	1,595,700	1,595,700
20	(gs) Railroad crossing repair assistance,				
21	state funds	SEG	C	234,700	234,700
22	(gv) Railroad crossing improvement,				
23	local funds	SEG-L	C	-0-	-0-
24	(gx) Railroad crossing improvement,				
25	federal funds	SEG-F	C	3,291,800	3,291,800

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(hq) Multimodal transportation studies,				
2	state funds	SEG	C	-0-	-0-
3	(hx) Multimodal transportation studies,				
4	federal funds	SEG-F	C	-0-	-0-
5	(iq) Transportation facilities economic				
6	assistance and development, state				
7	funds	SEG	C	3,402,600	3,402,600
8	(iv) Transportation facilities economic				
9	assistance and development, local				
10	funds	SEG-L	C	3,588,700	3,588,700
11	(iw) Transportation facility				
12	improvement loans, local funds	SEG-L	C	-0-	-0-
13	(ix) Transportation facilities economic				
14	assistance and development,				
15	federal funds	SEG-F	C	-0-	-0-
16	(kv) Congestion mitigation and air				
17	quality improvement, local funds	SEG-L	C	3,124,700	3,124,700
18	(kx) Congestion mitigation and air				
19	quality improvement, federal funds	SEG-F	C	11,619,000	11,619,000
20	(mq) Astronautics assistance, state funds	SEG	C	-0-	-0-
21	(mv) Astronautics assistance, local funds	SEG-L	C	-0-	-0-
22	(mx) Astronautics assistance, federal				
23	funds	SEG-F	C	-0-	-0-
24	(nv) Transportation enhancement				
25	activities, local funds	SEG-L	C	1,682,600	1,682,600

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(nx) Transportation enhancement				
2	activities, federal funds	SEG-F	C	6,251,600	6,251,600
3	(ny) Milwaukee lakeshore walkway,				
4	federal funds	SEG-F	B	-0-	-0-
5	(oq) Bicycle and pedestrian facilities,				
6	state funds	SEG	C	-0-	-0-
7	(ov) Bicycle and pedestrian facilities,				
8	local funds	SEG-L	C	680,000	680,000
9	(ox) Bicycle and pedestrian facilities,				
10	federal funds	SEG-F	C	2,720,000	2,720,000
11	(ph) Transportation infrastructure				
12	loans, gifts and grants	SEG	C	-0-	-0-
13	(pq) Transportation infrastructure				
14	loans, state funds	SEG	C	4,600	4,600
15	(pu) Transportation infrastructure				
16	loans, service funds	SEG-S	C	-0-	-0-
17	(pv) Transportation infrastructure				
18	loans, local funds	SEG-L	C	-0-	-0-
19	(px) Transportation infrastructure				
20	loans, federal funds	SEG-F	C	-0-	-0-
21	(qv) Safe routes to school, local funds	SEG-L	C	323,000	323,000
22	(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			363,536,300	366,373,800
	FEDERAL			(204,050,000)	(205,300,000)
	OTHER			(55,911,400)	(57,498,900)

**ASSEMBLY BILL 40**

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2011-12	2012-13
	SERVICE			(-0-)	(-0-)
	LOCAL			(103,574,900)	(103,574,900)
	TOTAL-ALL SOURCES			363,536,300	366,373,800
1	(3) STATE HIGHWAY FACILITIES				
2	(aq) Southeast Wisconsin freeway				
3	megaprojects, state funds	SEG	C	32,946,900	45,747,000
4	(av) Southeast Wisconsin freeway				
5	megaprojects, local funds	SEG-L	C	-0-	-0-
6	(ax) Southeast Wisconsin freeway				
7	megaprojects, federal funds	SEG-F	C	95,053,100	95,053,100
8	(bq) Major highway development, state				
9	funds	SEG	C	112,039,100	110,577,700
10	(br) Major highway development,				
11	service funds	SEG-S	C	154,721,600	159,721,600
12	(bv) Major highway development, local				
13	funds	SEG-L	C	-0-	-0-
14	(bx) Major highway development,				
15	federal funds	SEG-F	C	78,263,500	78,263,500
16	(ck) West Canal Street reconstruction				
17	and extension, service funds	PR-S	C	-0-	-0-
18	(cq) State highway rehabilitation, state				
19	funds	SEG	C	270,150,900	394,822,800
20	(cr) Southeast Wisconsin freeway				
21	rehabilitation, state funds	SEG	C	-0-	-0-

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(ct) Owner controlled insurance				
2	program, service funds	SEG-S	C	-0-	-0-
3	(cv) State highway rehabilitation, local				
4	funds	SEG-L	C	2,000,000	2,000,000
5	(cw) Southeast Wisconsin freeway				
6	rehabilitation, local funds	SEG-L	C	-0-	-0-
7	(cx) State highway rehabilitation,				
8	federal funds	SEG-F	C	394,320,800	399,170,900
9	(cy) Southeast Wisconsin freeway				
10	rehabilitation, federal funds	SEG-F	C	-0-	-0-
11	(dq) Major interstate bridge				
12	construction, state funds	SEG	C	-0-	-0-
13	(dv) Major interstate bridge				
14	construction, local funds	SEG-L	C	-0-	-0-
15	(dx) Major interstate bridge				
16	construction, federal funds	SEG-F	C	-0-	-0-
17	(eq) Highway maintenance, repair, and				
18	traffic operations, state funds	SEG	C	198,446,700	202,347,900
19	(er) State-owned lift bridge operations				
20	and maintenance, state funds	SEG	A	2,210,100	2,210,100
21	(ev) Highway maintenance, repair, and				
22	traffic operations, local funds	SEG-L	C	1,900,000	1,900,000
23	(ex) Highway maintenance, repair, and				
24	traffic operations, federal funds	SEG-F	C	1,102,900	1,102,900

**ASSEMBLY BILL 40**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(iq) Administration and planning, state				
2	funds	SEG	A	13,866,600	14,672,300
3	(ir) Disadvantaged business				
4	mobilization assistance, state funds	SEG	C	-0-	-0-
5	(iv) Administration and planning, local				
6	funds	SEG-L	C	-0-	-0-
7	(ix) Administration and planning,				
8	federal funds	SEG-F	C	3,785,400	3,785,400
9	(jh) Utility facilities within highway				
10	rights-of-way, state funds	PR	C	-0-	-0-
11	(jj) Damage claims	PR	C	2,553,400	2,553,400
12	(js) Telecommunications services,				
13	service funds	SEG-S	C	-0-	-0-
		(3) PROGRAM TOTALS			
	PROGRAM REVENUE			2,553,400	2,553,400
	OTHER			(2,553,400)	(2,553,400)
	SERVICE			(-0-)	(-0-)
	SEGREGATED REVENUE			1,360,807,600	1,511,375,200
	FEDERAL			(572,525,700)	(577,375,800)
	OTHER			(629,660,300)	(770,377,800)
	SERVICE			(154,721,600)	(159,721,600)
	LOCAL			(3,900,000)	(3,900,000)
	TOTAL-ALL SOURCES			1,363,361,000	1,513,928,600
14	(4) GENERAL TRANSPORTATION OPERATIONS				
15	(aq) Departmental management and				
16	operations, state funds	SEG	A	58,159,200	60,564,600
17	(ar) Minor construction projects, state				
18	funds	SEG	C	-0-	-0-

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(at) Capital building projects, service				
2	funds	SEG-S	C	5,940,000	5,940,000
3	(av) Departmental management and				
4	operations, local funds	SEG-L	C	369,000	369,000
5	(ax) Departmental management and				
6	operations, federal funds	SEG-F	C	14,198,800	14,153,700
7	(ch) Gifts and grants	SEG	C	-0-	-0-
8	(dq) Demand management	SEG	A	351,600	351,600
9	(eq) Data processing services, service				
10	funds	SEG-S	C	15,007,100	15,007,100
11	(er) Fleet operations, service funds	SEG-S	C	12,027,900	12,027,900
12	(es) Other department services,				
13	operations, service funds	SEG-S	C	5,201,500	5,201,500
14	(et) Equipment acquisition	SEG	A	-0-	-0-
15	(ew) Operating budget supplements,				
16	state funds	SEG	C	-0-	-0-
		(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
17	(5) MOTOR VEHICLE SERVICES AND ENFORCEMENT				
18	(cg) Convenience fees, state funds	PR	C	-0-	-0-
19	(ch) Repaired salvage vehicle				
20	examinations, state funds	PR	C	-0-	-0-



**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(ci) Breath screening instruments,				
2	state funds	PR-S	C	299,200	299,200
3	(cj) Vehicle registration, special group				
4	plates, state funds	PR	C	-0-	-0-
5	(cL) Football plate licensing fees, state				
6	funds	PR	C	-0-	-0-
7	(cq) Vehicle registration, inspection and				
8	maintenance, driver licensing and				
9	aircraft registration, state funds	SEG	A	67,392,900	69,354,500
10	(cx) Vehicle registration and driver				
11	licensing, federal funds	SEG-F	C	393,800	339,700
12	(dg) Escort, security and traffic				
13	enforcement services, state funds	PR	C	155,200	155,200
14	(dh) Traffic academy tuition payments,				
15	state funds	PR	C	474,800	474,800
16	(di) Chemical testing training and				
17	services, state funds	PR-S	A	1,425,000	1,425,000
18	(dk) Public safety radio management,				
19	service funds	PR-S	C	181,400	181,400
20	(dL) Public safety radio management,				
21	state funds	PR	C	22,000	22,000
22	(dq) Vehicle inspection, traffic				
23	enforcement and radio				
24	management, state funds	SEG	A	58,655,400	60,491,300

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(dr) Transportation safety, state funds	SEG	A	1,533,000	1,533,000
2	(dx) Vehicle inspection and traffic				
3	enforcement, federal funds	SEG-F	C	8,667,500	8,667,500
4	(dy) Transportation safety, federal funds	SEG-F	C	3,845,100	3,845,100
5	(ef) Payments to the University of				
6	Wisconsin-Madison	PR	C	-0-	-0-
7	(eg) Payments to the Wisconsin Lions				
8	Foundation	PR	C	-0-	-0-
9	(eh) Motorcycle safety program				
10	supplement, state funds	PR	C	-0-	-0-
11	(ej) Baseball plate licensing fees, state				
12	funds	PR	C	-0-	-0-
13	(ek) Safe-ride grant program; state				
14	funds	PR-S	C	-0-	-0-
15	(hq) Motor vehicle emission inspection				
16	and maintenance program;				
17	contractor costs and equipment				
18	grants; state funds	SEG	A	3,193,300	3,193,300
19	(hx) Motor vehicle emission inspection				
20	and maintenance programs, federal				
21	funds	SEG-F	C	-0-	-0-
22	(iv) Municipal and county registration				
23	fee, local funds	SEG-L	C	-0-	-0-

**ASSEMBLY BILL 40**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(jr) Pretrial intoxicated driver				
2	intervention grants, state funds	SEG	A	731,600	731,600
	(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			144,412,600	148,156,000
	FEDERAL			(12,906,400)	(12,852,300)
	OTHER			(131,506,200)	(135,303,700)
	LOCAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			146,970,200	150,713,600
3	(6) DEBT SERVICES				
4	(af) Principal repayment and interest,				
5	local roads for job preservation				
6	program and major highway and				
7	rehabilitation projects, state funds	GPR	S	43,066,300	162,296,000
8	(aq) Principal repayment and interest,				
9	transportation facilities, state				
10	highway rehabilitation, major				
11	highway projects, state funds	SEG	S	21,705,300	27,783,900
12	(ar) Principal repayment and interest,				
13	buildings, state funds	SEG	S	14,600	14,900
14	(au) Principal repayment and interest,				
15	Marquette interchange, zoo				
16	interchange, southeast				
17	megaprojects, and I 94 north-south				
18	corridor reconstruction projects,				
19	state funds	SEG	S	41,826,400	49,284,700
	(6) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			43,066,300	162,296,000

**ASSEMBLY BILL 40****SECTION 373**

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2011-12	2012-13
	SEGREGATED REVENUE			63,546,300	77,083,500
	OTHER			(63,546,300)	(77,083,500)
	TOTAL-ALL SOURCES			106,612,600	239,379,500
1	(9) GENERAL PROVISIONS				
2	(qd) Freeway land disposal				
3	reimbursement clearing account	SEG	C	-0-	-0-
4	(qh) Highways, bridges and local				
5	transportation assistance clearing				
6	account	SEG	C	-0-	-0-
7	(qj) Highways, bridges and local				
8	transportation assistance clearing				
9	account, federally funded positions	SEG-F	C	-0-	-0-
10	(qn) Motor vehicle financial				
11	responsibility	SEG	C	-0-	-0-
12	(th) Temporary funding of projects				
13	financed by revenue bonds	SEG	S	-0-	-0-
	(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	268,774,300
	PROGRAM REVENUE			5,358,500	5,358,500
	OTHER			(3,205,400)	(3,205,400)
	SERVICE			(2,153,100)	(2,153,100)
	SEGREGATED REVENUE			2,646,213,300	2,679,651,100
	FEDERAL			(844,880,900)	(850,881,800)
	OTHER			(1,499,874,900)	(1,522,311,800)
	SERVICE			(192,898,100)	(197,898,100)
	LOCAL			(108,559,400)	(108,559,400)
	TOTAL-ALL SOURCES			2,694,638,100	2,953,783,900

Environmental Resources

**ASSEMBLY BILL 40****SECTION 373**

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUE			125,936,800	443,579,800
PROGRAM REVENUE			80,407,100	80,312,800
FEDERAL			(28,489,300)	(28,463,000)
OTHER			(27,271,000)	(27,271,000)
SERVICE			(24,646,800)	(24,578,800)
SEGREGATED REVENUE			3,004,751,500	3,037,426,000
FEDERAL			(896,655,300)	(902,529,700)
OTHER			(1,806,638,700)	(1,828,438,800)
SERVICE			(192,898,100)	(197,898,100)
LOCAL			(108,559,400)	(108,559,400)
TOTAL-ALL SOURCES			3,211,095,400	3,561,318,600
<b>1     20.410 Department of Corrections</b>				
<b>2     (1)   ADULT CORRECTIONAL SERVICES</b>				
<b>3       (a)   General program operations</b>	<b>GPR</b>	<b>B</b>	<b>698,033,900</b>	<b>693,524,000</b>
<b>4       (aa)  Institutional repair and</b>				
<b>5           maintenance</b>	<b>GPR</b>	<b>A</b>	<b>4,194,800</b>	<b>4,194,800</b>
<b>6       (ab)  Corrections contracts and</b>				
<b>7           agreements</b>	<b>GPR</b>	<b>A</b>	<b>16,882,100</b>	<b>16,892,400</b>
<b>8       (b)   Services for community corrections</b>	<b>GPR</b>	<b>A</b>	<b>145,028,500</b>	<b>145,227,000</b>
<b>9       (bd)  Services for drunken driving</b>				
<b>10       offenders</b>	<b>GPR</b>	<b>A</b>	<b>8,932,100</b>	<b>9,162,400</b>
<b>11       (bm)  Pharmacological treatment for</b>				
<b>12           certain child sex offenders</b>	<b>GPR</b>	<b>A</b>	<b>108,900</b>	<b>108,900</b>
<b>13       (bn)  Reimbursing counties for probation,</b>				
<b>14           extended supervision and parole</b>				
<b>15           holds</b>	<b>GPR</b>	<b>A</b>	<b>4,885,700</b>	<b>4,885,700</b>
<b>16       (c)   Reimbursement claims of counties</b>				
<b>17           containing state prisons</b>	<b>GPR</b>	<b>S</b>	<b>70,000</b>	<b>70,000</b>

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(cw) Mother–young child care program	GPR	A	198,000	198,000
2	(d) Purchased services for offenders	GPR	A	30,851,600	30,851,600
3	(ds) Becky Young community				
4	corrections; recidivism reduction				
5	community services	GPR	A	10,603,500	10,604,400
6	(e) Principal repayment and interest	GPR	S	25,815,000	88,418,900
7	(ec) Prison industries principal, interest				
8	and rebates	GPR	S	–0–	–0–
9	(ed) Correctional facilities rental	GPR	A	–0–	–0–
10	(ef) Lease rental payments	GPR	S	–0–	–0–
11	(f) Energy costs; energy–related				
12	assessments	GPR	A	31,958,200	33,401,800
13	(g) Loan fund for persons on probation,				
14	extended supervision or parole	PR	A	–0–	–0–
15	(gb) Drug testing	PR	C	–0–	–0–
16	(gc) Sex offender honesty testing	PR	C	340,800	340,800
17	(gd) Sex offender management	PR	A	1,053,800	1,053,800
18	(ge) Administrative and minimum				
19	supervision	PR	A	–0–	–0–
20	(gf) Probation, parole and extended				
21	supervision	PR	A	11,757,400	11,757,400
22	(gg) Supervision of defendants and				
23	offenders	PR	A	–0–	–0–

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(gh) Supervision of persons on lifetime				
2	supervision	PR	A	-0-	-0-
3	(gi) General operations	PR	A	3,814,600	3,814,600
4	(gj) General operations; child				
5	pornography surcharge	PR	C	5,000	5,000
6	(gk) Global positioning system tracking				
7	devices	PR	C	65,400	65,400
8	(gm) Sale of fuel and water service	PR	A	-0-	-0-
9	(gr) Home detention services	PR	A	424,300	424,700
10	(gt) Telephone company commissions	PR	A	1,105,100	1,105,100
11	(h) Administration of restitution	PR	A	701,900	702,800
12	(hm) Private business employment of				
13	inmates and residents	PR	A	-0-	-0-
14	(i) Gifts and grants	PR	C	33,400	33,400
15	(jz) Operations and maintenance	PR	C	450,000	461,300
16	(kc) Correctional institution enterprises;				
17	inmate activities and employment	PR-S	C	2,829,800	2,829,800
18	(kd) Victim notification	PR-S	A	511,900	692,600
19	(kf) Correctional farms	PR-S	A	5,793,700	5,794,300
20	(kh) Victim services and programs	PR-S	A	245,200	245,200
21	(kk) Institutional operations and				
22	charges	PR-S	A	14,754,000	14,754,100
23	(km) Prison industries	PR-S	A	15,301,500	15,440,800

**ASSEMBLY BILL 40****SECTION 373**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(ko) Prison industries principal				
2	repayment, interest and rebates	PR-S	S	91,300	96,100
3	(kp) Correctional officer training	PR-S	A	2,043,500	2,050,800
4	(kx) Interagency and intra-agency				
5	programs	PR-S	C	3,451,000	2,991,800
6	(ky) Interagency and intra-agency aids	PR-S	C	1,427,700	1,427,700
7	(kz) Interagency and intra-agency local				
8	assistance	PR-S	C	-0-	-0-
9	(m) Federal project operations	PR-F	C	2,473,600	2,473,600
10	(n) Federal program operations	PR-F	C	86,800	86,800
11	(qm) Computer recycling	SEG	A	257,500	257,500
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			977,562,300	1,037,539,900
	PROGRAM REVENUE			68,761,700	68,647,900
	FEDERAL			(2,560,400)	(2,560,400)
	OTHER			(19,751,700)	(19,764,300)
	SERVICE			(46,449,600)	(46,323,200)
	SEGREGATED REVENUE			257,500	257,500
	OTHER			(257,500)	(257,500)
	TOTAL-ALL SOURCES			1,046,581,500	1,106,445,300
12	(2) PAROLE COMMISSION				
13	(a) General program operations	GPR	A	1,096,400	1,096,400
14	(kx) Interagency and intra-agency				
15	programs	PR-S	C	-0-	-0-
	(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



**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(3) JUVENILE CORRECTIONAL SERVICES				
2	(a) General program operations	GPR	A	2,825,000	2,735,200
3	(ba) Mendota juvenile treatment center	GPR	A	1,365,500	1,365,500
4	(c) Reimbursement claims of counties				
5	containing juvenile correctional				
6	facilities	GPR	A	198,000	198,000
7	(cd) Community youth and family aids	GPR	A	88,506,900	88,506,900
8	(cg) Serious juvenile offenders	GPR	B	15,192,200	14,284,700
9	(dm) Interstate compact for juveniles				
10	assessments	GPR	A	-0-	-0-
11	(e) Principal repayment and interest	GPR	S	1,722,100	6,205,400
12	(f) Community intervention program	GPR	A	3,712,500	3,712,500
13	(g) Legal service collections	PR	C	-0-	-0-
14	(gg) Collection remittances to local units				
15	of government	PR	C	-0-	-0-
16	(hm) Juvenile correctional services	PR	A	32,830,800	33,148,000
17	(ho) Juvenile residential aftercare	PR	A	5,449,500	5,697,400
18	(hr) Juvenile corrective sanctions				
19	program	PR	A	4,652,200	4,670,000
20	(i) Gifts and grants	PR	C	7,700	7,700
21	(j) State-owned housing maintenance	PR	A	34,600	34,600
22	(jr) Institutional operations and				
23	charges	PR	A	215,900	215,900

**ASSEMBLY BILL 40****SECTION 373**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(jv) Secure detention services	PR	C	200,000	200,000
2	(ko) Interagency programs; community				
3	youth and family aids	PR-S	C	2,449,200	2,449,200
4	(kp) Indian juvenile placements	PR-S	A	75,000	75,000
5	(kx) Interagency and intra-agency				
6	programs	PR-S	C	1,697,900	1,697,900
7	(ky) Interagency and intra-agency aids	PR-S	C	-0-	-0-
8	(kz) Interagency and intra-agency local				
9	assistance	PR-S	C	-0-	-0-
10	(m) Federal project operations	PR-F	C	55,300	-0-
11	(n) Federal program operations	PR-F	C	30,000	30,000
12	(q) Girls school benevolent trust fund	SEG	C	-0-	-0-

**(3) PROGRAM TOTALS**

GENERAL PURPOSE REVENUE	113,522,200	117,008,200
PROGRAM REVENUE	47,698,100	48,225,700
FEDERAL	(85,300)	(30,000)
OTHER	(43,390,700)	(43,973,600)
SERVICE	(4,222,100)	(4,222,100)
SEGREGATED REVENUE	-0-	-0-
OTHER	(-0-)	(-0-)
TOTAL-ALL SOURCES	161,220,300	165,233,900

**20.410 DEPARTMENT TOTALS**

GENERAL PURPOSE REVENUE	1,092,180,900	1,155,644,500
PROGRAM REVENUE	116,459,800	116,873,600
FEDERAL	(2,645,700)	(2,590,400)
OTHER	(63,142,400)	(63,737,900)
SERVICE	(50,671,700)	(50,545,300)
SEGREGATED REVENUE	257,500	257,500
OTHER	(257,500)	(257,500)
TOTAL-ALL SOURCES	1,208,898,200	1,272,775,600

**ASSEMBLY BILL 40**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	<b>20.425 Employment Relations Commission</b>				
2	(1) LABOR RELATIONS				
3	(a) General program operations	GPR	A	2,574,800	2,574,800
4	(i) Fees, collective bargaining training,				
5	publications, and appeals	PR	A	623,200	623,200
	(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
	OTHER			(623,200)	(623,200)
	TOTAL-ALL SOURCES			3,198,000	3,198,000
6	<b>20.432 Board on Aging and Long-Term Care</b>				
7	(1) IDENTIFICATION OF THE NEEDS OF THE AGED AND DISABLED				
8	(a) General program operations	GPR	A	1,077,200	1,077,200
9	(i) Gifts and grants	PR	C	-0-	-0-
10	(k) Contracts with other state agencies	PR-S	C	994,000	994,000
11	(kb) Insurance and other information,				
12	counseling and assistance	PR-S	A	473,600	473,600
13	(m) Federal aid	PR-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			1,077,200	1,077,200
	PROGRAM REVENUE			1,467,600	1,467,600
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(1,467,600)	(1,467,600)
	TOTAL-ALL SOURCES			2,544,800	2,544,800

**ASSEMBLY BILL 40****SECTION 373**

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13	
20.432 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUE			1,077,200	1,077,200	
PROGRAM REVENUE			1,467,600	1,467,600	
FEDERAL			(-0-)	(-0-)	
OTHER			(-0-)	(-0-)	
SERVICE			(1,467,600)	(1,467,600)	
TOTAL-ALL SOURCES			2,544,800	2,544,800	
<b>1</b>	<b>20.433 Child Abuse and Neglect Prevention Board</b>				
<b>2</b>	<b>(1) PREVENTION OF CHILD ABUSE AND NEGLECT</b>				
<b>3</b>	(b) Grants to organizations	GPR	A	999,600	999,600
<b>4</b>	(g) General program operations	PR	A	367,700	367,700
<b>5</b>	(h) Grants to organizations	PR	C	965,200	965,200
<b>6</b>	(i) Gifts and grants	PR	C	-0-	-0-
<b>7</b>	(k) Interagency programs	PR-S	C	-0-	-0-
<b>8</b>	(m) Federal project operations	PR-F	C	165,100	165,100
<b>9</b>	(ma) Federal project aids	PR-F	C	450,000	450,000
<b>10</b>	(q) Children's trust fund; gifts and				
<b>11</b>	grants	SEG	C	23,100	23,100
(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUE			999,600	999,600	
PROGRAM REVENUE			1,948,000	1,948,000	
FEDERAL			(615,100)	(615,100)	
OTHER			(1,332,900)	(1,332,900)	
SERVICE			(-0-)	(-0-)	
SEGREGATED REVENUE			23,100	23,100	
OTHER			(23,100)	(23,100)	
TOTAL-ALL SOURCES			2,970,700	2,970,700	
20.433 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUE			999,600	999,600	
PROGRAM REVENUE			1,948,000	1,948,000	
FEDERAL			(615,100)	(615,100)	
OTHER			(1,332,900)	(1,332,900)	
SERVICE			(-0-)	(-0-)	
SEGREGATED REVENUE			23,100	23,100	

**ASSEMBLY BILL 40**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	OTHER			(23,100)	(23,100)
	TOTAL-ALL SOURCES			2,970,700	2,970,700
<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	4,146,500	4,146,500
<b>4</b>	(am) Services, reimbursement, and				
<b>5</b>	payment related to human				
<b>6</b>	immunodeficiency virus	GPR	A	5,747,900	5,747,900
<b>7</b>	(b) General aids and local assistance	GPR	A	515,900	515,900
<b>8</b>	(c) Public health emergency				
<b>9</b>	quarantine costs	GPR	S	-0-	-0-
<b>10</b>	(cb) Well-woman program	GPR	A	2,005,400	2,005,400
<b>11</b>	(cc) Cancer control and prevention	GPR	A	333,900	333,900
<b>12</b>	(ce) Primary health for homeless				
<b>13</b>	individuals	GPR	C	-0-	-0-
<b>14</b>	(ch) Emergency medical services; aids	GPR	A	1,960,200	1,960,200
<b>15</b>	(cm) Immunization	GPR	S	-0-	-0-
<b>16</b>	(de) Dental services	GPR	A	2,704,300	2,704,300
<b>17</b>	(dg) Clinic aids	GPR	B	66,800	66,800
<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				
<b>22</b>	drugs	GPR	B	661,000	661,000

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(ed) Radon aids	GPR	A	26,700	26,700
2	(ef) Lead-poisoning or lead-exposure				
3	services	GPR	A	894,700	894,700
4	(eg) Pregnancy counseling	GPR	A	69,100	69,100
5	(em) Supplemental food program for				
6	women, infants and children				
7	benefits	GPR	C	161,400	161,400
8	(eu) Reducing fetal and infant mortality				
9	and morbidity	GPR	B	222,700	222,700
10	(ev) Pregnancy outreach and infant				
11	health	GPR	A	188,200	188,200
12	(fh) Community health services	GPR	A	5,490,000	5,490,000
13	(fm) Tobacco use control	GPR	C	6,165,000	6,165,000
14	(g) Payments to Donate Life Wisconsin	PR	C	-0-	-0-
15	(gi) Payments to the Wisconsin				
16	Women's Health Foundation	PR	C	-0-	-0-
17	(gm) Licensing, review and certifying				
18	activities; fees; supplies and				
19	services	PR	A	15,733,200	15,733,200
20	(gp) Cancer information	PR	C	18,000	18,000
21	(gr) Supplemental food program for				
22	women, infants and children				
23	administration	PR	C	84,000	84,000

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(hg) General program operations; health				
2	care information	PR	A	1,239,600	1,207,200
3	(hi) Compilations and special reports;				
4	health care information	PR	C	-0-	-0-
5	(i) Gifts and grants	PR	C	14,999,700	14,999,700
6	(ja) Congenital disorders; diagnosis,				
7	special dietary treatment and				
8	counseling	PR	A	2,872,600	2,986,300
9	(jb) Congenital disorders; operations	PR	A	78,000	78,000
10	(jd) Fees for administrative services	PR	C	112,500	112,500
11	(kb) Minority health	PR-S	A	133,600	133,600
12	(ke) American Indian health projects	PR-S	A	106,900	106,900
13	(kf) American Indian diabetes				
14	prevention and control	PR-S	A	22,500	22,500
15	(kx) Interagency and intra-agency				
16	programs	PR-S	C	3,159,400	3,159,400
17	(ky) Interagency and intra-agency aids	PR-S	C	914,700	914,700
18	(kz) Interagency and intra-agency local				
19	assistance	PR-S	C	-0-	-0-
20	(m) Federal project operations	PR-F	C	24,226,800	24,608,200
21	(ma) Federal project aids	PR-F	C	60,381,100	60,381,100
22	(mc) Federal block grant operations	PR-F	C	4,944,800	5,144,100
23	(md) Federal block grant aids	PR-F	C	6,961,000	6,943,000

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(n) Federal program operations	PR-F	C	5,857,800	5,857,800
2	(na) Federal program aids	PR-F	C	93,000,000	93,000,000
3	(q) Groundwater and air quality				
4	standards	SEG	A	315,900	315,900
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			32,925,700	32,925,700
	PROGRAM REVENUE			234,846,200	235,490,200
	FEDERAL			(195,371,500)	(195,934,200)
	OTHER			(35,137,600)	(35,218,900)
	SERVICE			(4,337,100)	(4,337,100)
	SEGREGATED REVENUE			315,900	315,900
	OTHER			(315,900)	(315,900)
	TOTAL-ALL SOURCES			268,087,800	268,731,800
5	(2) MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES SERVICES; FACILITIES				
6	(a) General program operations	GPR	A	74,102,000	74,326,900
7	(aa) Institutional repair and				
8	maintenance	GPR	A	715,200	715,200
9	(bj) Competency examinations and				
10	treatment, and conditional release,				
11	supervised release, and community				
12	supervision services	GPR	B	9,125,000	9,661,200
13	(bm) Secure mental health units or				
14	facilities	GPR	A	95,635,800	96,209,700
15	(ee) Principal repayment and interest	GPR	S	6,904,100	21,446,300
16	(ef) Lease rental payments	GPR	S	-0-	-0-
17	(f) Energy costs; energy-related				
18	assessments	GPR	A	5,904,200	6,136,400



**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(g) Alternative services of institutes				
2	and centers	PR	C	11,595,600	11,598,800
3	(gk) Institutional operations and				
4	charges	PR	A	155,790,600	157,197,300
5	(gL) Extended intensive treatment				
6	surcharge	PR	C	500,000	500,000
7	(gs) Sex offender honesty testing	PR	C	-0-	-0-
8	(i) Gifts and grants	PR	C	188,600	188,600
9	(km) Indian mental health placement	PR-S	A	-0-	-0-
10	(kx) Interagency and intra-agency				
11	programs	PR-S	C	7,225,900	7,299,200
12	(ky) Interagency and intra-agency aids	PR-S	C	-0-	-0-
13	(kz) Interagency and intra-agency local				
14	assistance	PR-S	C	-0-	-0-
15	(m) Federal project operations	PR-F	C	-0-	-0-
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			192,386,300	208,495,700
	PROGRAM REVENUE			175,300,700	176,783,900
	FEDERAL			(-0-)	(-0-)
	OTHER			(168,074,800)	(169,484,700)
	SERVICE			(7,225,900)	(7,299,200)
	TOTAL-ALL SOURCES			367,687,000	385,279,600
16	(4) HEALTH CARE ACCESS AND ACCOUNTABILITY				
17	(a) General program operations	GPR	A	16,312,000	17,356,000
18	(b) Medical Assistance program				
19	benefits	GPR	B	1,956,764,100	1,919,920,600

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(bm) Medical Assistance, food stamps,				
2	and Badger Care administration;				
3	contract costs, insurer reports, and				
4	resource centers	GPR	B	62,094,500	79,530,700
5	(bn) Income maintenance; food stamp				
6	employment and training program	GPR	B	22,017,100	-0-
7	(br) Cemetery, funeral, and burial				
8	expenses program	GPR	B	8,447,200	8,594,000
9	(bt) Relief block grants to counties	GPR	A	128,000	128,000
10	(bv) Prescription drug assistance for				
11	elderly; aids	GPR	B	24,002,500	21,664,900
12	(e) Disease aids	GPR	B	5,041,500	5,505,600
13	(g) Family care benefit; cost sharing	PR	C	-0-	-0-
14	(gm) Medical assistance; provider				
15	refunds and collections	PR	C	-0-	-0-
16	(h) BadgerCare Plus Childless Adults				
17	Program; intergovernmental				
18	transfer	PR	C	-0-	-0-
19	(hm) BadgerCare Plus Basic Plan;				
20	benefits and administration	PR	C	11,484,200	12,844,600
21	(i) Gifts and grants; health care				
22	financing	PR	C	27,115,800	27,115,800
23	(iL) Medical assistance provider				
24	assessments	PR	C	-0-	-0-

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(im) Medical assistance; correct				
2	payment recovery; collections; other				
3	recoveries	PR	C	23,822,600	23,822,600
4	(in) Community options program;				
5	family care; recovery of costs				
6	administration	PR	A	79,200	79,200
7	(j) Prescription drug assistance for				
8	elderly; manufacturer rebates	PR	C	40,430,100	36,497,200
9	(jb) Prescription drug assistance for				
10	elderly; enrollment fees	PR	C	2,883,700	2,936,400
11	(je) Disease aids; drug manufacturer				
12	rebates	PR	C	389,400	389,400
13	(jt) Care management organization,				
14	insolvency assistance	PR	C	-0-	-0-
15	(jw) BadgerCare Plus, hospital				
16	assessment, and pharmacy benefits				
17	purchasing pool administrative				
18	costs	PR	C	5,530,200	5,530,200
19	(jz) Medical Assistance and Badger				
20	Care cost sharing, employer penalty				
21	assessments, and pharmacy				
22	benefits purchasing pool operations	PR	C	37,513,700	37,557,000
23	(kb) Relief block grants to tribal				
24	governing bodies	PR-S	A	712,800	712,800

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(kt) Medical assistance outreach and				
2	reimbursements for tribes	PR-S	B	961,700	961,700
3	(kv) Care management organization;				
4	oversight	PR-S	C	-0-	-0-
5	(kx) Interagency and intra-agency				
6	programs	PR-S	C	3,463,500	3,463,500
7	(ky) Interagency and intra-agency aids	PR-S	C	18,680,300	18,680,300
8	(kz) Interagency and intra-agency local				
9	assistance	PR-S	C	1,136,800	1,136,800
10	(L) Fraud and error reduction	PR	C	871,200	871,200
11	(m) Federal project operations	PR-F	C	1,254,600	1,254,600
12	(ma) Federal project aids	PR-F	C	1,000,000	1,000,000
13	(md) Federal block grant aids	PR-F	C	-0-	-0-
14	(n) Federal program operations	PR-F	C	39,580,300	46,210,100
15	(na) Federal program aids	PR-F	C	12,485,000	12,485,000
16	(nn) Federal aid; income maintenance	PR-F	C	47,902,500	25,885,400
17	(np) Federal supplemental funding for				
18	food stamp administration	PR-F	A	-0-	-0-
19	(o) Federal aid; medical assistance	PR-F	C	4,219,582,500	4,200,074,800
20	(p) Federal aid; Badger Care health				
21	care program	PR-F	C	-0-	-0-
22	(pa) Federal aid; Medical Assistance and				
23	food stamps contracts				
24	administration	PR-F	C	123,173,100	133,441,700

**ASSEMBLY BILL 40**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(pg) Federal aid; prescription drug				
2	assistance for elderly	PR-F	C	24,928,300	22,547,200
3	(w) Medical Assistance trust fund	SEG	B	379,258,900	389,660,100
4	(wm) Medical assistance trust fund;				
5	nursing homes	SEG	S	-0-	-0-
6	(wp) Medical Assistance trust fund;				
7	county reimbursement	SEG	S	-0-	-0-
8	(x) Badger Care health care program;				
9	Medical Assistance trust fund	SEG	C	-0-	-0-
10	(xc) Hospital assessment fund; hospital				
11	payments	SEG	A	414,507,300	414,507,300
12	(xe) Critical access hospital assessment				
13	fund; hospital payments	SEG	C	10,579,500	10,579,500
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			2,094,806,900	2,052,699,800
	PROGRAM REVENUE			4,644,981,500	4,615,497,500
	FEDERAL			(4,469,906,300)	(4,442,898,800)
	OTHER			(150,120,100)	(147,643,600)
	SERVICE			(24,955,100)	(24,955,100)
	SEGREGATED REVENUE			804,345,700	814,746,900
	OTHER			(804,345,700)	(814,746,900)
	TOTAL-ALL SOURCES			7,544,134,100	7,482,944,200
14	(5) MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES				
15	(a) General program operations	GPR	A	1,522,200	1,522,200
16	(bc) Grants for community programs	GPR	A	6,205,100	6,205,100
17	(be) Mental health treatment services	GPR	A	9,565,200	9,565,200
18	(bL) Community support programs and				
19	psychosocial services	GPR	A	3,757,500	3,757,500

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(co) Initiatives for coordinated services	GPR	A	181,800	181,800
2	(da) Reimbursements to local units of				
3	government	GPR	S	346,800	346,800
4	(gb) Alcohol and drug abuse initiatives	PR	C	656,200	656,200
5	(gg) Collection remittances to local units				
6	of government	PR	C	4,400	4,400
7	(hx) Services related to drivers, receipts	PR	A	-0-	-0-
8	(hy) Services for drivers, local assistance	PR	A	891,000	891,000
9	(i) Gifts and grants	PR	C	237,100	237,100
10	(jb) Fees for administrative services	PR	C	23,900	23,900
11	(kc) Severely emotionally disturbed				
12	children	PR-S	C	724,500	724,500
13	(kg) Compulsive gambling awareness				
14	campaigns	PR-S	A	356,400	356,400
15	(kL) Indian aids	PR-S	A	242,000	242,000
16	(km) Indian drug abuse prevention and				
17	education	PR-S	A	445,500	445,500
18	(kx) Interagency and intra-agency				
19	programs	PR-S	C	2,770,300	2,780,000
20	(ky) Interagency and intra-agency aids	PR-S	C	-0-	-0-
21	(kz) Interagency and intra-agency local				
22	assistance	PR-S	C	-0-	-0-
23	(m) Federal project operations	PR-F	C	750,000	750,000

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(ma) Federal project aids	PR-F	C	8,500,000	8,500,000
2	(mc) Federal block grant operations	PR-F	C	3,045,100	3,045,100
3	(md) Federal block grant aids	PR-F	C	9,095,700	9,095,700
4	(me) Federal block grant local assistance	PR-F	C	7,451,400	7,451,400
5	(n) Federal program operations	PR-F	C	716,100	716,100
6	(na) Federal program aids	PR-F	C	-0-	-0-
7	(nL) Federal program local assistance	PR-F	C	-0-	-0-
8	(o) Federal aid; community aids	PR-F	C	12,248,900	12,248,900
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			21,578,600	21,578,600
	PROGRAM REVENUE			48,158,500	48,168,200
	FEDERAL			(41,807,200)	(41,807,200)
	OTHER			(1,812,600)	(1,812,600)
	SERVICE			(4,538,700)	(4,548,400)
	TOTAL-ALL SOURCES			69,737,100	69,746,800
9	(6) QUALITY ASSURANCE SERVICES PLANNING, REGULATION AND DELIVERY				
10	(a) General program operations	GPR	A	5,451,000	5,451,000
11	(dm) Nursing home monitoring and				
12	receivership supplement	GPR	S	-0-	-0-
13	(g) Nursing facility resident protection	PR	C	134,500	134,500
14	(ga) Community-based residential				
15	facility monitoring and receivership				
16	operations	PR	C	-0-	-0-
17	(i) Gifts and grants	PR	C	-0-	-0-
18	(jb) Fees for administrative services	PR	C	201,500	201,500
19	(jm) Licensing and support services	PR	A	4,807,200	4,807,200

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(k) Nursing home monitoring and				
2	receivership operations	PR	C	-0-	-0-
3	(kx) Interagency and intra-agency				
4	programs	PR-S	C	-0-	-0-
5	(ky) Interagency and intra-agency aids	PR-S	C	413,700	413,700
6	(kz) Interagency and intra-agency local				
7	assistance	PR-S	C	-0-	-0-
8	(m) Federal project operations	PR-F	C	815,800	815,800
9	(mc) Federal block grant operations	PR-F	C	11,700	11,700
10	(n) Federal program operations	PR-F	C	15,428,100	15,374,900
11	(na) Federal program aids	PR-F	C	-0-	-0-
12	(nL) Federal program local assistance	PR-F	C	-0-	-0-
	(6) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			5,451,000	5,451,000
	PROGRAM REVENUE			21,812,500	21,759,300
	FEDERAL			(16,255,600)	(16,202,400)
	OTHER			(5,143,200)	(5,143,200)
	SERVICE			(413,700)	(413,700)
	TOTAL-ALL SOURCES			27,263,500	27,210,300
13	(7) LONG TERM CARE SERVICES ADMINISTRATION AND DELIVERY				
14	(a) General program operations	GPR	A	12,903,600	12,903,600
15	(b) Community aids and medical				
16	assistance payments	GPR	A	162,107,500	157,631,800
17	(bc) Grants for community programs	GPR	A	131,200	131,200
18	(bd) Long-term care programs	GPR	A	87,809,700	87,809,700



**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(bg) Alzheimer's disease; training and				
2	information grants	GPR	A	131,400	131,400
3	(bm) Purchased services for clients	GPR	A	93,900	93,900
4	(br) Respite care	GPR	A	225,000	225,000
5	(bt) Early intervention services for				
6	infants and toddlers with				
7	disabilities	GPR	C	5,789,000	5,789,000
8	(c) Independent living centers	GPR	A	983,500	983,500
9	(cg) Guardianship grant program	GPR	A	100,000	100,000
10	(d) Interpreter services and				
11	telecommunication aid for the				
12	hearing impaired	GPR	A	178,200	178,200
13	(da) Reimbursements to local units of				
14	government	GPR	S	53,200	53,200
15	(dh) Programs for senior citizens; elder				
16	abuse services; benefit specialist				
17	program	GPR	A	15,175,500	15,175,500
18	(g) Long-term care; county				
19	contributions	PR	C	48,732,000	41,575,400
20	(gc) Disabled children's long-term				
21	support waivers; state operations	PR	A	-0-	-0-
22	(gm) Health services regulation	PR	A	18,700	18,700
23	(h) Disabled children's long-term				
24	support waivers	PR	C	363,500	379,200

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(hc) Administration of the birth to 3				
2	waiver program and the disabled				
3	children's long-term support				
4	program	PR	C	11,237,000	12,773,300
5	(hs) Interpreter services for hearing				
6	impaired	PR	A	39,900	39,900
7	(i) Gifts and grants	PR	C	136,000	136,000
8	(im) Community options prog; fmly care				
9	benft; recvry of costs; brth to 3 vv				
10	admn	PR	C	371,800	371,800
11	(jb) Fees for administrative services	PR	C	30,000	30,000
12	(kc) Independent living center grants	PR-S	A	600,000	600,000
13	(kn) Elderly nutrition; home-delivered				
14	and congregate meals	PR-S	A	445,500	445,500
15	(kx) Interagency and intra-agency				
16	programs	PR-S	C	1,575,300	1,575,300
17	(ky) Interagency and intra-agency aids	PR-S	C	-0-	-0-
18	(kz) Interagency and intra-agency local				
19	assistance	PR-S	C	1,257,800	1,257,800
20	(m) Federal project operations	PR-F	C	4,404,600	4,262,300
21	(ma) Federal project aids	PR-F	C	3,645,600	3,645,600
22	(mb) Federal project local assistance	PR-F	C	-0-	-0-
23	(mc) Federal block grant operations	PR-F	C	665,400	665,400
24	(md) Federal block grant aids	PR-F	C	881,600	881,600

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(me) Federal block grant local assistance	PR-F	C	-0-	-0-
2	(n) Federal program operations	PR-F	C	14,471,900	14,468,100
3	(na) Federal program aids	PR-F	C	27,875,700	27,875,700
4	(nl) Federal program local assistance	PR-F	C	6,762,300	6,762,300
5	(o) Federal aid; community aids	PR-F	C	36,981,700	36,896,500
	(7) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			285,681,700	281,206,000
	PROGRAM REVENUE			160,496,300	154,660,400
	FEDERAL			(95,688,800)	(95,457,500)
	OTHER			(60,928,900)	(55,324,300)
	SERVICE			(3,878,600)	(3,878,600)
	TOTAL-ALL SOURCES			446,178,000	435,866,400
6	(8) GENERAL ADMINISTRATION				
7	(a) General program operations	GPR	A	12,529,300	12,529,300
8	(i) Gifts and grants	PR	C	10,000	10,000
9	(k) Administrative and support				
10	services	PR-S	A	27,808,200	28,024,800
11	(kx) Interagency and intra-agency				
12	programs	PR-S	C	41,800	41,800
13	(ky) Interagency and intra-agency aids	PR-S	C	2,000,000	2,000,000
14	(kz) Interagency and intra-agency local				
15	assistance	PR-S	C	-0-	-0-
16	(m) Federal project operations	PR-F	C	20,100	20,100
17	(ma) Federal project aids	PR-F	C	-0-	-0-
18	(mb) Income augmentation services				
19	receipts	PR-F	C	6,634,700	6,634,700

**ASSEMBLY BILL 40****SECTION 373**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(mc) Federal block grant operations	PR-F	C	1,162,900	1,162,900
2	(mm) Reimbursements from federal				
3	government	PR-F	C	-0-	-0-
4	(n) Federal program operations	PR-F	C	2,442,900	2,563,200
5	(pz) Indirect cost reimbursements	PR-F	C	2,902,700	2,889,100
	(8) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			12,529,300	12,529,300
	PROGRAM REVENUE			43,023,300	43,346,600
	FEDERAL			(13,163,300)	(13,270,000)
	OTHER			(10,000)	(10,000)
	SERVICE			(29,850,000)	(30,066,600)
	TOTAL-ALL SOURCES			55,552,600	55,875,900
	20.435 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			2,645,359,500	2,614,886,100
	PROGRAM REVENUE			5,328,619,000	5,295,706,100
	FEDERAL			(4,832,192,700)	(4,805,570,100)
	OTHER			(421,227,200)	(414,637,300)
	SERVICE			(75,199,100)	(75,498,700)
	SEGREGATED REVENUE			804,661,600	815,062,800
	OTHER			(804,661,600)	(815,062,800)
	TOTAL-ALL SOURCES			8,778,640,100	8,725,655,000
6	<b>20.437 Department of Children and Families</b>				
7	(1) CHILDREN AND FAMILY SERVICES				
8	(a) General program operations	GPR	A	9,374,100	9,374,100
9	(ab) Child abuse and neglect prevention				
10	grants	GPR	A	985,700	985,700
11	(ac) Child abuse and neglect prevention				
12	technical assistance	GPR	A	-0-	-0-
13	(b) Children and family aids payments	GPR	A	30,403,900	30,403,900

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(bc) Grants for children's community				
2	programs	GPR	A	789,200	789,200
3	(cd) Domestic abuse grants	GPR	A	7,150,800	7,150,800
4	(cf) Foster and family-operated group				
5	home parent insurance and liability	GPR	A	59,400	59,400
6	(cw) Milwaukee child welfare services;				
7	general program operations	GPR	A	14,723,300	14,723,300
8	(cx) Milwaukee child welfare services;				
9	aids	GPR	A	58,957,000	65,160,700
10	(d) Interstate Compact for the				
11	Placement of Children assessments	GPR	A	-0-	-0-
12	(da) Child welfare program				
13	enhancement plan; aids	GPR	A	1,796,500	1,796,500
14	(dd) State foster care, guardianship, and				
15	adoption services	GPR	A	54,642,200	55,974,800
16	(dg) State adoption information				
17	exchange and state adoption center	GPR	A	169,600	169,600
18	(eg) Brighter futures initiative and				
19	tribal adolescent services	GPR	A	210,000	210,000
20	(f) Second-chance homes	GPR	A	-0-	-0-
21	(gg) Collection remittances to local units				
22	of government	PR	C	-0-	-0-
23	(gx) Milwaukee child welfare services;				
24	collections	PR	C	9,474,100	3,474,100

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(hh) Domestic abuse surcharge grants	PR	C	773,200	773,200
2	(i) Gifts and grants	PR	C	321,200	321,200
3	(j) Statewide automated child welfare				
4	information system receipts	PR	C	581,300	581,300
5	(jb) Fees for administrative services	PR	C	78,000	78,000
6	(jj) Searches for birth parents and				
7	adoption record information;				
8	foreign adoptions	PR	A	97,500	97,500
9	(jm) Licensing activities	PR	C	91,500	91,500
10	(kb) Interagency aids; brighter futures				
11	initiative	PR-S	C	865,000	865,000
12	(km) Interagency and intra-agency aids;				
13	children and family aids; local				
14	assistance	PR-S	C	8,376,300	8,376,300
15	(kw) Interagency and intra-agency aids;				
16	Milwaukee child welfare services	PR-S	A	19,881,400	19,881,400
17	(kx) Interagency and intra-agency				
18	programs	PR-S	C	3,004,800	2,994,800
19	(ky) Interagency and intra-agency aids	PR-S	C	3,290,100	3,290,100
20	(kz) Interagency and intra-agency local				
21	assistance	PR-S	A	395,000	395,000
22	(m) Federal project operations	PR-F	C	955,700	909,400
23	(ma) Federal project aids	PR-F	C	3,575,300	2,994,200
24	(mb) Federal project local assistance	PR-F	C	-0-	-0-

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(mc) Federal block grant operations	PR-F	C	-0-	-0-
2	(md) Federal block grant aids	PR-F	C	-0-	-0-
3	(me) Federal block grant local assistance	PR-F	C	-0-	-0-
4	(mw) Federal aid; Milwaukee child				
5	welfare services general program				
6	operations	PR-F	C	2,426,700	2,426,700
7	(mx) Federal aid; Milwaukee child				
8	welfare services aids	PR-F	C	13,089,700	13,184,100
9	(n) Federal program operations	PR-F	C	8,851,700	8,867,100
10	(na) Federal program aids	PR-F	C	3,827,900	3,827,900
11	(nL) Federal program local assistance	PR-F	C	9,843,300	9,843,300
12	(o) Federal aid; children and family				
13	aids	PR-F	C	22,107,400	20,533,700
14	(pd) Federal aid; state foster care,				
15	guardianship, and adoption				
16	services	PR-F	C	50,543,000	52,490,400
17	(pm) Federal aid; adoption incentive				
18	payments	PR-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			179,261,700	186,798,000
	PROGRAM REVENUE			162,450,100	156,296,200
	FEDERAL			(115,220,700)	(115,076,800)
	OTHER			(11,416,800)	(5,416,800)
	SERVICE			(35,812,600)	(35,802,600)
	TOTAL-ALL SOURCES			341,711,800	343,094,200
19	(2) ECONOMIC SUPPORT				
20	(a) General program operations	GPR	A	5,001,700	5,001,700

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(bc) Child support local assistance	GPR	C	4,250,000	4,250,000
2	(bm) Supplemental nutrition assistance				
3	program administration	GPR	B	-0-	-0-
4	(cm) Wisconsin works child care	GPR	A	28,849,400	28,849,400
5	(dz) Temporary Assistance for Needy				
6	Families programs; maintenance of				
7	effort	GPR	A	131,077,000	131,077,000
8	(e) Incentive payments for identifying				
9	children with health insurance	GPR	A	300,000	300,000
10	(ed) State supplement to federal				
11	supplemental security income				
12	program	GPR	S	144,319,700	146,732,100
13	(eg) State supplement to federal				
14	supplemental security income				
15	programs; administration	GPR	B	859,500	859,500
16	(f) Emergency Shelter of the Fox				
17	Valley	GPR	A	50,000	50,000
18	(fr) Skills enhancement grants	GPR	A	250,000	250,000
19	(i) Gifts and grants	PR	C	2,500	2,500
20	(ja) Child support state operations –				
21	fees and reimbursements	PR	C	14,801,500	14,801,500
22	(jb) Fees for administrative services	PR	C	726,000	726,000
23	(jL) Job access loan repayments	PR	C	610,200	610,200



**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(jn) Child care licensing and				
2	certification activities	PR	C	1,837,900	1,837,900
3	(k) Child support transfers	PR-S	C	7,763,200	5,125,100
4	(kp) Delinquent support, maintenance				
5	and fee payments	PR-S	C	-0-	-0-
6	(kx) Interagency and intra-agency				
7	programs	PR-S	C	2,319,200	2,319,200
8	(L) Public assistance overpayment				
9	recovery, fraud investigation, and				
10	error reduction	PR	C	292,900	200,000
11	(ma) Federal project activities and				
12	administration	PR-F	C	969,900	963,100
13	(mc) Federal block grant operations	PR-F	A	30,735,700	30,910,200
14	(md) Federal block grant aids	PR-F	A	397,265,000	359,238,200
15	(me) Child care and temporary				
16	assistance overpayment recovery	PR-F	C	3,530,000	3,530,000
17	(mg) Community services block grant;				
18	federal funds	PR-F	C	8,461,200	8,461,200
19	(mm) Reimbursement from federal				
20	government	PR-F	C	-0-	-0-
21	(n) Child support state operations;				
22	federal funds	PR-F	C	16,016,500	16,016,500
23	(nL) Child support local assistance;				
24	federal funds	PR-F	C	60,231,500	60,231,500

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(nn) Federal aid; supplemental nutrition				
2	assistance program administration	PR-F	C	-0-	-0-
3	(om) Refugee assistance; federal funds	PR-F	C	6,021,600	6,021,600
4	(pv) Electronic benefits transfer	PR-F	C	-0-	-0-
5	(pz) Income augmentation services				
6	receipts	PR-F	C	-0-	-0-
7	(q) Centralized support receipt and				
8	disbursement; interest	SEG	S	100,000	100,000
9	(qm) Child support state operations and				
10	reimbursement for claims and				
11	expenses; unclaimed payments	SEG	S	100,000	100,000
12	(r) Support receipt and disbursement				
13	program; payments	SEG	C	-0-	-0-
14	(s) Economic support – public benefits	SEG	A	9,139,700	9,139,700
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			314,957,300	317,369,700
	PROGRAM REVENUE			551,584,800	510,994,700
	FEDERAL			(523,231,400)	(485,372,300)
	OTHER			(18,271,000)	(18,178,100)
	SERVICE			(10,082,400)	(7,444,300)
	SEGREGATED REVENUE			9,339,700	9,339,700
	OTHER			(9,339,700)	(9,339,700)
	TOTAL-ALL SOURCES			875,881,800	837,704,100
15	(3) GENERAL ADMINISTRATION				
16	(a) General program operations	GPR	A	1,735,700	1,735,700
17	(i) Gifts and grants	PR	C	-0-	-0-
18	(jb) Fees for administrative services	PR	C	-0-	-0-

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(k) Administrative and support				
2	services	PR-S	A	21,419,000	21,419,000
3	(kp) Interagency and intra-agency aids;				
4	income augmentation services				
5	receipts	PR-S	C	8,400,600	9,434,800
6	(kx) Interagency and intra-agency				
7	programs	PR-S	C	6,000,000	6,000,000
8	(ky) Interagency and intra-agency aids	PR-S	C	-0-	-0-
9	(kz) Interagency and intra-agency local				
10	assistance	PR-S	C	-0-	-0-
11	(mc) Federal block grant operations	PR-F	C	305,800	305,800
12	(md) Federal block grant aids	PR-F	C	-0-	-0-
13	(mf) Federal economic stimulus funds	PR-F	C	-0-	-0-
14	(mm) Reimbursements from federal				
15	government	PR-F	C	-0-	-0-
16	(n) Federal project activities	PR-F	C	678,200	678,200
17	(pz) Indirect cost reimbursements	PR-F	C	-0-	-0-

**(3) PROGRAM TOTALS**

GENERAL PURPOSE REVENUE	1,735,700	1,735,700
PROGRAM REVENUE	36,803,600	37,837,800
FEDERAL	(984,000)	(984,000)
OTHER	(-0-)	(-0-)
SERVICE	(35,819,600)	(36,853,800)
TOTAL-ALL SOURCES	38,539,300	39,573,500

**20.437 DEPARTMENT TOTALS**

GENERAL PURPOSE REVENUE	495,954,700	505,903,400
PROGRAM REVENUE	750,838,500	705,128,700
FEDERAL	(639,436,100)	(601,433,100)
OTHER	(29,687,800)	(23,594,900)
SERVICE	(81,714,600)	(80,100,700)

**ASSEMBLY BILL 40**

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
SEGREGATED REVENUE			9,339,700	9,339,700
OTHER			(9,339,700)	(9,339,700)
TOTAL-ALL SOURCES			1,256,132,900	1,220,371,800

**1 20.438 Board for People with Developmental Disabilities**

<b>2</b>	(1)	DEVELOPMENTAL DISABILITIES		
<b>3</b>	(a)	General program operations	GPR A	25,900 25,900
<b>4</b>	(h)	Program services	PR C	-0- -0-
<b>5</b>	(i)	Gifts and grants	PR C	-0- -0-
<b>6</b>	(mc)	Federal project operations	PR-F C	732,200 732,200
<b>7</b>	(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

**8 20.440 Health and Educational Facilities Authority**

<b>9</b>	(1)	CONSTRUCTION OF HEALTH AND EDUCATIONAL FACILITIES		
<b>10</b>	(a)	General program operations	GPR C	-0- -0-

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	-0-	-0-
TOTAL-ALL SOURCES	-0-	-0-

<b>11</b>	(2)	RURAL HOSPITAL LOAN GUARANTEE		
<b>12</b>	(a)	Rural assistance loan fund	GPR C	-0- -0-

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
	(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-
<b>1</b>	<b>20.445 Department of Workforce Development</b>				
<b>2</b>	(1) WORKFORCE DEVELOPMENT				
<b>3</b>	(a) General program operations	GPR	A	5,607,900	5,607,900
<b>4</b>	(aa) Special death benefit	GPR	S	472,500	472,500
<b>5</b>	(cr) State supplement to employment				
<b>6</b>	opportunity demonstration projects	GPR	A	200,600	200,600
<b>7</b>	(e) Local youth apprenticeship grants	GPR	A	1,858,500	1,858,500
<b>8</b>	(em) Youth apprenticeship training				
<b>9</b>	grants	GPR	A	-0-	-0-
<b>10</b>	(f) Death and disability benefit				
<b>11</b>	payments; public insurrections	GPR	S	-0-	-0-
<b>12</b>	(fg) Employment transit aids, state				
<b>13</b>	funds	GPR	A	464,800	464,800
<b>14</b>	(fm) Youth summer jobs programs	GPR	A	422,400	422,400
<b>15</b>	(fr) Milwaukee area workforce				
<b>16</b>	investment board	GPR	B	-0-	-0-
<b>17</b>	(g) Gifts and grants	PR	C	-0-	-0-
<b>18</b>	(ga) Auxiliary services	PR	C	379,800	379,800
<b>19</b>	(gb) Local agreements	PR	C	1,787,900	1,787,900

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(gc) Unemployment administration	PR	C	-0-	-0-
2	(gd) Unemployment interest and				
3	penalty payments	PR	C	1,856,300	1,856,300
4	(gg) Unemployment information				
5	technology systems; interest and				
6	penalties	PR	C	-0-	-0-
7	(gh) Unemployment information				
8	technology systems; assessments	PR	C	-0-	-0-
9	(gk) Child labor permit system; fees	PR	A	423,800	423,800
10	(ka) Interagency and intra-agency				
11	agreements	PR-S	C	28,096,200	28,096,200
12	(kc) Administrative services	PR-S	A	33,776,500	33,776,500
13	(km) Nursing workforce survey and				
14	grants	PR-S	C	155,600	155,600
15	(m) Workforce investment and				
16	assistance; federal moneys	PR-F	C	81,704,200	79,459,400
17	(n) Employment assistance and				
18	unemployment insurance				
19	administration; federal moneys	PR-F	C	59,703,600	57,556,700
20	(na) Employment security buildings and				
21	equipment	PR-F	C	-0-	-0-
22	(nb) Unemployment administration;				
23	information technology systems	PR-F	C	-0-	-0-

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(nd) Unemployment administration;				
2	apprenticeship and other				
3	employment services	PR-F	C	3,067,900	3,067,900
4	(ne) Unemployment insurance				
5	administration and bank service				
6	costs	PR-F	C	2,600,000	2,600,000
7	(nf) Unemployment insurance				
8	administration	PR-F	C	-0-	-0-
9	(o) Equal rights; federal moneys	PR-F	C	999,100	999,100
10	(p) Worker's compensation; federal				
11	moneys	PR-F	C	-0-	-0-
12	(pz) Indirect cost reimbursements	PR-F	C	234,000	234,000
13	(ra) Worker's compensation operations				
14	fund; administration	SEG	A	12,499,400	12,499,400
15	(rb) Worker's compensation operations				
16	fund; contracts	SEG	C	93,900	93,900
17	(rp) Worker's compensation operations				
18	fund; uninsured employers				
19	program; administration	SEG	A	1,102,000	1,102,000
20	(s) Self-insured employers liability				
21	fund	SEG	C	-0-	-0-
22	(sm) Uninsured employers fund;				
23	payments	SEG	S	5,500,000	5,500,000
24	(t) Work injury supplemental benefit				
25	fund	SEG	C	9,054,900	9,054,900

**ASSEMBLY BILL 40****SECTION 373**

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2011-12	2012-13
(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUE				9,026,700	9,026,700
PROGRAM REVENUE				214,784,900	210,393,200
FEDERAL				(148,308,800)	(143,917,100)
OTHER				(4,447,800)	(4,447,800)
SERVICE				(62,028,300)	(62,028,300)
SEGREGATED REVENUE				28,250,200	28,250,200
OTHER				(28,250,200)	(28,250,200)
TOTAL-ALL SOURCES				252,061,800	247,670,100
1	(2) REVIEW COMMISSION				
2	(a) General program operations, review				
3	commission	GPR	A	201,400	201,400
4	(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;				
7	federal moneys	PR-F	C	2,092,600	2,061,400
(2) PROGRAM TOTALS					
GENERAL PURPOSE REVENUE				201,400	201,400
PROGRAM REVENUE				2,994,600	2,963,400
FEDERAL				(2,309,100)	(2,277,900)
OTHER				(685,500)	(685,500)
TOTAL-ALL SOURCES				3,196,000	3,164,800
8	(5) VOCATIONAL REHABILITATION SERVICES				
9	(a) General program operations;				
10	purchased services for clients	GPR	C	14,693,000	14,693,000
11	(gg) Contractual services	PR	C	-0-	-0-
12	(gp) Contractual aids	PR	C	-0-	-0-
13	(h) Enterprises and services for blind				
14	and visually impaired	PR	C	213,000	213,000
15	(he) Supervised business enterprise	PR	C	116,700	116,700



**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(i) Gifts and grants	PR	C	-0-	-0-
2	(kg) Vocational rehabilitation services				
3	for tribes	PR-S	A	314,900	314,900
4	(kx) Interagency and intra-agency				
5	programs	PR-S	C	-0-	-0-
6	(ky) Interagency and intra-agency aids	PR-S	C	284,100	284,100
7	(kz) Interagency and intra-agency local				
8	assistance	PR-S	C	-0-	-0-
9	(m) Federal project operations	PR-F	C	104,000	104,000
10	(ma) Federal project aids	PR-F	C	-0-	-0-
11	(n) Federal program aids and				
12	operations	PR-F	C	64,677,500	64,677,500
13	(nL) Federal program local assistance	PR-F	C	-0-	-0-
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			14,693,000	14,693,000
	PROGRAM REVENUE			65,710,200	65,710,200
	FEDERAL			(64,781,500)	(64,781,500)
	OTHER			(329,700)	(329,700)
	SERVICE			(599,000)	(599,000)
	TOTAL-ALL SOURCES			80,403,200	80,403,200
	20.445 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			23,921,100	23,921,100
	PROGRAM REVENUE			283,489,700	279,066,800
	FEDERAL			(215,399,400)	(210,976,500)
	OTHER			(5,463,000)	(5,463,000)
	SERVICE			(62,627,300)	(62,627,300)
	SEGREGATED REVENUE			28,250,200	28,250,200
	OTHER			(28,250,200)	(28,250,200)
	TOTAL-ALL SOURCES			335,661,000	331,238,100

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	<b>20.455 Department of Justice</b>				
2	(1) LEGAL SERVICES				
3	(a) General program operations	GPR	A	12,749,500	12,749,500
4	(b) Special counsel	GPR	S	805,700	805,700
5	(d) Legal expenses	GPR	B	737,200	737,200
6	(gh) Investigation and prosecution	PR	C	–0–	–0–
7	(gs) Delinquent obligation collection	PR	A	–0–	–0–
8	(hm) Restitution	PR	C	–0–	–0–
9	(k) Environment litigation project	PR-S	C	581,500	581,500
10	(km) Interagency and intra-agency				
11	assistance	PR-S	A	1,009,400	1,009,400
12	(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
13	(2) LAW ENFORCEMENT SERVICES				
14	(a) General program operations	GPR	A	18,078,400	18,107,300
15	(am) Officer training reimbursement	GPR	S	83,800	83,800
16	(b) Investigations and operations	GPR	A	–0–	–0–
17	(c) Crime laboratory equipment	GPR	B	–0–	–0–
18	(dg) Weed and seed and law				
19	enforcement technology	GPR	A	–0–	–0–

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(dq) Law enforcement community				
2	policing grants	GPR	B	222,700	222,700
3	(g) Gaming law enforcement; racing				
4	revenues	PR	A	-0-	-0-
5	(gc) Gaming law enforcement; Indian				
6	gaming	PR	A	151,400	151,400
7	(gj) General operations; child				
8	pornography surcharge	PR	C	-0-	-0-
9	(gm) Criminal history searches;				
10	fingerprint identification	PR	C	4,084,500	4,089,400
11	(gp) Crime information alerts	PR	C	-0-	-0-
12	(gr) Handgun purchaser record check	PR	C	444,600	444,600
13	(h) Terminal charges	PR	A	2,429,300	2,429,300
14	(i) Penalty surcharge, receipts	PR	A	-0-	-0-
15	(j) Law enforcement training fund,				
16	local assistance	PR-S	A	4,364,800	4,364,800
17	(ja) Law enforcement training fund,				
18	state operations	PR-S	A	3,033,000	3,033,000
19	(jb) Crime laboratory equipment and				
20	supplies	PR-S	A	308,100	308,100
21	(k) Interagency and intra-agency				
22	assistance	PR-S	C	159,400	162,400
23	(kc) Transaction information				
24	management of enforcement system	PR-S	A	726,600	726,600

**ASSEMBLY BILL 40****SECTION 373**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011–12</b>	<b>2012–13</b>
1	(kd) Drug law enforcement, crime				
2	laboratories, and genetic evidence				
3	activities	PR–S	A	7,971,700	7,971,700
4	(ke) Drug enforcement intelligence				
5	operations	PR–S	A	1,548,300	1,551,100
6	(kg) Interagency and intra–agency				
7	assistance; fingerprint				
8	identification	PR–S	A	–0–	–0–
9	(km) Lottery background investigations	PR–S	A	–0–	–0–
10	(kp) Drug crimes enforcement; local				
11	grants	PR–S	A	717,900	717,900
12	(kq) County law enforcement services	PR–S	A	490,000	490,000
13	(kt) County–tribal programs, local				
14	assistance	PR–S	A	631,200	631,200
15	(ku) County–tribal programs, state				
16	operations	PR–S	A	92,600	92,600
17	(kw) Tribal law enforcement assistance	PR–S	A	695,000	695,000
18	(Lm) Crime laboratories;				
19	deoxyribonucleic acid analysis	PR	C	700,500	700,500
20	(m) Federal aid, state operations	PR–F	C	2,076,900	1,979,700
21	(n) Federal aid, local assistance	PR–F	C	–0–	–0–
22	(r) Gaming law enforcement; lottery				
23	revenues	SEG	A	373,100	373,100
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			18,384,900	18,413,800
	PROGRAM REVENUE			30,625,800	30,539,300

**ASSEMBLY BILL 40**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	FEDERAL			(2,076,900)	(1,979,700)
	OTHER			(7,810,300)	(7,815,200)
	SERVICE			(20,738,600)	(20,744,400)
	SEGREGATED REVENUE			373,100	373,100
	OTHER			(373,100)	(373,100)
	TOTAL-ALL SOURCES			49,383,800	49,326,200
1	(3) ADMINISTRATIVE SERVICES				
2	(a) General program operations	GPR	A	4,936,300	4,936,300
3	(g) Gifts, grants and proceeds	PR	C	-0-	-0-
4	(k) Interagency and intra-agency				
5	assistance	PR-S	A	-0-	-0-
6	(m) Federal aid, state operations	PR-F	C	-0-	-0-
7	(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)
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			5,153,100	5,153,100
8	(5) VICTIMS AND WITNESSES				
9	(a) General program operations	GPR	A	1,032,600	1,032,600
10	(b) Awards for victims of crimes	GPR	A	1,120,900	1,120,900
11	(c) Reimbursement for victim and				
12	witness services	GPR	A	1,267,200	1,267,200
13	(d) Reimbursement for forensic				
14	examinations	GPR	S	50,000	50,000

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(g) Crime victim and witness				
2	assistance surcharge, general				
3	services	PR	A	4,074,400	4,074,400
4	(gc) Crime victim and witness				
5	surcharge, sexual assault victim				
6	services	PR	C	1,815,100	1,815,100
7	(h) Crime victim compensation services	PR	A	51,800	51,800
8	(hh) Crime victim restitution	PR	C	267,300	267,300
9	(i) Victim compensation, inmate				
10	payments	PR	C	9,700	9,700
11	(k) Interagency and intra-agency				
12	assistance; reimbursement to				
13	counties	PR-S	A	529,400	529,400
14	(kj) Victim payments, victim surcharge	PR-S	A	893,700	893,700
15	(kk) Reimbursement to counties for				
16	providing victim and witness				
17	services	PR-S	C	-0-	-0-
18	(kp) Reimbursement to counties for				
19	victim-witness services	PR-S	A	748,900	748,900
20	(m) Federal aid; victim compensation	PR-F	C	823,900	823,900
21	(ma) Federal aid, state operations				
22	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
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			3,470,700	3,470,700
	PROGRAM REVENUE			13,412,200	13,412,200

**ASSEMBLY BILL 40****SECTION 373**

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2011-12	2012-13	
	FEDERAL			(5,021,900)	(5,021,900)	
	OTHER			(6,218,300)	(6,218,300)	
	SERVICE			(2,172,000)	(2,172,000)	
	TOTAL-ALL SOURCES			16,882,900	16,882,900	
20.455 DEPARTMENT TOTALS						
	GENERAL PURPOSE REVENUE			41,084,300	41,113,200	
	PROGRAM REVENUE			46,993,400	46,884,100	
	FEDERAL			(8,463,300)	(8,343,300)	
	OTHER			(14,028,600)	(14,033,500)	
	SERVICE			(24,501,500)	(24,507,300)	
	SEGREGATED REVENUE			373,100	373,100	
	OTHER			(373,100)	(373,100)	
	TOTAL-ALL SOURCES			88,450,800	88,370,400	
<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	726,200	726,200
<b>5</b>	(c)	Public emergencies	GPR	S	40,000	40,000
<b>6</b>	(d)	Principal repayment and interest	GPR	S	1,963,400	6,141,000
<b>7</b>	(e)	State flags	GPR	A	400	400
<b>8</b>	(f)	Energy costs; energy-related				
<b>9</b>		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-

**ASSEMBLY BILL 40****SECTION 373**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(m) Federal aid	PR-F	C	29,508,900	29,508,900
2	(pz) Indirect cost reimbursements	PR-F	C	495,900	495,900
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			10,989,100	15,343,600
	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			42,165,000	46,519,500
3	(2) GUARD MEMBERS' BENEFITS				
4	(a) Tuition grants	GPR	S	3,500,000	3,500,000
5	(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
6	(3) EMERGENCY MANAGEMENT SERVICES				
7	(a) General program operations	GPR	A	813,700	813,700
8	(b) State disaster assistance	GPR	A	-0-	-0-
9	(dd) Regional emergency response				
10	teams	GPR	A	1,247,400	1,247,400
11	(dp) Emergency response equipment	GPR	A	417,000	417,000
12	(dr) Emergency response supplement	GPR	C	-0-	-0-
13	(dt) Emergency response training	GPR	B	57,900	57,900
14	(e) Disaster recovery aid; public health				
15	emergency quarantine costs	GPR	S	2,500,000	2,500,000
16	(f) Civil air patrol aids	GPR	A	16,900	16,900



**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(g) Program services	PR	A	2,283,600	2,283,600
2	(h) Interstate emergency assistance	PR	A	-0-	-0-
3	(i) Emergency planning and reporting;				
4	administration	PR	A	949,100	949,100
5	(j) Division of emergency				
6	management; gifts and grants	PR	C	-0-	-0-
7	(jm) Division of emergency				
8	management; emergency planning				
9	grants	PR	C	743,800	743,800
10	(jt) Regional emergency response				
11	reimbursement	PR	C	-0-	-0-
12	(m) Federal aid, state operations	PR-F	C	4,634,800	4,634,800
13	(n) Federal aid, local assistance	PR-F	C	12,800,000	12,800,000
14	(o) Federal aid, individuals and				
15	organizations	PR-F	C	1,926,400	1,926,400
16	(r) Division of emergency				
17	management; petroleum inspection				
18	fund	SEG	A	462,100	462,100
19	(s) State disaster assistance;				
20	petroleum inspection fund	SEG	C	1,000,000	-0-
21	(t) Emergency response training –				
22	environmental fund	SEG	B	7,600	7,600
	(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)

**ASSEMBLY BILL 40****SECTION 373**

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2011-12	2012-13
	SEGREGATED REVENUE			1,469,700	469,700
	OTHER			(1,469,700)	(469,700)
	TOTAL-ALL SOURCES			29,860,300	28,860,300
1	(4) NATIONAL GUARD YOUTH PROGRAMS				
2	(h) Gifts and grants	PR	C	-0-	-0-
3	(ka) Challenge academy program; public				
4	instruction funds	PR-S	C	1,026,800	1,026,800
5	(m) Federal aid	PR-F	C	3,080,600	3,080,600
	(4) PROGRAM TOTALS				
	PROGRAM REVENUE			4,107,400	4,107,400
	FEDERAL			(3,080,600)	(3,080,600)
	OTHER			(-0-)	(-0-)
	SERVICE			(1,026,800)	(1,026,800)
	TOTAL-ALL SOURCES			4,107,400	4,107,400
	20.465 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			19,542,000	23,896,500
	PROGRAM REVENUE			58,621,000	58,621,000
	FEDERAL			(52,446,600)	(52,446,600)
	OTHER			(4,866,900)	(4,866,900)
	SERVICE			(1,307,500)	(1,307,500)
	SEGREGATED REVENUE			1,469,700	469,700
	OTHER			(1,469,700)	(469,700)
	TOTAL-ALL SOURCES			79,632,700	82,987,200
6	<b>20.475 District Attorneys</b>				
7	(1) DISTRICT ATTORNEYS				
8	(d) Salaries and fringe benefits	GPR	A	41,684,600	41,684,600
9	(h) Gifts and grants	PR	C	3,208,500	2,855,100
10	(i) Other employees	PR	A	304,300	314,300
11	(k) Interagency and intra-agency				
12	assistance	PR-S	C	-0-	-0-

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(kg) Assistant district attorneys	PR-S	A	1,000,000	1,000,000
2	(km) Deoxyribonucleic acid evidence				
3	activities	PR-S	A	142,500	142,500
4	(m) Federal aid	PR-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			41,684,600	41,684,600
	PROGRAM REVENUE			4,655,300	4,311,900
	FEDERAL			(-0-)	(-0-)
	OTHER			(3,512,800)	(3,169,400)
	SERVICE			(1,142,500)	(1,142,500)
	TOTAL-ALL SOURCES			46,339,900	45,996,500
	20.475 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			41,684,600	41,684,600
	PROGRAM REVENUE			4,655,300	4,311,900
	FEDERAL			(-0-)	(-0-)
	OTHER			(3,512,800)	(3,169,400)
	SERVICE			(1,142,500)	(1,142,500)
	TOTAL-ALL SOURCES			46,339,900	45,996,500
5	<b>20.485 Department of Veterans Affairs</b>				
6	(1) VETERANS HOMES				
7	(a) Aids to indigent veterans	GPR	A	178,200	178,200
8	(b) General fund supplement to				
9	institutional operations	GPR	B	-0-	-0-
10	(d) Cemetery maintenance and				
11	beautification	GPR	A	23,200	23,200
12	(e) Lease rental payments	GPR	S	-0-	-0-
13	(f) Principal repayment and interest	GPR	S	476,100	1,836,600
14	(g) Home exchange	PR	A	261,100	261,100
15	(gd) Veterans home cemetery operations	PR	C	39,300	48,800

**ASSEMBLY BILL 40****SECTION 373**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(gk) Institutional operations	PR	A	87,691,500	93,683,900
2	(go) Self-amortizing facilities; principal				
3	repayment and interest	PR	S	1,230,700	1,309,400
4	(h) Gifts and bequests	PR	C	239,600	239,600
5	(hm) Gifts and grants	PR	C	–0–	–0–
6	(i) State-owned housing maintenance	PR	C	59,700	59,700
7	(j) Geriatric program receipts	PR	C	–0–	–0–
8	(kg) Grants to counties	PR-S	A	76,200	76,200
9	(m) Federal aid; care at veterans homes	PR-F	C	–0–	–0–
10	(mj) Federal aid; geriatric unit	PR-F	C	–0–	–0–
11	(mn) Federal projects	PR-F	C	25,000	25,000
12	(t) Veterans homes member accounts	SEG	C	–0–	–0–
13	(u) Rentals; improvements; equipment;				
14	land acquisition	SEG	A	–0–	–0–
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			677,500	2,038,000
	PROGRAM REVENUE			89,623,100	95,703,700
	FEDERAL			(25,000)	(25,000)
	OTHER			(89,521,900)	(95,602,500)
	SERVICE			(76,200)	(76,200)
	SEGREGATED REVENUE			–0–	–0–
	OTHER			(–0–)	(–0–)
	TOTAL-ALL SOURCES			90,300,600	97,741,700
15	(2) LOANS AND AIDS TO VETERANS				
16	(a) General program operations; loans				
17	and aids	GPR	A	–0–	–0–
18	(ac) Veterans assistance	GPR	A	7,900	7,100

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(b) Housing vouchers for homeless				
2	veterans	GPR	A	-0-	-0-
3	(d) Veterans memorials at the				
4	Highground	GPR	C	-0-	-0-
5	(db) General fund supplement to				
6	veterans trust fund	GPR	A	416,800	-0-
7	(dm) Military funeral honors	GPR	B	221,900	221,900
8	(e) Korean War memorial grant	GPR	A	-0-	-0-
9	(g) Consumer reporting agency fees	PR	C	-0-	-0-
10	(h) Public and private receipts	PR	C	18,200	18,200
11	(kg) American Indian services				
12	coordinator	PR-S	A	86,300	86,300
13	(km) American Indian grants	PR-S	A	61,200	61,200
14	(m) Federal payments; veterans				
15	assistance	PR-F	C	204,600	204,600
16	(rm) Veterans assistance program	SEG	B	289,200	289,200
17	(rp) Veterans assistance program				
18	receipts	SEG	C	112,000	115,500
19	(s) Transportation payment	SEG	A	200,000	200,000
20	(tf) Veterans tuition reimbursement				
21	program	SEG	B	1,403,100	1,403,100
22	(tj) Retraining assistance program	SEG	A	210,000	210,000
23	(tm) Facilities	SEG	C	-0-	-0-

**ASSEMBLY BILL 40****SECTION 373**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(u) Administration of loans and aids to				
2	veterans	SEG	A	5,481,500	5,452,300
3	(vm) Assistance to needy veterans	SEG	A	970,000	970,000
4	(vw) Payments to veterans organizations				
5	for claims service	SEG	A	110,000	110,000
6	(vx) County grants	SEG	A	342,400	342,400
7	(vy) American Indian services				
8	coordinator	SEG	A	-0-	-0-
9	(w) Home for needy veterans	SEG	C	10,000	10,000
10	(x) Federal per diem payments	SEG-F	C	1,460,600	1,460,600
11	(yg) Acquisition of 1981 revenue bond				
12	mortgages	SEG	S	-0-	-0-
13	(yn) Veterans trust fund loans and				
14	expenses	SEG	B	3,050,000	3,050,000
15	(yo) Debt payment	SEG	S	-0-	-0-
16	(z) Gifts	SEG	C	-0-	-0-
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			646,600	229,000
	PROGRAM REVENUE			370,300	370,300
	FEDERAL			(204,600)	(204,600)
	OTHER			(18,200)	(18,200)
	SERVICE			(147,500)	(147,500)
	SEGREGATED REVENUE			13,638,800	13,613,100
	FEDERAL			(1,460,600)	(1,460,600)
	OTHER			(12,178,200)	(12,152,500)
	TOTAL-ALL SOURCES			14,655,700	14,212,400
17	(3) SELF-AMORTIZING MORTGAGE LOANS FOR VETERANS				
18	(b) Self insurance	GPR	S	-0-	-0-

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(e) General program deficiency	GPR	S	-0-	-0-
2	(q) Foreclosure loss payments	SEG	C	801,000	801,000
3	(r) Funded reserves	SEG	C	50,000	50,000
4	(rm) Other reserves	SEG	C	-0-	-0-
5	(s) General program operations	SEG	A	3,547,400	3,537,600
6	(sm) County grants	SEG	A	342,400	342,400
7	(t) Debt service	SEG	C	19,033,300	19,020,700
8	(v) Revenue obligation repayment	SEG	C	-0-	-0-
9	(w) Revenue obligation funding	SEG	C	-0-	-0-
10	(wd) Loan-servicing administration	SEG	A	-0-	-0-
11	(wg) Escrow payments, recoveries, and				
12	refunds	SEG	C	-0-	-0-
13	(wp) Loan-servicing rights	SEG	B	-0-	-0-
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	SEGREGATED REVENUE			23,774,100	23,751,700
	OTHER			(23,774,100)	(23,751,700)
	TOTAL-ALL SOURCES			23,774,100	23,751,700
14	(4) VETERANS MEMORIAL CEMETERIES				
15	(g) Cemetery operations	PR	A	194,400	194,400
16	(h) Gifts, grants and bequests	PR	C	-0-	-0-
17	(m) Federal aid; cemetery operations				
18	and burials	PR-F	C	504,700	603,200
19	(q) Cemetery administration and				
20	maintenance	SEG	A	504,100	528,300

**ASSEMBLY BILL 40**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(qm) Repayment of principal and				
2	interest	SEG	S	86,100	85,500
3	(r) Cemetery energy costs;				
4	energy-related assessments	SEG	A	106,300	106,300
		(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
5	(5) WISCONSIN VETERANS MUSEUM				
6	(c) Operation of Wisconsin Veterans				
7	Museum	GPR	A	249,200	249,200
8	(mn) Federal projects; museum				
9	acquisitions and operations	PR-F	C	-0-	-0-
10	(tm) Museum facilities	SEG	C	52,800	52,800
11	(v) Museum sales receipts	SEG	C	205,700	170,700
12	(vo) Veterans of World War I	SEG	A	2,500	2,500
13	(wd) Operation of Wisconsin Veterans				
14	Museum	SEG	A	2,067,800	2,117,400
15	(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			2,328,800	2,343,400
	OTHER			(2,328,800)	(2,343,400)
	TOTAL-ALL SOURCES			2,578,000	2,592,600



**ASSEMBLY BILL 40****SECTION 373**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13	
	20.485 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUE			1,573,300	2,516,200	
	PROGRAM REVENUE			90,692,500	96,871,600	
	FEDERAL			(734,300)	(832,800)	
	OTHER			(89,734,500)	(95,815,100)	
	SERVICE			(223,700)	(223,700)	
	SEGREGATED REVENUE			40,438,200	40,428,300	
	FEDERAL			(1,460,600)	(1,460,600)	
	OTHER			(38,977,600)	(38,967,700)	
	TOTAL-ALL SOURCES			132,704,000	139,816,100	
1	<b>20.490 Wisconsin Housing and Economic Development Authority</b>					
2	(1)	FACILITATION OF CONSTRUCTION				
3	(a)	Capital reserve fund deficiency	GPR	C	-0-	-0-
	(1) PROGRAM TOTALS					
		GENERAL PURPOSE REVENUE			-0-	-0-
		TOTAL-ALL SOURCES			-0-	-0-
4	(2)	HOUSING REHABILITATION LOAN PROGRAM				
5	(a)	General program operations	GPR	C	-0-	-0-
6	(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-
7	(3)	HOMEOWNERSHIP MORTGAGE ASSISTANCE				
8	(a)	Homeowner eviction lien protection				
9		program	GPR	C	-0-	-0-
	(3) PROGRAM TOTALS					
		GENERAL PURPOSE REVENUE			-0-	-0-
		TOTAL-ALL SOURCES			-0-	-0-
10	(4)	DISADVANTAGED BUSINESS MOBILIZATION ASSISTANCE				

**ASSEMBLY BILL 40****SECTION 373**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(g) Disadvantaged business				
2	mobilization loan guarantee	PR	C	-0-	-0-
		(4) PROGRAM TOTALS			
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
3	(5) WISCONSIN DEVELOPMENT LOAN GUARANTEES				
4	(a) Wisconsin development reserve				
5	fund	GPR	C	-0-	-0-
6	(q) Environmental fund transfer to				
7	Wisconsin development reserve				
8	fund	SEG	C	-0-	-0-
9	(r) Agrichemical management fund				
10	transfer to Wisconsin development				
11	reserve fund	SEG	C	-0-	-0-
12	(s) Petroleum inspection fund transfer				
13	to Wisconsin development reserve				
14	fund	SEG	A	-0-	-0-
		(5) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			-0-	-0-
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
15	(7) HOUSING ASSISTANCE				
16	(a) General program operations	GPR	A	509,400	509,400
17	(b) Housing grants and loans; general				
18	purpose revenue	GPR	B	3,097,800	3,097,800
19	(c) Payments to designated agents	GPR	A	-0-	-0-

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(fm) Shelter for homeless and				
2	transitional housing grants	GPR	B	1,413,600	1,413,600
3	(fr) Mental health for homeless				
4	individuals	GPR	A	42,200	42,200
5	(gg) Housing program services; other				
6	entities	PR	C	168,900	168,900
7	(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	1,632,400	1,632,400
11	(n) Federal aid; local assistance	PR-F	C	10,000,000	10,000,000
12	(o) Federal aid; individuals and				
13	organizations	PR-F	C	23,000,000	23,000,000
(7) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUE			5,063,000	5,063,000
	PROGRAM REVENUE			35,646,100	35,646,100
	FEDERAL			(34,632,400)	(34,632,400)
	OTHER			(591,300)	(591,300)
	SERVICE			(422,400)	(422,400)
	TOTAL-ALL SOURCES			40,709,100	40,709,100
20.490 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUE			5,063,000	5,063,000
	PROGRAM REVENUE			35,646,100	35,646,100
	FEDERAL			(34,632,400)	(34,632,400)
	OTHER			(591,300)	(591,300)
	SERVICE			(422,400)	(422,400)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			40,709,100	40,709,100
Human Resources					
FUNCTIONAL AREA TOTALS					
	GENERAL PURPOSE REVENUE			4,371,040,900	4,419,306,100

**ASSEMBLY BILL 40****SECTION 373**

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
PROGRAM REVENUE			6,721,329,900	6,644,424,500
FEDERAL			(5,787,841,400)	(5,718,716,100)
OTHER			(634,210,600)	(627,865,400)
SERVICE			(299,277,900)	(297,843,000)
SEGREGATED REVENUE			884,813,100	894,204,400
FEDERAL			(1,460,600)	(1,460,600)
OTHER			(883,352,500)	(892,743,800)
SERVICE			(-0-)	(-0-)
LOCAL			(-0-)	(-0-)
TOTAL-ALL SOURCES			11,977,183,900	11,957,935,000

1     **20.505 Department of Administration**

2     (1)    SUPERVISION AND MANAGEMENT

3       (a)    General program operations           GPR    A           7,030,400       7,030,400

4       (b)    Midwest interstate low-level  
5            radioactive waste compact; loan  
6            from general fund                   GPR    C           -0-           -0-

7       (bq)   Appropriation obligations  
8            repayment; tobacco settlement  
9            revenues                           GPR    A           92,474,100      93,693,400

10      (br)    Appropriation obligations  
11            repayment; unfunded liabilities  
12            under the Wisconsin Retirement  
13            System                           GPR    A           274,749,000      533,473,500

14      (cm)    Comprehensive planning grants;  
15            general purpose revenue           GPR    A           -0-           -0-

16      (cn)    Comprehensive planning;  
17            administrative support           GPR    A           -0-           -0-

18      (fo)    Federal resource acquisition  
19            support grants                   GPR    A           92,500           92,500

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(g) Midwest interstate low-level				
2	radioactive waste compact;				
3	membership and costs	PR	A	4,100	4,100
4	(gc) Processing services	PR	A	181,300	181,300
5	(ge) High-voltage transmission line				
6	annual impact fee distributions	PR	C	-0-	-0-
7	(gs) High-voltage transmission line				
8	environmental impact fee				
9	distributions	PR	C	-0-	-0-
10	(id) Justice information fee receipts	PR	C	-0-	-0-
11	(ie) Land	PR	C	2,549,300	2,549,300
12	(if) Comprehensive planning grants;				
13	program revenue	PR	A	-0-	-0-
14	(im) Services to nonstate governmental				
15	units; entity contract	PR	A	1,670,200	1,670,200
16	(iq) Appropriation obligation proceeds;				
17	unfunded liabilities under the				
18	Wisconsin Retirement System	PR	C	-0-	-0-
19	(ir) Relay service	PR	A	4,014,100	4,014,100
20	(is) Information technology and				
21	communications services; nonstate				
22	entities	PR	A	17,900,900	17,900,900
23	(it) Appropriation obligations;				
24	agreements and ancillary				
25	arrangements	PR	C	-0-	-0-

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(iu) Plat and proposed incorporation				
2	and annexation review	PR	C	414,600	414,600
3	(iv) Integrated business information				
4	system; nonstate entities	PR	C	-0-	-0-
5	(iw) Appropriation obligation proceeds;				
6	tobacco settlement revenues	PR	C	-0-	-0-
7	(j) Gifts, grants, and bequests	PR	C	-0-	-0-
8	(ka) Materials and services to state				
9	agencies and certain districts	PR-S	A	7,123,700	6,983,600
10	(kb) Transportation, records, and				
11	document services	PR-S	A	18,819,100	18,819,100
12	(kc) Capital planning and building				
13	construction services	PR-S	A	11,988,500	11,988,500
14	(kd) Integrated business information				
15	system	PR-S	C	9,319,400	9,319,400
16	(ke) Telecommunications services; state				
17	agencies; veterans services	PR-S	A	18,301,900	18,301,900
18	(kf) Procurement services	PR-S	C	3,605,000	3,605,000
19	(kg) Federal resource acquisition	PR-S	A	128,300	128,300
20	(kh) Justice information systems	PR-S	A	4,428,300	4,428,300
21	(kj) Financial services	PR-S	A	8,619,600	8,619,600
22	(kL) Printing, mail, communication and				
23	information technology services;				
24	agencies	PR-S	A	102,652,400	102,652,400

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(km) University of Wisconsin-Green Bay				
2	programming	PR-S	A	247,500	247,500
3	(kp) Interagency assistance; justice				
4	information systems	PR-S	A	326,700	326,700
5	(kq) Justice information systems				
6	development, operation and				
7	maintenance	PR-S	A	-0-	-0-
8	(kr) Legal services	PR-S	A	802,100	802,100
9	(ks) Wisconsin land council; state				
10	agency support	PR-S	C	-0-	-0-
11	(ku) Management assistance grants to				
12	counties	PR-S	A	563,200	563,200
13	(mb) Federal aid	PR-F	C	9,146,600	7,927,300
14	(md) Oil overcharge restitution funds	PR-F	C	264,700	264,700
15	(n) Federal aid; local assistance	PR-F	C	90,000,000	90,000,000
16	(ng) Sale of forest products; funds for				
17	public schools and public roads	PR	C	-0-	-0-
18	(pz) Indirect cost reimbursements	PR-F	C	73,800	48,500
19	(r) VendorNet fund administration	SEG	A	84,700	84,700
20	(tb) Payment of qualified higher				
21	education expenses and refunds;				
22	college tuition and expenses				
23	program	SEG	S	-0-	-0-

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(td) Administrative expenses; college				
2	tuition and expenses program	SEG	A	118,300	118,300
3	(tf) Payment of qualified higher				
4	education expenses and refunds;				
5	college savings program trust fund	SEG	S	-0-	-0-
6	(th) Administrative expenses; college				
7	savings program trust fund	SEG	A	563,400	563,400
8	(tj) Payment of qualified higher				
9	education expenses and refunds;				
10	college savings program bank				
11	deposit trust fund	SEG	S	-0-	-0-
12	(tL) Administrative expenses; college				
13	savings program bank deposit trust				
14	fund	SEG	A	-0-	-0-
15	(tn) Payment of qualified higher				
16	education expenses and refunds;				
17	college savings program credit				
18	union deposit trust fund	SEG	S	-0-	-0-
19	(tp) Administrative expenses; college				
20	savings program credit union				
21	deposit trust fund	SEG	A	-0-	-0-
22	(v) General program operations —				
23	environmental improvement				
24	programs; state funds	SEG	A	1,005,400	1,005,400



**ASSEMBLY BILL 40****SECTION 373**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(x) General program operations —				
2	clean water fund program; federal				
3	funds	SEG-F	C	-0-	-0-
4	(y) General program operations — safe				
5	drinking water loan program;				
6	federal funds	SEG-F	C	-0-	-0-
7	(z) Transportation planning grants to				
8	local governmental units	SEG-S	B	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			374,346,000	634,289,800
	PROGRAM REVENUE			313,145,300	311,760,600
	FEDERAL			(99,485,100)	(98,240,500)
	OTHER			(26,734,500)	(26,734,500)
	SERVICE			(186,925,700)	(186,785,600)
	SEGREGATED REVENUE			1,771,800	1,771,800
	FEDERAL			(-0-)	(-0-)
	OTHER			(1,771,800)	(1,771,800)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			689,263,100	947,822,200
9	(2) RISK MANAGEMENT				
10	(a) General fund supplement — risk				
11	management claims	GPR	S	-0-	-0-
12	(am) Costs and judgments	GPR	S	-0-	-0-
13	(k) Risk management costs	PR-S	C	27,934,500	27,934,500
14	(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
15	(3) UTILITY PUBLIC BENEFITS AND AIR QUALITY IMPROVEMENT				

**ASSEMBLY BILL 40****SECTION 373**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(q) General program operations; utility				
2	public benefits	SEG	A	11,893,700	11,893,700
3	(r) Low-income assistance grants	SEG	S	19,447,300	19,447,300
4	(rr) Air quality improvement grants	SEG	S	-0-	-0-
5	(s) Transfer to air quality improvement				
6	fund	SEG	S	-0-	-0-
	(3) PROGRAM TOTALS				
	SEGREGATED REVENUE			31,341,000	31,341,000
	OTHER			(31,341,000)	(31,341,000)
	TOTAL-ALL SOURCES			31,341,000	31,341,000
7	(4) ATTACHED DIVISIONS AND OTHER BODIES				
8	(a) Adjudication of tax appeals	GPR	A	535,800	539,400
9	(b) Adjudication of equalization				
10	appeals	GPR	S	-0-	-0-
11	(c) Literacy initiative	GPR	A	600,000	600,000
12	(d) Claims awards	GPR	S	22,500	22,500
13	(ea) Women's council operations	GPR	A	139,900	139,900
14	(ec) Service award program; general				
15	program operations	GPR	A	17,200	17,200
16	(er) Service award program; state				
17	matching awards	GPR	S	1,884,300	1,884,300
18	(es) Principal, interest, and rebates;				
19	general purpose revenue — schools	GPR	S	580,700	2,287,100

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(et) Principal, interest, and rebates;				
2	general purpose revenue — public				
3	library boards	GPR	S	3,700	15,500
4	(f) Hearings and appeals operations	GPR	A	2,532,500	2,510,200
5	(h) Program services	PR	A	27,200	27,200
6	(ha) Principal, interest and rebates;				
7	program revenue—schools	PR	C	724,700	332,100
8	(hb) Principal, interest and rebates;				
9	program revenue—public library				
10	boards	PR	C	5,200	–0–
11	(hc) Administration of Governor’s				
12	Wisconsin Educational Technology				
13	Conference	PR	A	150,200	150,200
14	(j) National and community service				
15	board; gifts and grants	PR	C	–0–	–0–
16	(js) Educational technology block				
17	grants; Wisconsin Advanced				
18	Telecommunications foundation				
19	assessments	PR	C	–0–	–0–
20	(k) Waste facility siting board; general				
21	program operations	PR-S	A	45,500	45,500
22	(ka) State use board — general program				
23	operations	PR-S	A	123,600	123,600
24	(kb) National and community service				
25	board; administrative support	PR-S	A	275,000	275,000

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(kp) Hearings and appeals fees	PR-S	A	3,291,100	3,268,800
2	(L) Equipment purchases and leases	PR	C	-0-	-0-
3	(Lm) Educational telecommunications;				
4	additional services	PR	C	-0-	-0-
5	(mp) Federal e-rate aid	PR-F	C	5,428,800	5,364,100
6	(o) National and community service				
7	board; federal aid for				
8	administration	PR-F	C	638,900	600,900
9	(p) National and community service				
10	board; federal aid for grants	PR-F	C	3,354,300	3,354,300
11	(r) State capitol and executive				
12	residence board; gifts and grants	SEG	C	-0-	-0-
13	(s) Telecommunications access; school				
14	districts	SEG	B	11,105,100	11,105,100
15	(t) Telecommunications access; private				
16	and technical colleges and libraries	SEG	B	5,016,000	5,016,000
17	(tm) Telecommunications access; private				
18	schools	SEG	B	694,300	694,300
19	(tu) Telecommunications access; state				
20	schools	SEG	B	82,500	82,500
21	(tw) Telecommunications access;				
22	juvenile correctional facilities	SEG	B	86,300	86,300
(4) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUE			6,316,600	8,016,100
	PROGRAM REVENUE			14,064,500	13,541,700
	FEDERAL			(9,422,000)	(9,319,300)
	OTHER			(907,300)	(509,500)

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
	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			37,365,300	38,542,000
1	(5) FACILITIES MANAGEMENT				
2	(c) Principal repayment and interest;				
3	Black Point Estate	GPR	S	76,700	170,400
4	(g) Principal repayment, interest and				
5	rebates; parking	PR-S	S	1,778,000	2,260,300
6	(ka) Facility operations and				
7	maintenance; police and protection				
8	functions	PR-S	A	38,160,200	38,160,200
9	(kb) Parking	PR	A	813,400	813,400
10	(kc) Principal repayment, interest and				
11	rebates	PR-S	C	19,320,200	16,986,900
12	(ke) Additional energy conservation				
13	construction projects	PR-S	C	-0-	-0-
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			76,700	170,400
	PROGRAM REVENUE			60,071,800	58,220,800
	OTHER			(813,400)	(813,400)
	SERVICE			(59,258,400)	(57,407,400)
	TOTAL-ALL SOURCES			60,148,500	58,391,200
14	(6) OFFICE OF JUSTICE ASSISTANCE				
15	(a) General program operations	GPR	A	273,300	273,300

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(b) Alternatives to prosecution and				
2	incarceration for persons who use				
3	alcohol or other drugs;				
4	presentencing assessments	GPR	A	-0-	-0-
5	(d) Youth diversion	GPR	A	321,000	321,000
6	(gj) Grants for victims of sexual				
7	assault; child pornography				
8	surcharge	PR	C	-0-	-0-
9	(h) Public safety interoperable				
10	communication system; general				
11	usage fees	PR	A	-0-	-0-
12	(i) Gifts and grants	PR	C	-0-	-0-
13	(k) Law enforcement programs and				
14	youth diversion – administration	PR-S	A	161,800	161,800
15	(ka) Public safety interoperable				
16	communication system; state fees	PR-S	A	-0-	-0-
17	(kb) Law enforcement officer				
18	supplement grants	PR-S	A	1,224,900	1,224,900
19	(ke) Child advocacy centers	PR-S	A	238,100	238,100
20	(kf) American Indian reintegration				
21	program	PR-S	A	50,000	50,000
22	(ki) Interoperable communications				
23	system	PR-S	A	1,062,200	421,700
24	(kj) Youth diversion program	PR-S	A	672,400	672,400

**ASSEMBLY BILL 40**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(km) Interagency and intra-agency aids	PR-S	C	281,600	281,600
2	(kn) Alternatives to prosecution and				
3	incarceration for persons who use				
4	alcohol or other drugs; justice				
5	information fee	PR-S	A	744,500	744,500
6	(kq) Traffic stop data collection; state	PR-S	A	-0-	-0-
7	(kr) Traffic stop data collection; local	PR-S	A	-0-	-0-
8	(ku) Grants for substance abuse				
9	treatment programs for criminal				
10	offenders	PR	C	7,500	7,500
11	(m) Federal aid, justice assistance,				
12	state operations	PR-F	C	3,407,000	3,281,100
13	(mb) Federal aid, homeland security	PR-F	C	36,606,800	36,585,500
14	(n) Federal aid; criminal justice	PR-F	C	207,100	98,300
15	(p) Federal aid, local assistance and				
16	aids	PR-F	C	18,904,900	18,904,900
	(6) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			594,300	594,300
	PROGRAM REVENUE			63,568,800	62,672,300
	FEDERAL			(59,125,800)	(58,869,800)
	OTHER			(7,500)	(7,500)
	SERVICE			(4,435,500)	(3,795,000)
	TOTAL-ALL SOURCES			64,163,100	63,266,600
17	(8) DIVISION OF GAMING				
18	(am) Interest on racing and bingo				
19	moneys	GPR	S	11,700	11,700

**ASSEMBLY BILL 40****SECTION 373**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(h) General program operations; Indian				
2	gaming	PR	A	1,825,100	1,825,100
3	(hm) Indian gaming receipts	PR	C	-0-	-0-
4	(j) General program operations; raffles				
5	and crane games	PR	A	264,100	264,100
6	(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			381,345,300	643,082,300
	PROGRAM REVENUE			487,867,200	483,212,200
	FEDERAL			(168,032,900)	(166,429,600)
	OTHER			(30,856,700)	(30,458,900)
	SERVICE			(288,977,600)	(286,323,700)
	SEGREGATED REVENUE			50,097,000	50,097,000
	FEDERAL			(-0-)	(-0-)
	OTHER			(50,097,000)	(50,097,000)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			919,309,500	1,176,391,500
7	<b>20.507 Board of Commissioners of Public Lands</b>				
8	(1) TRUST LANDS AND INVESTMENTS				
9	(h) Trust lands and investments —				
10	general program operations	PR-S	A	1,494,500	1,494,500
11	(j) Payments to American Indian				
12	tribes or bands for raised sunken				
13	logs	PR	C	-0-	-0-



**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(k) Trust lands and investments —				
2	interagency and intra-agency				
3	assistance	PR-S	A	-0-	-0-
4	(mg) Federal aid — flood control	PR-F	C	52,700	52,700
		(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
5	<b>20.511 Government Accountability Board</b>				
6	(1) ADMINISTRATION OF ELECTIONS, ETHICS, AND LOBBYING LAWS				
7	(a) General program operations;				
8	general purpose revenue	GPR	B	2,513,300	2,551,000
9	(b) Election-related cost				
10	reimbursement	GPR	B	82,600	82,600
11	(be) Investigations	GPR	S	31,100	31,100
12	(bm) Training of chief inspectors	GPR	B	-0-	-0-
13	(d) Election administration transfer	GPR	A	-0-	-0-
14	(g) Recount fees	PR	C	-0-	-0-
15	(h) Materials and services	PR	A	19,200	19,200

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(i) Elections administration; program				
2	revenue	PR	A	31,700	31,700
3	(im) Lobbying administration; program				
4	revenue	PR	A	488,000	488,000
5	(j) Electronic filing software	PR	C	-0-	-0-
6	(jm) Gifts and grants	PR	C	-0-	-0-
7	(m) Federal aid	PR-F	C	-0-	-0-
8	(q) Wisconsin election campaign fund	SEG	C	100,000	742,500
9	(qm) Public financing benefits;				
10	candidates for justice	SEG	S	-0-	-0-
11	(r) Democracy trust fund				
12	administration	SEG	A	-0-	-0-
13	(t) Election administration	SEG	A	100	100
14	(x) Federal aid; election administration				
15	fund	SEG-F	C	1,452,000	1,452,000
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			2,627,000	2,664,700
	PROGRAM REVENUE			538,900	538,900
	FEDERAL			(-0-)	(-0-)
	OTHER			(538,900)	(538,900)
	SEGREGATED REVENUE			1,552,100	2,194,600
	FEDERAL			(1,452,000)	(1,452,000)
	OTHER			(100,100)	(742,600)
	TOTAL-ALL SOURCES			4,718,000	5,398,200
	20.511 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			2,627,000	2,664,700
	PROGRAM REVENUE			538,900	538,900
	FEDERAL			(-0-)	(-0-)
	OTHER			(538,900)	(538,900)
	SEGREGATED REVENUE			1,552,100	2,194,600
	FEDERAL			(1,452,000)	(1,452,000)

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
	OTHER			(100,100)	(742,600)
	TOTAL-ALL SOURCES			4,718,000	5,398,200
<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				
<b>4</b>	payments	GPR	S	555,200	460,600
<b>5</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				
<b>9</b>	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				
<b>12</b>	account plan	SEG	C	-0-	-0-
<b>13</b>	(um) Benefit administration	SEG	B	4,900	4,900
<b>14</b>	(ut) Health insurance data collection				
<b>15</b>	and analysis and other consulting				
<b>16</b>	services contracts	SEG	A	968,100	968,100
<b>17</b>	(w) Administration	SEG	A	29,681,700	29,014,500
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			555,200	460,600
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SEGREGATED REVENUE			31,345,800	30,678,600
	OTHER			(31,345,800)	(30,678,600)
	TOTAL-ALL SOURCES			31,901,000	31,139,200

**ASSEMBLY BILL 40****SECTION 373**

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2011-12	2012-13	
20.515 DEPARTMENT TOTALS						
GENERAL PURPOSE REVENUE				555,200	460,600	
PROGRAM REVENUE				-0-	-0-	
FEDERAL				(-0-)	(-0-)	
OTHER				(-0-)	(-0-)	
SEGREGATED REVENUE				31,345,800	30,678,600	
OTHER				(31,345,800)	(30,678,600)	
TOTAL-ALL SOURCES				31,901,000	31,139,200	
<b>1</b>	<b>20.525 Office of the Governor</b>					
<b>2</b>	(1)	EXECUTIVE ADMINISTRATION				
<b>3</b>	(a)	General program operations	GPR	S	3,742,300	3,742,300
<b>4</b>	(b)	Contingent fund	GPR	S	18,400	18,400
<b>5</b>	(c)	Membership in national				
<b>6</b>		associations	GPR	S	106,500	106,500
<b>7</b>	(d)	Disability board	GPR	S	-0-	-0-
<b>8</b>	(f)	Literacy improvement aids	GPR	A	21,200	21,200
<b>9</b>	(i)	Gifts and grants	PR	C	-0-	-0-
<b>10</b>	(m)	Federal aid	PR-F	C	-0-	-0-
(1) PROGRAM TOTALS						
GENERAL PURPOSE REVENUE				3,888,400	3,888,400	
PROGRAM REVENUE				-0-	-0-	
FEDERAL				(-0-)	(-0-)	
OTHER				(-0-)	(-0-)	
TOTAL-ALL SOURCES				3,888,400	3,888,400	
<b>11</b>	(2)	EXECUTIVE RESIDENCE				
<b>12</b>	(a)	General program operations	GPR	S	256,300	256,300
(2) PROGRAM TOTALS						
GENERAL PURPOSE REVENUE				256,300	256,300	
TOTAL-ALL SOURCES				256,300	256,300	
20.525 DEPARTMENT TOTALS						
GENERAL PURPOSE REVENUE				4,144,700	4,144,700	

**ASSEMBLY BILL 40**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			4,144,700	4,144,700
<b>1</b>	<b>20.536 Investment Board</b>				
<b>2</b>	(1) INVESTMENT OF FUNDS				
<b>3</b>	(k) General program operations	PR	C	28,888,600	28,888,600
<b>4</b>	(ka) General program operations;				
<b>5</b>	environmental improvement fund	PR-S	C	-0-	-0-
	(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
<b>6</b>	<b>20.540 Office of the Lieutenant Governor</b>				
<b>7</b>	(1) EXECUTIVE COORDINATION				
<b>8</b>	(a) General program operations	GPR	A	393,500	393,500
<b>9</b>	(g) Gifts, grants and proceeds	PR	C	-0-	-0-
<b>10</b>	(k) Grants from state agencies	PR-S	C	-0-	-0-
<b>11</b>	(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-)

**ASSEMBLY BILL 40****SECTION 373**

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13		
SERVICE			(-0-)	(-0-)		
TOTAL-ALL SOURCES			393,500	393,500		
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				
<b>4</b>		units	PR	A	87,100	87,100
<b>5</b>	(j)	Gifts and donations	PR	C	-0-	-0-
<b>6</b>	(jm)	Employee development and				
<b>7</b>		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				
<b>11</b>		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-)

**ASSEMBLY BILL 40**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	OTHER			(433,000)	(433,000)
	SERVICE			(5,245,100)	(5,210,100)
	TOTAL-ALL SOURCES			5,678,100	5,643,100
<b>1</b>	<b>20.550 Public Defender Board</b>				
<b>2</b>	(1) LEGAL ASSISTANCE				
<b>3</b>	(a) Program administration	GPR	A	2,758,800	2,758,800
<b>4</b>	(b) Appellate representation	GPR	A	4,710,800	4,710,800
<b>5</b>	(c) Trial representation	GPR	A	49,659,400	49,413,400
<b>6</b>	(d) Private bar and investigator				
<b>7</b>	reimbursement	GPR	B	21,194,700	23,155,400
<b>8</b>	(e) Private bar and investigator				
<b>9</b>	payments; administration costs	GPR	A	716,700	716,700
<b>10</b>	(f) Transcripts, discovery and				
<b>11</b>	interpreters	GPR	A	1,325,700	1,325,700
<b>12</b>	(fb) Payments from clients;				
<b>13</b>	administrative costs	PR	A	249,600	249,600
<b>14</b>	(g) Gifts, grants and proceeds	PR	C	-0-	-0-
<b>15</b>	(h) Contractual agreements	PR-S	A	-0-	-0-
<b>16</b>	(i) Tuition payments	PR	C	-0-	-0-
<b>17</b>	(kj) Conferences and training	PR-S	A	126,900	126,900
<b>18</b>	(L) Private bar and investigator				
<b>19</b>	reimbursement; payments for legal				
<b>20</b>	representation	PR	C	913,000	913,000
<b>21</b>	(m) Federal aid	PR-F	C	-0-	-0-

**ASSEMBLY BILL 40****SECTION 373**

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13		
(1) PROGRAM TOTALS						
GENERAL PURPOSE REVENUE			80,366,100	82,080,800		
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			81,655,600	83,370,300		
20.550 DEPARTMENT TOTALS						
GENERAL PURPOSE REVENUE			80,366,100	82,080,800		
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			81,655,600	83,370,300		
<b>1</b>	<b>20.566</b>	<b>Department of Revenue</b>				
<b>2</b>	(1)	COLLECTION OF TAXES				
<b>3</b>	(a)	General program operations	GPR	A	50,360,300	50,360,300
<b>4</b>	(g)	Administration of county sales and				
<b>5</b>		use taxes	PR	A	3,264,600	3,264,600
<b>6</b>	(ga)	Cigarette tax stamps	PR	A	262,400	262,400
<b>7</b>	(gb)	Business tax registration	PR	A	1,503,900	1,503,900
<b>8</b>	(gc)	Administration of transit authority				
<b>9</b>		taxes	PR-S	A	-0-	-0-
<b>10</b>	(gd)	Administration of special district				
<b>11</b>		taxes	PR-S	A	443,800	443,800
<b>12</b>	(ge)	Administration of local professional				
<b>13</b>		football stadium district taxes	PR-S	A	111,800	111,800
<b>14</b>	(gf)	Administration of resort tax	PR-S	A	69,300	69,300
<b>15</b>	(gg)	Administration of local taxes	PR	A	116,300	116,300



**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(gh) Administration of southeastern				
2	regional transit authority fees	PR	A	11,500	11,500
3	(gm) Administration of tax on controlled				
4	substances dealers	PR	A	-0-	-0-
5	(gn) Ambulatory surgical center				
6	assessment	PR	C	110,200	110,200
7	(h) Debt collection	PR	A	813,300	813,300
8	(ha) Administration of liquor tax and				
9	alcohol beverages enforcement	PR	A	1,032,900	1,032,900
10	(hb) Collections by the department	PR	A	347,800	141,500
11	(hc) Collections from the financial				
12	record matching program	PR	A	469,100	469,100
13	(hm) Collections under contracts	PR	S	357,300	357,300
14	(hn) Collections under the multistate				
15	tax commission audit program	PR	S	58,300	58,300
16	(ho) Collections under multistate				
17	streamlined sales tax project	PR	S	40,000	40,000
18	(hp) Administration of income tax				
19	checkoff voluntary payments	PR	A	27,600	27,600
20	(i) Gifts and grants	PR	C	-0-	-0-
21	(m) Federal funds; state operations	PR-F	C	-0-	-0-
22	(q) Economic development surcharge				
23	administration	SEG	A	210,800	210,800
24	(qm) Administration of rental vehicle fee	SEG	A	70,000	70,000

**ASSEMBLY BILL 40****SECTION 373**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(r) Administration of dry cleaner fees	SEG	A	18,800	18,800
2	(s) Petroleum inspection fee collection	SEG	A	123,500	123,500
3	(t) Farmland preservation credit, 2010				
4	and beyond	SEG	A	-0-	-0-
5	(u) Motor fuel tax administration	SEG	A	1,400,300	1,400,300
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			50,360,300	50,360,300
	PROGRAM REVENUE			9,040,100	8,833,800
	FEDERAL			(-0-)	(-0-)
	OTHER			(8,415,200)	(8,208,900)
	SERVICE			(624,900)	(624,900)
	SEGREGATED REVENUE			1,823,400	1,823,400
	OTHER			(1,823,400)	(1,823,400)
	TOTAL-ALL SOURCES			61,223,800	61,017,500
6	(2) STATE AND LOCAL FINANCE				
7	(a) General program operations	GPR	A	7,690,800	7,690,800
8	(b) Valuation error loans	GPR	A	-0-	-0-
9	(bm) Integrated property assessment				
10	system technology	GPR	A	2,464,500	2,464,500
11	(g) County assessment studies	PR	C	-0-	-0-
12	(gb) Manufacturing property				
13	assessment	PR	A	1,140,400	1,140,400
14	(gi) Municipal finance report				
15	compliance	PR	A	34,500	34,500
16	(h) Reassessments	PR	A	535,200	535,200

**ASSEMBLY BILL 40**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(hm) Administration of tax incremental,				
2	and environmental remediation tax				
3	incremental, financing programs	PR	C	151,700	151,700
4	(i) Gifts and grants	PR	C	-0-	-0-
5	(m) Federal funds; state operations	PR-F	C	-0-	-0-
6	(q) Railroad and air carrier tax				
7	administration	SEG	A	203,600	203,600
8	(r) Lottery and gaming credit				
9	administration	SEG	A	276,900	276,900
	(2) PROGRAM TOTALS				
	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
	OTHER			(480,500)	(480,500)
	TOTAL-ALL SOURCES			12,497,600	12,497,600
10	(3) ADMINISTRATIVE SERVICES AND SPACE RENTAL				
11	(a) General program operations	GPR	A	26,441,800	26,441,800
12	(b) Integrated tax system technology	GPR	A	4,087,100	4,087,100
13	(c) Expert professional services	GPR	B	63,300	63,300
14	(g) Services	PR	A	85,300	85,300
15	(gm) Reciprocity agreement and				
16	publications	PR	A	75,400	75,400
17	(go) Reciprocity agreement, Illinois	PR	A	-0-	-0-
18	(i) Gifts and grants	PR	C	-0-	-0-
19	(k) Internal services	PR-S	A	3,083,700	3,083,700

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(m) Federal funds; state operations	PR-F	C	-0-	-0-
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			30,592,200	30,592,200
	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			33,836,600	33,836,600
2	(7) INVESTMENT AND LOCAL IMPACT FUND				
3	(e) Investment and local impact fund				
4	supplement	GPR	A	-0-	-0-
5	(g) Investment and local impact fund				
6	administrative expenses	PR	A	-0-	-0-
7	(n) Federal mining revenue	PR-F	C	-0-	-0-
8	(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-
9	(8) LOTTERY				
10	(q) General program operations	SEG	A	21,221,300	21,221,300
11	(r) Retailer compensation	SEG	S	33,744,500	33,723,100
12	(s) Prizes	SEG	S	-0-	-0-
13	(v) Vendor fees	SEG	S	11,201,800	11,193,400
	(8) PROGRAM TOTALS				
	SEGREGATED REVENUE			66,167,600	66,137,800

**ASSEMBLY BILL 40**

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2011-12	2012-13
	OTHER			(66,167,600)	(66,137,800)
	TOTAL-ALL SOURCES			66,167,600	66,137,800
20.566 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUE			91,107,800	91,107,800
	PROGRAM REVENUE			14,146,300	13,940,000
	FEDERAL			(-0-)	(-0-)
	OTHER			(10,437,700)	(10,231,400)
	SERVICE			(3,708,600)	(3,708,600)
	SEGREGATED REVENUE			68,471,500	68,441,700
	OTHER			(68,471,500)	(68,441,700)
	TOTAL-ALL SOURCES			173,725,600	173,489,500
<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				
<b>9</b>	appropriation	GPR	S	-0-	-0-
<b>10</b>	(h) Training conferences	PR	C	-0-	-0-

**ASSEMBLY BILL 40****SECTION 373**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(i) Gifts and grants	PR	C	-0-	-0-
2	(j) Unclaimed property; claims	PR	C	-0-	-0-
3	(k) Unclaimed property; administrative				
4	expenses	PR-S	A	4,861,100	4,861,100
5	(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			560,539,600	823,934,400
	PROGRAM REVENUE			545,330,500	540,434,200
	FEDERAL			(168,085,600)	(166,482,300)
	OTHER			(72,827,700)	(72,223,600)
	SERVICE			(304,417,200)	(301,728,300)
	SEGREGATED REVENUE			151,466,400	151,411,900
	FEDERAL			(1,452,000)	(1,452,000)
	OTHER			(150,014,400)	(149,959,900)
	SERVICE			(-0-)	(-0-)
	LOCAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			1,257,336,500	1,515,780,500
6	<b>20.625 Circuit Courts</b>				
7	(1) COURT OPERATIONS				
8	(a) Circuit courts	GPR	S	68,039,300	68,039,300
9	(as) Violent crime court costs	GPR	A	-0-	-0-

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(b) Permanent reserve judges	GPR	A	-0-	-0-
2	(c) Court interpreter fees	GPR	A	1,290,100	1,290,100
3	(d) Circuit court support payments	GPR	B	16,697,000	16,697,000
4	(e) Guardian ad litem costs	GPR	A	4,222,000	4,222,000
5	(g) Sale of materials and services	PR	C	-0-	-0-
6	(k) Court interpreters	PR-S	A	134,000	232,700
7	(m) Federal aid	PR-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			90,248,400	90,248,400
	PROGRAM REVENUE			134,000	232,700
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(134,000)	(232,700)
	TOTAL-ALL SOURCES			90,382,400	90,481,100
	20.625 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			90,248,400	90,248,400
	PROGRAM REVENUE			134,000	232,700
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(134,000)	(232,700)
	TOTAL-ALL SOURCES			90,382,400	90,481,100
8	<b>20.660 Court of Appeals</b>				
9	(1) APPELLATE PROCEEDINGS				
10	(a) General program operations	GPR	S	10,016,400	10,016,400
11	(m) Federal aid	PR-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			10,016,400	10,016,400
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			10,016,400	10,016,400
	20.660 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			10,016,400	10,016,400

**ASSEMBLY BILL 40****SECTION 373**

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2011-12	2012-13
PROGRAM REVENUE				-0-	-0-
FEDERAL				(-0-)	(-0-)
TOTAL-ALL SOURCES				10,016,400	10,016,400
<b>1</b>	<b>20.665 Judicial Commission</b>				
<b>2</b>	(1) JUDICIAL CONDUCT				
<b>3</b>	(a) General program operations	GPR	A	342,100	274,700
<b>4</b>	(cm) Contractual agreements	GPR	B	16,200	16,200
<b>5</b>	(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
<b>6</b>	<b>20.670 Judicial Council</b>				
<b>7</b>	(1) ADVISORY SERVICES TO THE COURTS AND THE LEGISLATURE				
<b>8</b>	(a) General program operations	GPR	A	127,700	127,700
<b>9</b>	(m) Federal aid	PR-F	C	-0-	-0-
(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUE				127,700	127,700
PROGRAM REVENUE				-0-	-0-
FEDERAL				(-0-)	(-0-)
TOTAL-ALL SOURCES				127,700	127,700
20.670 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUE				127,700	127,700
PROGRAM REVENUE				-0-	-0-
FEDERAL				(-0-)	(-0-)
TOTAL-ALL SOURCES				127,700	127,700



**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	<b>20.680 Supreme Court</b>				
2	(1) SUPREME COURT PROCEEDINGS				
3	(a) General program operations	GPR	S	5,005,800	5,005,800
4	(m) Federal aid	PR-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			5,005,800	5,005,800
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			5,005,800	5,005,800
5	(2) DIRECTOR OF STATE COURTS				
6	(a) General program operations	GPR	A	7,385,400	7,356,700
7	(b) Judicial planning and research	GPR	A	-0-	-0-
8	(g) Gifts and grants	PR	C	-0-	-0-
9	(ga) Court commissioner training	PR	C	58,200	58,200
10	(gc) Court interpreter training and				
11	certification	PR	C	40,600	40,600
12	(h) Materials and services	PR	C	54,300	54,300
13	(i) Municipal judge training	PR	C	146,200	146,200
14	(j) Court information systems	PR	C	5,540,800	5,540,800
15	(kc) Central services	PR-S	A	223,100	223,100
16	(ke) Interagency and intra-agency				
17	automation assistance	PR-S	C	-0-	-0-
18	(kg) Automated information systems	PR-S	A	3,780,000	3,780,000
19	(m) Federal aid	PR-F	C	895,900	895,900
20	(qm) Mediation fund	SEG	C	749,000	749,000

**ASSEMBLY BILL 40****SECTION 373**

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13		
(2) PROGRAM TOTALS						
GENERAL PURPOSE REVENUE			7,385,400	7,356,700		
PROGRAM REVENUE			10,739,100	10,739,100		
FEDERAL			(895,900)	(895,900)		
OTHER			(5,840,100)	(5,840,100)		
SERVICE			(4,003,100)	(4,003,100)		
SEGREGATED REVENUE			749,000	749,000		
OTHER			(749,000)	(749,000)		
TOTAL-ALL SOURCES			18,873,500	18,844,800		
1	(3)	BAR EXAMINERS AND RESPONSIBILITY				
2	(g)	Board of bar examiners	PR	C	742,900	742,900
3	(h)	Office of lawyer regulation	PR	C	2,647,000	2,647,000
(3) PROGRAM TOTALS						
PROGRAM REVENUE			3,389,900	3,389,900		
OTHER			(3,389,900)	(3,389,900)		
TOTAL-ALL SOURCES			3,389,900	3,389,900		
4	(4)	LAW LIBRARY				
5	(a)	General program operations	GPR	A	2,051,500	2,051,500
6	(g)	Library collections and services	PR	C	127,300	127,300
7	(h)	Gifts and grants	PR	C	605,700	605,700
(4) PROGRAM TOTALS						
GENERAL PURPOSE REVENUE			2,051,500	2,051,500		
PROGRAM REVENUE			733,000	733,000		
OTHER			(733,000)	(733,000)		
TOTAL-ALL SOURCES			2,784,500	2,784,500		
20.680 DEPARTMENT TOTALS						
GENERAL PURPOSE REVENUE			14,442,700	14,414,000		
PROGRAM REVENUE			14,862,000	14,862,000		
FEDERAL			(895,900)	(895,900)		
OTHER			(9,963,000)	(9,963,000)		
SERVICE			(4,003,100)	(4,003,100)		
SEGREGATED REVENUE			749,000	749,000		
OTHER			(749,000)	(749,000)		
TOTAL-ALL SOURCES			30,053,700	30,025,000		

Judicial

**ASSEMBLY BILL 40**

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2011-12	2012-13
FUNCTIONAL AREA TOTALS					
GENERAL PURPOSE REVENUE				115,193,500	115,097,400
PROGRAM REVENUE				14,996,000	15,094,700
FEDERAL				(895,900)	(895,900)
OTHER				(9,963,000)	(9,963,000)
SERVICE				(4,137,100)	(4,235,800)
SEGREGATED REVENUE				749,000	749,000
FEDERAL				(-0-)	(-0-)
OTHER				(749,000)	(749,000)
SERVICE				(-0-)	(-0-)
LOCAL				(-0-)	(-0-)
TOTAL-ALL SOURCES				130,938,500	130,941,100
<b>1</b>	<b>20.765 Legislature</b>				
<b>2</b>	(1) ENACTMENT OF STATE LAWS				
<b>3</b>	(a) General program operations —				
<b>4</b>	assembly	GPR	S	25,910,800	25,910,800
<b>5</b>	(b) General program operations —				
<b>6</b>	senate	GPR	S	18,589,700	18,589,700
<b>7</b>	(d) Legislative documents	GPR	S	4,084,600	4,084,600
<b>8</b>	(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
<b>9</b>	(3) SERVICE AGENCIES AND NATIONAL ASSOCIATIONS				
<b>10</b>	(a) Revisor of statutes bureau	GPR	B	-0-	-0-
<b>11</b>	(b) Legislative reference bureau	GPR	B	6,226,100	6,226,100
<b>12</b>	(c) Legislative audit bureau	GPR	B	6,144,400	6,144,400
<b>13</b>	(d) Legislative fiscal bureau	GPR	B	3,956,200	3,956,200

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(e) Joint legislative council; execution				
2	of functions, conduct of research,				
3	development of studies, and the				
4	provision of assistance to				
5	committees	GPR	B	4,010,400	4,010,400
6	(ec) Joint legislative council;				
7	contractual studies	GPR	B	15,000	-0-
8	(em) Legislative technology services				
9	bureau	GPR	B	4,155,800	4,155,800
10	(f) Joint committee on legislative				
11	organization	GPR	B	-0-	-0-
12	(fa) Membership in national				
13	associations	GPR	S	249,500	249,500
14	(g) Gifts and grants to service agencies	PR	C	-0-	-0-
15	(ka) Audit bureau reimbursable audits	PR-S	A	1,934,300	1,951,100
16	(m) Federal aid	PR-F	C	-0-	-0-
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			24,757,400	24,742,400
	PROGRAM REVENUE			1,934,300	1,951,100
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(1,934,300)	(1,951,100)
	TOTAL-ALL SOURCES			26,691,700	26,693,500
17	(4) CAPITOL OFFICES RELOCATION				
18	(a) Capitol offices relocation costs	GPR	B	-0-	-0-
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-

**ASSEMBLY BILL 40****SECTION 373**

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13	
20.765 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUE			73,342,500	73,327,500	
PROGRAM REVENUE			1,934,300	1,951,100	
FEDERAL			(-0-)	(-0-)	
OTHER			(-0-)	(-0-)	
SERVICE			(1,934,300)	(1,951,100)	
TOTAL-ALL SOURCES			75,276,800	75,278,600	
Legislative FUNCTIONAL AREA TOTALS					
GENERAL PURPOSE REVENUE			73,342,500	73,327,500	
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			75,276,800	75,278,600	
<b>1</b>	<b>20.835 Shared Revenue and Tax Relief</b>				
<b>2</b>	(1) SHARED REVENUE PAYMENTS				
<b>3</b>	(b) Small municipalities shared				
<b>4</b>	revenue	GPR	S	-0-	-0-
<b>5</b>	(c) Expenditure restraint program				
<b>6</b>	account	GPR	S	58,145,700	58,145,700
<b>7</b>	(d) Shared revenue account	GPR	S	47,305,600	48,098,000
<b>8</b>	(db) County and municipal aid account	GPR	S	769,639,300	672,897,900
<b>9</b>	(dm) Public utility distribution account	GPR	S	17,547,200	18,375,200
<b>10</b>	(e) State aid; tax exempt property	GPR	S	81,074,000	84,556,500
<b>11</b>	(f) County mandate relief account	GPR	S	-0-	-0-
<b>12</b>	(m) Federal economic stimulus funds	PR-F	A	-0-	-0-

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(q) County and municipal aid account;				
2	wireless 911 fund	SEG	A	-0-	-0-
3	(r) County and municipal aid account;				
4	police and fire protection fund	SEG	C	55,186,500	55,927,900
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			973,711,800	882,073,300
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	SEGREGATED REVENUE			55,186,500	55,927,900
	OTHER			(55,186,500)	(55,927,900)
	TOTAL-ALL SOURCES			1,028,898,300	938,001,200
5	(2) TAX RELIEF				
6	(b) Claim of right credit	GPR	S	266,000	278,000
7	(bb) Jobs tax credit	GPR	C	-0-	9,000,000
8	(bc) Woody biomass harvesting and				
9	processing credit	GPR	S	900,000	900,000
10	(bd) Meat processing facility investment				
11	credit	GPR	S	700,000	700,000
12	(be) Food processing plant and food				
13	warehouse investment credit	GPR	S	700,000	700,000
14	(bL) Film production company				
15	investment credit	GPR	S	100,000	100,000
16	(bm) Film production services credit	GPR	S	400,000	400,000
17	(bn) Dairy manufacturing facility				
18	investment credit	GPR	C	657,100	657,100

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(bp) Dairy manufacturing facility				
2	investment credit; dairy				
3	cooperatives	GPR	S	700,000	700,000
4	(br) Interest payments on				
5	overassessments of manufacturing				
6	property	GPR	S	10,000	10,000
7	(c) Homestead tax credit	GPR	S	132,400,000	133,400,000
8	(ci) Development zones investment				
9	credit	GPR	S	-0-	-0-
10	(cL) Development zones location credit	GPR	S	-0-	-0-
11	(cm) Development zones jobs credit	GPR	S	-0-	-0-
12	(cn) Development zones sales tax credit	GPR	S	-0-	-0-
13	(co) Enterprise zone jobs credit	GPR	S	13,800,000	34,100,000
14	(dm) Farmland preservation credit	GPR	S	800,000	600,000
15	(dn) Farmland tax relief credit	GPR	S	-0-	-0-
16	(do) Farmland preservation credit, 2010				
17	and beyond	GPR	A	27,007,200	27,007,200
18	(em) Veterans and surviving spouses				
19	property tax credit	GPR	S	13,600,000	15,700,000
20	(en) Beginning farmer and farm asset				
21	owner tax credit	GPR	S	860,500	1,200,000
22	(ep) Cigarette and tobacco product tax				
23	refunds	GPR	S	47,500,000	50,000,000
24	(f) Earned income tax credit	GPR	S	72,935,800	73,135,800

**ASSEMBLY BILL 40****SECTION 373**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(ka) Farmland tax relief credit; Indian				
2	gaming receipts	PR-S	C	-0-	-0-
3	(kf) Earned income tax credit;				
4	temporary assistance for needy				
5	families	PR-S	A	43,664,200	43,664,200
6	(q) Farmland tax relief credit	SEG	S	-0-	-0-
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			313,336,600	348,588,100
	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			357,000,800	392,252,300
7	(3) STATE PROPERTY TAX CREDITS				
8	(b) School levy tax credit and first				
9	dollar credit	GPR	S	882,550,000	882,550,000
10	(q) Lottery and gaming credit	SEG	S	117,478,300	118,870,400
11	(qb) School levy tax credit; lottery fund	SEG	A	14,850,000	14,850,000
12	(s) Lottery and gaming credit; late				
13	applications	SEG	S	147,000	147,000
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			882,550,000	882,550,000
	SEGREGATED REVENUE			132,475,300	133,867,400
	OTHER			(132,475,300)	(133,867,400)
	TOTAL-ALL SOURCES			1,015,025,300	1,016,417,400
14	(4) COUNTY AND LOCAL TAXES				
15	(g) County taxes	PR	C	-0-	-0-
16	(gb) Special district taxes	PR	C	-0-	-0-



**ASSEMBLY BILL 40**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(gc) Transit authority taxes	PR	C	-0-	-0-
2	(gd) Premier resort area tax	PR	C	-0-	-0-
3	(ge) Local professional football stadium				
4	district taxes	PR	C	-0-	-0-
5	(gg) Local taxes	PR	C	-0-	-0-
6	(gh) Southeastern regional transit				
7	authority fees	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			2,188,182,600	2,131,795,600
	PROGRAM REVENUE			43,664,200	43,664,200
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(43,664,200)	(43,664,200)
	SEGREGATED REVENUE			187,661,800	189,795,300
	OTHER			(187,661,800)	(189,795,300)
	TOTAL-ALL SOURCES			2,419,508,600	2,365,255,100
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

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(bm) Payment of canceled drafts	GPR	S	1,175,000	1,175,000
2	(c) Interest payments to program				
3	revenue accounts	GPR	S	-0-	-0-
4	(d) Interest payments to segregated				
5	funds	GPR	S	-0-	-0-
6	(dm) Interest reimbursements to federal				
7	government	GPR	S	-0-	-0-
8	(e) Interest on prorated local				
9	government payments	GPR	S	-0-	-0-
10	(gm) Payment of canceled drafts;				
11	program revenues	PR	S	-0-	-0-
12	(q) Redemption of operating notes	SEG	S	-0-	-0-
13	(r) Interest payments to general fund	SEG	S	-0-	-0-
14	(rm) Payment of canceled drafts;				
15	segregated revenues	SEG	S	-0-	-0-
	(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
16	(3) CAPITOL RENOVATION EXPENSES				
17	(b) Capitol restoration and relocation				
18	planning	GPR	B	-0-	-0-
19	(c) Historically significant furnishings	GPR	B	-0-	-0-

**ASSEMBLY BILL 40**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
1	(4) TAX, ASSISTANCE AND TRANSFER PAYMENTS				
2	(a) Interest on overpayment of taxes	GPR	S	2,500,000	2,500,000
3	(am) Great Lakes protection fund				
4	contribution	GPR	C	-0-	-0-
5	(b) Election campaign fund payments	GPR	S	164,000	158,000
6	(ba) Democracy trust fund payments	GPR	S	328,000	316,000
7	(bb) Democracy trust fund transfer	GPR	S	1,499,500	-0-
8	(be) Study of engineering	GPR	A	1,666,700	-0-
9	(bm) Oil pipeline terminal tax				
10	distribution	GPR	S	857,000	866,000
11	(c) Minnesota income tax reciprocity	GPR	S	59,950,000	-0-
12	(ca) Minnesota income tax reciprocity				
13	bench mark	GPR	A	-0-	-0-
14	(cm) Illinois income tax reciprocity	GPR	S	36,300,000	75,000,000
15	(cn) Illinois income tax reciprocity				
16	bench mark	GPR	A	-0-	-0-
17	(co) Illinois income tax reciprocity, 1998				
18	and 1999	GPR	A	-0-	-0-
19	(e) Transfer to conservation fund; land				
20	acquisition reimbursement	GPR	S	16,600	16,600

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>	
1	(f) Transfer to environmental fund;					
2	nonpoint sources	GPR	A	11,577,300	11,577,300	
3	(fc) Aids for certain local purchases and					
4	projects	GPR	A	-0-	-0-	
5	(fm) Transfer to transportation fund;					
6	hub facility exemptions	GPR	S	2,333,800	2,333,800	
7	(ge) Feeding America; Second Harvest					
8	food banks	PR	C	-0-	-0-	
9	(q) Terminal tax distribution	SEG	S	1,773,000	1,776,000	
10	(r) Petroleum allowance	SEG	S	600,000	600,000	
11	(s) Transfer to conservation fund;					
12	motorboat formula	SEG	S	12,939,100	13,149,200	
13	(t) Transfer to conservation fund;					
14	snowmobile formula	SEG	S	4,989,500	5,089,300	
15	(u) Transfer to conservation fund;					
16	all-terrain vehicle formula	SEG	S	1,745,500	1,708,400	
17	(w) Transfer to transportation fund;					
18	petroleum inspection fund	SEG	A	6,258,500	6,258,500	
	(4) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUE			117,192,900	92,767,700	
	PROGRAM REVENUE			-0-	-0-	
	OTHER			(-0-)	(-0-)	
	SEGREGATED REVENUE			28,305,600	28,581,400	
	OTHER			(28,305,600)	(28,581,400)	
	TOTAL-ALL SOURCES			145,498,500	121,349,100	
19	(5) STATE HOUSING AUTHORITY RESERVE FUND					

**ASSEMBLY BILL 40**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(a) Enhancement of credit of authority				
2	debt	GPR	A	-0-	-0-
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
3	(6) MISCELLANEOUS RECEIPTS				
4	(g) Gifts and grants	PR	C	-0-	-0-
5	(h) Vehicle and aircraft receipts	PR	A	-0-	-0-
6	(i) Miscellaneous program revenue	PR	A	-0-	-0-
7	(j) Custody accounts	PR	C	-0-	-0-
8	(k) Aids to individuals and				
9	organizations	PR-S	C	-0-	-0-
10	(ka) Local assistance	PR-S	C	-0-	-0-
11	(m) Federal aid	PR-F	C	-0-	-0-
12	(pz) Indirect cost reimbursements	PR-F	C	-0-	-0-
	(6) PROGRAM TOTALS				
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
13	(8) MARQUETTE UNIVERSITY				
14	(a) Dental clinic and education facility;				
15	principal repayment, interest and				
16	rebates	GPR	S	682,800	1,801,600
	(8) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			682,800	1,801,600
	TOTAL-ALL SOURCES			682,800	1,801,600

**ASSEMBLY BILL 40****SECTION 373**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(9) STATE CAPITOL RENOVATION AND RESTORATION				
2	(a) South wing renovation and				
3	restoration	GPR	C	-0-	-0-
	(9) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
	20.855 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			124,200,700	100,894,300
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	SEGREGATED REVENUE			28,305,600	28,581,400
	OTHER			(28,305,600)	(28,581,400)
	TOTAL-ALL SOURCES			152,506,300	129,475,700
4	<b>20.865 Program Supplements</b>				
5	(1) EMPLOYEE COMPENSATION AND SUPPORT				
6	(a) Judgments and legal expenses	GPR	S	44,300	44,300
7	(c) Compensation and related				
8	adjustments	GPR	S	-0-	-0-
9	(ci) Nonrepresented university system				
10	senior executive, faculty and				
11	academic pay adjustments	GPR	S	-0-	-0-
12	(cj) Pay adjustments for certain				
13	university employees	GPR	A	-0-	-0-
14	(cm) Represented university faculty and				
15	academic staff pay adjustments	GPR	S	-0-	-0-
16	(d) Employer fringe benefit costs	GPR	S	-0-	-0-
17	(e) Additional biweekly payroll	GPR	A	45,634,000	-0-

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(em) Financial and procurement services	GPR	A	-0-	-0-
2	(fm) Risk management	GPR	A	-0-	-0-
3	(fn) Physically handicapped				
4	supplements	GPR	A	5,800	5,800
5	(g) Judgments and legal expenses;				
6	program revenues	PR	S	-0-	-0-
7	(i) Compensation and related				
8	adjustments; program revenues	PR	S	-0-	-0-
9	(ic) Nonrepresented university system				
10	senior executive, faculty and				
11	academic pay adjustments	PR	S	-0-	-0-
12	(im) Represented university system				
13	faculty and academic staff pay				
14	adjustments; program revenue	PR	S	-0-	-0-
15	(j) Employer fringe benefit costs;				
16	program revenues	PR	S	-0-	-0-
17	(jm) Additional biweekly payroll;				
18	nonfederal program revenues	PR	S	-0-	-0-
19	(js) Financial and procurement				
20	services; program revenues	PR	S	-0-	-0-
21	(kr) Risk management; program				
22	revenues	PR	S	-0-	-0-
23	(Ln) Physically handicapped				
24	supplements; program revenues	PR	S	-0-	-0-

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(m) Additional biweekly payroll; federal				
2	program revenues	PR-F	S	-0-	-0-
3	(q) Judgments and legal expenses;				
4	segregated revenues	SEG	S	-0-	-0-
5	(s) Compensation and related				
6	adjustments; segregated revenues	SEG	S	-0-	-0-
7	(si) Nonrepresented university system				
8	senior executive, faculty and				
9	academic pay adjustments	SEG	S	-0-	-0-
10	(sm) Represented university faculty and				
11	academic staff pay adjustments;				
12	segregated revenues	SEG	S	-0-	-0-
13	(t) Employer fringe benefit costs;				
14	segregated revenues	SEG	S	-0-	-0-
15	(tm) Additional biweekly payroll;				
16	nonfederal segregated revenues	SEG	S	-0-	-0-
17	(ts) Financial and procurement				
18	services; segregated revenues	SEG	S	-0-	-0-
19	(ur) Risk management; segregated				
20	revenues	SEG	S	-0-	-0-
21	(vn) Physically handicapped				
22	supplements; segregated revenues	SEG	S	-0-	-0-
23	(x) Additional biweekly payroll; federal				
24	segregated revenues	SEG-F	S	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			45,684,100	50,100



**ASSEMBLY BILL 40**

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2011-12	2012-13
	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
1	(2) STATE PROGRAMS AND FACILITIES				
2	(a) Private facility rental increases	GPR	A	-0-	-0-
3	(ag) State-owned office rent supplement	GPR	A	-0-	-0-
4	(am) Space management	GPR	A	-0-	-0-
5	(d) State deposit fund	GPR	S	-0-	-0-
6	(e) Maintenance of capitol and				
7	executive residence	GPR	A	4,508,900	4,508,900
8	(eb) Executive residence furnishings				
9	replacement	GPR	C	10,200	10,200
10	(em) Groundwater survey and analysis	GPR	A	182,500	182,500
11	(g) Private facility rental increases;				
12	program revenues	PR	S	-0-	-0-
13	(gg) State-owned office rent				
14	supplement; program revenues	PR	S	-0-	-0-
15	(gm) Space management; program				
16	revenues	PR	S	-0-	-0-
17	(i) Integrated business information				
18	system; program revenues	PR	S	-0-	-0-
19	(j) State deposit fund; program				
20	revenues	PR	S	-0-	-0-

**ASSEMBLY BILL 40****SECTION 373**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(L) Data processing and				
2	telecommunications study; program				
3	revenues	PR	S	-0-	-0-
4	(q) Private facility rental increases;				
5	segregated revenues	SEG	S	-0-	-0-
6	(qg) State-owned office rent				
7	supplement; segregated revenues	SEG	S	-0-	-0-
8	(qm) Space management; segregated				
9	revenues	SEG	S	-0-	-0-
10	(r) Integrated business information				
11	system; segregated revenues	SEG	S	-0-	-0-
12	(t) State deposit fund; segregated				
13	revenues	SEG	S	-0-	-0-
	(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;				
18	program revenues	PR	S	-0-	-0-
19	(q) Property taxes; segregated				
20	revenues	SEG	S	-0-	-0-

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(s) Payments for municipal services;				
2	segregated revenues	SEG	S	-0-	-0-
	(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-
3	(4) JOINT COMMITTEE ON FINANCE SUPPLEMENTAL APPROPRIATIONS				
4	(a) General purpose revenue funds				
5	general program supplementation	GPR	B	133,600	133,600
6	(g) Program revenue funds general				
7	program supplementation	PR	S	-0-	-0-
8	(k) Public assistance programs				
9	supplementation	PR-S	C	-0-	-0-
10	(m) Federal funds general program				
11	supplementation	PR-F	C	-0-	-0-
12	(u) Segregated funds general program				
13	supplementation	SEG	S	-0-	-0-
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			133,600	133,600
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			133,600	133,600
14	(8) SUPPLEMENTATION OF PROGRAM REVENUE AND PROGRAM REVENUE-SERVICE APPROPRIATIONS				

**ASSEMBLY BILL 40****SECTION 373**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(g) Supplementation of program				
2	revenue and program				
3	revenue–service appropriations	PR	S	–0–	–0–
	(8) PROGRAM TOTALS				
	PROGRAM REVENUE			–0–	–0–
	OTHER			(–0–)	(–0–)
	TOTAL–ALL SOURCES			–0–	–0–
	20.865 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			50,519,300	4,885,300
	PROGRAM REVENUE			–0–	–0–
	FEDERAL			(–0–)	(–0–)
	OTHER			(–0–)	(–0–)
	SERVICE			(–0–)	(–0–)
	SEGREGATED REVENUE			–0–	–0–
	FEDERAL			(–0–)	(–0–)
	OTHER			(–0–)	(–0–)
	TOTAL–ALL SOURCES			50,519,300	4,885,300
4	<b>20.866 Public Debt</b>				
5	(1) BOND SECURITY AND REDEMPTION FUND				
6	(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–
7	<b>20.867 Building Commission</b>				
8	(1) STATE OFFICE BUILDINGS				
9	(a) Principal repayment and interest;				
10	housing of state agencies	GPR	S	–0–	–0–

**ASSEMBLY BILL 40**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(b) Principal repayment and interest;				
2	capitol and executive residence	GPR	S	4,115,900	13,479,500
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			4,115,900	13,479,500
	TOTAL-ALL SOURCES			4,115,900	13,479,500
3	(2) ALL STATE-OWNED FACILITIES				
4	(b) Asbestos removal	GPR	A	-0-	-0-
5	(f) Facilities preventive maintenance	GPR	A	-0-	-0-
6	(q) Building trust fund	SEG	C	-0-	-0-
7	(r) Planning and design	SEG	C	-0-	-0-
8	(u) Aids for buildings	SEG	C	-0-	-0-
9	(v) Building program funding				
10	contingency	SEG	C	-0-	-0-
11	(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-
12	(3) STATE BUILDING PROGRAM				
13	(a) Principal repayment and interest	GPR	S	6,815,800	28,051,100
14	(b) Principal repayment and interest	GPR	S	537,100	2,394,500
15	(bb) Principal repayment, interest and				
16	rebates; AIDS Network, Inc.	GPR	S	13,900	23,400

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(bc) Principal repayment, interest and				
2	rebates; Grand Opera House in				
3	Oshkosh	GPR	S	12,500	40,200
4	(bd) Principal repayment, interest and				
5	rebates; Aldo Leopold climate				
6	change classroom and interactive				
7	laboratory	GPR	S	12,500	40,200
8	(be) Principal repayment, interest and				
9	rebates; Bradley Center Sports and				
10	Entertainment Corporation	GPR	S	176,400	390,600
11	(bf) Principal repayment, interest and				
12	rebates; AIDS Resource Center of				
13	Wisconsin, Inc.	GPR	S	36,900	62,200
14	(bg) Principal repayment, interest, and				
15	rebates; Madison Children's				
16	Museum	GPR	S	11,600	19,500
17	(bh) Principal repayment, interest, and				
18	rebates; Myrick Hixon EcoPark,				
19	Inc.	GPR	S	31,000	41,100
20	(bi) Principal repayment, interest, and				
21	rebates; Marshfield Clinic	GPR	S	125,000	526,300
22	(bm) Principal repayment, interest, and				
23	rebates; HR Academy, Inc.	GPR	S	59,900	134,400
24	(bn) Principal repayment, interest and				
25	rebates; Hmong cultural centers	GPR	S	12,300	22,000

**ASSEMBLY BILL 40**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(bp) Principal repayment, interest and				
2	rebates	GPR	S	-0-	-0-
3	(bq) Principal repayment, interest and				
4	rebates; children's research				
5	institute	GPR	S	475,800	1,038,700
6	(br) Principal repayment, interest and				
7	rebates	GPR	S	38,600	100,200
8	(bu) Principal repayment, interest and				
9	rebates; Civil War exhibit at the				
10	Kenosha Public Museums	GPR	S	26,900	43,800
11	(bv) Principal repayment, interest, and				
12	rebates; Bond Health Center	GPR	S	-0-	40,200
13	(c) Lease rental payments	GPR	S	-0-	-0-
14	(d) Interest rebates on obligation				
15	proceeds; general fund	GPR	S	-0-	-0-
16	(e) Principal repayment, interest and				
17	rebates; parking ramp	GPR	S	-0-	-0-
18	(g) Principal repayment, interest and				
19	rebates; program revenues	PR	S	-0-	-0-
20	(h) Principal repayment, interest, and				
21	rebates	PR	S	-0-	-0-
22	(i) Principal repayment, interest and				
23	rebates; capital equipment	PR	S	-0-	-0-

**ASSEMBLY BILL 40****SECTION 373**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>2011-12</b>	<b>2012-13</b>
1	(k) Interest rebates on obligation				
2	proceeds; program revenues	PR-S	C	-0-	-0-
3	(kd) Energy conservation construction				
4	projects; principal repayment,				
5	interest and rebates	PR-S	C	2,183,000	3,013,300
6	(q) Principal repayment and interest;				
7	segregated revenues	SEG	S	-0-	-0-
8	(r) Interest rebates on obligation				
9	proceeds; conservation fund	SEG	S	-0-	-0-
10	(s) Interest rebates on obligation				
11	proceeds; transportation fund	SEG	S	-0-	-0-
12	(t) Interest rebates on obligation				
13	proceeds; veterans trust fund	SEG	S	-0-	-0-
14	(w) Bonding services	SEG	S	1,024,200	1,024,200
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			8,386,200	32,968,400
	PROGRAM REVENUE			2,183,000	3,013,300
	OTHER			(-0-)	(-0-)
	SERVICE			(2,183,000)	(3,013,300)
	SEGREGATED REVENUE			1,024,200	1,024,200
	OTHER			(1,024,200)	(1,024,200)
	TOTAL-ALL SOURCES			11,593,400	37,005,900
15	(4) CAPITAL IMPROVEMENT FUND INTEREST EARNINGS				
16	(q) Funding in lieu of borrowing	SEG	C	-0-	-0-
17	(r) Interest on veterans obligations	SEG	C	-0-	-0-
	(4) PROGRAM TOTALS				
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-



**ASSEMBLY BILL 40**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
1	(5) SERVICES TO NONSTATE GOVERNMENTAL UNITS				
2	(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			12,502,100	46,447,900
	PROGRAM REVENUE			2,183,000	3,013,300
	OTHER			(-0-)	(-0-)
	SERVICE			(2,183,000)	(3,013,300)
	SEGREGATED REVENUE			1,024,200	1,024,200
	OTHER			(1,024,200)	(1,024,200)
	TOTAL-ALL SOURCES			15,709,300	50,485,400
3	<b>20.875 Budget Stabilization Fund</b>				
4	(1) TRANSFERS TO FUND				
5	(a) General fund transfer	GPR	S	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
6	(2) TRANSFERS FROM FUND				
7	(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			2,375,404,700	2,284,023,100

**ASSEMBLY BILL 40**

**SECTION 373**

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2011-12	2012-13
PROGRAM REVENUE			45,847,200	46,677,500
FEDERAL			(-0-)	(-0-)
OTHER			(-0-)	(-0-)
SERVICE			(45,847,200)	(46,677,500)
SEGREGATED REVENUE			216,991,600	219,400,900
FEDERAL			(-0-)	(-0-)
OTHER			(216,991,600)	(219,400,900)
SERVICE			(-0-)	(-0-)
LOCAL			(-0-)	(-0-)
TOTAL-ALL SOURCES			2,638,243,500	2,550,101,500
STATE TOTALS			29,260,728,100	29,984,314,600
GENERAL PURPOSE REVENUE			13,987,426,400	14,727,480,500
PROGRAM REVENUE			10,744,255,100	10,679,936,200
FEDERAL			(7,735,233,300)	(7,645,001,800)
OTHER			(2,203,407,500)	(2,220,886,900)
SERVICE			(805,614,300)	(814,047,500)
SEGREGATED REVENUE			4,529,046,600	4,576,897,900
FEDERAL			(899,567,900)	(905,442,300)
OTHER			(3,328,021,200)	(3,364,998,100)
SERVICE			(192,898,100)	(197,898,100)
LOCAL			(108,559,400)	(108,559,400)

1

2

**SECTION 374.** 20.115 (1) (u) of the statutes is amended to read:

3

20.115 **(1)** (u) *Recyclable and nonrecyclable products regulation.* From the

4

~~recycling and renewable energy~~ environmental fund, the amounts in the schedule for

5

the implementation and enforcement of ss. 100.29, 100.295 and 100.33.

6

**SECTION 375.** 20.115 (4) (am) of the statutes is repealed.

7

**SECTION 376.** 20.115 (4) (qm) of the statutes is amended to read:

8

20.115 **(4)** (qm) *Grants for agricultural facilities.* Biennially, from the ~~recycling~~

9

environmental fund, the amounts in the schedule for grants for agricultural facilities

10

under 2007 Wisconsin Act 20, section 9103 (4u) and 2009 Wisconsin Act 28, section

11

9103 (3f).

12

**SECTION 377.** 20.115 (7) (br) of the statutes is repealed.

13

**SECTION 378.** 20.115 (7) (i) of the statutes is repealed.

**ASSEMBLY BILL 40**

1           **SECTION 379.** 20.115 (7) (tb) of the statutes is repealed.

2           **SECTION 380.** 20.115 (7) (tg) of the statutes is repealed.

3           **SECTION 381.** 20.115 (7) (ts) of the statutes is amended to read:

4           20.115 (7) (ts) *Working lands programs.* From the working lands fund, the  
5 amounts in the schedule for administration of the farmland preservation program  
6 under ch. 91 and the program to purchase conservation easements under s. 93.73.

7           **SECTION 382.** 20.115 (7) (va) of the statutes is amended to read:

8           20.115 (7) (va) *Clean sweep grants.* From the recycling and renewable energy  
9 environmental fund, the amounts in the schedule for chemical and container  
10 collection grants under s. 93.55 and for household hazardous waste grants under s.  
11 93.57.

12           **SECTION 383.** 20.115 (8) (g) of the statutes is amended to read:

13           20.115 (8) (g) *Gifts and grants.* Except as provided in par. (ge) and sub. (7) (i),  
14 all moneys received from gifts and grants to carry out the purposes for which made.

15           **SECTION 384.** 20.143 (intro.) of the statutes is repealed.

16           **SECTION 385.** 20.143 (1) (title) of the statutes is repealed.

17           **SECTION 386.** 20.143 (1) (a) of the statutes is repealed.

18           **SECTION 387.** 20.143 (1) (b) of the statutes is repealed.

19           **SECTION 388.** 20.143 (1) (bk) of the statutes is repealed.

20           **SECTION 389.** 20.143 (1) (bt) of the statutes is repealed.

21           **SECTION 390.** 20.143 (1) (c) of the statutes is repealed.

22           **SECTION 391.** 20.143 (1) (cf) of the statutes is repealed.

23           **SECTION 392.** 20.143 (1) (d) of the statutes is repealed.

24           **SECTION 393.** 20.143 (1) (dr) of the statutes is repealed.

25           **SECTION 394.** 20.143 (1) (e) of the statutes is repealed.

**ASSEMBLY BILL 40****SECTION 395**

1           **SECTION 395.** 20.143 (1) (em) of the statutes is repealed.

2           **SECTION 396.** 20.143 (1) (er) of the statutes is repealed.

3           **SECTION 397.** 20.143 (1) (ew) of the statutes is repealed.

4           **SECTION 398.** 20.143 (1) (fi) of the statutes is repealed.

5           **SECTION 399.** 20.143 (1) (fj) of the statutes is repealed.

6           **SECTION 400.** 20.143 (1) (fw) of the statutes is renumbered 20.165 (1) (fw) and  
7 amended to read:

8           20.165 (1) (fw) *Women’s business initiative corporation.* The amounts in the  
9 schedule for grants to the women’s business initiative corporation under s. ~~560.037~~  
10 490.06.

11           **SECTION 401.** 20.143 (1) (fy) of the statutes is repealed.

12           **SECTION 402.** 20.143 (1) (g) of the statutes is repealed.

13           **SECTION 403.** 20.143 (1) (gc) of the statutes is repealed.

14           **SECTION 404.** 20.143 (1) (gh) of the statutes is repealed.

15           **SECTION 405.** 20.143 (1) (gm) of the statutes is repealed.

16           **SECTION 406.** 20.143 (1) (gr) of the statutes is renumbered 20.165 (1) (gr) and  
17 amended to read:

18           20.165 (1) (gr) *Woman-owned Disabled veteran-owned, woman-owned, and*  
19 *minority business certification processing fees.* All moneys received from processing  
20 fees collected under s. 490.02 (3) (c) for the costs of certifying disabled veteran-owned  
21 businesses under s. 490.02; all moneys received from fees collected under s. 560.035  
22 490.03 (1) (bm), for the costs of certifying woman-owned businesses under s. 560.035  
23 (1) 490.03; and all moneys received from fees collected under s. 490.04 (2) (dm) for  
24 the costs of certifying minority businesses under s. 490.04.

25           **SECTION 407.** 20.143 (1) (gv) of the statutes is repealed.

**ASSEMBLY BILL 40**

1           **SECTION 408.** 20.143 (1) (h) of the statutes is repealed.

2           **SECTION 409.** 20.143 (1) (hm) of the statutes is repealed.

3           **SECTION 410.** 20.143 (1) (hr) of the statutes is repealed.

4           **SECTION 411.** 20.143 (1) (ie) of the statutes is repealed.

5           **SECTION 412.** 20.143 (1) (ig) of the statutes is repealed.

6           **SECTION 413.** 20.143 (1) (im) of the statutes is renumbered 20.165 (1) (ir) and  
7 amended to read:

8           20.165 (1) (ir) *Minority business projects; repayments.* All moneys received on  
9 or before June 30, 2009, in repayment of grants or loans under s. 560.82 (1m) (b), 2007  
10 stats., and s. 560.82 (1m) (c), 2007 stats., and loans under 1997 Wisconsin Act 9,  
11 section 3, to be used for grants and loans under s. ~~560.45~~ 490.05 and ~~subch. II of ch.~~  
12 ~~560~~, for grants under 2009 Wisconsin Act 265, section 45 (1), and for the study under  
13 2009 Wisconsin Act 28, section 9110 (15u).

14           **SECTION 414.** 20.143 (1) (io) of the statutes is repealed.

15           **SECTION 415.** 20.143 (1) (ir) of the statutes is repealed.

16           **SECTION 416.** 20.143 (1) (jp) of the statutes is repealed.

17           **SECTION 417.** 20.143 (1) (k) of the statutes is repealed.

18           **SECTION 418.** 20.143 (1) (ka) of the statutes is repealed.

19           **SECTION 419.** 20.143 (1) (kb) of the statutes is repealed.

20           **SECTION 420.** 20.143 (1) (kc) of the statutes is repealed.

21           **SECTION 421.** 20.143 (1) (kf) of the statutes is repealed.

22           **SECTION 422.** 20.143 (1) (kg) of the statutes is repealed.

23           **SECTION 423.** 20.143 (1) (kh) of the statutes is repealed.

24           **SECTION 424.** 20.143 (1) (kj) of the statutes is repealed.

25           **SECTION 425.** 20.143 (1) (kt) of the statutes is repealed.

**ASSEMBLY BILL 40****SECTION 426**

1           **SECTION 426.** 20.143 (1) (m) of the statutes is repealed.

2           **SECTION 427.** 20.143 (1) (mr) of the statutes is repealed.

3           **SECTION 428.** 20.143 (1) (n) of the statutes is repealed.

4           **SECTION 429.** 20.143 (1) (o) of the statutes is repealed.

5           **SECTION 430.** 20.143 (1) (qa) of the statutes is renumbered 20.165 (2) (qa).

6           **SECTION 431.** 20.143 (1) (qm) of the statutes is repealed.

7           **SECTION 432.** 20.143 (1) (tm) of the statutes is repealed.

8           **SECTION 433.** 20.143 (1) (um) of the statutes is repealed.

9           **SECTION 434.** 20.143 (2) (title) of the statutes is repealed.

10          **SECTION 435.** 20.143 (2) (a) of the statutes is renumbered 20.490 (7) (a) and  
11 amended to read:

12           20.490 (7) (a) *General program operations.* The amounts in the schedule for  
13 general program operations under subch. ~~X~~ of ch. 560 ss. 234.5601 to 234.5615.

14          **SECTION 436.** 20.143 (2) (b) of the statutes is renumbered 20.490 (7) (b) and  
15 amended to read:

16           20.490 (7) (b) *Housing grants and loans; general purpose revenue.* Biennially,  
17 the amounts in the schedule for grants and loans under s. ~~560.9803~~, 234.5603 and  
18 for grants under s. ~~560.9805~~ and ~~2009 Wisconsin Act 28~~, section ~~9110 (12u)~~, and for  
19 the grant under ~~2009 Wisconsin Act 2~~, section ~~9110 (1)~~ 234.5605.

20          **SECTION 437.** 20.143 (2) (c) of the statutes is renumbered 20.490 (7) (c) and  
21 amended to read:

22           20.490 (7) (c) *Payments to designated agents.* The amounts in the schedule for  
23 payments for services provided by agents designated under s. ~~560.9804~~ 234.5604 (2),  
24 in accordance with agreements entered into under s. ~~560.9804~~ 234.5604 (1).

**ASSEMBLY BILL 40****SECTION 438**

1           **SECTION 438.** 20.143 (2) (fm) of the statutes is renumbered 20.490 (7) (fm) and  
2 amended to read:

3           20.490 (7) (fm) *Shelter for homeless and transitional housing grants.*  
4 Biennially, the amounts in the schedule for transitional housing grants under s.  
5 ~~560.9806~~ 234.5606 and for grants to agencies and shelter facilities for homeless  
6 individuals and families as provided under s. ~~560.9808~~ 234.5608. Notwithstanding  
7 ss. 20.001 (3) (a) and 20.002 (1), the ~~department~~ authority may transfer funds  
8 between fiscal years under this paragraph.

9           **SECTION 439.** 20.143 (2) (fr) of the statutes is renumbered 20.490 (7) (fr) and  
10 amended to read:

11           20.490 (7) (fr) *Mental health for homeless individuals.* The amounts in the  
12 schedule for mental health services for homeless individuals under s. ~~560.9811~~  
13 234.5611.

14           **SECTION 440.** 20.143 (2) (gg) of the statutes is renumbered 20.490 (7) (gg).

15           **SECTION 441.** 20.143 (2) (h) of the statutes is renumbered 20.490 (7) (h) and  
16 amended to read:

17           20.490 (7) (h) *Funding for the homeless.* All moneys received from interest on  
18 real estate trust accounts under s. 452.13 for grants under s. ~~560.9807~~ 234.5607, and  
19 all moneys received under s. 704.05 (5) (a) 2., for grants to agencies and shelter  
20 facilities for homeless individuals and families under s. ~~560.9808~~ 234.5608 (2) (a) and  
21 (b).

22           **SECTION 442.** 20.143 (2) (k) of the statutes is renumbered 20.490 (7) (k) and  
23 amended to read:

24           20.490 (7) (k) *Sale of materials or services.* All moneys received from the sale  
25 of materials or services related to housing assistance under ~~subch. X of ch. 560~~ ss.

**ASSEMBLY BILL 40****SECTION 442**

1 234.5601 to 234.5615 to the department authority or ~~other~~ to state agencies, for the  
2 purpose of providing those materials and services.

3 **SECTION 443.** 20.143 (2) (kg) of the statutes is renumbered 20.490 (7) (kg) and  
4 amended to read:

5 20.490 (7) (kg) *Housing program services.* All moneys received from ~~other~~ state  
6 agencies for housing program services, for the purpose of providing housing program  
7 services.

8 **SECTION 444.** 20.143 (2) (m) of the statutes is renumbered 20.490 (7) (m) and  
9 amended to read:

10 20.490 (7) (m) *Federal aid; state operations.* All moneys received from the  
11 federal government for state operations related to housing assistance under ~~subch.~~  
12 ~~X of ch. 560 ss. 234.5601 to 234.5615~~, as authorized by the governor under s. 16.54,  
13 for the purposes of state operations.

14 **SECTION 445.** 20.143 (2) (n) of the statutes is renumbered 20.490 (7) (n) and  
15 amended to read:

16 20.490 (7) (n) *Federal aid; local assistance.* All moneys received from the  
17 federal government for local assistance related to housing assistance under ~~subch.~~  
18 ~~X of ch. 560 ss. 234.5601 to 234.5615~~, as authorized by the governor under s. 16.54,  
19 for the purposes of providing local assistance.

20 **SECTION 446.** 20.143 (2) (o) of the statutes is renumbered 20.490 (7) (o) and  
21 amended to read:

22 20.490 (7) (o) *Federal aid; individuals and organizations.* All moneys received  
23 from the federal government for aids to individuals and organizations related to  
24 housing assistance under ~~subch. X of ch. 560 ss. 234.5601 to 234.5615~~, as authorized



**ASSEMBLY BILL 40****SECTION 446**

1 by the governor under s. 16.54, for the purpose of providing aids to individuals and  
2 organizations.

3 **SECTION 447.** 20.143 (3) (title) of the statutes is renumbered 20.165 (2) (title).

4 **SECTION 448.** 20.143 (3) (a) of the statutes is renumbered 20.165 (2) (a).

5 **SECTION 449.** 20.143 (3) (de) of the statutes is renumbered 20.165 (2) (de).

6 **SECTION 450.** 20.143 (3) (dm) of the statutes is renumbered 20.165 (2) (dm).

7 **SECTION 451.** 20.143 (3) (g) of the statutes is renumbered 20.165 (2) (g) and  
8 amended to read:

9 20.165 (2) (g) *Gifts and grants.* All moneys received as gifts or grants relating  
10 to the regulation of industry, buildings, and safety to carry out the purposes for which  
11 made.

12 **SECTION 452.** 20.143 (3) (ga) of the statutes is renumbered 20.165 (2) (ga).

13 **SECTION 453.** 20.143 (3) (gb) of the statutes is renumbered 20.165 (2) (gb) and  
14 amended to read:

15 20.165 (2) (gb) *Local agreements.* All moneys received through contracts or  
16 financial agreements for provision of services to local units of government or local  
17 organizations relating to the regulation of industry, buildings, and safety, for the  
18 purpose of providing the services.

19 **SECTION 454.** 20.143 (3) (h) of the statutes is renumbered 20.165 (2) (h).

20 **SECTION 455.** 20.143 (3) (j) of the statutes is renumbered 20.165 (2) (j) and  
21 amended to read:

22 20.165 (2) (j) *Safety and building operations.* The amounts in the schedule for  
23 the purposes of chs. 101, 145, and 168 and ss. 167.35, 236.12 (2) (a), 236.13 (1) (d) and  
24 (2m), and 236.335, for the purpose of transferring the amounts in the schedule under  
25 par. (kg) to the appropriation account under par. (kg), and for the purpose of

**ASSEMBLY BILL 40****SECTION 455**

1 transferring the amounts in the schedule under par. (km) to the appropriation  
2 account under par. (km). All moneys received under ch. 145, ss. ~~101.136 (6) (b),~~  
3 101.177 (4) (a) 4., 101.178, 101.19, 101.63 (9), 101.654 (3), 101.73 (12), 101.82 (4),  
4 101.955 (2), 101.973 (7), 167.35 (2) (f), and 236.12 (7), except moneys received under  
5 s. 101.9208 (2m), and all moneys transferred under 2005 Wisconsin Act 45, section  
6 76 (6), shall be credited to this appropriation.

7 **SECTION 456.** 20.143 (3) (ka) of the statutes is renumbered 20.165 (2) (ka) and  
8 amended to read:

9 20.165 (2) (ka) *Interagency agreements.* All moneys received through contracts  
10 or financial agreements for provision of services to other state agencies relating to  
11 the regulation of industry, buildings, and safety, except moneys appropriated under  
12 par. (ks) or sub. (4) (1) (kd), for the purpose of providing the services.

13 **SECTION 457.** 20.143 (3) (kg) of the statutes is renumbered 20.165 (2) (kg).

14 **SECTION 458.** 20.143 (3) (km) of the statutes is renumbered 20.165 (2) (km).

15 **SECTION 459.** 20.143 (3) (ks) of the statutes is renumbered 20.165 (2) (ks) and  
16 amended to read:

17 20.165 (2) (ks) *Data processing.* All moneys received from data processing  
18 services provided internally relating to the regulation of industry, buildings, and  
19 safety to be used to meet the costs associated with the services.

20 **SECTION 460.** 20.143 (3) (L) of the statutes is renumbered 20.165 (2) (L).

21 **SECTION 461.** 20.143 (3) (La) of the statutes is renumbered 20.165 (2) (La).

22 **SECTION 462.** 20.143 (3) (Lm) of the statutes is renumbered 20.165 (2) (Lm).

23 **SECTION 463.** 20.143 (3) (m) of the statutes is renumbered 20.165 (2) (m) and  
24 amended to read:

**ASSEMBLY BILL 40****SECTION 463**

1           20.165 (2) (m) *Federal funds*. All federal moneys received as authorized under  
2 s. 16.54 relating to the regulation of industry, buildings, and safety, except as  
3 otherwise appropriated under this subsection, for the purposes of the programs  
4 administered by the department.

5           **SECTION 464.** 20.143 (3) (ma) of the statutes is renumbered 20.165 (2) (ma).

6           **SECTION 465.** 20.143 (3) (pz) of the statutes is renumbered 20.165 (2) (pz) and  
7 amended to read:

8           20.165 (2) (pz) *Indirect cost reimbursements*. All moneys received from the  
9 federal government relating to the regulation of industry, buildings, and safety, as  
10 reimbursement of indirect costs of grants and contracts for the purposes authorized  
11 in s. 16.54 (9) (b).

12           **SECTION 466.** 20.143 (3) (q) of the statutes is renumbered 20.165 (2) (q).

13           **SECTION 467.** 20.143 (3) (r) of the statutes is renumbered 20.165 (2) (r).

14           **SECTION 468.** 20.143 (3) (s) of the statutes is renumbered 20.165 (2) (s).

15           **SECTION 469.** 20.143 (3) (sm) of the statutes is renumbered 20.165 (2) (sm) and  
16 amended to read:

17           20.165 (2) (sm) *Diesel truck idling reduction grants*. From the petroleum  
18 inspection fund, the amounts in the schedule for diesel truck idling reduction grants  
19 under s. ~~560.125~~ 101.45. No funds may be encumbered under this paragraph after  
20 June 30, 2015.

21           **SECTION 470.** 20.143 (3) (sn) of the statutes is renumbered 20.165 (2) (sn) and  
22 amended to read:

23           20.165 (2) (sn) *Diesel truck idling reduction grant administration*. From the  
24 petroleum inspection fund, the amounts in the schedule for administering the Diesel

**ASSEMBLY BILL 40****SECTION 470**

1 Truck Idling Reduction Grant Program under s. ~~560.125~~ 101.45. No funds may be  
2 encumbered under this paragraph after December 31, 2016.

3 **SECTION 471.** 20.143 (3) (t) of the statutes is renumbered 20.165 (2) (t).

4 **SECTION 472.** 20.143 (3) (u) of the statutes is renumbered 20.165 (2) (u).

5 **SECTION 473.** 20.143 (3) (v) of the statutes is renumbered 20.165 (2) (v).

6 **SECTION 474.** 20.143 (3) (vb) of the statutes is renumbered 20.165 (2) (vb).

7 **SECTION 475.** 20.143 (3) (vm) of the statutes is renumbered 20.165 (2) (vm).

8 **SECTION 476.** 20.143 (3) (w) of the statutes is renumbered 20.165 (2) (w).

9 **SECTION 477.** 20.143 (4) (title) of the statutes is repealed.

10 **SECTION 478.** 20.143 (4) (a) of the statutes is renumbered 20.165 (1) (a), and  
11 20.165 (1) (a) (title), as renumbered, is amended to read:

12 20.165 (1) (a) (title) *General program operations — executive and*  
13 *administrative services.*

14 **SECTION 479.** 20.143 (4) (g) of the statutes is repealed.

15 **SECTION 480.** 20.143 (4) (k) of the statutes is renumbered 20.165 (1) (kc).

16 **SECTION 481.** 20.143 (4) (ka) of the statutes is renumbered 20.165 (1) (ka).

17 **SECTION 482.** 20.143 (4) (kb) of the statutes is renumbered 20.165 (1) (kb).

18 **SECTION 483.** 20.143 (4) (kd) of the statutes is renumbered 20.165 (1) (kd) and  
19 amended to read:

20 20.165 (1) (kd) *Administrative services.* The amounts in the schedule for  
21 administrative and support services for programs administered by the department.  
22 All moneys received by the department from the department, except for moneys  
23 directed to be deposited under pars. ~~(k), (ka) and (kb), and (kc)~~ and subs. ~~(1) (k), (ka)~~  
24 ~~and (kb) and (3) sub. (2)~~ sub. (2) (ks), as payment for administrative and support services for  
25 programs administered by the department shall be credited to this appropriation.

**ASSEMBLY BILL 40****SECTION 484**

1           **SECTION 484.** 20.143 (4) (ke) of the statutes is renumbered 20.165 (1) (ke).

2           **SECTION 485.** 20.143 (4) (m) of the statutes is repealed.

3           **SECTION 486.** 20.143 (4) (n) of the statutes is renumbered 20.165 (1) (n).

4           **SECTION 487.** 20.143 (4) (o) of the statutes is renumbered 20.165 (1) (o).

5           **SECTION 488.** 20.143 (4) (pz) of the statutes is renumbered 20.165 (1) (pz).

6           **SECTION 489.** 20.144 (intro.) of the statutes is amended to read:

7           **20.144 Financial institutions, department of.** (intro.) There is  
8 appropriated to the department of financial institutions for the following programs  
9 program:

10           **SECTION 490.** 20.144 (1) (g) of the statutes is amended to read:

11           20.144 (1) (g) *General program operations.* The amounts in the schedule for  
12 the general program operations of the department of financial institutions. Except  
13 as provided in pars. (a), (h), (i), (j), and (u), all moneys received by the department,  
14 other than by the office of credit unions and the division of banking, and 88% of all  
15 moneys received by the office of credit unions and the department's division of  
16 banking shall be credited to this appropriation, but any balance at the close of a fiscal  
17 year under this appropriation shall lapse to the general fund. Annually, \$200,000  
18 \$325,000 of the amounts received under this appropriation account shall be  
19 transferred to the appropriation account under s. 20.575 (1) (g).

20           **SECTION 491.** 20.144 (2) (title) and (g) of the statutes are repealed.

21           **SECTION 492.** 20.144 (2) (m) of the statutes is renumbered 20.144 (1) (m).

22           **SECTION 493.** 20.145 (1) (g) (intro.) of the statutes is amended to read:

23           20.145 (1) (g) (intro.) *General program operations.* The amounts in the  
24 schedule for general program operations, including organizational support services  
25 and oversight of care management organizations, and for transferring to the

**ASSEMBLY BILL 40****SECTION 493**

1 appropriation account under s. 20.435 (4) (kv) the amount allocated by the  
2 commissioner of insurance. Notwithstanding s. 20.001 (3) (a), at the end of each  
3 fiscal year, the unencumbered balance in this appropriation account that exceeds 10  
4 percent of that fiscal year's expenditure under this appropriation shall lapse to the  
5 general fund. All of the following shall be credited to this appropriation account:

6 **SECTION 494.** 20.165 (intro.) of the statutes is amended to read:

7 **20.165 Regulation and licensing Safety and professional services,**  
8 **department of.** (intro.) There is appropriated to the department of ~~regulation and~~  
9 ~~licensing safety and professional services~~ for the following programs:

10 **SECTION 495.** 20.165 (1) (title) of the statutes is amended to read:

11 20.165 (1) (title) PROFESSIONAL REGULATION AND ADMINISTRATIVE SERVICES.

12 **SECTION 496.** 20.165 (1) (g) of the statutes is amended to read:

13 20.165 (1) (g) *General program operations.* The amounts in the schedule for  
14 the licensing, rule making, and regulatory functions of the department, other than  
15 the licensing, rule-making, and credentialing functions of the medical examining  
16 board and the affiliated credentialing boards attached to the medical examining  
17 board and except for preparing, administering, and grading examinations. Ninety  
18 Except as otherwise provided in this section, 90 percent of all moneys received under  
19 chs. 440 to 480, except ch. 448, ss. 440.03 (13), 440.05 (1) (b), and 446.02 (3) (a) other  
20 than fines and forfeitures, less \$10 of each renewal fee received under s. 452.12 (5),  
21 and; all moneys transferred from the appropriation under par. (i); and all moneys  
22 received under s. 440.055 (2), shall be credited to this appropriation.  
23 Notwithstanding s. 20.001 (3) (a), at the end of each fiscal year the unencumbered  
24 balance in this appropriation account that exceeds 10 percent of the expenditures  
25 made under this appropriation for that fiscal year shall lapse to the general fund.

**ASSEMBLY BILL 40**

1           **SECTION 497.** 20.165 (1) (hg) of the statutes is amended to read:

2           20.165 (1) (hg) *General program operations; medical examining board.*  
3           Biennially, the amounts in the schedule for the licensing, rule-making, and  
4           regulatory functions of the medical examining board and the affiliated credentialing  
5           boards attached to the medical examining board, except for preparing,  
6           administering, and grading examinations. Ninety percent of all moneys received for  
7           issuing and renewing credentials under ch. 448 shall be credited to this  
8           appropriation. Notwithstanding s. 20.001 (3) (b), at the end of each biennium the  
9           unencumbered balance in this appropriation account that exceeds 10 percent of the  
10          expenditures made under this appropriation for that biennium shall lapse to the  
11          general fund.

12          **SECTION 498.** 20.165 (1) (j) of the statutes is created to read:

13          20.165 (1) (j) *Gifts, grants, settlements, and proceeds.* All moneys received from  
14          gifts, grants, and bequests, for the purposes for which received; all moneys, other  
15          than fines and forfeitures, received in settlement of actions or proposed actions for  
16          violations of chs. 440 to 480, for the purposes for which received; and all moneys  
17          received from fees or other charges for photocopies, generation of copies of documents  
18          from electronic storage or other storage media, conferences, sales of publications,  
19          lists of credential holders, and promotional or other materials, and other services  
20          provided incidental to the licensing, rule making, and regulatory functions of the  
21          department, for the purposes for which received.

22          **SECTION 499.** 20.192 (1) (k) of the statutes, as created by 2011 Wisconsin Act  
23          7, is amended to read:

24          20.192 (1) (k) *Transferred general fund moneys from department of commerce.*  
25          All moneys transferred under 2011 Wisconsin Act 7, section 9155 (2), and 2011

**ASSEMBLY BILL 40****SECTION 499**

1 Wisconsin Act ... (this act), section 9210 (2), for the operations of the Wisconsin  
2 Economic Development Corporation and for funding economic development  
3 programs developed and implemented under s. 238.03.

4 **SECTION 500.** 20.192 (1) (m) of the statutes, as created by 2011 Wisconsin Act  
5 7, is amended to read:

6 20.192 (1) (m) *Federal aid; programs.* All moneys received from the federal  
7 government as authorized by the governor under s. 16.54 and all moneys transferred  
8 under 2011 Wisconsin Act ... (this act), section 9210 (3), for the purposes of funding  
9 programs administered by the Wisconsin Economic Development Corporation.

10 **SECTION 501.** 20.192 (1) (r) of the statutes is created to read:

11 20.192 (1) (r) *Economic development fund; programs.* From the economic  
12 development fund, as a continuing appropriation, the amounts in the schedule for  
13 funding economic development programs administered by the Wisconsin Economic  
14 Development Corporation.

15 **SECTION 502.** 20.215 (intro.) of the statutes is repealed.

16 **SECTION 503.** 20.215 (1) (title) of the statutes is renumbered 20.380 (3) (title).

17 **SECTION 504.** 20.215 (1) (a) of the statutes is renumbered 20.380 (3) (a) and  
18 amended to read:

19 20.380 (3) (a) *General program operations.* The amounts in the schedule for  
20 general program operations of the arts board.

21 **SECTION 505.** 20.215 (1) (b) of the statutes is renumbered 20.380 (3) (b) and  
22 amended to read:

23 20.380 (3) (b) *State aid for the arts.* The amounts in the schedule for  
24 grants-in-aid or contract payments to groups, individuals, organizations and  
25 institutions by the arts board under s. ~~44.53~~ 41.53 (1) (f) and (2) (a), and for grants



**ASSEMBLY BILL 40****SECTION 505**

1 and loans related to arts incubators under s. ~~44.60~~ and for the grant under 1999  
2 Wisconsin Act 9, section 9105 (1c) 41.60.

3 **SECTION 506.** 20.215 (1) (c) of the statutes is renumbered 20.380 (3) (c) and  
4 amended to read:

5 20.380 (3) (c) *Portraits of governors.* The amounts in the schedule to pay for  
6 costs associated with the selection and purchase of portraits of governors under s.  
7 ~~44.53~~ 41.53 (1) (g).

8 **SECTION 507.** 20.215 (1) (d) of the statutes is renumbered 20.380 (3) (d) and  
9 amended to read:

10 20.380 (3) (d) *Challenge grant program.* The amounts in the schedule for  
11 challenge grants under ss. ~~44.53~~ 41.53 (1) (i) and ~~44.565~~ 41.565.

12 **SECTION 508.** 20.215 (1) (e) of the statutes is renumbered 20.380 (3) (e) and  
13 amended to read:

14 20.380 (3) (e) *High Point fund.* The amounts in the schedule for a grant to the  
15 Milwaukee Foundation, Inc., for deposit in the High Point fund under s. ~~44.53~~ 41.53  
16 (1) (j).

17 **SECTION 509.** 20.215 (1) (f) of the statutes is renumbered 20.380 (3) (f) and  
18 amended to read:

19 20.380 (3) (f) *Wisconsin regranting program.* The amounts in the schedule for  
20 grants under s. ~~44.62~~ 41.62.

21 **SECTION 510.** 20.215 (1) (g) of the statutes is renumbered 20.380 (3) (g) and  
22 amended to read:

23 20.380 (3) (g) *Gifts and grants; state operations.* All moneys received by the arts  
24 board as gifts and grants for expenses other than aids, to be used for the purposes  
25 for which made.

**ASSEMBLY BILL 40****SECTION 511**

1           **SECTION 511.** 20.215 (1) (h) of the statutes is renumbered 20.380 (3) (h) and  
2 amended to read:

3           20.380 (3) (h) *Gifts and grants; aids to individuals and organizations.* All  
4 moneys received by the arts board as gifts and grants for the purpose of providing  
5 aids to individuals and organizations, to be used for the purposes for which made.

6           **SECTION 512.** 20.215 (1) (j) of the statutes is renumbered 20.380 (3) (j) and  
7 amended to read:

8           20.380 (3) (j) *Support of arts programs.* All moneys received by the arts board  
9 from the Wisconsin Artistic Endowment Foundation under s. 247.06 (1) (a) for  
10 operating support of arts organizations and for grants under the Wisconsin  
11 regranting program under s. ~~44.62~~ 41.62.

12           **SECTION 513.** 20.215 (1) (k) of the statutes is repealed.

13           **SECTION 514.** 20.215 (1) (ka) of the statutes is repealed.

14           **SECTION 515.** 20.215 (1) (km) of the statutes is renumbered 20.380 (3) (km) and  
15 amended to read:

16           20.380 (3) (km) *State aid for the arts; Indian gaming receipts.* The amounts in  
17 the schedule for grants-in-aid or contract payments to American Indian groups,  
18 individuals, organizations, and institutions under s. ~~44.53~~ 41.53 (1) (fm) and (2) (am).  
19 All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 4b.  
20 shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the  
21 unencumbered balance on June 30 of each year shall revert to the appropriation  
22 account under s. 20.505 (8) (hm).

23           **SECTION 516.** 20.215 (1) (m) of the statutes is renumbered 20.380 (3) (m) and  
24 amended to read:

**ASSEMBLY BILL 40****SECTION 516**

1           20.380 (3) (m) *Federal grants; state operations.* All moneys received by the arts  
2 board from the federal government for expenses other than aids, to be used for the  
3 purposes for which made.

4           **SECTION 517.** 20.215 (1) (o) of the statutes is renumbered 20.380 (3) (o) and  
5 amended to read:

6           20.380 (3) (o) *Federal grants; aids to individuals and organizations.* All  
7 moneys received by the arts board from the federal government for the purpose of  
8 providing aids to individuals and organizations, to be used for the purposes for which  
9 made.

10          **SECTION 518.** 20.235 (1) (fe) of the statutes is amended to read:

11          20.235 (1) (fe) *Wisconsin higher education grants; University of*  
12 *Wisconsin–Madison and University of Wisconsin System students.* A sum sufficient  
13 equal to \$37,750,000 \$58,345,400 in the ~~2009–10~~ 2011–12 fiscal year, equal to  
14 \$58,345,400 in the ~~2010–11~~ 2012–13 fiscal year, and equal to the amount calculated  
15 under s. 39.435 (7) for the Wisconsin higher education grant program under s. 39.435  
16 for University of Wisconsin–Madison and University of Wisconsin System students,  
17 except for grants awarded under s. 39.435 (2) or (5), thereafter.

18          **SECTION 519.** 20.235 (1) (fz) of the statutes is amended to read:

19          20.235 (1) (fz) *Remission of fees and reimbursement for veterans and*  
20 *dependents.* Biennially, the amounts in the schedule to reimburse the Board of  
21 Regents of the University of Wisconsin System, the Board of Trustees of the  
22 University of Wisconsin–Madison, and technical college district boards under s.  
23 39.50 for fee remissions made under ss. 36.27 (3n) (b) or (3p) (b), 37.27 (3n) (b) or (3p)  
24 (b), and 38.24 (7) (b) or (8) (b) and to reimburse veterans and dependents as provided

**ASSEMBLY BILL 40****SECTION 519**

1 in ss. 36.27 (3n) (bm) or (3p) (bm), 37.27 (3n) (bm) or (3p) (bm), and 38.24 (7) (bm) or  
2 (8) (bm).

3 **SECTION 520.** 20.255 (1) (e) of the statutes is created to read:

4 20.255 (1) (e) *Student information system.* Biennially, the amounts in the  
5 schedule for the student information system under s. 115.28 (12).

6 **SECTION 521.** 20.255 (1) (gh) of the statutes is repealed.

7 **SECTION 522.** 20.255 (1) (hf) of the statutes is repealed.

8 **SECTION 523.** 20.255 (1) (kd) of the statutes is amended to read:

9 20.255 (1) (kd) *Alcohol and other drug abuse program.* The amounts in the  
10 schedule for the purpose of s. 115.36 (2) and the administration of s. 115.36 (3). All  
11 moneys transferred from the appropriation account under s. 20.455 (2) (i) 4. shall be  
12 credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the  
13 unencumbered balance on June 30 of each year shall be transferred to the  
14 appropriation account under s. 20.455 (2) (i).

15 **SECTION 524.** 20.255 (1) (q) of the statutes is repealed.

16 **SECTION 525.** 20.255 (2) (ad) of the statutes is repealed.

17 **SECTION 526.** 20.255 (2) (bc) of the statutes is repealed.

18 **SECTION 527.** 20.255 (2) (ce) of the statutes is repealed.

19 **SECTION 528.** 20.255 (2) (cf) of the statutes is repealed.

20 **SECTION 529.** 20.255 (2) (cn) of the statutes is amended to read:

21 20.255 (2) (cn) *Aids for school lunches and nutritional improvement.* The  
22 amounts in the schedule for the payment of school lunch aids under s. 115.34 (2) and  
23 for nutritional improvement under ss. 36.51, 37.51, 38.36 and 115.345.

24 **SECTION 530.** 20.255 (2) (de) of the statutes is repealed.

25 **SECTION 531.** 20.255 (2) (df) of the statutes is repealed.

**ASSEMBLY BILL 40**

1           **SECTION 532.** 20.255 (2) (dL) of the statutes is repealed.

2           **SECTION 533.** 20.255 (2) (dm) of the statutes is repealed.

3           **SECTION 534.** 20.255 (2) (do) of the statutes is repealed.

4           **SECTION 535.** 20.255 (2) (er) of the statutes is repealed.

5           **SECTION 536.** 20.255 (2) (es) of the statutes is repealed.

6           **SECTION 537.** 20.255 (2) (fm) of the statutes is amended to read:

7           20.255 (2) (fm) *Charter schools.* A sum sufficient to make the payments to  
8 charter schools ~~and to the unified school district~~ under s. 118.40 (2r) (e).

9           **SECTION 538.** 20.255 (2) (fw) of the statutes is repealed.

10          **SECTION 539.** 20.255 (2) (fz) of the statutes is repealed.

11          **SECTION 540.** 20.255 (2) (kd) of the statutes is amended to read:

12          20.255 (2) (kd) *Aid for alcohol and other drug abuse programs.* The amounts  
13 in the schedule for the purpose of s. 115.36 (3). All moneys transferred from the  
14 appropriation account under s. 20.455 (2) (i) 5. shall be credited to this appropriation  
15 account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30  
16 of each year shall be transferred to the appropriation account under s. 20.455 (2) (i).

17          **SECTION 541.** 20.255 (2) (kg) of the statutes is repealed.

18          **SECTION 542.** 20.280 of the statutes is created to read:

19          **20.280 University of Wisconsin–Madison.** There is appropriated to the  
20 University of Wisconsin–Madison for the following program:

21           **(1) UNIVERSITY OF WISCONSIN–MADISON.** (a) *General program operations.* The  
22 amounts in the schedule for general program operations.

23           (c) *Energy costs; energy–related assessments.* The amounts in the schedule to  
24 pay for utilities and for fuel, heat, and air conditioning, to pay assessments levied by  
25 the department of administration under s. 16.847 (3) for costs incurred and savings

**ASSEMBLY BILL 40****SECTION 542**

1 generated at university facilities, and to pay costs incurred under ss. 16.858 and  
2 16.895, including all operating costs recommended by the department of  
3 administration that result from the installation of pollution abatement equipment  
4 in state-owned or operated heating, cooling, or power plants, by or on behalf of the  
5 board of trustees, and including the cost of purchasing electricity, steam, and chilled  
6 water generated by the cogeneration facility constructed pursuant to an agreement  
7 under 2001 Wisconsin Act 109, section 9156 (2z) (g).

8 (d) *Principal repayment and interest.* A sum sufficient to reimburse s. 20.866  
9 (1) (u) for the payment of principal and interest costs incurred in financing the  
10 acquisition, construction, development, enlargement or improvement of university  
11 academic facilities and to make payments under an agreement or ancillary  
12 arrangement entered into under s. 18.06 (8) (a).

13 (k) *Funds transferred from other state agencies.* All moneys received from other  
14 state agencies to carry out the purposes for which received.

15 (kd) *Principal repayment, interest, and rebates.* From the revenues credited  
16 under par. (g), a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of  
17 principal and interest costs incurred in financing the acquisition, construction,  
18 development, enlargement, or improvement of self-amortizing university facilities,  
19 to make the payments determined by the building commission under s. 13.488 (1) (m)  
20 that are attributable to the proceeds of obligations incurred in financing such  
21 facilities, and to make payments under an agreement or ancillary arrangement  
22 entered into under s. 18.06 (8) (a). For projects authorized by the building  
23 commission before July 1, 1998, annually an amount equal to 20% of the principal  
24 and interest costs for maintenance of university intercollegiate athletic facilities  
25 shall be paid from the appropriation under this paragraph. For projects authorized

**ASSEMBLY BILL 40**

1 by the building commission on or after July 1, 1998, but before July 1, 2001, annually  
2 an amount equal to 30% of the principal and interest costs for maintenance of  
3 university intercollegiate athletic facilities shall be paid from the appropriation  
4 under this paragraph. For projects authorized by the building commission on or after  
5 July 1, 2001, annually an amount equal to 40% of the principal and interest costs for  
6 maintenance of university intercollegiate athletic facilities shall be paid from the  
7 appropriation under this paragraph.

8 (ks) *Physician and health care provider loan assistance programs; repayments.*  
9 Biennially, the amounts in the schedule for loan repayments under ss. 37.60 and  
10 37.61. All moneys transferred from the appropriation account under s. 20.505 (8)  
11 (hm) 6m. shall be credited to this appropriation account. Notwithstanding s. 20.001  
12 (3) (b), the unencumbered balance on June 30 of each odd-numbered year shall  
13 revert to the appropriation account under s. 20.505 (8) (hm).

14 (L) *Mellon Foundation grant; matching funds.* All moneys received from  
15 earnings on tuition to meet the matching requirement specified in the Andrew W.  
16 Mellon Foundation grant.

17 (qj) *Physician and health care provider loan assistance programs; critical*  
18 *access hospital assessment fund.* Biennially, from the critical access hospital  
19 assessment fund, the amounts in the schedule for loan repayments under ss. 37.60  
20 and 37.61.

21 (qm) *Grants for forestry programs.* From the conservation fund, the amounts  
22 in the schedule for grants to forest cooperatives under s. 37.56.

23 (rm) *Environmental program grants.* From income and interest in the normal  
24 school fund, the amounts in the schedule for grants under s. 37.49.

**ASSEMBLY BILL 40****SECTION 542**

1           (s) *Wisconsin Bioenergy Initiative*. From the recycling and renewable energy  
2 fund, the amounts in the schedule to support research under the Wisconsin  
3 Bioenergy Initiative into improved plant biomass, improved biomass processing,  
4 conversion of biomass into energy products, development of a sustainable energy  
5 economy, and development of enabling technologies for bioenergy research.

6           (zz) *University trust funds*. From the university trust funds, all moneys  
7 received under 2011 Wisconsin Act .... (this act), section 9152 (1) (b), for the purposes  
8 for which designated.

9           **SECTION 543.** 20.280 (1) (zz) of the statutes, as created by 2011 Wisconsin Act  
10 .... (this act), is repealed.

11           **SECTION 544.** 20.285 (1) (c) of the statutes is amended to read:

12           20.285 (1) (c) *Energy costs; energy-related assessments*. The amounts in the  
13 schedule to pay for utilities and for fuel, heat, and air conditioning, to pay  
14 assessments levied by the department of administration under s. 16.847 (3) for costs  
15 incurred and savings generated at university facilities, and to pay costs incurred  
16 under ss. 16.858 and 16.895, including all operating costs recommended by the  
17 department of administration that result from the installation of pollution  
18 abatement equipment in state-owned or operated heating, cooling, or power plants,  
19 by or on behalf of the board of regents, ~~and including the cost of purchasing~~  
20 ~~electricity, steam, and chilled water generated by the cogeneration facility~~  
21 ~~constructed pursuant to an agreement under 2001 Wisconsin Act 109, section 9156~~  
22 ~~(2z) (g)~~.

23           **SECTION 545.** 20.285 (1) (da) of the statutes is repealed.

24           **SECTION 546.** 20.285 (1) (db) of the statutes is repealed.

25           **SECTION 547.** 20.285 (1) (fc) of the statutes is repealed.



**ASSEMBLY BILL 40****SECTION 548**

1           **SECTION 548.** 20.285 (1) (fd) of the statutes is renumbered 20.280 (1) (fd).

2           **SECTION 549.** 20.285 (1) (fj) of the statutes is renumbered 20.280 (1) (fj).

3           **SECTION 550.** 20.285 (1) (gm) of the statutes is repealed.

4           **SECTION 551.** 20.285 (1) (gn) of the statutes is repealed.

5           **SECTION 552.** 20.285 (1) (gr) of the statutes is repealed.

6           **SECTION 553.** 20.285 (1) (gs) of the statutes is repealed.

7           **SECTION 554.** 20.285 (1) (h) of the statutes is amended to read:

8           20.285 (1) (h) *Auxiliary enterprises.* ~~Except as provided under subs. (5) (i) and~~  
9           ~~(6) (g), all~~ All moneys received by the University of Wisconsin System for or on  
10           account of any housing facility, commons, dining halls, cafeteria, student union,  
11           athletic activities, stationery stand or bookstore, parking facilities or car fleet, or  
12           such other auxiliary enterprise activities as the board designates and including such  
13           fee revenues as allocated by the board and including such moneys received under  
14           leases entered into previously with nonprofit building corporations as the board  
15           designates to be receipts under this paragraph, but not including any moneys  
16           received from the sale of real property during the period beginning on October 27,  
17           2007, and ending on June 30, 2009, and the period beginning on July 1, 2010, to be  
18           used for the operation, maintenance, and capital expenditures of activities specified  
19           in this paragraph, including the transfer of funds to ~~pars.~~ par. (kd) ~~and (ke)~~, and to  
20           nonprofit building corporations to be used by the corporations for the retirement of  
21           existing indebtedness and such other payments as may be required under existing  
22           loan agreements, for optional rental payments in addition to the mandatory rental  
23           payments under the leases and subleases in connection with the providing of  
24           facilities for such activities, and for grants under ss. 36.25 (14) and 36.34. A separate  
25           account shall be maintained for each campus and extension. ~~Upon the request of the~~

**ASSEMBLY BILL 40****SECTION 554**

1 ~~extension or any campus within the system, the board of regents may transfer~~  
2 ~~surplus moneys appropriated under this paragraph to the appropriation account~~  
3 ~~under par. (kp).~~

4 **SECTION 555.** 20.285 (1) (i) of the statutes is repealed.

5 **SECTION 556.** 20.285 (1) (ia) of the statutes is renumbered 20.280 (1) (ia).

6 **SECTION 557.** 20.285 (1) (jc) of the statutes is amended to read:

7 20.285 (1) (jc) ~~Physician and dentist~~ Dentist and health care provider dental  
8 hygienist loan assistance programs. All moneys received under ss. 36.60 and 36.61  
9 and all moneys transferred under 2009 Wisconsin Act 28, section 9210 (1), to be used  
10 for loan repayments under ss. 36.60 and 36.61 and costs associated with the  
11 repayments.

12 **SECTION 558.** 20.285 (1) (je) of the statutes is renumbered 20.280 (1) (je) and  
13 amended to read:

14 20.280 (1) (je) ~~Veterinary diagnostic laboratory; fees.~~ All moneys received  
15 under s. ~~36.58~~ 37.58 (3), other than from state agencies, to be used for general  
16 program operations of the veterinary diagnostic laboratory and to reimburse s.  
17 20.866 (1) (u) for the payment of principal and interest costs incurred in financing  
18 the construction of the veterinary diagnostic laboratory enumerated in 2001  
19 Wisconsin Act 16, section 9107 (1) (m) 1., to make payments determined by the  
20 building commission under s. 13.488 (1) (m) that are attributable to the proceeds of  
21 obligations incurred in financing that facility, and to make payments under an  
22 agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

23 **SECTION 559.** 20.285 (1) (jp) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 559**

1           20.285 (1) (jp) *License plate scholarship programs*. All moneys received under  
2 s. 341.14 (6r) (b) 4., other than moneys received for the special group specified in s.  
3 341.14 (6r) (f) 47m., for the scholarship programs under s. 36.44.

4           **SECTION 560.** 20.285 (1) (jq) of the statutes is renumbered 20.280 (1) (jq) and  
5 amended to read:

6           20.280 (1) (jq) *Steam and chilled–water plant; principal repayment, interest,*  
7 *and rebates; nonstate entities*. All moneys received from utility charges to the  
8 University of Wisconsin Hospitals and Clinics Authority and agencies of the federal  
9 government that are approved by the department of administration under s. ~~36.11~~  
10 37.11 (48) to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs  
11 incurred in purchasing the Walnut Street steam and chilled–water plant  
12 enumerated under 2003 Wisconsin Act 33, section 9106 (1) (g) 2. and in renovating  
13 and adding an addition to the Charter Street heating and cooling plant enumerated  
14 under 2009 Wisconsin Act 28, section 9106 (1) (g) 3., to make payments determined  
15 by the building commission under s. 13.488 (1) (m) that are attributable to the  
16 proceeds of obligations incurred in financing the purchase of the plant, and to make  
17 payments under an agreement or ancillary arrangement entered into under s. 18.06  
18 (8) (a).

19           **SECTION 561.** 20.285 (1) (ka) of the statutes is repealed.

20           **SECTION 562.** 20.285 (1) (kc) of the statutes is repealed.

21           **SECTION 563.** 20.285 (1) (kd) of the statutes is amended to read:

22           20.285 (1) (kd) *Principal repayment, interest and rebates*. From the revenues  
23 credited under par. (h) and ~~sub. (6) (g)~~, a sum sufficient to reimburse s. 20.866 (1) (u)  
24 for the payment of principal and interest costs incurred in financing the acquisition,  
25 construction, development, enlargement or improvement of self–amortizing

**ASSEMBLY BILL 40****SECTION 563**

1 university facilities, to make the payments determined by the building commission  
2 under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred  
3 in financing such facilities, and to make payments under an agreement or ancillary  
4 arrangement entered into under s. 18.06 (8) (a). ~~For projects authorized by the~~  
5 ~~building commission before July 1, 1998, annually an amount equal to 20% of the~~  
6 ~~principal and interest costs for maintenance of University of Wisconsin–Madison~~  
7 ~~intercollegiate athletic facilities shall be paid from the appropriation under this~~  
8 ~~paragraph. For projects authorized by the building commission on or after July 1,~~  
9 ~~1998, but before July 1, 2001, annually an amount equal to 30% of the principal and~~  
10 ~~interest costs for maintenance of University of Wisconsin–Madison intercollegiate~~  
11 ~~athletic facilities shall be paid from the appropriation under this paragraph. For~~  
12 ~~projects authorized by the building commission on or after July 1, 2001, annually an~~  
13 ~~amount equal to 40% of the principal and interest costs for maintenance of~~  
14 ~~University of Wisconsin–Madison intercollegiate athletic facilities shall be paid from~~  
15 ~~the appropriation under this paragraph.~~

16 **SECTION 564.** 20.285 (1) (ke) of the statutes is repealed.

17 **SECTION 565.** 20.285 (1) (kg) of the statutes is renumbered 20.280 (1) (kg).

18 **SECTION 566.** 20.285 (1) (ko) of the statutes is renumbered 20.280 (1) (ko) and  
19 amended to read:

20 20.280 (1) (ko) *Steam and chilled–water plant; principal repayment, interest,*  
21 *and rebates.* All moneys received from utility charges to University of  
22 Wisconsin–Madison university campus operations that are approved by the  
23 department of administration under s. ~~36.11~~ 37.11 (48) to reimburse s. 20.866 (1) (u)  
24 for the payment of principal and interest costs incurred in purchasing the Walnut  
25 Street steam and chilled–water plant enumerated under 2003 Wisconsin Act 33,

**ASSEMBLY BILL 40****SECTION 566**

1 section 9106 (1) (g) 2. and in renovating and adding an addition to the Charter Street  
2 heating and cooling plant enumerated under 2009 Wisconsin Act 28, section 9106 (1)  
3 (g) 3., to make payments determined by the building commission under s. 13.488 (1)  
4 (m) that are attributable to the proceeds of obligations incurred in financing the  
5 purchase of the plant, and to make payments under an agreement or ancillary  
6 arrangement entered into under s. 18.06 (8) (a).

7 **SECTION 567.** 20.285 (1) (kp) of the statutes is repealed.

8 **SECTION 568.** 20.285 (1) (ks) of the statutes is amended to read:

9 20.285 (1) (ks) *Physician and dentist Dentist and health care provider dental*  
10 *hygienist loan assistance programs; repayments.* Biennially, the amounts in the  
11 schedule for loan repayments under ss. 36.60 and 36.61. All moneys transferred  
12 from the appropriation account under s. 20.505 (8) (hm) 6r. shall be credited to this  
13 appropriation account. Notwithstanding s. 20.001 (3) (b), the unencumbered  
14 balance on June 30 of each odd-numbered year shall revert to the appropriation  
15 account under s. 20.505 (8) (hm).

16 **SECTION 569.** 20.285 (1) (Lm) of the statutes is amended to read:

17 20.285 (1) (Lm) *Laboratories.* ~~From~~ As a continuing appropriation, from  
18 moneys received as academic student fees, the amounts in the schedule for  
19 laboratory modernization.

20 **SECTION 570.** 20.285 (1) (Ls) of the statutes is amended to read:

21 20.285 (1) (Ls) *Schools of business.* ~~From~~ As a continuing appropriation, from  
22 moneys received as academic student fees, the amounts in the schedule to support  
23 improvements in master's level business programs under s. 36.25 (28).

24 **SECTION 571.** 20.285 (1) (mc) of the statutes is repealed.

**ASSEMBLY BILL 40****SECTION 572**

1           **SECTION 572.** 20.285 (1) (qe) of the statutes is renumbered 20.280 (1) (qe) and  
2 amended to read:

3           20.280 (1) (qe) *Rural physician residency assistance program.* Biennially, from  
4 the critical access hospital assessment fund, the amounts in the schedule for the  
5 department of family medicine in the University of Wisconsin School of Medicine and  
6 Public Health to establish and support physician residency positions under s. 36.63  
7 37.63.

8           **SECTION 573.** 20.285 (1) (qj) of the statutes is amended to read:

9           20.285 (1) (qj) ~~*Physician and dentist*~~ *Dentist and health care provider dental*  
10 *hygienist loan assistance programs; critical access hospital assessment fund.*  
11 Biennially, from the critical access hospital assessment fund, the amounts in the  
12 schedule for loan repayments under ss. 36.60 and 36.61.

13           **SECTION 574.** 20.285 (1) (qm) of the statutes is amended to read:

14           20.285 (1) (qm) ~~*Grants for forestry programs paper science program.*~~ From the  
15 conservation fund, of the amounts in the schedule, ~~\$78,000~~ annually for the  
16 University of Wisconsin–Stevens Point paper science program ~~and the remaining~~  
17 ~~balance for grants to forest cooperatives under s. 36.56.~~

18           **SECTION 575.** 20.285 (1) (rm) of the statutes is amended to read:

19           20.285 (1) (rm) ~~*Environmental program grants and scholarships.*~~ From income  
20 and interest in the normal school fund, the amounts in the schedule for ~~grants and~~  
21 ~~scholarships~~ under s. 36.49.

22           **SECTION 576.** 20.285 (1) (s) of the statutes is amended to read:

23           20.285 (1) (s) ~~*Wisconsin Bioenergy Initiative.*~~ From the ~~recycling and~~  
24 ~~renewable energy~~ *environmental* fund, the amounts in the schedule to support  
25 research under the Wisconsin Bioenergy Initiative into improved plant biomass,

**ASSEMBLY BILL 40****SECTION 576**

1 improved biomass processing, conversion of biomass into energy products,  
2 development of a sustainable energy economy, and development of enabling  
3 technologies for bioenergy research.

4 **SECTION 577.** 20.285 (1) (tb) of the statutes is amended to read:

5 20.285 (1) (tb) *Extension recycling education.* From the recycling and  
6 renewable energy environmental fund, the amounts in the schedule for University  
7 of Wisconsin—Extension educational and technical assistance programs in recycling  
8 and recycling market development.

9 **SECTION 578.** 20.285 (1) (tm) of the statutes is amended to read:

10 20.285 (1) (tm) *Solid waste research and experiments.* From the recycling and  
11 renewable energy environmental fund, the amounts in the schedule for research into  
12 alternative methods of solid waste management and for administering solid waste  
13 experiment centers.

14 **SECTION 579.** 20.285 (2) (a) 1. of the statutes is amended to read:

15 20.285 (2) (a) 1. Any moneys in program revenue appropriations to the board  
16 of regents for operation may be temporarily transferred to or from any other program  
17 revenue appropriation, but any moneys so transferred shall be repaid to the  
18 appropriation from which taken before the close of the fiscal year in which the  
19 transfer was made. ~~This subdivision does not apply to moneys transferred from the~~  
20 ~~appropriation account under sub. (1) (h) to the appropriation account under sub. (1)~~  
21 ~~(kp).~~

22 **SECTION 580.** 20.285 (4) (dd) of the statutes is amended to read:

23 20.285 (4) (dd) *Lawton minority undergraduate grants program.* ~~A sum~~  
24 ~~sufficient equal to \$6,399,500 in the 2009–10 fiscal year and \$6,757,900 in the~~  
25 ~~2010–11 fiscal year, and in subsequent fiscal years a sum sufficient equal to the~~

**ASSEMBLY BILL 40****SECTION 580**

1 amount calculated under s. ~~36.34 (1) (c)~~, The amounts in the schedule for the Lawton  
2 minority undergraduate grant program under s. 36.34 (1).

3 **SECTION 581.** 20.285 (5) of the statutes is repealed.

4 **SECTION 582.** 20.285 (6) (title) of the statutes is repealed.

5 **SECTION 583.** 20.285 (6) (a) of the statutes is repealed.

6 **SECTION 584.** 20.285 (6) (g) of the statutes is renumbered 20.280 (1) (g) and  
7 amended to read:

8 20.280 (1) (g) *Services provided to authority.* All moneys received from the  
9 University of Wisconsin Hospitals and Clinics Authority under any agreements  
10 entered into under s. 233.03 (10) or 233.04 (7), (7g), (7m) or (7p) for services provided  
11 to the authority and for leases and rentals to the authority. Moneys may be  
12 transferred from this appropriation account to the appropriation account under sub-  
13 (1) par. (kd) ~~or (ke)~~.

14 **SECTION 585.** 20.292 (1) (gm) of the statutes is amended to read:

15 20.292 (1) (gm) *Fire schools; state operations.* The amounts in the schedule for  
16 supervising and conducting schools for instruction in fire protection and prevention  
17 under s. 38.04 (9). All moneys transferred from s. ~~20.143 (3)~~ 20.165 (2) (L) to this  
18 appropriation shall be credited to this appropriation. Notwithstanding s. 20.001 (3)  
19 (a), at the end of each fiscal year the unencumbered balance in this appropriation  
20 shall revert to the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (L).

21 **SECTION 586.** 20.292 (1) (gr) of the statutes is amended to read:

22 20.292 (1) (gr) *Fire schools; local assistance.* The amounts in the schedule for  
23 district fire fighter training programs under s. 38.12 (9). All moneys transferred  
24 from s. ~~20.143 (3)~~ 20.165 (2) (L) to this appropriation shall be credited to this  
25 appropriation. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on



**ASSEMBLY BILL 40****SECTION 586**

1 June 30 of each year shall revert to the appropriation under s. ~~20.143 (3)~~ 20.165 (2)  
2 (L).

3 **SECTION 587.** 20.370 (1) (gr) of the statutes is amended to read:

4 20.370 (1) (gr) *Endangered resources program — gifts and grants; sale of state-*  
5 *owned lands.* All moneys received from gifts, grants and bequests for the endangered  
6 resources program, as defined under s. 71.10 (5) (a) 2., to be expended for the  
7 purposes for which made and received; and all moneys received from gifts and  
8 contributions under the Wisconsin natural areas heritage program and all moneys  
9 received from the sale of state-owned lands withdrawn from the state natural areas  
10 system for the purposes of natural heritage land acquisition activities, natural area  
11 land acquisition activities, and administration of the natural areas inventory  
12 program.

13 **SECTION 588.** 20.370 (1) (it) of the statutes is repealed.

14 **SECTION 589.** 20.370 (1) (mg) of the statutes is repealed.

15 **SECTION 590.** 20.370 (2) (bg) of the statutes is amended to read:

16 20.370 (2) (bg) *Air management — stationary sources.* The amounts in the  
17 schedule for purposes related to stationary sources of air contaminants as specified  
18 in s. 285.69 (2) (c) ~~and to transfer the amounts appropriated under s. 20.143 (1) (ke)~~  
19 ~~to the appropriation account under s. 20.143 (1) (ke).~~ All moneys received from fees  
20 under s. 285.69 (2) (a) and (e), except moneys appropriated under subs. (3) (bg), (8)  
21 (mg) and (9) (mh), and all moneys received from fees imposed under s. 285.69 (7) shall  
22 be credited to this appropriation.

23 **SECTION 591.** 20.370 (2) (hq) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 591**

1           20.370 (2) (hq) *Recycling; administration.* From the ~~recycling and renewable~~  
2 energy environmental fund, the amounts in the schedule for the administration of  
3 subch. II of ch. 287, other than ~~ss. s. 287.21, 287.23 and 287.25.~~

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. s. 287.21, 287.23 and~~  
12 ~~287.25.~~

13           **SECTION 594.** 20.370 (5) (cv) of the statutes is amended to read:

14           20.370 (5) (cv) *Recreation aids — all-terrain vehicle landowner incentive*  
15 *program.* ~~All moneys received as fees under s. 23.33 (2j) to be used~~ Biennially, the  
16 amounts in the schedule for incentive payments to landowners for public all-terrain  
17 vehicle corridors under s. 23.33 (5r). All moneys received as fees under s. 23.33 (2j)  
18 shall be credited to this appropriation.

19           **SECTION 595.** 20.370 (6) (br) of the statutes is repealed.

20           **SECTION 596.** 20.370 (6) (bu) of the statutes is repealed.

21           **SECTION 597.** 20.370 (6) (bv) of the statutes is repealed.

22           **SECTION 598.** 20.370 (6) (et) of the statutes is repealed.

23           **SECTION 599.** 20.370 (6) (eu) of the statutes is repealed.

24           **SECTION 600.** 20.370 (6) (ev) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 600**

1           20.370 (6) (ev) *Reimbursement for disposal of contaminated sediment.* From  
2 the ~~recycling~~ environmental fund, the amounts in the schedule for reimbursement  
3 for out-of-state disposal of contaminated sediment under s. 292.68.

4           **SECTION 601.** 20.370 (8) (ir) of the statutes is amended to read:

5           20.370 (8) (ir) *Promotional activities and publications.* ~~Except as provided in~~  
6 ~~sub. (1) (it), all~~ All moneys received from subscriptions and other revenues generated  
7 by promotional activities, photographs, slides, videotapes, artwork, publications,  
8 magazines and other periodicals, except the Wisconsin natural resources magazine,  
9 to be used for these promotional activities, photographs, slides, videotapes, artwork,  
10 publications and magazines and for educational and informational activities  
11 concerning conservation and the environment.

12           **SECTION 602.** 20.370 (8) (iw) of the statutes is amended to read:

13           20.370 (8) (iw) *Statewide recycling administration.* From the ~~recycling and~~  
14 ~~renewable-energy~~ environmental fund, the amounts in the schedule for  
15 administration of a statewide recycling program under ch. 287.

16           **SECTION 603.** 20.370 (9) (is) of the statutes is amended to read:

17           20.370 (9) (is) *Statewide recycling administration.* From the ~~recycling and~~  
18 ~~renewable-energy~~ environmental fund, the amounts in the schedule for the  
19 administration of recycling activities under ch. 287.

20           **SECTION 604.** 20.395 (1) (bq) of the statutes is repealed.

21           **SECTION 605.** 20.395 (1) (bv) of the statutes is amended to read:

22           20.395 (1) (bv) *Transit and other transportation-related aids, local funds.* All  
23 moneys received from any local unit of government or other source for urban mass  
24 transit purposes under s. 85.20, for rural public transportation purposes under s.  
25 85.23, or for transportation employment and mobility purposes under s. 85.24 that

**ASSEMBLY BILL 40****SECTION 605**

1 are not funded from other appropriations under this subsection, ~~or for intercity bus~~  
2 ~~assistance purposes under s. 85.26~~, for such purposes.

3 **SECTION 606.** 20.395 (1) (hr) of the statutes is renumbered 20.395 (1) (ha) and  
4 amended to read:

5 20.395 (1) (ha) *Tier B transit operating aids, state funds.* ~~The~~ From the general  
6 fund, the amounts in the schedule for mass transit aids under s. 85.20 (4m) (a) 7.

7 **SECTION 607.** 20.395 (1) (hs) of the statutes is renumbered 20.395 (1) (hb) and  
8 amended to read:

9 20.395 (1) (hb) *Tier C transit operating aids, state funds.* ~~The~~ From the general  
10 fund, the amounts in the schedule for mass transit aids under s. 85.20 (4m) (a) 8.

11 **SECTION 608.** 20.395 (1) (ht) of the statutes is renumbered 20.395 (1) (hc) and  
12 amended to read:

13 20.395 (1) (hc) *Tier A-1 transit operating aids, state funds.* ~~The~~ From the  
14 general fund, the amounts in the schedule for mass transit aids under s. 85.20 (4m)  
15 (a) 6. cm.

16 **SECTION 609.** 20.395 (1) (hu) of the statutes is renumbered 20.395 (1) (hd) and  
17 amended to read:

18 20.395 (1) (hd) *Tier A-2 transit operating aids, state funds.* ~~The~~ From the  
19 general fund, the amounts in the schedule for mass transit aids under s. 85.20 (4m)  
20 (a) 6. d.

21 **SECTION 610.** 20.395 (1) (hw) of the statutes is renumbered 20.395 (1) (he) and  
22 amended to read:

23 20.395 (1) (he) *Tier A-3 transit operating aids, state funds.* ~~The~~ From the  
24 general fund, the amounts in the schedule for mass transit aids under s. 85.20 (4m)  
25 (a) 6. e.

**ASSEMBLY BILL 40****SECTION 611**

1           **SECTION 611.** 20.395 (3) (aq) of the statutes is created to read:

2           20.395 (3) (aq) *Southeast Wisconsin freeway megaprojects, state funds.* As a  
3 continuing appropriation, the amounts in the schedule for southeast Wisconsin  
4 freeway megaprojects under s. 84.0145. This paragraph does not apply to the  
5 installation, replacement, rehabilitation, or maintenance of highway signs, traffic  
6 control signals, highway lighting, pavement markings, or intelligent transportation  
7 systems, unless incidental to a southeast Wisconsin freeway megaproject.

8           **SECTION 612.** 20.395 (3) (av) of the statutes is created to read:

9           20.395 (3) (av) *Southeast Wisconsin freeway megaprojects, local funds.* All  
10 moneys received from any local unit of government or other source for southeast  
11 Wisconsin freeway megaprojects under s. 84.0145, for such purposes.

12           **SECTION 613.** 20.395 (3) (ax) of the statutes is created to read:

13           20.395 (3) (ax) *Southeast Wisconsin freeway megaprojects, federal funds.* All  
14 moneys received from the federal government for southeast Wisconsin freeway  
15 megaprojects under s. 84.0145, for such purposes. This paragraph does not apply to  
16 the installation, replacement, rehabilitation, or maintenance of highway signs,  
17 traffic control signals, highway lighting, pavement markings, or intelligent  
18 transportation systems, unless incidental to a southeast Wisconsin freeway  
19 megaproject.

20           **SECTION 614.** 20.395 (3) (bq) of the statutes is amended to read:

21           20.395 (3) (bq) *Major highway development, state funds.* As a continuing  
22 appropriation, the amounts in the schedule for major development of state trunk and  
23 connecting highways and for the disadvantaged business demonstration and  
24 training program under s. 84.076. This paragraph does not apply to ~~major~~

**ASSEMBLY BILL 40****SECTION 614**

1 development of with respect to any southeast Wisconsin freeway, ~~as defined in s.~~  
2 84.014 (1) (e) megaproject under s. 84.0145.

3 **SECTION 615.** 20.395 (3) (br) of the statutes is amended to read:

4 20.395 (3) (br) *Major highway development, service funds.* All moneys received  
5 from the fund created under s. 18.57 (1) as reimbursement for the temporary  
6 financing under sub. (9) (th) of projects for major development of state trunk and  
7 connecting highways that are financed under s. 84.59 and enumerated under s.  
8 84.013 (3), for the purpose of financing such projects. This paragraph does not apply  
9 to any project for major development of a ~~with respect to any~~ southeast Wisconsin  
10 freeway, ~~as defined in s. 84.014 (1) (e) megaproject under s. 84.0145.~~

11 **SECTION 616.** 20.395 (3) (bv) of the statutes is amended to read:

12 20.395 (3) (bv) *Major highway development, local funds.* All moneys received  
13 from any local unit of government or other source for major development of state  
14 trunk and connecting highways, including the railroad and utility alteration and  
15 relocation loan program under s. 84.065, and the disadvantaged business  
16 demonstration and training program under s. 84.076, for such purposes. This  
17 paragraph does not apply with respect to major development of any southeast  
18 Wisconsin freeway, ~~as defined in s. 84.014 (1) (e) megaproject under s. 84.0145.~~

19 **SECTION 617.** 20.395 (3) (bx) of the statutes is amended to read:

20 20.395 (3) (bx) *Major highway development, federal funds.* All moneys received  
21 from the federal government for major development of state trunk and connecting  
22 highways and the disadvantaged business demonstration and training program  
23 under s. 84.076, for such purposes. This paragraph does not apply to major  
24 development of with respect to any southeast Wisconsin freeway, ~~as defined in s.~~  
25 84.014 (1) (e) megaproject under s. 84.0145.

**ASSEMBLY BILL 40****SECTION 618**

1           **SECTION 618.** 20.395 (3) (cq) of the statutes is amended to read:

2           20.395 **(3)** (cq) *State highway rehabilitation, state funds.* As a continuing  
3 appropriation, the amounts in the schedule for improvement of existing state trunk  
4 and connecting highways; for improvement of bridges on state trunk or connecting  
5 highways and other bridges for which improvement is a state responsibility, for  
6 necessary approach work for such bridges and for replacement of such bridges with  
7 at-grade crossing improvements; for the construction and rehabilitation of the  
8 national system of interstate and defense highways and bridges and related  
9 appurtenances; for special maintenance activities under s. 84.04 on roadside  
10 improvements; for bridges under s. 84.10; for the bridge project under s. 84.115; for  
11 payment to a local unit of government for a jurisdictional transfer under s. 84.02 (8);  
12 for the disadvantaged business demonstration and training program under s.  
13 84.076; for the transfers required under 1999 Wisconsin Act 9, section 9250 (1) and  
14 2003 Wisconsin Act 33, section 9153 (4q); and for the purposes described under 1999  
15 Wisconsin Act 9, section 9150 (8g), 2001 Wisconsin Act 16, section 9152 (4e), and 2007  
16 Wisconsin Act 20, section 9148 (9i) (b) and (9x). This paragraph does not apply to any  
17 southeast Wisconsin freeway megaprojects under s. 84.0145, to any southeast  
18 Wisconsin freeway rehabilitation projects under s. 84.014 that also qualify as major  
19 highway projects under s. 84.013, or to the installation, replacement, rehabilitation,  
20 or maintenance of highway signs, traffic control signals, highway lighting, pavement  
21 markings, or intelligent transportation systems, unless incidental to the  
22 improvement of existing state trunk and connecting highways.

23           **SECTION 619.** 20.395 (3) (cv) of the statutes is amended to read:

24           20.395 **(3)** (cv) *State highway rehabilitation, local funds.* All moneys received  
25 from any local unit of government or other source for the specific information sign

**ASSEMBLY BILL 40****SECTION 619**

1 program under s. 86.195; for improvement of existing state trunk and connecting  
2 highways; for improvement of bridges on state trunk or connecting highways and  
3 other bridges for which improvement is a state responsibility, for necessary approach  
4 work for such bridges and for replacement of such bridges with at-grade crossing  
5 improvements; for the construction and rehabilitation of the national system of  
6 interstate and defense highways and bridges and related appurtenances; for special  
7 maintenance activities under s. 84.04 on roadside improvements; for the bridge  
8 project under s. 84.115; for the railroad and utility alteration and relocation loan  
9 program under s. 84.065; and for the disadvantaged business demonstration and  
10 training program under s. 84.076, for such purposes. This paragraph does not apply  
11 to any southeast Wisconsin freeway megaprojects under s. 84.0145 or to any  
12 southeast Wisconsin freeway rehabilitation projects under s. 84.014 that also qualify  
13 as major highway projects under s. 84.013.

14 **SECTION 620.** 20.395 (3) (cx) of the statutes is amended to read:

15 20.395 (3) (cx) *State highway rehabilitation, federal funds.* All moneys  
16 received from the federal government for improvement of existing state trunk and  
17 connecting highways; for improvement of bridges on state trunk or connecting  
18 highways and other bridges for which improvement is a state responsibility, for  
19 necessary approach work for such bridges and for replacement of such bridges with  
20 at-grade crossing improvements; for the construction and rehabilitation of the  
21 national system of interstate and defense highways and bridges and related  
22 appurtenances; for special maintenance activities under s. 84.04 on roadside  
23 improvements; for the bridge project under s. 84.115; and for the disadvantaged  
24 business demonstration and training program under s. 84.076; and all moneys  
25 received under 2003 Wisconsin Act 33, section 9153 (4q); for such purposes. This



**ASSEMBLY BILL 40****SECTION 620**

1 paragraph does not apply to any southeast Wisconsin freeway megaprojects under  
2 s. 84.0145 or to any southeast Wisconsin freeway rehabilitation projects under s.  
3 84.014 that also qualify as major highway projects under s. 84.013.

4 **SECTION 621.** 20.395 (5) (ef) of the statutes is created to read:

5 20.395 (5) (ef) *Payments to the University of Wisconsin–Madison.* From the  
6 general fund, all moneys received under s. 341.14 (6r) (b) 4. for the special group  
7 specified in s. 341.14 (6r) (f) 47m. for payments to the University of  
8 Wisconsin–Madison, under s. 341.14 (10).

9 **SECTION 622.** 20.395 (6) (af) of the statutes is amended to read:

10 20.395 (6) (af) *Principal repayment and interest, local roads for job preservation*  
11 *program, transit improvements, and major highway and rehabilitation projects,*  
12 *state funds.* From the general fund, a sum sufficient to reimburse s. 20.866 (1) (u)  
13 for the payment of principal and interest costs incurred in financing the local roads  
14 for job preservation program under s. 86.312, ~~transit capital improvements under s.~~  
15 ~~85.11, as provided under s. 20.866 (2) (uq),~~ and major highway and rehabilitation  
16 projects, as provided under ss. 20.866 (2) (uum) and (uur), 84.555, and 84.95, to make  
17 the payments determined by the building commission under s. 13.488 (1) (m) that are  
18 attributable to the proceeds of obligations incurred in financing the local roads for  
19 job preservation program under s. 86.312, and to make payments under an  
20 agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

21 **SECTION 623.** 20.395 (6) (au) of the statutes is amended to read:

22 20.395 (6) (au) *Principal repayment and interest, Marquette interchange, zoo*  
23 *interchange, southeast megaprojects, and I 94 north–south corridor reconstruction*  
24 *projects, state funds.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment  
25 of principal and interest costs incurred in financing the Marquette interchange

**ASSEMBLY BILL 40****SECTION 623**

1 reconstruction project ~~and~~, the reconstruction of the I 94 north–south corridor and  
2 the zoo interchange, and southeast Wisconsin freeway megaprojects, as provided  
3 under ss. 20.866 (2) (uup) and 84.555, and to make payments under an agreement  
4 or ancillary arrangement entered into under s. 18.06 (8) (a).

5 **SECTION 624.** 20.410 (1) (a) of the statutes is amended to read:

6 20.410 (1) (a) *General program operations.* The Biennially, the amounts in the  
7 schedule to operate institutions and provide field services and administrative  
8 services. No payments may be made under this paragraph for payments in  
9 accordance with other states party to the interstate corrections compact under s.  
10 302.25.

11 **SECTION 625.** 20.410 (1) (kd) of the statutes is created to read:

12 20.410 (1) (kd) *Victim notification.* The amounts in the schedule for victim  
13 notification services. All moneys transferred from the appropriation account under  
14 s. 20.505 (1) (id) 6. shall be credited to this appropriation account.

15 **SECTION 626.** 20.410 (1) (kh) of the statutes is amended to read:

16 20.410 (1) (kh) *Victim services and programs.* The amounts in the schedule for  
17 the administration of victim services and programs. All moneys transferred from the  
18 appropriation account under s. 20.455 (2) (i) 5m. shall be credited to this  
19 appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered  
20 balance on June 30 of each year shall be transferred to the appropriation account  
21 under s. 20.455 (2) (i).

22 **SECTION 627.** 20.410 (1) (kp) of the statutes is amended to read:

23 20.410 (1) (kp) *Correctional officer training.* The amounts in the schedule to  
24 finance correctional officers training under s. 301.28. All moneys transferred from  
25 the appropriation account under s. 20.455 (2) (i) 6. shall be credited to this

**ASSEMBLY BILL 40**

1 appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered  
2 balance on June 30 of each year shall be transferred to the appropriation account  
3 under s. 20.455 (2) (i).

4 **SECTION 628.** 20.410 (1) (qm) of the statutes is amended to read:

5 20.410 (1) (qm) *Computer recycling.* From the ~~recycling and renewable energy~~  
6 environmental fund, the amounts in the schedule for the department to recycle  
7 computers.

8 **SECTION 629.** 20.410 (2) (title) of the statutes is amended to read:

9 20.410 (2) (title) ~~EARNED-RELEASE-REVIEW~~ PAROLE COMMISSION.

10 **SECTION 630.** 20.410 (2) (a) of the statutes is amended to read:

11 20.410 (2) (a) *General program operations.* The amounts in the schedule for  
12 the general program operations of the ~~earned-release-review~~ parole commission.

13 **SECTION 631.** 20.410 (3) (hm) of the statutes is amended to read:

14 20.410 (3) (hm) *Juvenile correctional services.* ~~Except as provided in pars. (ho)~~  
15 ~~and (hr), the~~ The amounts in the schedule for juvenile correctional services specified  
16 in ~~s. ss. 49.45 (25) (bj) and~~ 301.26 (4) (c) and (d). All moneys received from the sale  
17 of surplus property, including vehicles, from juvenile correctional institutions  
18 operated by the department, all moneys received as payments in restitution of  
19 property damaged at juvenile correctional institutions operated by the department,  
20 all moneys received from miscellaneous services provided at a juvenile correctional  
21 institution operated by the department, all moneys transferred under s. 301.26 (4)  
22 (cm), all moneys transferred under s. 301.26 (4) (ct), and, except as otherwise  
23 provided in ~~par.~~ pars. (ho) and (hr), all moneys received in payment for juvenile  
24 correctional services as specified in s. 301.26 (4) (d), (dt), and (g) shall be credited to  
25 this appropriation account. If moneys generated by the daily rate under s. 301.26

**ASSEMBLY BILL 40****SECTION 631**

1 (4) (d) exceed actual fiscal year institutional costs by more than 2% ~~or more~~, all  
2 moneys in excess of ~~that~~ 2% shall be remitted to the counties during the subsequent  
3 calendar year or transferred to the appropriation account under par. (kx) during the  
4 subsequent fiscal year. Each county and the department shall receive a  
5 proportionate share of the remittance and transfer depending on the total number  
6 of days of placement at juvenile correctional institutions including the Mendota  
7 Juvenile Treatment Center. Counties shall use the funds for purposes specified in  
8 s. 301.26. The department shall deposit in the general fund the amounts transferred  
9 under this paragraph to the appropriation account under par. (kx).

10 **SECTION 632.** 20.410 (3) (ho) of the statutes is amended to read:

11 20.410 (3) (ho) *Juvenile residential aftercare.* The amounts in the schedule for  
12 providing foster care, group home care, and institutional child care to delinquent  
13 juveniles under ss. 49.19 (10) (d), 49.45 (25) (bj), 301.26 (4) (c), 938.48 (4) and (14),  
14 and 938.52. All moneys transferred under s. 301.26 (4) (cm) and all moneys received  
15 in payment for providing foster care, group home care, and institutional child care  
16 to delinquent juveniles under ss. 49.19 (10) (d), 938.48 (4) and (14), and 938.52 as  
17 specified in s. 301.26 (4) (d), (e), and (ed) shall be credited to this appropriation  
18 account. If moneys generated by the daily rate under s. 301.26 (4) (d) exceed actual  
19 fiscal year foster care, group home care, and institutional child care costs, that excess  
20 shall be transferred to the appropriation account under par. (hm) as provided in s.  
21 301.26 (4) (ct), except that, if those moneys generated exceed those costs by more than  
22 2% ~~or more~~, all moneys in excess of 2% shall be remitted to the counties during the  
23 subsequent calendar year or transferred to the appropriation account under par. (kx)  
24 during the subsequent fiscal year. Each county and the department shall receive a  
25 proportionate share of the remittance and transfer depending on the total number

**ASSEMBLY BILL 40****SECTION 632**

1 of days of placement in foster care, group home care, or institutional child care.  
2 Counties shall use the funds for purposes specified in s. 301.26. The department  
3 shall deposit in the general fund the amounts transferred under this paragraph to  
4 the appropriation account under par. (kx).

5 **SECTION 633.** 20.410 (3) (hr) of the statutes is amended to read:

6 20.410 (3) (hr) *Juvenile corrective sanctions program.* The amounts in the  
7 schedule for the corrective sanctions services specified in s. ss. 49.45 (25) (bj) and  
8 301.26 (4) (c) and (eg). All moneys received in payment for the those corrective  
9 sanctions services as specified in s. 301.26 (4) (d) and (eg), and all moneys transferred  
10 under s. 301.26 (4) (cm), shall be credited to this appropriation account. If moneys  
11 generated by the daily rate under s. 301.26 (4) (d) exceed actual fiscal year corrective  
12 sanctions services costs, that excess shall be transferred to the appropriation account  
13 under par. (hm) as provided in s. 301.26 (4) (ct).

14 **SECTION 634.** 20.410 (3) (o) of the statutes is repealed.

15 **SECTION 635.** 20.435 (1) (f) of the statutes is repealed.

16 **SECTION 636.** 20.435 (4) (bm) of the statutes is amended to read:

17 20.435 (4) (bm) *Medical Assistance, food stamps, and Badger Care*  
18 *administration; contract costs, insurer reports, and resource centers.* Biennially, the  
19 amounts in the schedule to provide a portion of the state share of administrative  
20 contract costs for the Medical Assistance program under subch. IV of ch. 49 and the  
21 Badger Care health care program under s. 49.665 and ~~to provide~~ all of the state share  
22 of administrative costs for the food stamp program under s. 49.79, ~~other than~~  
23 ~~payments to counties and tribal governing bodies under s. 49.78 (8) including~~  
24 payments to a tribal governing body that administers income maintenance  
25 programs, as defined in s. 49.78 (1) (b), to a county to which income maintenance

**ASSEMBLY BILL 40****SECTION 636**

1 administrative functions are delegated under 2011 Wisconsin Act .... (this act),  
2 section 9121 (6) (c), and for the administration of the programs under s. 49.825 (2)  
3 (a) 1. by the Milwaukee County enrollment services unit, to develop and implement  
4 a registry of recipient immunizations, to reimburse 3rd parties for their costs under  
5 s. 49.475, for costs associated with outreach activities, ~~for state administration of~~  
6 ~~state supplemental grants to supplemental security income recipients under s.~~  
7 ~~49.77,~~ to administer the pharmacy benefits purchasing pool under s. 146.45, and for  
8 services of resource centers under s. 46.283. No state positions may be funded in the  
9 department of health services from this appropriation, except positions for the  
10 performance of duties under a contract in effect before January 1, 1987, related to  
11 the administration of the Medical Assistance program between the subunit of the  
12 department primarily responsible for administering the Medical Assistance  
13 program and another subunit of the department or for positions in the income  
14 maintenance administration unit, as described in s. 49.78 (1m). Total administrative  
15 funding authorized for the program under s. 49.665 may not exceed 10% of the  
16 amounts budgeted under pars. (p) and (x).

17 **SECTION 637.** 20.435 (4) (bm) of the statutes, as affected by 2011 Wisconsin Act  
18 .... (this act), section 636, is amended to read:

19 20.435 **(4)** (bm) *Medical Assistance, food stamps, and Badger Care*  
20 *administration; contract costs, insurer reports, and resource centers.* Biennially, the  
21 amounts in the schedule to provide a portion of the state share of administrative  
22 contract costs for the Medical Assistance program under subch. IV of ch. 49 and the  
23 Badger Care health care program under s. 49.665 and all of the state share of  
24 administrative costs for the food stamp program under s. 49.79, including payments  
25 to a tribal governing body that administers income maintenance programs, as

**ASSEMBLY BILL 40**

1 defined in s. 49.78 (1) (b), and to a county to which income maintenance  
2 administrative functions are delegated under 2011 Wisconsin Act .... (this act),  
3 section 9121 (6) (c), ~~and for the administration of the programs under s. 49.825 (2)~~  
4 ~~(a) 1. by the Milwaukee County enrollment services unit,~~ to develop and implement  
5 a registry of recipient immunizations, to reimburse 3rd parties for their costs under  
6 s. 49.475, for costs associated with outreach activities, to administer the pharmacy  
7 benefits purchasing pool under s. 146.45, and for services of resource centers under  
8 s. 46.283. No state positions may be funded in the department of health services from  
9 this appropriation, except positions for the performance of duties under a contract  
10 in effect before January 1, 1987, related to the administration of the Medical  
11 Assistance program between the subunit of the department primarily responsible for  
12 administering the Medical Assistance program and another subunit of the  
13 department or for positions in the income maintenance administration unit, as  
14 described in s. 49.78 (1m). Total administrative funding authorized for the program  
15 under s. 49.665 may not exceed 10% of the amounts budgeted under pars. (p) and (x).

16 **SECTION 638.** 20.435 (4) (bm) of the statutes, as affected by 2011 Wisconsin Act  
17 .... (this act), section 637, is amended to read:

18 20.435 (4) (bm) *Medical Assistance, food stamps, and Badger Care*  
19 *administration; contract costs, insurer reports, and resource centers.* Biennially, the  
20 amounts in the schedule to provide a portion of the state share of administrative  
21 contract costs for the Medical Assistance program under subch. IV of ch. 49 and the  
22 Badger Care health care program under s. 49.665 ~~and~~, all of the state share of  
23 administrative costs for the food stamp program under s. 49.79, and the  
24 administrative costs of the cemetery, funeral, and burial expenses program under s.  
25 49.785. including payments to a tribal governing body that administers income

**ASSEMBLY BILL 40****SECTION 638**

1 maintenance programs, as defined in s. 49.78 (1) (b), ~~and to a county to which income~~  
2 ~~maintenance administrative functions are delegated under 2011 Wisconsin Act ....~~  
3 ~~(this act), section 9121 (6) (c),~~ to develop and implement a registry of recipient  
4 immunizations, to reimburse 3rd parties for their costs under s. 49.475, for costs  
5 associated with outreach activities, to administer the pharmacy benefits purchasing  
6 pool under s. 146.45, and for services of resource centers under s. 46.283. No state  
7 positions may be funded in the department of health services from this  
8 appropriation, except positions for the performance of duties under a contract in  
9 effect before January 1, 1987, related to the administration of the Medical Assistance  
10 program between the subunit of the department primarily responsible for  
11 administering the Medical Assistance program and another subunit of the  
12 department or for positions in the income maintenance administration unit, as  
13 described in s. 49.78 (1m). Total administrative funding authorized for the program  
14 under s. 49.665 may not exceed 10% of the amounts budgeted under pars. (p) and (x).

15 **SECTION 639.** 20.435 (4) (bm) of the statutes, as affected by 2011 Wisconsin Act  
16 .... (this act), section 638, is amended to read:

17 20.435 **(4)** (bm) *Medical Assistance, food stamps, and Badger Care Income*  
18 *maintenance program administration; contract costs, insurer reports, and resource*  
19 *centers.* Biennially, the amounts in the schedule to provide a portion of the state  
20 share of administrative contract costs for the Medical Assistance program under  
21 subch. IV of ch. 49 and the Badger Care health care program under s. 49.665, ~~all of~~  
22 ~~the state share of administrative costs for the food stamp program under s. 49.79, and~~  
23 the administrative costs of the cemetery, funeral, and burial expenses program  
24 under s. 49.785, including payments to a tribal governing body that administers  
25 income maintenance programs, as defined in s. 49.78 (1) (b), to develop and



**ASSEMBLY BILL 40****SECTION 639**

1 implement a registry of recipient immunizations, to reimburse 3rd parties for their  
2 costs under s. 49.475, for costs associated with outreach activities, to administer the  
3 pharmacy benefits purchasing pool under s. 146.45, and for services of resource  
4 centers under s. 46.283. No state positions may be funded in the department of  
5 health services from this appropriation, except positions for the performance of  
6 duties under a contract in effect before January 1, 1987, related to the administration  
7 of the Medical Assistance program between the subunit of the department primarily  
8 responsible for administering the Medical Assistance program and another subunit  
9 of the department or for positions in the income maintenance administration unit,  
10 as described in s. 49.78 (1m). Total administrative funding authorized for the  
11 program under s. 49.665 may not exceed 10% of the amounts budgeted under pars.  
12 (p) and (x).

13 **SECTION 640.** 20.435 (4) (bn) of the statutes is amended to read:

14 20.435 (4) (bn) *Income maintenance; food stamp employment and training*  
15 *program.* Biennially, the amounts in the schedule for ~~funeral expenses under s.~~  
16 ~~49.785, for the administration of the food stamp employment and training program~~  
17 ~~under s. 49.79 (9), for the performance of income maintenance administrative~~  
18 ~~activities on behalf of a local entity, as defined in s. 30.77 (3) (dm) 1. b., and for~~  
19 ~~payments under s. 49.78 (8) relating to the administration of the Medical Assistance~~  
20 ~~program under subch. IV of ch. 49, the Badger Care health care program under s.~~  
21 ~~49.665, the food stamp program, and the cemetery, funeral, and burial expenses~~  
22 ~~program under s. 49.785.~~

23 **SECTION 641.** 20.435 (4) (bn) of the statutes, as affected by 2011 Wisconsin Act  
24 .... (this act), is repealed.

25 **SECTION 642.** 20.435 (4) (br) of the statutes is created to read:

**ASSEMBLY BILL 40****SECTION 642**

1           20.435 (4) (br) *Cemetery, funeral, and burial expenses program*. Biennially, the  
2 amounts in the schedule for cemetery, funeral, and burial expenses under s. 49.785.

3           **SECTION 643.** 20.435 (4) (ed) of the statutes is renumbered 20.437 (2) (ed) and  
4 amended to read:

5           20.437 (2) (ed) *State supplement to federal supplemental security income*  
6 *program*. A sum sufficient for payments of supplemental grants to supplemental  
7 security income recipients under s. ~~49.77~~ 49.39 and, except as provided in 1997  
8 Wisconsin Act 237, section 9122 (4e) (a), for payments for the support of children of  
9 supplemental security income recipients under s. ~~49.775~~ 49.395.

10           **SECTION 644.** 20.435 (4) (gm) of the statutes is created to read:

11           20.435 (4) (gm) *Medical assistance; provider refunds and collections*. All  
12 moneys received from provider refunds, third party liability payments, drug rebates,  
13 audit recoveries, and other collections related to expenditures made from pars. (b),  
14 (jz), and (w), except for those moneys deposited in the appropriation accounts under  
15 par. (im) or (in) regardless of the fiscal year in which the expenditure from par. (b),  
16 (jz), or (w) is made, to provide a portion of the state share of Medical Assistance  
17 program benefits administered under subch. IV of ch. 49; to provide a portion of the  
18 Badger Care health care program under s. 49.665; to provide a portion of the Medical  
19 Assistance program benefits administered under subch. IV of ch. 49 that are not also  
20 provided under par. (o); to fund the pilot project under s. 46.27 (9) and (10); to fund  
21 services provided by resource centers under s. 46.283; to fund services under the  
22 family care benefit under s. 46.284 (5); and to assist victims of diseases, as provided  
23 in ss. 49.68, 49.683, and 49.685.

24           **SECTION 645.** 20.435 (4) (im) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 645**

1           20.435 (4) (im) *Medical assistance; correct payment recovery; collections; other*  
2 *recoveries.* All moneys received from the recovery of correct medical assistance  
3 payments under ss. 49.496 and 867.035 and rules promulgated under s. 46.286 (7),  
4 and all moneys received as collections and other recoveries from providers, drug  
5 manufacturers, and other 3rd parties under medical assistance performance-based  
6 contracts, ~~and all moneys credited to this appropriation account under s. 49.89 (7)~~  
7 ~~(f)~~, for payments to counties and tribal governing bodies under s. 49.496 (4) (a), for  
8 payment of claims under s. 867.035 (3), for payments to the federal government for  
9 its share of medical assistance benefits recovered, for the state share of medical  
10 assistance benefits provided under subch. IV of ch. 49, and for costs related to  
11 collections and other recoveries.

12           **SECTION 646.** 20.435 (4) (L) of the statutes is amended to read:

13           20.435 (4) (L) *Fraud and error reduction.* All moneys received as the state's  
14 share of the recovery of overpayments and incorrect payments under ss. 49.497 (1)  
15 and (1m), 49.793 (2) (a), and 49.847, all moneys received from counties and tribal  
16 governing bodies as a result of any error reduction activities under ss. 49.197 and  
17 49.845, ~~and all moneys credited to this appropriation account under ss. 49.497 (2) (b),~~  
18 ~~49.793 (2) (b), and 49.847 (3) (b)~~, for any contracts under s. 49.197 (5), for any  
19 activities to reduce error and fraud under s. 49.845, to pay federal sanctions under  
20 the food stamp program, and for food stamp reinvestment activities under  
21 reinvestment agreements with the federal department of agriculture that are  
22 designed to improve the food stamp program.

23           **SECTION 647.** 20.435 (4) (L) of the statutes, as affected by 2011 Wisconsin Act  
24 .... (this act), is amended to read:

**ASSEMBLY BILL 40****SECTION 647**

1           20.435 (4) (L) *Fraud and error reduction.* All moneys received as the state's  
2 share of the recovery of overpayments and incorrect payments under ss. 49.497 (1)  
3 and (1m), ~~49.793 (2), and 49.847,~~ all moneys received from counties and tribal  
4 governing bodies as a result of any error reduction activities under ss. 49.197 and  
5 49.845, for any contracts under s. 49.197 (5), and for any activities to reduce error and  
6 fraud under s. 49.845, ~~to pay federal sanctions under the food stamp program, and~~  
7 ~~for food stamp reinvestment activities under reinvestment agreements with the~~  
8 ~~federal department of agriculture that are designed to improve the food stamp~~  
9 ~~program.~~

10           **SECTION 648.** 20.435 (4) (nn) of the statutes is amended to read:

11           20.435 (4) (nn) *Federal aid; income maintenance.* All moneys received from the  
12 federal government for the costs of contracting for the administration of the Medical  
13 Assistance program under subch. IV of ch. 49 and the Badger Care health care  
14 program under s. 49.665 and the food stamp program, other than moneys received  
15 under par. (pa), for ~~payments under s. 49.78 (8)~~ costs to administer income  
16 maintenance programs, as defined in s. 49.78 (1) (b).

17           **SECTION 649.** 20.435 (4) (nn) of the statutes, as affected by 2011 Wisconsin Act  
18 .... (this act), is amended to read:

19           20.435 (4) (nn) *Federal aid; income maintenance.* All moneys received from the  
20 federal government for the costs of contracting for the administration of the Medical  
21 Assistance program under subch. IV of ch. 49 and the Badger Care health care  
22 program under s. 49.665 ~~and the food stamp program,~~ other than moneys received  
23 under par. (pa), for costs to administer income maintenance programs, as defined in  
24 s. 49.78 (1) (b).

25           **SECTION 650.** 20.435 (4) (pa) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 650**

1           20.435 (4) (pa) *Federal aid; Medical Assistance and food stamp contracts*  
2           *administration.* All federal moneys received for the federal share of the cost of  
3           contracting for payment and services administration and reporting, other than  
4           moneys received under par. (nn), to reimburse 3rd parties for their costs under s.  
5           49.475, ~~for administrative contract costs for the food stamp program under s. 49.79,~~  
6           and for services of resource centers under s. 46.283.

7           **SECTION 651.** 20.435 (4) (pv) of the statutes is repealed.

8           **SECTION 652.** 20.435 (4) (xe) of the statutes is amended to read:

9           20.435 (4) (xe) *Critical access hospital assessment fund; hospital payments.*  
10          From the critical access hospital assessment fund, all moneys received from the  
11          assessment under s. 50.38 (2) (b), except moneys appropriated under ~~s. 20.285 (1) (qe)~~  
12          and ss. 20.280 (1) (qe) and (qj) and 20.285 (1) (qj), to make payments to critical access  
13          hospitals required under s. 49.45 (3) (e) 12. for services provided under the Medical  
14          Assistance Program under subch. IV of ch. 49; to make refunds under s. 50.38 (6m);  
15          and to make the transfer under s. 50.38 (10).

16          **SECTION 653.** 20.435 (5) (bc) of the statutes is amended to read:

17          20.435 (5) (bc) *Grants for community programs.* The amounts in the schedule  
18          for grants for community programs under s. 46.48 and for a transfer of the amount  
19          specified under s. 46.48 (31) to s. 20.437 (1) (kb). Notwithstanding ss. 20.001 (3) (a)  
20          and 20.002 (1), the department may transfer funds between fiscal years under this  
21          paragraph. Except for amounts authorized to be carried forward under s. 46.48 and  
22          as otherwise provided in this paragraph, all funds allocated but not encumbered by  
23          December 31 of each year lapse to the general fund on the next January 1 unless  
24          carried forward to the next calendar year by the joint committee on finance.  
25          Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department shall transfer from

**ASSEMBLY BILL 40****SECTION 653**

1 this appropriation account to the appropriation account for the department of  
2 children and families under s. 20.437 (2) (dz) funds allocated by the department  
3 under s. 46.48 (30) but unexpended on June 30 of each year.

4 **SECTION 654.** 20.435 (5) (bL) of the statutes is amended to read:

5 20.435 (5) (bL) *Community support programs and psychosocial services.* The  
6 amounts in the schedule for one-time grants under s. 51.423 (3) to counties that  
7 currently do not operate certified community support programs, for community  
8 support program services under s. 51.421 (3) (e), for community-based psychosocial  
9 services under the requirements of s. 49.45 (30e), for community recovery services  
10 under the requirements of s. 49.45 (30g), and for mental health crisis intervention  
11 under the requirements of s. 49.45 (41). Notwithstanding s. 20.002 (1), the  
12 department of health services may transfer from this appropriation account to the  
13 appropriation account under sub. (7) (bc) funds as specified in sub. (7) (bc).

14 **SECTION 655.** 20.435 (5) (hx) of the statutes is amended to read:

15 20.435 (5) (hx) *Services related to drivers, receipts.* The amounts in the  
16 schedule for services related to drivers. All moneys received by the secretary of  
17 administration from the driver improvement surcharge on court fines and  
18 forfeitures authorized under s. 346.655 and all moneys transferred from the  
19 appropriation account under s. 20.395 (5) (di) shall be credited to this appropriation  
20 account. The secretary of administration shall annually transfer to the  
21 appropriation account under s. 20.395 (5) (ek) 9.75 percent of all moneys credited to  
22 this appropriation account from the driver improvement surcharge. Any  
23 unencumbered moneys in this appropriation account may be transferred to par. (hy)  
24 and ss. 20.255 (1) (hm), ~~20.285~~ 20.280 (1) (ia), 20.395 (5) (ci) and (di), and 20.455 (5)  
25 (h) by the secretary of administration, after consultation with the secretaries of

**ASSEMBLY BILL 40****SECTION 655**

1 health services and transportation, the superintendent of public instruction, the  
2 attorney general, and the president chancellor of the University of Wisconsin System  
3 Wisconsin-Madison.

4 **SECTION 656.** 20.435 (6) (jm) of the statutes is amended to read:

5 20.435 (6) (jm) *Licensing and support services.* The amounts in the schedule  
6 for the purposes specified in ss. 48.685 (2) (am) and (b) 1., (3) (a), (am), (b), and (bm),  
7 and (5) (a), 49.45 (47), 50.02 (2), 50.025, ~~50.031~~, 50.065 (2) (am) and (b) 1., (3) (a) and  
8 (b), and (5), 50.13, 50.135, 50.36 (2), 50.49 (2) (b), 50.495, 50.52 (2) (a), 50.57, 50.981,  
9 and 146.40 (4r) (b) and (er), and subch. IV of ch. 50 and to conduct health facilities  
10 plan and rule development activities, for accrediting nursing homes, convalescent  
11 homes, and homes for the aged, to conduct capital construction and remodeling plan  
12 reviews under ss. 50.02 (2) (b) and 50.36 (2), and for the costs of inspecting, licensing  
13 or certifying, and approving facilities, issuing permits, and providing technical  
14 assistance, that are not specified under any other paragraph in this subsection. All  
15 moneys received under ss. 48.685 (8), 49.45 (42) (c), 49.45 (47) (c), 50.02 (2), 50.025,  
16 ~~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  
17 (1) (c), and 50.981, all moneys received from fees for the costs of inspecting, licensing  
18 or certifying, and approving facilities, issuing permits, and providing technical  
19 assistance, that are not specified under any other paragraph in this subsection, and  
20 all moneys received under s. 50.135 (2) shall be credited to this appropriation  
21 account.

22 **SECTION 657.** 20.435 (7) (b) of the statutes is amended to read:

23 20.435 (7) (b) *Community aids and Medical Assistance payments.* The  
24 amounts in the schedule for human services under s. 46.40, to fund services provided  
25 by resource centers under s. 46.283 (5), for services under the family care benefit

**ASSEMBLY BILL 40****SECTION 657**

1 under s. 46.284 (5), for Medical Assistance payment adjustments under s. 49.45 (52),  
2 and (a) for services described in s. 49.45 (52) (a) 1., for Medical Assistance payments  
3 under s. 49.45 (6tw), and for Medical Assistance payments under s. 49.45 (53) for  
4 services described in s. 49.45 (53) that are provided before January 1, 2012. Social  
5 services disbursements under s. 46.03 (20) (b) may be made from this appropriation.  
6 Refunds received relating to payments made under s. 46.03 (20) (b) for the provision  
7 of services for which moneys are appropriated under this paragraph shall be  
8 returned to this appropriation. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the  
9 department of health services may transfer funds between fiscal years under this  
10 paragraph. The department shall deposit into this appropriation funds it recovers  
11 under ss. 46.495 (2) (b) and 51.423 (15), from prior year audit adjustments including  
12 those resulting from audits of services under s. 46.26, 1993 stats., or s. 46.27. Except  
13 for amounts authorized to be carried forward under s. 46.45, all funds recovered  
14 under ss. 46.495 (2) (b) and 51.423 (15) and all funds allocated under s. 46.40 and not  
15 spent or encumbered by December 31 of each year shall lapse to the general fund on  
16 the succeeding January 1 unless carried forward to the next calendar year by the  
17 joint committee on finance.

18 **SECTION 658.** 20.435 (7) (hc) of the statutes is created to read:

19 20.435 (7) (hc) *Administration of the birth to 3 waiver program and the disabled*  
20 *children's long-term support program.* All monies received from counties under ss.  
21 46.99 (3) and (3m) and 46.995, for an entity to administer and to pay for services  
22 provided under the the birth to 3 waiver program under s. 46.99 and the disabled  
23 children's long-term support program, as defined in s. 46.011 (1g).

24 **SECTION 659.** 20.435 (7) (o) of the statutes is amended to read:



**ASSEMBLY BILL 40****SECTION 659**

1           20.435 (7) (o) *Federal aid; community aids.* All federal moneys received in  
2 amounts pursuant to allocation plans developed by the department for the provision  
3 or purchase of services authorized under par. (b); all federal temporary assistance for  
4 needy families moneys received under 42 USC 601 to 619 that are authorized to be  
5 used to purchase or provide social services under 42 USC 1397 to 1397e, to be  
6 transferred to the appropriation account under s. 20.437 (1) (km); all unanticipated  
7 federal social services block grant funds received under 42 USC 1397 to 1397e, in  
8 accordance with s. 46.49 (2), to be transferred to the appropriation account under s.  
9 20.437 (1) (km); and all federal moneys received under 42 USC 1396 to 1396v in  
10 reimbursement of the cost of preventing out-of-home placements of children, for  
11 distribution under s. 46.40. Disbursements from this appropriation may be made  
12 directly to counties for social and mental hygiene services under s. 46.03 (20) (b) or  
13 46.031 or directly to counties in accordance with federal requirements for the  
14 disbursal of federal funds.

15           **SECTION 660.** 20.435 (8) (mb) of the statutes is amended to read:

16           20.435 (8) (mb) *Income augmentation services receipts.* All moneys that are  
17 received under 42 USC 1395 to 1395ddd and 42 USC 1396 to 1396v as the result of  
18 income augmentation activities for which the state has contracted, to be used as  
19 provided in s. 46.46; and all moneys that are received under 42 USC 1396 to 1396v  
20 in 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, to  
22 be transferred to the appropriation account under s. 20.437 (3) (kp). All moneys  
23 received under this paragraph in excess of the moneys necessary to support the costs  
24 specified in s. ~~ss.~~ 46.46 and 48.567 shall be deposited in the general fund as a  
25 nonappropriated receipt.

**ASSEMBLY BILL 40****SECTION 661**

1           **SECTION 661.** 20.437 (1) (kb) of the statutes is created to read:

2           20.437 (1) (kb) *Interagency aids; brighter futures initiative.* All moneys  
3 transferred from the appropriation account under s. 20.435 (5) (bc) for the brighter  
4 futures initiative under s. 48.545.

5           **SECTION 662.** 20.437 (1) (km) of the statutes is created to read:

6           20.437 (1) (km) *Interagency and intra–agency aids; children and family aids;*  
7 *local assistance.* All moneys transferred from the appropriation accounts under sub.  
8 (2) (md) and s. 20.435 (7) (o), for services for children and families under s. 48.563.

9           **SECTION 663.** 20.437 (1) (kx) of the statutes is amended to read:

10           20.437 (1) (kx) *Interagency and intra–agency programs.* Except as provided in  
11 ~~par.~~ pars. (km) and (kw), all moneys received from other state agencies and all  
12 moneys received by the department from the department for the administration of  
13 programs or projects for which received, for such purposes.

14           **SECTION 664.** 20.437 (1) (ky) of the statutes is amended to read:

15           20.437 (1) (ky) *Interagency and intra–agency aids.* Except as provided in ~~par.~~  
16 pars. (km) and (kw), all moneys received from other state agencies and all moneys  
17 received by the department from the department for local assistance, for such  
18 purposes.

19           **SECTION 665.** 20.437 (1) (mc) of the statutes is amended to read:

20           20.437 (1) (mc) *Federal block grant operations.* ~~All~~ Except as provided in sub.  
21 (2) (mg), all block grant moneys received from the federal government or any of its  
22 agencies for the state administration of federal block grants for the purposes  
23 specified.

24           **SECTION 666.** 20.437 (1) (md) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 666**

1           20.437 (1) (md) *Federal block grant aids.* All Except as provided in par. (mc)  
2 and sub. (2) (mg), all block grant moneys received from the federal government or any  
3 of its agencies to be expended as aids to individuals or organizations.

4           **SECTION 667.** 20.437 (1) (o) of the statutes is amended to read:

5           20.437 (1) (o) *Federal aid; children and family aids.* All federal moneys  
6 received in amounts pursuant to allocation plans developed by the department for  
7 the provision or purchase of services authorized under par. (b); and all federal  
8 moneys received as child welfare funds under 42 USC 620 to 626 for projects and  
9 services as limited under s. 48.985; ~~all federal temporary assistance for needy~~  
10 ~~families moneys received under 42 USC 601 to 619 that are authorized to be used to~~  
11 ~~purchase or provide social services under 42 USC 1397 to 1397e; all unanticipated~~  
12 ~~federal social services block grant funds received under 42 USC 1397 to 1397e, in~~  
13 ~~accordance with s. 48.568; for distribution under s. 48.563.~~ Disbursements from this  
14 appropriation may be made directly to counties for services to children and families  
15 under s. 49.32 (2) (b) or 49.325 or directly to counties in accordance with federal  
16 requirements for the disbursement of federal funds.

17           **SECTION 668.** 20.437 (2) (bm) of the statutes is created to read:

18           20.437 (2) (bm) *Supplemental nutrition assistance program administration.*  
19 Biennially, the amounts in the schedule to provide the state share of administrative  
20 costs for the supplemental nutrition assistance program under s. 49.37, including  
21 the supplemental nutrition assistance employment and training program under s.  
22 49.37 (9).

23           **SECTION 669.** 20.437 (2) (eg) of the statutes is created to read:

24           20.437 (2) (eg) *State supplement to federal supplemental security income*  
25 *programs; administration.* Biennially, the amounts in the schedule for the

**ASSEMBLY BILL 40****SECTION 669**

1 administration of the supplemental security income payments program under s.  
2 49.39 and the program providing payments for the support of children of  
3 supplemental security income recipients under s. 49.395.

4 **SECTION 670.** 20.437 (2) (jb) of the statutes is amended to read:

5 20.437 (2) (jb) *Fees for administrative services.* All moneys received from fees  
6 charged for filing statements of economic interest under s. 49.143 (1) (ac), for  
7 providing worker's compensation coverage for persons participating in employment  
8 and training programs under ch. 49, and for providing state mailings, special  
9 computer services, training programs, printed materials, and publications relating  
10 to economic support, for the purposes of ~~filing statements of economic interest under~~  
11 administering s. 49.143 (1) ~~(ac)~~, providing worker's compensation coverage for  
12 persons participating in employment and training programs under ch. 49, and  
13 providing state mailings, special computer services, training programs, printed  
14 materials, and publications relating to economic support.

15 **SECTION 671.** 20.437 (2) (L) of the statutes is amended to read:

16 20.437 (2) (L) *Public assistance overpayment recovery, fraud investigation, and*  
17 *error reduction.* All moneys received as the state's share of the recovery of  
18 overpayments and incorrect payments under s. 49.191 (3) (c), 1997 stats., and s.  
19 49.195, 1997 stats., and s. 49.373 (2) (a), all moneys received from counties and tribal  
20 governing bodies as a result of error reduction activities under ss. 49.197 and 49.845,  
21 and all moneys credited to this appropriation account under s. 49.373 (2) (b), for any  
22 contracts under s. 49.845 (4), for any activities under s. 49.197 (1m) to investigate  
23 fraud relating to the Aid to Families with Dependent Children program, the  
24 supplemental nutrition assistance program, and the Wisconsin Works program, for  
25 any activities under s. 49.197 (3) to reduce payment errors in the supplemental

**ASSEMBLY BILL 40****SECTION 671**

1 nutrition assistance program and the Wisconsin Works program, and for costs  
2 associated with collection of public assistance overpayments, to pay federal  
3 sanctions under the supplemental nutrition assistance program, and for  
4 supplemental nutrition assistance program reinvestment activities under  
5 reinvestment agreements with the federal department of agriculture that are  
6 designed to improve the supplemental nutrition assistance program.

7 **SECTION 672.** 20.437 (2) (mc) of the statutes is amended to read:

8 20.437 (2) (mc) *Federal block grant operations.* The amounts in the schedule,  
9 ~~less the amounts withheld under s. 49.143 (3),~~ for the purposes of operating and  
10 administering the block grant programs for which the block grant moneys are  
11 received and transferring moneys to the appropriation account under sub. (1) (kx).  
12 All block grant moneys received for these purposes from the federal government or  
13 any of its agencies for the state administration of federal block grants shall be  
14 credited to this appropriation account.

15 **SECTION 673.** 20.437 (2) (md) of the statutes is amended to read:

16 20.437 (2) (md) *Federal block grant aids.* The amounts in the schedule for aids  
17 to individuals or organizations and to be transferred to the appropriation accounts  
18 under sub. (1) (km) and ss. 20.435 (4) (kz), (6) (kx), (7) (ky), and (8) (kx) and 20.835  
19 (2) (kf). All block grant moneys received for these purposes from the federal  
20 government or any of its agencies shall be credited to this appropriation account. The  
21 department may credit to this appropriation account the amount of any returned  
22 check, or payment in other form, that is subject to expenditure in the same contract  
23 period in which the original payment attempt was made, regardless of the fiscal year  
24 in which the original payment attempt was made.

25 **SECTION 674.** 20.437 (2) (mf) of the statutes is repealed.

**ASSEMBLY BILL 40****SECTION 675**

1           **SECTION 675.** 20.437 (2) (mg) of the statutes is created to read:

2           20.437 (2) (mg) *Community services block grant; federal funds.* All moneys  
3 received from the federal government from the community services block grant for  
4 assistance and administration under the community services block grant program.

5           **SECTION 676.** 20.437 (2) (na) of the statutes is repealed.

6           **SECTION 677.** 20.437 (2) (nn) of the statutes is amended to read:

7           20.437 (2) (nn) *Federal ~~program operations~~ aid; supplemental nutrition*  
8 *assistance program administration.* All moneys received from the federal  
9 government ~~or any of its agencies for the state~~ for administration of continuing  
10 programs the supplemental nutrition assistance program under s. 49.37 to be  
11 expended for the purposes specified.

12           **SECTION 678.** 20.437 (2) (pv) of the statutes is amended to read:

13           20.437 (2) (pv) *Electronic benefits transfer.* All moneys received from the  
14 federal government for the electronic transfer of benefits administered by the  
15 department of children and families, including the supplemental nutrition  
16 assistance program under 7 USC 2011 to 2036, to be expended for the purposes  
17 specified. Estimated disbursements under this paragraph shall not be included in  
18 the schedule under s. 20.005.

19           **SECTION 679.** 20.437 (2) (r) of the statutes is amended to read:

20           20.437 (2) (r) *Support receipt and disbursement program; payments.* From the  
21 support collections trust fund, except as provided in par. (qm), all moneys received  
22 under s. 49.854, except for moneys received under s. 49.854 (11) (b), all moneys  
23 received under ss. 767.57 and 767.75 for child or family support, maintenance,  
24 spousal support, health care expenses, or birth expenses, all other moneys received  
25 under judgments or orders in actions affecting the family, as defined in s. 767.001 (1),

**ASSEMBLY BILL 40****SECTION 679**

1 and all moneys received under s. 49.855 (4) from the department of revenue or the  
2 department of administration that were withheld by the department of revenue or  
3 the internal revenue service for delinquent child support, family support, or  
4 maintenance or outstanding court-ordered amounts for past support, medical  
5 expenses, or birth expenses, for disbursement to the persons for whom the payments  
6 are awarded, for returning seized funds under s. 49.854 (5) (f), and, if assigned under  
7 s. 49.775 (2) (bm), 2009 stats., or s. 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.145  
8 (2) (s), 49.19 (4) (h) 1. b., or ~~49.775~~ 49.395 (2) (bm), for transfer to the appropriation  
9 account under par. (k). Estimated disbursements under this paragraph shall not be  
10 included in the schedule under s. 20.005.

11 **SECTION 680.** 20.437 (2) (s) of the statutes is amended to read:

12 20.437 (2) (s) *Economic support — public benefits.* From the utility public  
13 benefits fund, the amounts in the schedule for the Wisconsin Works program under  
14 subch. III of ch. 49 and for any of the purposes under s. 49.175 (1).

15 **SECTION 681.** 20.437 (3) (kp) of the statutes is created to read:

16 20.437 (3) (kp) *Interagency and intra-agency aids; income augmentation*  
17 *services receipts.* All moneys transferred from the appropriation account under s.  
18 20.435 (8) (mb) and all moneys credited to this appropriation account under s. 48.565  
19 (2) (c), to be used as provided in s. 48.567. All moneys received under this paragraph  
20 in excess of the moneys necessary to support the costs specified in s. 48.567 shall be  
21 deposited into the general fund as a nonappropriated receipt.

22 **SECTION 682.** 20.437 (3) (mp) of the statutes is repealed.

23 **SECTION 683.** 20.445 (1) (bc) of the statutes is repealed.

24 **SECTION 684.** 20.445 (1) (jm) of the statutes is repealed.

25 **SECTION 685.** 20.455 (2) (g) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 685**

1           20.455 (2) (g) *Gaming law enforcement; racing revenues.* From all moneys  
2 received under ss. 562.02 (2) (f), 562.04 (1) (b) 4. and (2) (d), 562.05 (2), 562.065 (3)  
3 (cm) and (d), (3m) (c) 2., and (4), 562.09 (2) (e), and 562.124 (2), the amounts in the  
4 schedule for the performance of the department's gaming law enforcement  
5 responsibilities ~~as specified in s. 165.70 (3m) under chs. 562 to 569 and 945.~~  
6 Notwithstanding s. 20.001 (3) (a), the unencumbered balance of this appropriation  
7 account at the end of each fiscal year shall be transferred to the lottery fund.

8           **SECTION 686.** 20.455 (2) (i) (intro.) of the statutes is amended to read:

9           20.455 (2) (i) *Penalty surcharge, receipts.* (intro.) The amounts in the schedule  
10 for the purposes of s. 165.85 (5) (b) and for crime laboratory equipment. All moneys  
11 received from the penalty surcharge on court fines and forfeitures under s. 757.05  
12 (2) and all moneys transferred to this appropriation account from the appropriation  
13 accounts specified in subds. 1. to 15. shall be credited to this appropriation account.  
14 Moneys may be transferred from this paragraph to pars. (j), (ja), and (jb) by the  
15 secretary of administration for expenditures based upon determinations by the  
16 department of justice. The following amounts shall be transferred to the following  
17 appropriation accounts:

18           **SECTION 687.** 20.455 (2) (j) of the statutes is amended to read:

19           20.455 (2) (j) *Law enforcement training fund, local assistance.* The amounts  
20 in the schedule to finance local law enforcement training as provided in s. 165.85 (5)  
21 (b). All moneys transferred from par. (i) for the purpose of this appropriation shall  
22 be credited to this appropriation. Notwithstanding s. 20.001 (3) (a), the  
23 unencumbered balance on June 30 of each year shall be transferred to the  
24 appropriation account under par. (i).

25           **SECTION 688.** 20.455 (2) (ja) of the statutes is amended to read:



**ASSEMBLY BILL 40****SECTION 688**

1           20.455 (2) (ja) *Law enforcement training fund, state operations.* The amounts  
2 in the schedule to finance state operations associated with the administration of the  
3 law enforcement training fund and to finance training for state law enforcement  
4 personnel, as provided in s. 165.85 (5) (b). All moneys transferred from par. (i) for  
5 the purpose of this appropriation shall be credited to this appropriation.  
6 Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year  
7 shall be transferred to the appropriation account under par. (i).

8           **SECTION 689.** 20.455 (2) (jb) of the statutes is amended to read:

9           20.455 (2) (jb) *Crime laboratory equipment and supplies.* The amounts in the  
10 schedule for the maintenance, repair, upgrading, and replacement costs of the  
11 laboratory equipment, and for supplies used to maintain, repair, upgrade, and  
12 replace that equipment, in the state and regional crime laboratories. All moneys  
13 transferred from par. (i) for the purpose of this appropriation shall be credited to this  
14 appropriation. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on  
15 June 30 of each year shall be transferred to the appropriation account under par. (i).

16           **SECTION 690.** 20.455 (2) (kc) of the statutes is amended to read:

17           20.455 (2) (kc) *Transaction information management of enforcement system.*  
18 The amounts in the schedule for payments for a lease with option to purchase  
19 regarding computers for the transaction information for the management of  
20 enforcement system. All moneys transferred from the appropriation account under  
21 par. (i) 1. shall be credited to this appropriation account. Notwithstanding s. 20.001  
22 (3) (a), the unencumbered balance on June 30 of each year shall be transferred to the  
23 appropriation account under par. (i).

24           **SECTION 691.** 20.455 (2) (ke) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 691**

1           20.455 (2) (ke) *Drug enforcement intelligence operations.* The amounts in the  
2 schedule for drug enforcement tactical and strategic intelligence units. All moneys  
3 transferred from the appropriation account under ~~s. 20.455 (2) par. (i) 9.~~ shall be  
4 credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the  
5 unencumbered balance on June 30 of each year shall be transferred to the  
6 appropriation account under par. (i).

7           **SECTION 692.** 20.455 (2) (kp) of the statutes is amended to read:

8           20.455 (2) (kp) *Drug crimes enforcement; local grants.* The amounts in the  
9 schedule for grants to local multijurisdictional groups to enforce prohibitions related  
10 to controlled substances. All moneys transferred from the appropriation account  
11 under ~~s. 20.455 (2) par. (i) 3.~~ shall be credited to this appropriation account.  
12 Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year  
13 shall be transferred to the appropriation account under par. (i).

14           **SECTION 693.** 20.455 (2) (r) of the statutes is amended to read:

15           20.455 (2) (r) *Gaming law enforcement; lottery revenues.* From the lottery fund,  
16 the amounts in the schedule for the performance of the department's gaming law  
17 enforcement responsibilities ~~as specified in s. 165.70 (3m) under chs. 562 to 569 and~~  
18 945.

19           **SECTION 694.** 20.455 (3) (g) of the statutes is amended to read:

20           20.455 (3) (g) *Gifts, grants and proceeds.* All moneys received from gifts and  
21 grants and all proceeds from services, conferences, and sales of publications and  
22 promotional materials to carry out the purposes for which made or collected, except  
23 as provided in sub. (2) (gm) and (gp) and to transfer to s. 20.505 (1) (kg) the amounts  
24 in the schedule under s. 20.505 (1) (kg).

**ASSEMBLY BILL 40****SECTION 695**

1           **SECTION 695.** 20.455 (5) (gc) of the statutes, as affected by 2009 Wisconsin Act  
2 28, section 538c, is amended to read:

3           20.455 (5) (gc) *Crime victim and witness surcharge, sexual assault victim*  
4 *services.* All moneys received from any crime victim and witness assistance  
5 surcharge authorized under s. 973.045 (1) that are allocated to this appropriation  
6 account under s. 973.045 (2m) (a), to provide grants for sexual assault victim services  
7 under s. 165.93 and to administer the grant program.

8           **SECTION 696.** 20.455 (5) (kp) of the statutes is amended to read:

9           20.455 (5) (kp) *Reimbursement to counties for victim-witness services.* The  
10 amounts in the schedule for the purpose of reimbursing counties under s. 950.06 (2)  
11 for costs incurred in providing services to victims and witnesses of crime. All moneys  
12 transferred from the appropriation account under s. sub. (2) (i) 11. shall be credited  
13 to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered  
14 balance on June 30 of each year shall be transferred to the appropriation account  
15 under sub. (2) (i).

16           **SECTION 697.** 20.475 (1) (kg) of the statutes is created to read:

17           20.475 (1) (kg) *Assistant district attorneys.* The amounts in the schedule for  
18 salaries and fringe benefits of assistant district attorneys. All moneys transferred  
19 from the appropriation account under s. 20.505 (1) (id) 7. shall be credited to this  
20 appropriation account.

21           **SECTION 698.** 20.485 (1) (gk) of the statutes is amended to read:

22           20.485 (1) (gk) *Institutional operations.* The amounts in the schedule for the  
23 care of the members of the Wisconsin veterans homes under s. 45.50, for the payment  
24 of stipends under s. 45.50 ~~(9)~~ (2m) (f), for the transfer of moneys to the appropriation  
25 account under s. 20.435 (4) (ky) for payment of the state share of the medical

**ASSEMBLY BILL 40****SECTION 698**

1 assistance costs related to the provision of stipends under s. 45.50 ~~(9)~~ (2m) (f), for the  
2 payment of assistance to indigent veterans under s. 45.43 to allow them to reside at  
3 the Wisconsin Veterans Home at Union Grove, for the transfer of moneys to the  
4 appropriation account under par. (kg), and for the payment of grants under s. 45.82,  
5 ~~and for the transfer of moneys under s. 45.03 (20)~~. Not more than 1 percent of the  
6 moneys credited to this appropriation account may be used for the payment of  
7 assistance to indigent veterans under s. 45.43. All moneys received under par. (m)  
8 and s. 45.51 (7) (b) and (8) and all moneys received for the care of members under  
9 medical assistance, as defined in s. 49.43 (8), shall be credited to this appropriation  
10 account.

11 **SECTION 699.** 20.485 (1) (hm) of the statutes is amended to read:

12 20.485 (1) (hm) *Gifts and grants.* All moneys received from gifts and grants  
13 specifically for the purpose of s. 45.50 ~~(1) (e)~~ (2m) (d), to carry out the purpose of s.  
14 45.50 ~~(1) (e)~~ (2m) (d).

15 **SECTION 700.** 20.485 (1) (j) of the statutes is amended to read:

16 20.485 (1) (j) *Geriatric program receipts.* All moneys received from program  
17 operations by the geriatric evaluation, research, and education program, to carry out  
18 the purpose of s. 45.50 ~~(1) (e)~~ (2m) (d).

19 **SECTION 701.** 20.485 (1) (mj) of the statutes is amended to read:

20 20.485 (1) (mj) *Federal aid; geriatric unit.* All moneys received from the federal  
21 government for the geriatric program at Wisconsin veterans homes, to carry out the  
22 purpose of s. 45.50 ~~(1) (e)~~ (2m) (d).

23 **SECTION 702.** 20.485 (2) (c) of the statutes is renumbered 20.485 (5) (c).

24 **SECTION 703.** 20.485 (2) (kt) of the statutes is repealed.

25 **SECTION 704.** 20.485 (2) (mn) of the statutes is renumbered 20.485 (5) (mn).

**ASSEMBLY BILL 40****SECTION 705**

1           **SECTION 705.** 20.485 (2) (tm) of the statutes is amended to read:

2           20.485 (2) (tm) *Facilities.* As a continuing appropriation, the amounts in the  
3 schedule to acquire, construct, develop, enlarge or improve facilities, other than the  
4 Wisconsin Veterans Museum, for the ~~Wisconsin veterans museum~~ and the  
5 department of veterans affairs.

6           **SECTION 706.** 20.485 (2) (v) of the statutes is renumbered 20.485 (5) (v) and  
7 amended to read:

8           20.485 (5) (v) ~~Wisconsin veterans museum~~ Museum sales receipts. All moneys  
9 received from the sale of items in the Wisconsin veterans museum for general  
10 program operations.

11           **SECTION 707.** 20.485 (2) (vo) of the statutes is renumbered 20.485 (5) (vo).

12           **SECTION 708.** 20.485 (2) (wd) of the statutes is renumbered 20.485 (5) (wd).

13           **SECTION 709.** 20.485 (2) (zm) of the statutes is renumbered 20.485 (5) (zm).

14           **SECTION 710.** 20.485 (5) (intro.) of the statutes is created to read:

15           20.485 (5) WISCONSIN VETERANS MUSEUM. (intro.) From the veterans trust fund  
16 or from other funds if so indicated:

17           **SECTION 711.** 20.485 (5) (tm) of the statutes is created to read:

18           20.485 (5) (tm) *Museum facilities.* As a continuing appropriation, the amounts  
19 in the schedule to acquire, construct, develop, enlarge, or improve facilities for the  
20 Wisconsin Veterans Museum.

21           **SECTION 712.** 20.490 (5) (q) of the statutes is amended to read:

22           20.490 (5) (q) ~~Recycling and renewable energy~~ Environmental fund transfer to  
23 Wisconsin development reserve fund. From the ~~recycling and renewable energy~~  
24 environmental fund, as a continuing appropriation, the amounts in the schedule to  
25 be transferred to the Wisconsin development reserve fund under s. 234.93.

**ASSEMBLY BILL 40****SECTION 713**

1           **SECTION 713.** 20.490 (6) (title) of the statutes is repealed.

2           **SECTION 714.** 20.490 (6) (a) of the statutes is repealed.

3           **SECTION 715.** 20.490 (6) (k) of the statutes is repealed.

4           **SECTION 716.** 20.490 (7) (title) of the statutes is created to read:

5           20.490 (7) (title) HOUSING ASSISTANCE.

6           **SECTION 717.** 20.505 (1) (id) of the statutes is created to read:

7           20.505 (1) (id) *Justice information fee receipts.* All moneys less \$700,000  
8 received from the justice information surcharge under s. 814.86 (1) for the purpose  
9 of annually transferring the amounts indicated in subds. 1. to 9. The following  
10 amounts shall be transferred to the following appropriation accounts:

11           1. The amount transferred to par. (kh) shall be the amount in the schedule  
12 under par. (kh).

13           2. The amount transferred to sub. (6) (ki) shall be the amount in the schedule  
14 under sub. (6) (ki).

15           3. The amount transferred to sub. (6) (kb) shall be the amount in the schedule  
16 under sub. (6) (kb).

17           4. The amount transferred to sub. (6) (ke) shall be the amount in the schedule  
18 under sub. (6) (ke).

19           5. The amount transferred to sub. (6) (kn) shall be the amount in the schedule  
20 under sub. (6) (kn).

21           5g. The amount transferred to sub. (6) (kq) shall be the amount in the schedule  
22 under sub. (6) (kq).

23           5r. The amount transferred to sub. (6) (kr) shall be the amount in the schedule  
24 under sub. (6) (kr).

**ASSEMBLY BILL 40****SECTION 717**

1           6. The amount transferred to s. 20.410 (1) (kd) shall be the amount in the  
2 schedule under s. 20.410 (1) (kd).

3           7. The amount transferred to s. 20.475 (1) (kg) shall be the amount in the  
4 schedule under s. 20.475 (1) (kg).

5           8. The amount transferred to s. 20.625 (1) (k) shall be the amount in the  
6 schedule under s. 20.625 (1) (k).

7           9. The amount transferred to s. 20.680 (2) (kg) shall be the amount in the  
8 schedule under s. 20.680 (2) (kg).

9           **SECTION 718.** 20.505 (1) (ja) of the statutes is renumbered 20.505 (1) (kh) and  
10 amended to read:

11           20.505 (1) (kh) *Justice information systems.* The amounts in the schedule for  
12 the development and operation of automated justice information systems under s.  
13 16.971 (9). ~~Of each \$21.50 received under s. 814.86 (1), \$7.50~~ All moneys transferred  
14 from the appropriation account under par. (id) 1. shall be credited to this  
15 appropriation account.

16           **SECTION 719.** 20.505 (1) (jc) of the statutes is repealed.

17           **SECTION 720.** 20.505 (1) (kc) of the statutes is amended to read:

18           20.505 (1) (kc) *Capital planning and building construction services.* The  
19 amounts in the schedule to provide capital planning services under s. 13.48 (5) and  
20 building construction services under subch. V of ch. 16 on behalf of state agencies,  
21 the University of Wisconsin–Madison, and local professional baseball park districts  
22 created under subch. III of ch. 229. The secretary of administration may credit  
23 moneys received for the provision of building construction and capital planning  
24 services on behalf of state agencies, the university, and such districts to this

**ASSEMBLY BILL 40****SECTION 720**

1 appropriation account. All moneys transferred from the appropriation account  
2 under par. (im) shall be credited to this appropriation account.

3 **SECTION 721.** 20.505 (1) (kg) of the statutes is created to read:

4 20.505 (1) (kg) *Federal resource acquisition.* The amounts in the schedule to  
5 carry out the federal resource acquisition activities under s. 16.98. All moneys  
6 transferred from the appropriation account under s. 20.455 (3) (g) shall be credited  
7 to this appropriation account.

8 **SECTION 722.** 20.505 (1) (kq) of the statutes is amended to read:

9 20.505 (1) (kq) *Justice information systems development, operation and*  
10 *maintenance.* The amounts in the schedule for the purpose of developing, operating  
11 and maintaining automated justice information systems under s. 16.971 (9). All  
12 moneys transferred from the appropriation account under s. 20.455 (2) (i) 12. shall  
13 be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the  
14 unencumbered balance on June 30 of each year shall be transferred to the  
15 appropriation account under s. 20.455 (2) (i).

16 **SECTION 723.** 20.505 (2) (k) of the statutes is amended to read:

17 20.505 (2) (k) *Risk management costs.* All moneys received from agencies and  
18 the University of Wisconsin–Madison under s. 16.865 (8) and all moneys transferred  
19 from the appropriation under par. (ki) for the costs of paying claims for losses of and  
20 damage to state and University of Wisconsin–Madison property, settlements of state  
21 and university liability under ss. 165.25 (6), 775.04, 895.46 (1) and 895.47, and state  
22 and university employer costs for worker’s compensation claims of state and  
23 university employees under ch. 102, for related administrative costs under par. (ki),  
24 and for the purpose of effecting any lapse required under s. 16.865 (9).

25 **SECTION 724.** 20.505 (2) (ki) of the statutes is amended to read:



**ASSEMBLY BILL 40****SECTION 724**

1           20.505 (2) (ki) *Risk management administration.* The amounts in the schedule  
2 from moneys transferred under par. (k) for the administration of state and  
3 University of Wisconsin–Madison risk management programs for worker’s  
4 compensation claims, losses of and damage to state and university property and state  
5 and university liability. Notwithstanding s. 20.001 (3) (a), the unencumbered  
6 balance of this appropriation at the end of each fiscal year shall be transferred to the  
7 appropriation under par. (k).

8           **SECTION 725.** 20.505 (4) (bm) of the statutes is repealed.

9           **SECTION 726.** 20.505 (4) (c) of the statutes is created to read:

10           20.505 (4) (c) *Literacy initiative.* The amounts in the schedule for the costs to  
11 develop and implement a program to assess and improve literacy in elementary  
12 school children under 2011 Wisconsin Act .... (this act), section 9101 (2).

13           **SECTION 727.** 20.505 (5) (ka) of the statutes is amended to read:

14           20.505 (5) (ka) *Facility operations and maintenance; police and protection*  
15 *functions.* The amounts in the schedule for the purpose of financing the costs of  
16 operation of state–owned or operated facilities that are not funded from other  
17 appropriations, including custodial and maintenance services; minor projects;  
18 utilities, fuel, heat and air conditioning; assessments levied by the department  
19 under s. 16.847 (3) for costs incurred and savings generated at departmental  
20 facilities; and costs incurred under ss. 16.858 and 16.895 by or on behalf of the  
21 department; ~~and supplementing the costs of operation of child care facilities for~~  
22 ~~children of state employees under s. 16.841;~~ and for police and protection functions  
23 under s. 16.84 (2) and (3). All moneys received from state agencies for the operation  
24 of such facilities, parking rental fees established under s. 16.843 (2) (bm) and  
25 miscellaneous other sources, all moneys received from assessments under s. 16.895,

**ASSEMBLY BILL 40****SECTION 727**

1 all moneys received for the performance of gaming protection functions under s.  
2 16.84 (3), and all moneys transferred from the appropriation account under s. 20.865  
3 (2) (e) for this purpose shall be credited to this appropriation account.

4 **SECTION 728.** 20.505 (6) (c) of the statutes is renumbered 20.505 (6) (kb) and  
5 amended to read:

6 20.505 (6) (kb) *Law enforcement officer supplement grants.* The amounts in the  
7 schedule to provide grants for uniformed law enforcement officers under s. 16.964  
8 (5). All moneys transferred from the appropriation account under sub. (1) (id) 3. shall  
9 be credited to this appropriation account.

10 **SECTION 729.** 20.505 (6) (f) of the statutes is renumbered 20.505 (6) (ke) and  
11 amended to read:

12 20.505 (6) (ke) *Child advocacy centers.* The amounts in the schedule for grants  
13 to child advocacy centers under s. 16.964 (14). All moneys transferred from the  
14 appropriation account under sub. (1) (id) 4. shall be credited to this appropriation  
15 account.

16 **SECTION 730.** 20.505 (6) (h) of the statutes is created to read:

17 20.505 (6) (h) *Public safety interoperable communication system; general usage*  
18 *fees.* The amounts in the schedule to operate a statewide public safety interoperable  
19 communication system. All moneys received from users as fees under s. 16.964 (15)  
20 (b) 2. shall be credited to this appropriation account.

21 **SECTION 731.** 20.505 (6) (j) of the statutes is renumbered 20.505 (6) (kn) and  
22 amended to read:

23 20.505 (6) (kn) *Alternatives to prosecution and incarceration for persons who*  
24 *use alcohol or other drugs; justice information surcharge fee.* The amounts in the  
25 schedule for administering and making grants to counties under s. 16.964 (12) (b).

**ASSEMBLY BILL 40****SECTION 731**

1     ~~Of each \$21.50 received under s. 814.86 (1), \$1.50~~ All moneys transferred from the  
2     appropriation account under sub. (1) (id) 5. shall be credited to this appropriation  
3     account.

4             **SECTION 732.** 20.505 (6) (k) of the statutes is amended to read:

5             20.505 **(6)** (k)     *Law enforcement programs and youth diversion —*  
6             *administration.* The amounts in the schedule for administering grants for law  
7             enforcement assistance and for administering the youth diversion program under s.  
8             16.964 (8). All moneys transferred from the appropriation account under s. 20.455  
9             (2) (i) 13. shall be credited to this appropriation account. Notwithstanding s. 20.001  
10            (3) (a), the unencumbered balance on June 30 of each year shall be transferred to the  
11            appropriation account under s. 20.455 (2) (i).

12            **SECTION 733.** 20.505 (6) (ka) of the statutes is amended to read:

13            20.505 **(6)** (ka)   *Public safety interoperable communication system; state fees.*  
14            The amounts in the schedule to operate a statewide public safety interoperable  
15            communication system. All moneys received from public safety agencies that are  
16            state agencies as fees under s. 16.964 (15) (b) 1. shall be credited to this appropriation  
17            account.

18            **SECTION 734.** 20.505 (6) (ki) of the statutes is created to read:

19            20.505 **(6)** (ki)   *Interoperable communications system.* The amounts in the  
20            schedule to operate a statewide public safety interoperable communication system.  
21            All moneys transferred from the appropriation account under sub. (1) (id) 2. shall be  
22            credited to this appropriation account.

23            **SECTION 735.** 20.505 (6) (kj) of the statutes is amended to read:

24            20.505 **(6)** (kj)   *Youth diversion program.* The amounts in the schedule for youth  
25            diversion services under s. 16.964 (8) (a) and (c). All moneys transferred from the

**ASSEMBLY BILL 40****SECTION 735**

1 appropriation account under s. 20.455 (2) (i) 8. shall be credited to this appropriation  
2 account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30  
3 of each year shall be transferred to the appropriation account under s. 20.455 (2) (i).

4 **SECTION 736.** 20.505 (6) (kp) of the statutes is repealed.

5 **SECTION 737.** 20.505 (6) (kq) of the statutes is amended to read:

6 20.505 (6) (kq) *Traffic stop data collection; state.* The amounts in the schedule  
7 to fund state information technology and administrative costs associated with traffic  
8 stop data collection. All moneys transferred to ~~this appropriation~~ from the  
9 appropriation account under ~~par. (kp)~~ sub. (1) (id) 5g. shall be credited to this  
10 appropriation account.

11 **SECTION 738.** 20.505 (6) (kr) of the statutes is amended to read:

12 20.505 (6) (kr) *Traffic stop data collection; local.* The amounts in the schedule  
13 to fund local information technology and administrative costs associated with traffic  
14 stop data collection. All moneys transferred to ~~this appropriation~~ from the  
15 appropriation account under ~~par. (kp)~~ sub. (1) (id) 5r. shall be credited to this  
16 appropriation account.

17 **SECTION 739.** 20.505 (8) (hm) 4b. of the statutes is amended to read:

18 20.505 (8) (hm) 4b. The amount transferred to s. ~~20.215 (1)~~ 20.380 (3) (km) shall  
19 be the amount in the schedule under s. ~~20.215 (1)~~ 20.380 (3) (km).

20 **SECTION 740.** 20.505 (8) (hm) 6f. of the statutes is repealed.

21 **SECTION 741.** 20.505 (8) (hm) 6g. of the statutes is repealed.

22 **SECTION 742.** 20.505 (8) (hm) 6h. of the statutes is repealed.

23 **SECTION 743.** 20.505 (8) (hm) 6j. of the statutes is repealed.

24 **SECTION 744.** 20.505 (8) (hm) 6k. of the statutes is created to read:

25 20.505 (8) (hm) 6k. The amount transferred to sub. (1) (ka) shall be \$79,500.

**ASSEMBLY BILL 40****SECTION 745**

1           **SECTION 745.** 20.505 (8) (hm) 6m. of the statutes is created to read:

2           20.505 **(8)** (hm) 6m. The amount transferred to s. 20.280 (1) (ks) shall be the  
3 amount in the schedule under s. 20.280 (1) (ks).

4           **SECTION 746.** 20.505 (8) (hm) 13v. of the statutes is repealed.

5           **SECTION 747.** 20.505 (8) (hm) 20. of the statutes is repealed.

6           **SECTION 748.** 20.511 (1) (qm) of the statutes, as affected by 2011 Wisconsin Act  
7 .... (this act), is amended to read:

8           20.511 **(1)** (qm) *Public financing benefits; candidates for justice.* From the  
9 democracy trust fund, a sum sufficient equal in each fiscal year to the lesser of the  
10 total amount annually certified for the democracy trust fund under s. 71.10 (3e) (h)  
11 3., minus the amount appropriated under s. 20.511 (1) (r) for the fiscal year in which  
12 the certification is made, and the total amount of public financing benefits that  
13 eligible candidates qualify to receive in that fiscal year, to provide for payment of  
14 public financing benefits to eligible candidates under ss. 11.501 to 11.522.

15           **SECTION 749.** 20.545 (1) (i) of the statutes is amended to read:

16           20.545 **(1)** (i) *Services to nonstate governmental units.* The amounts in the  
17 schedule for the purpose of funding personnel services to nonstate governmental  
18 units under s. 230.05 (8), including services provided under ss. 49.78 (5) 49.19 (19g)  
19 (b) and 59.26 (8) (a). All moneys received from the sale of these services shall be  
20 credited to this appropriation account.

21           **SECTION 750.** 20.545 (1) (km) of the statutes is amended to read:

22           20.545 **(1)** (km) *Collective bargaining grievance arbitrations.* The amounts in  
23 the schedule for the payment of the state's share of costs related to collective  
24 bargaining grievance arbitrations under s. 111.86 and related to collective  
25 bargaining grievance arbitrations under s. 111.993. All moneys received from state

**ASSEMBLY BILL 40****SECTION 750**

1 agencies or the University of Wisconsin–Madison for the purpose of reimbursing the  
2 state's share of the costs related to grievance arbitrations under s. 111.86 and to  
3 reimburse the state's share of costs for training related to grievance arbitrations, and  
4 all moneys received from institutions, as defined in s. 36.05 (9), for the purpose of  
5 reimbursing the state's share of the costs related to grievance arbitrations under s.  
6 111.993 and to reimburse the state's share of costs for training related to grievance  
7 arbitrations shall be credited to this appropriation account.

8 **SECTION 751.** 20.550 (1) (kj) of the statutes is amended to read:

9 20.550 (1) (kj) *Conferences and training.* The amounts in the schedule to  
10 sponsor conferences and training under ch. 977. All moneys transferred from the  
11 appropriation account under s. 20.455 (2) (i) 15. shall be credited to this  
12 appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered  
13 balance on June 30 of each year shall be transferred to the appropriation account  
14 under s. 20.455 (2) (i).

15 **SECTION 752.** 20.566 (1) (hp) of the statutes is amended to read:

16 20.566 (1) (hp) *Administration of income tax checkoff voluntary payments.* The  
17 amounts in the schedule for the payment of all administrative costs, including data  
18 processing costs, incurred in administering ss. 71.10 (3e), (5), (5e), (5f), (5fm), (5g),  
19 (5h), (5i), (5j), and (5m), and 71.30 (10). All moneys specified for deposit in this  
20 appropriation under ss. 71.10 (3e) (j), (5) (h) 5., (5e) (h) 4., (5f) (i), (5fm) (i), (5g) (i),  
21 (5h) (i), (5i) (i), (5j) (i), and (5m) (i), and 71.30 (10) (i) and (11) (i) shall be credited to  
22 this appropriation account.

23 **SECTION 753.** 20.566 (1) (q) of the statutes is amended to read:

24 20.566 (1) (q) *Recycling Economic development surcharge administration.*  
25 From the recycling and renewable energy economic development fund, the amounts

**ASSEMBLY BILL 40****SECTION 753**

1 in the schedule for the costs, including data processing costs, incurred in  
2 administering the ~~recycling~~ economic development surcharge under subch. VII of ch.  
3 77.

4 **SECTION 754.** 20.575 (1) (g) of the statutes is amended to read:

5 20.575 (1) (g) *Program fees.* The amounts in the schedule for the purpose of  
6 carrying out general program operations. Except as provided under par. (ka), all  
7 amounts received by the secretary of state, including fees under ~~ch. 132 and subch.~~  
8 ~~I of ch. 137 s. 137.02~~ and all moneys transferred from the appropriation under s.  
9 20.144 (1) (g), shall be credited to this appropriation. Notwithstanding s. 20.001 (3)  
10 (a), any unencumbered balance at the close of a fiscal year exceeding 10% of that  
11 fiscal year's expenditures under this appropriation shall lapse to the general fund.

12 **SECTION 755.** 20.585 (1) (g) of the statutes is renumbered 20.505 (1) (gc).

13 **SECTION 756.** 20.585 (1) (q) of the statutes is renumbered 20.511 (1) (qm).

14 **SECTION 757.** 20.585 (1) (r) of the statutes is repealed.

15 **SECTION 758.** 20.585 (2) (title) of the statutes is repealed.

16 **SECTION 759.** 20.585 (2) (q) of the statutes is renumbered 20.505 (1) (tb) and  
17 amended to read:

18 20.505 (1) (tb) *Payment of qualified higher education expenses and refund*  
19 *refunds; college tuition and expenses program.* From the tuition trust fund, a sum  
20 sufficient for the payment of qualified higher education expenses and refunds under  
21 s. ~~14.63~~ 16.64 (5) and (7).

22 **SECTION 760.** 20.585 (2) (s) of the statutes is renumbered 20.505 (1) (td) and  
23 amended to read:

24 20.505 (1) (td) *Administrative expenses; college tuition and expenses program.*  
25 From the tuition trust fund, the amounts in the schedule for the administrative

**ASSEMBLY BILL 40****SECTION 760**

1 expenses of the college tuition and expenses program under s. ~~14.63~~ 16.64, including  
2 the expense of promoting the program.

3 **SECTION 761.** 20.585 (2) (t) of the statutes is renumbered 20.505 (1) (tf) and  
4 amended to read:

5 20.505 (1) (tf) *Payment of qualified higher education expenses and refunds;*  
6 *college savings program trust fund.* From the college savings program trust fund, a  
7 sum sufficient for the payment of qualified higher education expenses and refunds  
8 under s. ~~14.64~~ 16.641 (2) and (3).

9 **SECTION 762.** 20.585 (2) (tm) of the statutes is renumbered 20.505 (1) (th) and  
10 amended to read:

11 20.505 (1) (th) *Administrative expenses; college savings program trust fund.*  
12 From the college savings program trust fund, the amounts in the schedule for the  
13 administrative expenses of the college savings program under s. ~~14.64~~ 16.641,  
14 including the expense of promoting the program.

15 **SECTION 763.** 20.585 (2) (u) of the statutes is renumbered 20.505 (1) (tj) and  
16 amended to read:

17 20.505 (1) (tj) *Payment of qualified higher education expenses and refunds;*  
18 *college savings program bank deposit trust fund.* From the college savings program  
19 bank deposit trust fund, a sum sufficient for the payment of qualified higher  
20 education expenses and refunds under s. ~~14.64~~ 16.641 (2) and (3).

21 **SECTION 764.** 20.585 (2) (um) of the statutes is renumbered 20.505 (1) (tL) and  
22 amended to read:

23 20.505 (1) (tL) *Administrative expenses; college savings program bank deposit*  
24 *trust fund.* From the college savings program bank deposit trust fund, the amounts



**ASSEMBLY BILL 40****SECTION 764**

1 in the schedule for the administrative expenses of the college savings program under  
2 s. 14.64 16.641, including the expense of promoting the program.

3 **SECTION 765.** 20.585 (2) (v) of the statutes is renumbered 20.505 (1) (tn) and  
4 amended to read:

5 20.505 (1) (tn) *Payment of qualified higher education expenses and refunds;*  
6 *college savings program credit union deposit trust fund.* From the college savings  
7 program credit union deposit trust fund, a sum sufficient for the payment of qualified  
8 higher education expenses and refunds under s. 14.64 16.641 (2) and (3).

9 **SECTION 766.** 20.585 (2) (vm) of the statutes is renumbered 20.505 (1) (tp) and  
10 amended to read:

11 20.505 (1) (tp) *Administrative expenses; college savings program credit union*  
12 *deposit trust fund.* From the college savings program credit union deposit trust fund,  
13 the amounts in the schedule for the administrative expenses of the college savings  
14 program under s. 14.64 16.641, including the expense of promoting the program.

15 **SECTION 767.** 20.625 (1) (g) of the statutes is created to read:

16 20.625 (1) (g) *Sale of materials and services.* All moneys received, other than  
17 from state agencies, by circuit courts from the sale of materials or services, for  
18 general program operations of the circuit courts.

19 **SECTION 768.** 20.625 (1) (k) of the statutes is created to read:

20 20.625 (1) (k) *Court interpreters.* The amounts in the schedule to pay  
21 interpreter fees reimbursed under s. 758.19 (8) and 2009 Wisconsin Act 28, section  
22 9109 (1). All moneys transferred from the appropriation account under s. 20.505 (1)  
23 (id) 8. shall be credited to this appropriation account.

24 **SECTION 769.** 20.680 (2) (j) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 769**

1           20.680 (2) (j) *Court information systems*. All moneys received under s. 758.19  
2 (4m), and all moneys received under ss. 814.61, 814.62, and 814.63 that are required  
3 to be credited to this appropriation account under those sections, ~~and \$6 of each~~  
4 ~~\$21.50 received under s. 814.86 (1)~~ for the operation of circuit court automated  
5 information systems under s. 758.19 (4).

6           **SECTION 770.** 20.680 (2) (kg) of the statutes is created to read:

7           20.680 (2) (kg) *Automated information systems*. The amounts in the schedule  
8 for the operation of circuit court automated information systems under s. 758.19 (4).  
9 All moneys transferred from the appropriation account under s. 20.505 (1) (id) 9.  
10 shall be credited to this appropriation account.

11           **SECTION 771.** 20.835 (2) (bb) of the statutes, as created by 2009 Wisconsin Act  
12 28, is amended to read:

13           20.835 (2) (bb) *Jobs tax credit*. ~~The~~ As a continuing appropriation, the amounts  
14 in the schedule to make the payments under ss. 71.07 (3q) (d) 2., 71.28 (3q) (d) 2., and  
15 71.47 (3q) (d) 2.

16           **SECTION 772.** 20.835 (2) (bn) of the statutes is amended to read:

17           20.835 (2) (bn) *Dairy manufacturing facility investment credit*. ~~The~~ As a  
18 continuing appropriation, the amounts in the schedule to make the payments under  
19 ss. 71.07 (3p) (d) 2., 71.28 (3p) (d) 2., and 71.47 (3p) (d) 2.

20           **SECTION 773.** 20.855 (4) (b) of the statutes is repealed.

21           **SECTION 774.** 20.855 (4) (ba) of the statutes is repealed.

22           **SECTION 775.** 20.855 (4) (bb) of the statutes is repealed.

23           **SECTION 776.** 20.865 (2) (am) of the statutes is amended to read:

24           20.865 (2) (am) *Space management and child care*. The amounts in the  
25 schedule to finance the unbudgeted costs of remodeling, moving, additional rental

**ASSEMBLY BILL 40****SECTION 776**

1 costs, and move-related vacant space costs resulting from relocations of state  
2 agencies directed by the department of administration, ~~and the unbudgeted costs of~~  
3 ~~assessments for child care facilities under s. 16.841 (4) incurred by state agencies.~~

4 **SECTION 777.** 20.865 (2) (gm) of the statutes is amended to read:

5 20.865 (2) (gm) *Space management and child care; program revenues.* From  
6 the appropriate program revenue and program revenue-service accounts, a sum  
7 sufficient to finance the unbudgeted costs of remodeling, moving, additional rental  
8 costs, and move-related vacant space costs resulting from relocations of state  
9 agencies directed by the department of administration, ~~and the unbudgeted costs of~~  
10 ~~assessments for child care facilities under s. 16.841 (4) incurred by state agencies.~~

11 **SECTION 778.** 20.865 (2) (qm) of the statutes is amended to read:

12 20.865 (2) (qm) *Space management and child care; segregated revenues.* From  
13 the appropriate segregated funds, a sum sufficient to finance the unbudgeted costs  
14 of remodeling, moving, additional rental costs, and move-related vacant space costs  
15 resulting from relocations of state agencies directed by the department of  
16 administration, ~~and the unbudgeted costs of assessments for child care facilities~~  
17 ~~under s. 16.841 (4) incurred by state agencies.~~

18 **SECTION 779.** 20.866 (1) (u) of the statutes is amended to read:

19 20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys  
20 appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b), ~~(br)~~, and (s), ~~and~~  
21 ~~(tb)~~, 20.190 (1) (c), (d), (i), and (j), 20.225 (1) (c) and (i), 20.245 (1) (e) and (j), 20.250  
22 (1) (c) and (e), 20.255 (1) (d), 20.280 (1) (je), (jq), (kd), and (ko), 20.285 (1) (d), ~~(db)~~, (im),  
23 (in), ~~(je)~~, ~~(jq)~~, (kd), and (km), ~~and (ko)~~ and ~~(5) (i)~~, 20.320 (1) (c) and (t) and (2) (c),  
24 20.370 (7) (aa), (ac), (ag), (aq), (ar), (at), (au), (bq), (br), (cb), (cc), (cd), (cg), (cq), (cr),  
25 (cs), (ct), (ea), (eq), and (er), 20.395 (6) (af), (aq), (ar), and (au), 20.410 (1) (e), (ec), and

**ASSEMBLY BILL 40****SECTION 779**

1 (ko) and (3) (e), 20.435 (2) (ee), 20.465 (1) (d), 20.485 (1) (f) and (go), (3) (t) and (4) (qm),  
2 20.505 (4) (es), (et), (ha), and (hb) and (5) (c), (g), and (kc), 20.855 (8) (a), and 20.867  
3 (1) (a) and (b) and (3) (a), (b), (bb), (bc), (bd), (be), (bf), (bg), (bh), (bi), (bm), (bn), (bp),  
4 (bq), (br), (bu), (bv), (g), (h), (i), (kd), and (q) for the payment of principal, interest,  
5 premium due, if any, and payment due, if any, under an agreement or ancillary  
6 arrangement entered into under s. 18.06 (8) (a) relating to any public debt contracted  
7 under subchs. I and IV of ch. 18.

8 **SECTION 780.** 20.866 (2) (t) of the statutes is amended to read:

9 20.866 (2) (t) *University of Wisconsin–Madison and University of Wisconsin*  
10 *System; self-amortizing facilities.* From the capital improvement fund, a sum  
11 sufficient for the ~~board of regents~~ Board of Trustees of the University of  
12 Wisconsin–Madison and the Board of Regents of the University of Wisconsin System  
13 to acquire, construct, develop, enlarge or improve university self-amortizing  
14 educational facilities and facilities to support such facilities. The state may contract  
15 public debt in an amount not to exceed \$2,185,196,800 for this purpose. Of this  
16 amount, \$4,500,000 is allocated only for the University of Wisconsin–Madison indoor  
17 practice facility for athletic programs and only at the time that ownership of the  
18 facility is transferred to the state.

19 **SECTION 781.** 20.866 (2) (td) of the statutes is amended to read:

20 20.866 (2) (td) *Safe drinking water loan program.* From the capital  
21 improvement fund, a sum sufficient to be transferred to the environmental  
22 improvement fund for the safe drinking water loan program under s. 281.61. The  
23 state may contract public debt in an amount not to exceed ~~\$45,400,000~~ \$54,800,000  
24 for this purpose.

25 **SECTION 782.** 20.866 (2) (tf) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 782**

1           20.866 (2) (tf) *Natural resources; nonpoint source.* From the capital  
2 improvement fund, a sum sufficient for the department of natural resources to fund  
3 nonpoint source water pollution abatement projects under s. 281.65 (4c) and (4e).  
4 The state may contract public debt in an amount not to exceed \$18,000,000  
5 \$25,000,000 for this purpose.

6           **SECTION 783.** 20.866 (2) (tg) of the statutes is amended to read:

7           20.866 (2) (tg) *Natural resources; environmental repair.* From the capital  
8 improvement fund, a sum sufficient for the department of natural resources to fund  
9 investigations and remedial action under s. 292.11 (7) (a) or 292.31 and remedial  
10 action under s. 281.83 and for payment of this state's share of environmental repair  
11 that is funded under 42 USC 6991 to 6991i or 42 USC 9601 to 9675. The state may  
12 contract public debt in an amount not to exceed ~~\$54,000,000~~ \$57,000,000 for this  
13 purpose. Of this amount, \$7,000,000 is allocated for remedial action under s. 281.83.

14           **SECTION 784.** 20.866 (2) (th) of the statutes is amended to read:

15           20.866 (2) (th) *Natural resources; urban nonpoint source cost-sharing.* From  
16 the capital improvement fund, a sum sufficient for the department of natural  
17 resources to provide cost-sharing grants for urban nonpoint source water pollution  
18 abatement and storm water management projects under s. 281.66, to provide  
19 municipal flood control and riparian restoration cost-sharing grants under s.  
20 281.665, and to make the grant under 2007 Wisconsin Act 20, section 9135 (1i). The  
21 state may contract public debt in an amount not to exceed ~~\$35,900,000~~ \$41,900,000  
22 for this purpose. Of this amount, \$500,000 is allocated in fiscal biennium 2001–03  
23 for dam rehabilitation grants under s. 31.387.

24           **SECTION 785.** 20.866 (2) (ti) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 785**

1           20.866 (2) (ti) *Natural resources; contaminated sediment removal.* From the  
2 capital improvement fund, a sum sufficient for the department of natural resources  
3 to fund removal of contaminated sediment under s. 281.87. The state may contract  
4 public debt in an amount not to exceed ~~\$22,000,000~~ \$27,000,000 for this purpose.

5           **SECTION 786.** 20.866 (2) (tx) of the statutes is amended to read:

6           20.866 (2) (tx) *Natural resources; dam safety projects.* From the capital  
7 improvement fund, a sum sufficient for the department of natural resources to  
8 provide financial assistance to counties, cities, villages, towns and public inland lake  
9 protection and rehabilitation districts for dam safety projects under s. 31.385. The  
10 state may contract public debt in an amount not to exceed ~~\$9,500,000~~ \$13,500,000  
11 for this purpose.

12           **SECTION 787.** 20.866 (2) (uq) of the statutes is repealed.

13           **SECTION 788.** 20.866 (2) (ur) of the statutes is amended to read:

14           20.866 (2) (ur) *Transportation; accelerated highway improvements.* From the  
15 capital improvement fund, a sum sufficient to acquire, construct, develop, enlarge,  
16 or improve state highway facilities as provided by ss. 84.06 and 84.09. The state may  
17 contract public debt in an amount not to exceed \$185,000,000 for this purpose. This  
18 paragraph does not apply with respect to any southeast Wisconsin freeway  
19 ~~rehabilitation projects under s. 84.014~~ megaproject under s. 84.0145.

20           **SECTION 789.** 20.866 (2) (uu) of the statutes is amended to read:

21           20.866 (2) (uu) *Transportation; highway projects.* From the capital  
22 improvement fund, a sum sufficient for the department of transportation to acquire,  
23 construct, reconstruct, improve, or develop highway projects under ss. 84.06 and  
24 84.09. The state may contract public debt in an amount not to exceed \$41,000,000 for

**ASSEMBLY BILL 40****SECTION 789**

1 this purpose. This paragraph does not apply with respect to any southeast Wisconsin  
2 freeway rehabilitation projects under s. 84.014 megaproject under s. 84.0145.

3 **SECTION 790.** 20.866 (2) (uup) of the statutes is amended to read:

4 20.866 (2) (uup) *Transportation; Marquette interchange, zoo interchange,*  
5 *southeast megaprojects, and I 94 north–south corridor reconstruction projects.* From  
6 the capital improvement fund, a sum sufficient for the department of transportation  
7 to fund the Marquette interchange reconstruction project under s. 84.014, as  
8 provided under s. 84.555, and the reconstruction of the I 94 north–south corridor and  
9 the zoo interchange, as provided under s. 84.555 (1m), and southeast Wisconsin  
10 freeway megaprojects under s. 84.0145, as provided under s. 84.555 (1m). The state  
11 may contract public debt in an amount not to exceed \$553,550,000 \$704,750,000 for  
12 these purposes.

13 **SECTION 791.** 20.866 (2) (uur) of the statutes is amended to read:

14 20.866 (2) (uur) *Transportation; state highway rehabilitation projects.* From  
15 the capital improvement fund, a sum sufficient for the department of transportation  
16 to fund state highway rehabilitation projects, as provided under s. 84.95. The state  
17 may contract public debt in an amount not to exceed \$250,000,000 for this purpose.  
18 In addition, the state may contract public debt in an amount not to exceed \$50 million  
19 for this purpose. In addition, the state may contract public debt in an amount not  
20 to exceed \$204,712,200 for this purpose. In addition, the state may contract public  
21 debt in an amount not to exceed \$115,351,500 for this purpose.

22 **SECTION 792.** 20.866 (2) (uus) of the statutes is amended to read:

23 20.866 (2) (uus) *Transportation; major highway projects.* From the capital  
24 improvement fund, a sum sufficient for the department of transportation to fund

**ASSEMBLY BILL 40****SECTION 792**

1 major highway projects, as provided under s. 84.56. The state may contract public  
2 debt in an amount not to exceed \$50,000,000 \$100,000,000 for these purposes.

3 **SECTION 793.** 20.866 (2) (uut) of the statutes is amended to read:

4 20.866 (2) (uut) *Transportation; state highway rehabilitation, certain projects.*

5 From the capital improvement fund, a sum sufficient for the department of  
6 transportation to fund state highway rehabilitation projects, as provided under s.  
7 84.57. The state may contract public debt in an amount not to exceed \$60,000,000  
8 \$110,000,000 for this purpose.

9 **SECTION 794.** 20.866 (2) (uv) of the statutes is amended to read:

10 20.866 (2) (uv) *Transportation, harbor improvements.* From the capital  
11 improvement fund, a sum sufficient for the department of transportation to provide  
12 grants for harbor improvements. The state may contract public debt in an amount  
13 not to exceed \$66,100,000 \$78,800,000 for this purpose.

14 **SECTION 795.** 20.866 (2) (uw) of the statutes is amended to read:

15 20.866 (2) (uw) *Transportation; rail acquisitions and improvements.* From the  
16 capital improvement fund, a sum sufficient for the department of transportation to  
17 acquire railroad property under ss. 85.08 (2) (L) and 85.09; and to provide grants and  
18 loans for rail property acquisitions and improvements under s. 85.08 (4m) (c) and (d).  
19 The state may contract public debt in an amount not to exceed \$126,500,000  
20 \$186,500,000 for these purposes.

21 **SECTION 796.** 20.866 (2) (we) of the statutes is amended to read:

22 20.866 (2) (we) *Agriculture; soil and water.* From the capital improvement  
23 fund, a sum sufficient for the department of agriculture, trade and consumer  
24 protection to provide for soil and water resource management under s. 92.14. The



**ASSEMBLY BILL 40****SECTION 796**

1 state may contract public debt in an amount not to exceed \$40,075,000 \$47,075,000  
2 for this purpose.

3 **SECTION 797.** 20.866 (2) (wg) of the statutes is repealed.

4 **SECTION 798.** 20.866 (2) (xg) of the statutes is created to read:

5 20.866 **(2)** (xg) *Building commission; refunding tax-supported and*  
6 *self-amortizing general obligation debt before July 1, 2013.* From the capital  
7 improvement fund, a sum sufficient to refund the whole or any part of any unpaid  
8 indebtedness used to finance tax-supported or self-amortizing facilities. The state  
9 may contract public debt in an amount not to exceed \$364,300,000 for this purpose.  
10 Such indebtedness shall be construed to include any premium and interest payable  
11 with respect thereto. Debt incurred by this paragraph shall be incurred before July  
12 1, 2013, and shall be repaid under the appropriations providing for the retirement  
13 of public debt incurred for tax-supported and self-amortizing facilities in  
14 proportional amounts to the purposes for which the debt was refinanced.

15 **SECTION 799.** 20.867 (3) (c) of the statutes is repealed.

16 **SECTION 800.** 20.867 (3) (h) of the statutes is amended to read:

17 20.867 **(3)** (h) *Principal repayment, interest, and rebates.* A sum sufficient to  
18 guarantee full payment of principal and interest costs for self-amortizing or  
19 partially self-amortizing facilities enumerated under ss. 20.190 (1) (j), 20.245 (1) (j),  
20 20.280 (1) (je), (jq), (kd), and (ko), 20.285 (1) (im), (je), (jq), (kd), and (km), and (ko),  
21 20.370 (7) (eq), 20.485 (1) (go), and 20.867 (3) (kd) if moneys available in those  
22 appropriations are insufficient to make full payment, to make full payment of the  
23 amounts determined by the building commission under s. 13.488 (1) (m) if the  
24 appropriation under s. 20.190 (1) (j), 20.245 (1) (j), 20.285 (1) (im), (je), (jq), (kd), (km),  
25 or (ko), 20.485 (1) (g), or 20.867 (3) (kd) is insufficient to make full payment of those

**ASSEMBLY BILL 40****SECTION 800**

1 amounts, and to make payments under an agreement or ancillary arrangement  
2 entered into under s. 18.06 (8) (a). All amounts advanced under the authority of this  
3 paragraph shall be repaid to the general fund whenever the balance of the  
4 appropriation for which the advance was made is sufficient to meet any portion of the  
5 amount advanced. The department of administration may take whatever action is  
6 deemed necessary including the making of transfers from program revenue  
7 appropriations and corresponding appropriations from program receipts in  
8 segregated funds and including actions to enforce contractual obligations that will  
9 result in additional program revenue for the state, to ensure recovery of the amounts  
10 advanced.

11 **SECTION 801.** 20.867 (3) (k) of the statutes is amended to read:

12 20.867 (3) (k) *Interest rebates on obligation proceeds; program revenues.* All  
13 moneys transferred from the appropriations under pars. (g) and (i) and ss. 20.190 (1)  
14 (j), 20.245 (1) (j), 20.280 (1) (kd), 20.285 (1) (kd), 20.410 (1) (ko) and 20.505 (5) (g) and  
15 (kc) to make the payments determined by the building commission under s. 13.488  
16 (1) (m) on the proceeds of obligations specified in those paragraphs.

17 **SECTION 802.** 20.901 (3m) of the statutes is created to read:

18 20.901 (3m) UNIVERSITY OF WISCONSIN-MADISON. In subs. (1) to (3), “state  
19 agency” includes the University of Wisconsin–Madison.

20 **SECTION 803.** 20.901 (4) of the statutes is amended to read:

21 20.901 (4) EDUCATIONAL INTER-SYSTEM COOPERATION. ~~The board of regents~~ Board  
22 of Regents of the University of Wisconsin System, the Board of Trustees of the  
23 University of Wisconsin–Madison, and the technical college system board shall  
24 establish arrangements for joint use of facilities and joint staffing of programs  
25 operated by ~~either system~~ any of the entities, in such ways as to make their

**ASSEMBLY BILL 40****SECTION 803**

1 educational and public services programs as fully and economically available to the  
2 citizens of the state as possible. Such arrangements may include, but are not limited  
3 to, ~~inter-system~~ inter-entity rental agreements, contracts for services provided by  
4 one ~~system~~ entity in support of programs of ~~the other system~~ another, joint  
5 management of facilities and programs at specific locations, joint enrollment of  
6 students, and joint employment of staff.

7 **SECTION 804.** 20.916 (3) of the statutes is amended to read:

8 20.916 (3) FURNISHING OF GROUP TRANSPORTATION TO PLACE OF WORK. The  
9 department of health services, the department of corrections, and the department of  
10 natural resources may, with the approval of the governor and the department of  
11 administration, provide group transportation, in the absence of convenient and  
12 public scheduled transportation, for employees to and from the Mendota and  
13 Winnebago mental health institutes and the centers for the developmentally  
14 disabled in the case of employees of the department of health services, to ~~the Ethan~~  
15 ~~Allen School~~, the Taycheedah Correctional Institution, and the Fox Lake  
16 Correctional Institution in the case of employees of the department of corrections,  
17 and to and from its temporary branch offices located at the Nevin Fish Hatchery  
18 grounds in the case of employees of the department of natural resources. Any  
19 employee, if injured while being so transported, shall be considered to have been in  
20 the course of his or her employment.

21 **SECTION 805.** 20.923 (4) (intro.) of the statutes is amended to read:

22 20.923 (4) STATE AGENCY POSITIONS. (intro.) State agency heads, the  
23 administrator of the division of merit recruitment and selection in the office of state  
24 employment relations and commission chairpersons and members shall be identified  
25 and limited in number in accordance with the standardized nomenclature contained

**ASSEMBLY BILL 40****SECTION 805**

1 in this subsection, and shall be assigned to the executive salary groups listed in pars.  
2 (a) to (h). Except for positions specified in ~~par.~~ pars. (c) 3m. and (g) 1e. and sub. (12),  
3 all unclassified division administrator positions enumerated under s. 230.08 (2) (e)  
4 shall be assigned, when approved by the joint committee on employment relations,  
5 by the director of the office of state employment relations to one of 10 executive salary  
6 groups. The joint committee on employment relations, by majority vote of the full  
7 committee, may amend recommendations for initial position assignments and  
8 changes in assignments to the executive salary groups submitted by the director of  
9 the office of state employment relations. All division administrator assignments and  
10 amendments to assignments of administrator positions approved by the committee  
11 shall become part of the compensation plan. Whenever a new unclassified division  
12 administrator position is created, the appointing authority may set the salary for the  
13 position until the joint committee on employment relations approves assignment of  
14 the position to an executive salary group. If the committee approves assignment of  
15 the position to an executive salary group having a salary range minimum or  
16 maximum inconsistent with the salary paid to the incumbent at the time of such  
17 approval, the incumbent's salary shall be adjusted by the appointing authority to  
18 conform with the committee's action, effective on the date of that action. Positions  
19 are assigned as follows:

20 **SECTION 806.** 20.923 (4) (b) 6. of the statutes is amended to read:

21 20.923 (4) (b) 6. ~~Earned release review~~ Parole commission: chairperson.

22 **SECTION 807.** 20.923 (4) (c) 2. of the statutes is created to read:

23 20.923 (4) (c) 2. Administration, department of; office of business development:  
24 director.

25 **SECTION 808.** 20.923 (4) (f) 8m. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 808**

1           20.923 (4) (f) 8m. ~~Regulation and licensing~~ Safety and professional services,  
2 department of: secretary.

3           **SECTION 809.** 20.923 (4) (g) 1e. of the statutes is created to read:

4           20.923 (4) (g) 1e. Administration, department of: administrator of any division  
5 having responsibility for information technology management.

6           **SECTION 810.** 20.923 (4g) (c) of the statutes is repealed.

7           **SECTION 811.** 20.923 (4g) (e) of the statutes is repealed.

8           **SECTION 812.** 20.923 (6) (am) of the statutes is amended to read:

9           20.923 (6) (am) Each elective executive officer, except the secretary of state and  
10 the state treasurer: a stenographer.

11           **SECTION 813.** 20.923 (6) (m) of the statutes is amended to read:

12           20.923 (6) (m) University of Wisconsin System: deans, principals, professors,  
13 instructors, research assistants, librarians and other teachers, as defined in s. 40.02  
14 (55), the staff of the environmental education board, and instructional staff  
15 employed by the board of regents of the University of Wisconsin System who provide  
16 services for a charter school established by contract under s. 118.40 (2r) ~~(em)~~ (b) 1.  
17 e.

18           **SECTION 814.** 20.923 (8) of the statutes is amended to read:

19           20.923 (8) DEPUTIES. Salaries for deputies appointed pursuant to ss. 13.94 (3)  
20 (b), 15.04 (2) and 551.601 (1) shall be set by the appointing authority. The salary shall  
21 not exceed the maximum of the salary range one range below the salary range of the  
22 executive salary group to which the department or agency head is assigned. The  
23 positions of assistant secretary of state, assistant state treasurer and associate  
24 director of the historical society shall be treated as unclassified deputies for pay  
25 purposes under this subsection. The salary of the deputy director of the office of

**ASSEMBLY BILL 40****SECTION 814**

1 business development in the department of administration is assigned to executive  
2 salary group 2.

3 **SECTION 815.** 20.923 (12) (title) of the statutes is amended to read:

4 20.923 (12) (title) OTHER DEPARTMENT OF REGULATION AND LICENSING SAFETY AND  
5 PROFESSIONAL SERVICES POSITIONS.

6 **SECTION 816.** 20.924 (1) (d) of the statutes is amended to read:

7 20.924 (1) (d) Shall exercise considered judgment in supervising the  
8 implementation of the state building program, and may authorize limited changes  
9 in the project program, and in the project budget if the commission determines that  
10 unanticipated program conditions or bidding conditions require the change to  
11 effectively and economically construct the project. However, total state and  
12 University of Wisconsin–Madison funds for major projects under the authorized  
13 state building program for each agency and for the University of Wisconsin–Madison  
14 shall not be exceeded.

15 **SECTION 817.** 20.924 (1) (j) of the statutes is amended to read:

16 20.924 (1) (j) Shall not enter into any lease or other contract that provides for  
17 the construction of any building, structure, or facility, or portion thereof, for initial  
18 occupancy by the state or the University of Wisconsin–Madison and that contains an  
19 option for the state or the University of Wisconsin–Madison to purchase the building,  
20 structure, or facility unless the seller or lessor agrees that all equipment to be  
21 installed as a component of the building, structure, or facility that relates to any  
22 function that consumes energy meets applicable requirements for state building  
23 projects under s. 16.855 (10s) (a).

24 **SECTION 818.** 23.09 (3) (b) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 818**

1           23.09 (3) (b) If the department and the ~~board of regents~~ Board of Trustees of  
2 the University of ~~Wisconsin System~~ Wisconsin-Madison enter into an agreement to  
3 create a faculty position at the University of Wisconsin-Madison for a forest  
4 landscape ecologist, the department and the University of Wisconsin-Madison shall  
5 develop an annual work plan for the ecologist. In developing the annual work plan,  
6 the department shall consult with the council on forestry.

7           **SECTION 819.** 23.09 (10) of the statutes is amended to read:

8           23.09 (10) CONSERVATION EASEMENTS AND RIGHTS IN PROPERTY. Confirming all the  
9 powers hereinabove granted to the department and in furtherance thereof, the  
10 department, subject to the limitations under s. 23.0917 (8m), may acquire any and  
11 all easements in the furtherance of public rights, including the right of access and  
12 use of lands and waters for hunting and fishing and the enjoyment of scenic beauty,  
13 together with the right to acquire all negative easements, restrictive covenants,  
14 covenants running with the land, and all rights for use of property of any nature  
15 whatsoever, however denominated, which may be lawfully acquired for the benefit  
16 of the public. The department also may grant leases and easements to properties and  
17 other lands under its management and control under such covenants as will preserve  
18 and protect such properties and lands for the purposes for which they were acquired.

19           **SECTION 820.** 23.09 (19) (cg) of the statutes is amended to read:

20           23.09 (19) (cg) ~~The~~ Subject to the limitations under s. 23.0917 (8m), the  
21 department may award grants from the appropriation under s. 20.866 (2) (ta) for the  
22 acquisition of land or rights in land for urban green space under this subsection only  
23 for the purposes of nature-based outdoor recreation.

24           **SECTION 821.** 23.09 (20) (am) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 821**

1           23.09 **(20)** (am) Any governmental unit may apply for state aids for the  
2 acquisition and development of recreational lands and rights in lands. State aids  
3 under this subsection that are expended from the appropriation under s. 20.866 (2)  
4 (ta) may only be used for nature-based outdoor recreation. Acquisition of land or  
5 rights in land using state aids awarded under this subsection are subject to the  
6 limitations under s. 23.0917 (8m). State aids received by a municipality shall be used  
7 for the development of its park system in accordance with priorities based on  
8 comprehensive plans submitted with the application and consistent with the outdoor  
9 recreation program under s. 23.30. An application under this subsection shall be  
10 made in the manner the department prescribes.

11           **SECTION 822.** 23.09 (20m) (c) of the statutes is created to read:

12           23.09 **(20m)** (c) Beginning with fiscal year 2011–12, the department may not  
13 obligate any moneys from the appropriation under s. 20.866 (2) (ta) for grants under  
14 this subsection.

15           **SECTION 823.** 23.0916 (1) (am) of the statutes is created to read:

16           23.0916 **(1)** (am) “Local governmental unit” means a city, a village, a town, a  
17 county, a special purpose district in this state, an agency or corporation of a political  
18 subdivision or special purpose district, or a combination or subunit of any of the  
19 foregoing.

20           **SECTION 824.** 23.0916 (1) (bg) of the statutes is created to read:

21           23.0916 **(1)** (bg) “State agency” has the meaning given in s. 16.004 (12) (a).

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



**ASSEMBLY BILL 40****SECTION 825**

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.*

**ASSEMBLY BILL 40****SECTION 830**

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:

**ASSEMBLY BILL 40****SECTION 832**

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 835.** 23.0917 (1) (cm) of the statutes is created to read:

13           23.0917 (1) (cm) “Forestry easement” means a conservation easement that  
14 includes all of the development rights in the land and that imposes an obligation on  
15 the owner of the land to ensure that the land is managed using sustainable forestry  
16 practices to produce forest products.

17           **SECTION 836.** 23.0917 (4) (b) 3. of the statutes is amended to read:

18           23.0917 (4) (b) 3. Grants for acquisition of property development rights under  
19 ss. 23.09 (20m) and 23.096. Beginning with fiscal year 2011–12, the department may  
20 not obligate moneys for such grants.

21           **SECTION 837.** 23.0917 (5t) of the statutes is created to read:

22           23.0917 (5t) LOCAL GOVERNMENTAL RESOLUTIONS. Each city, village, town, or  
23 county shall adopt a nonbinding resolution that supports or opposes the proposed  
24 acquisition of land to be funded by moneys obligated from the appropriation under  
25 s. 20.866 (2) (ta) if all or a portion of the land is located in the city, village, town, or

**ASSEMBLY BILL 40****SECTION 837**

1 county. The department shall provide written notification to each city, village, town,  
2 or county that is required to adopt a resolution. Within 30 days after receiving the  
3 notification, the city, village, town, or county shall adopt the resolution and shall  
4 provide the department with a copy of the resolution. If the department receives the  
5 copy within this time period, the department may not approve or deny the proposed  
6 acquisition until it takes the resolution into consideration. This paragraph does not  
7 apply to proposed acquisitions of forestry easements.

8 **SECTION 838.** 23.0917 (6m) (c) of the statutes is amended to read:

9 23.0917 **(6m)** (c) The procedures under pars. (a) and (b) apply only to an amount  
10 for a project or activity that exceeds ~~\$750,000~~ \$250,000, except as provided in pars.  
11 (d) and (dm).

12 **SECTION 839.** 23.0917 (6m) (dm) (intro.) of the statutes is amended to read:

13 23.0917 **(6m)** (dm) (intro.) The procedures under pars. (a) and (b) apply to an  
14 amount for a project or activity that is less than or equal to ~~\$750,000~~ \$250,000 if all  
15 of the following apply:

16 **SECTION 840.** 23.0917 (6m) (dm) 1. of the statutes is amended to read:

17 23.0917 **(6m)** (dm) 1. The project or activity is so closely related to one or more  
18 other department projects or activities for which the department has proposed to  
19 obligate or has obligated moneys under s. 20.866 (2) (ta) that the projects or  
20 activities, if combined, would constitute a larger project or activity that exceeds  
21 ~~\$750,000~~ \$250,000.

22 **SECTION 841.** 23.0917 (7) (b) of the statutes is amended to read:

23 23.0917 **(7)** (b) For land that has been owned by the current owner for less than  
24 one year, the acquisition costs of the land shall equal the current fair market value  
25 of the land or the current owner's acquisition price, whichever is lower.

**ASSEMBLY BILL 40****SECTION 842**

1           **SECTION 842.** 23.0917 (7) (c) of the statutes is renumbered 23.0917 (7) (c)  
2 (intro.) and amended to read:

3           23.0917 (7) (c) (intro.) For land that has been owned by the current owner for  
4 one year or more but for less than 3 years, the acquisition costs of the land shall equal  
5 the lower of the following:

6           2. The sum of the current owner's acquisition price and the annual adjustment  
7 increase.

8           **SECTION 843.** 23.0917 (7) (c) 1. of the statutes is created to read:

9           23.0917 (7) (c) 1. The current fair market value of the land.

10          **SECTION 844.** 23.0917 (7) (d) (intro.) of the statutes is amended to read:

11          23.0917 (7) (d) (intro.) For purposes of par. (c) 2., the annual adjustment  
12 increase shall be calculated by multiplying the current owner's acquisition price by  
13 5% and by then multiplying that product by one of the following numbers:

14          **SECTION 845.** 23.0917 (7) (e) 1. of the statutes is amended to read:

15          23.0917 (7) (e) 1. For any land for which moneys are proposed to be obligated  
16 from the appropriation under s. 20.866 (2) (ta) in order to provide a grant ~~or~~, state  
17 aid, or other funding to a governmental unit or nonprofit conservation organization  
18 under s. 23.09 (19), (20), or (20m), 23.092 (4), 23.094 (3g), 23.0953, 23.096, 30.24 (2),  
19 ~~or 30.277 or to a nonprofit conservation organization under s. 23.096~~, the department  
20 shall use at least 2 appraisals to determine the current fair market value of the land.  
21 The governmental unit or nonprofit conservation organization shall submit to the  
22 department one appraisal that is paid for by the governmental unit or nonprofit  
23 conservation organization. The department shall obtain its own independent  
24 appraisal. The department may also require that the governmental unit or nonprofit  
25 conservation organization submit a 3rd independent appraisal. The department

**ASSEMBLY BILL 40****SECTION 845**

1 shall reimburse the governmental unit or nonprofit conservation organization up to  
2 50% of the costs of the 3rd appraisal as part of the acquisition costs of the land if the  
3 land is acquired by the governmental unit or nonprofit conservation organization  
4 with moneys obligated from the appropriation under s. 20.866 (2) (ta).

5 **SECTION 846.** 23.0917 (7) (e) 2. of the statutes is amended to read:

6 23.0917 (7) (e) 2. Subdivision 1. does not apply if the current fair market value  
7 of the land is estimated by the department to be \$350,000 or less.

8 **SECTION 847.** 23.0917 (7) (f) 2. of the statutes is amended to read:

9 23.0917 (7) (f) 2. For any acquisition of any land that is funded with moneys  
10 obligated from the appropriation under s. 20.866 (2) (ta), the department, within 30  
11 days after the moneys are obligated, shall submit to the clerk and the assessor of each  
12 taxation district in which the land is located a copy of every appraisal in the  
13 department's possession that was prepared in order to determine the current fair  
14 market value of the land involved. An assessor who receives a copy of an appraisal  
15 under this subdivision shall consider the appraisal in valuing the land as provided  
16 under s. 70.32 (1).

17 **SECTION 848.** 23.0917 (8m) of the statutes is created to read:

18 23.0917 (8m) LIMITATIONS ON ACQUISITIONS. (a) Beginning with fiscal year  
19 2011–12, in obligating moneys from the appropriation under s. 20.866 (2) (ta), the  
20 department may obligate moneys only for the acquisition of land in fee simple and  
21 for the acquisition of a right or interest in land that is one of the following:

22 1. An easement that is necessary to provide the public access to land or a body  
23 of water that is required to be open to the public for which there is no other public  
24 access or for which public access is limited to the degree that a major amount of one  
25 or more nature-based outdoor activities is not allowed.

**ASSEMBLY BILL 40****SECTION 848**

1           2. An easement for a state trail or the ice age trail.

2           3. A forestry easement.

3           (b) An easement acquired under par. (a) 1. or 2. may not be more than 5 acres  
4 in size.

5           **SECTION 849.** 23.092 (3) of the statutes is amended to read:

6           23.092 (3) The department may acquire land and easements for habitat areas  
7 by gift or devise or ~~beginning on July 1, 1990, by purchase.~~ ~~The department may~~  
8 ~~acquire land for habitat areas by gift, devise or purchase, subject to the limitations~~  
9 ~~under s. 23.0917 (8m).~~

10          **SECTION 850.** 23.094 (5m) of the statutes is created to read:

11          23.094 (5m) LIMITATION ON ACQUISITIONS. Acquisitions of land and easements  
12 under this section are subject to the limitations under s. 23.0917 (8m).

13          **SECTION 851.** 23.0953 (2) (a) 1. of the statutes is amended to read:

14          23.0953 (2) (a) 1. Acquisition of land or easements for a county forest under s.  
15 28.11.

16          **SECTION 852.** 23.0953 (2) (a) 2. of the statutes is amended to read:

17          23.0953 (2) (a) 2. Acquisition of land or easements for a project that promotes  
18 nature-based outdoor recreation or conservation and for which the department is  
19 requesting the county's assistance.

20          **SECTION 853.** 23.0953 (2) (am) of the statutes is created to read:

21          23.0953 (2) (am) Land and easements acquired with a grant under this section  
22 are subject to the limitations under s. 23.0917 (8m).

23          **SECTION 854.** 23.0953 (4) of the statutes is amended to read:

24          23.0953 (4) A county may not convert the land, ~~or~~ any rights in the such land,  
25 or an easement that is acquired with grant moneys awarded under sub. (2) (a) 2. to

**ASSEMBLY BILL 40****SECTION 854**

1 a use that is inconsistent with the type of nature-based outdoor recreation or  
2 conservation activity for which the grant was awarded unless the natural resources  
3 board approves the conversion.

4 **SECTION 855.** 23.096 (2) (a) of the statutes is amended to read:

5 23.096 (2) (a) The Subject to the limitations under s. 23.0917 (8m), the  
6 department may award grants from the appropriation under s. 20.866 (2) (ta) or (tz)  
7 to nonprofit conservation organizations to acquire ~~property~~ land for all of the  
8 purposes described in ss. 23.09 (2) (d) 1. to 7., 9., 11., 12. and 15., (19), (20) and (20m),  
9 23.092, 23.094, 23.17, 23.175, 23.27, 23.29, 23.293, 30.24 and 30.277.

10 **SECTION 856.** 23.15 (1) of the statutes is amended to read:

11 23.15 (1) The natural resources board may sell, at public or private sale, lands  
12 and structures owned by the state under the jurisdiction of the department of natural  
13 resources, except central or district office facilities, when the natural resources board  
14 determines that ~~said~~ the lands are no longer necessary for the state's use for  
15 conservation purposes and, ~~if real property, the real property is not the subject of a~~  
16 ~~petition under s. 560.9810 (2).~~

17 **SECTION 857.** 23.167 (2) (intro.) of the statutes is amended to read:

18 23.167 (2) (intro.) The department, in consultation with the department of  
19 ~~commerce~~ Wisconsin Economic Development Corporation, shall do all of the  
20 following for each economic development program administered by the department:

21 **SECTION 858.** 23.169 (title) of the statutes is amended to read:

22 **23.169 (title) Economic development assistance coordination and**  
23 **reporting.**

24 **SECTION 859.** 23.169 of the statutes is renumbered 23.169 (2) and amended to  
25 read:



**ASSEMBLY BILL 40****SECTION 859**

1           23.169 (2) Annually, no later than October 1, the department shall submit to  
2 the joint legislative audit committee and to the appropriate standing committees of  
3 the legislature under s. 13.172 (3) a comprehensive report assessing economic  
4 development programs, as defined in s. 23.167 (1), 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 section.

9           **SECTION 860.** 23.169 (1) of the statutes is created to read:

10           23.169 (1) The department shall coordinate any economic development  
11 assistance with the Wisconsin Economic Development Corporation.

12           **SECTION 861.** 23.17 (4) of the statutes is amended to read:

13           23.17 (4) POWERS OF THE DEPARTMENT. The department may acquire land and  
14 interests in land, subject to the limitations under s. 23.0917 (8m), for the ice age trail  
15 under s. 23.09 (2) (d) 10., and may develop the ice age trail on lands under its  
16 ownership along the trail route.

17           **SECTION 862.** 23.175 (4) of the statutes is amended to read:

18           23.175 (4) LIMIT ON SPENDING. Except as provided in s. 23.0915 (2), the  
19 department may not expend from the appropriation under s. 20.866 (2) (tz) more  
20 than \$1,000,000 under this section for trails and for grants for this purpose under  
21 s. 23.096 in each fiscal year. Acquisitions of land or easements for trails under this  
22 section are subject to the limitations under s. 23.0917 (8m).

23           **SECTION 863.** 23.27 (5) of the statutes is amended to read:

24           23.27 (5) NATURAL AREAS LAND ACQUISITION; COMMITMENT UNDER THE WISCONSIN  
25 NATURAL AREAS HERITAGE PROGRAM. It is the intent of the legislature to initiate

**ASSEMBLY BILL 40****SECTION 863**

1 additional natural areas land acquisition activities with moneys available from the  
2 appropriations under ss. 20.370 (1) ~~(mg)~~ (gr) and 20.866 (2) (ta), (tt) and (tz) under  
3 the Wisconsin natural areas heritage program. This commitment is separate from  
4 and in addition to the continuing commitment under sub. (4). Moneys available from  
5 the appropriations under ss. 20.370 (1) ~~(mg)~~ (gr) and 20.866 (2) (ta), (tt) and (tz)  
6 under the Wisconsin natural areas heritage program may not be used to acquire land  
7 through condemnation. The department may not acquire land under this subsection  
8 unless the land is suitable for dedication under the Wisconsin natural areas heritage  
9 program and upon purchase or as soon after purchase as practicable the department  
10 shall take all necessary action to dedicate the land under the Wisconsin natural  
11 areas heritage program. Acquisitions of land or of interests in land under this section  
12 are subject to the limitations under s. 23.0917 (8m). Except as provided in s. 23.0915  
13 (2), the department may not expend from the appropriation under s. 20.866 (2) (tz)  
14 more than \$500,000 in each fiscal year for natural areas land acquisition activities  
15 under this subsection and for grants for this purpose under s. 23.096.

16 **SECTION 864.** 23.27 (6) of the statutes is amended to read:

17 23.27 (6) SALE; CREDIT. Moneys received by the state from the sale of any area  
18 on state-owned land under the department's management or control which is  
19 withdrawn from the state natural areas system shall be credited to the appropriation  
20 under s. 20.370 (1) ~~(mg)~~ (gr). An amount equal to the value of any area on  
21 state-owned land under the department's management or control which is  
22 withdrawn from the state natural areas system but remains in state ownership shall  
23 be credited to the appropriation under s. 20.370 (1) ~~(mg)~~ (gr).

24 **SECTION 865.** 23.29 (2) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 865**

1           23.29 (2) CONTRIBUTIONS; STATE MATCH. The department may accept  
2 contributions and gifts for the Wisconsin natural areas heritage program. The  
3 department shall convert donations of land which it determines, with the advice of  
4 the council, are not appropriate for the Wisconsin natural areas heritage program  
5 into cash. The department shall convert other noncash contributions into cash.  
6 These moneys shall be deposited in the general conservation fund and credited to the  
7 appropriation under s. 20.370 (1) ~~(mg)~~ (gr). These moneys shall be matched by an  
8 equal amount released from the appropriation under s. 20.866 (2) (ta), (tt) or (tz) or  
9 from any combination of these appropriations to be used for natural areas land  
10 acquisition activities under s. 23.27 (5). The department shall determine how the  
11 moneys being released are to be allocated from these appropriations.

12           **SECTION 866.** 24.80 of the statutes is amended to read:

13           **24.80 Normal school fund.** The lands and moneys described in s. 24.79, not  
14 being granted for any other specified purpose, accrue to the school fund under article  
15 X, section 2, of the constitution; and having been found unnecessary for the support  
16 and maintenance of common schools, are appropriated to the support and  
17 maintenance of state universities and suitable libraries and apparatus therefor, and  
18 to that end are set apart and denominated the “Normal School Fund”. All lands,  
19 moneys, loans, investments and securities set apart to the normal school fund and  
20 all swamp lands and income and interest received on account of the capital of that  
21 fund constitute a separate and perpetual fund. Except as provided in ss. ~~20.255 (1)~~,  
22 ~~(q)~~ 20.280 (1) (rm) and 20.285 (1) (rm), all income and interest from the normal school  
23 fund shall be paid into the general fund as general purpose revenue. Normal school  
24 fund income, interest and revenues do not include expenses deducted from gross  
25 receipts permitted under ss. 24.04 (2), 24.53 and 24.62 (1).

**ASSEMBLY BILL 40****SECTION 867**

1           **SECTION 867.** 25.17 (1) (nm) of the statutes is amended to read:

2           25.17 (1) (nm) ~~Recycling and renewable energy~~ Economic development fund (s.  
3 25.49);

4           **SECTION 868.** 25.17 (2) (f) of the statutes is amended to read:

5           25.17 (2) (f) Invest the moneys belonging to the college savings program trust  
6 fund, the college savings program bank deposit trust fund, and the college savings  
7 program credit union deposit trust fund in a manner consistent with the guidelines  
8 established under s. ~~14.64~~ 16.641 (2) (c), unless the moneys are under the  
9 management and control of a vendor selected under s. 16.255. In making  
10 investments under this paragraph, the investment board shall accept any  
11 reasonable terms and conditions that the college savings program board specifies  
12 and is relieved of any obligations relevant to prudent investment of the fund,  
13 including the standard of responsibility under s. 25.15 (2).

14           **SECTION 869.** 25.17 (70) (intro.) of the statutes is amended to read:

15           25.17 (70) (intro.) No later than December 31 of every even-numbered year,  
16 ~~after receiving a report from the department of commerce under s. 560.08 (2) (m) and~~  
17 ~~in consultation with the department of commerce,~~ submit to the governor and to the  
18 presiding officer of each house of the legislature a plan for making investments in  
19 this state. The purpose of the plan is to encourage the board to make the maximum  
20 amount of investments in this state, subject to s. 25.15 and consistent with the  
21 statutory purpose of each trust or fund managed by the board. The plan shall discuss  
22 potential investments to be made during the succeeding 5 years beginning in the  
23 year after submittal of the plan, and shall include, but not be limited to, the following:

24           **SECTION 870.** 25.17 (70) (a) of the statutes is repealed.

25           **SECTION 871.** 25.17 (70) (d) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 871**

1           25.17 (70) (d) Comments solicited from the ~~secretary of commerce~~ chief  
2 executive officer of the Wisconsin Economic Development Corporation and received  
3 by the board on or before November 30 of the year of submittal.

4           **SECTION 872.** 25.185 (1) (a) of the statutes is amended to read:

5           25.185 (1) (a) “Disabled veteran–owned financial adviser” means a financial  
6 adviser certified by the department of ~~commerce~~ safety and professional services  
7 under s. ~~560.0335~~ 490.02 (3).

8           **SECTION 873.** 25.185 (1) (b) of the statutes is amended to read:

9           25.185 (1) (b) “Disabled veteran–owned investment firm” means an  
10 investment firm certified by the department of ~~commerce~~ safety and professional  
11 services under s. ~~560.0335~~ 490.02 (3).

12           **SECTION 874.** 25.185 (1) (c) of the statutes is amended to read:

13           25.185 (1) (c) “Minority financial adviser” means a financial adviser certified  
14 by the department of ~~commerce~~ safety and professional services under s. ~~560.036~~  
15 490.04 (2).

16           **SECTION 875.** 25.185 (1) (d) of the statutes is amended to read:

17           25.185 (1) (d) “Minority investment firm” means an investment firm certified  
18 by the department of ~~commerce~~ safety and professional services under s. ~~560.036~~  
19 490.04 (2).

20           **SECTION 876.** 25.29 (7) (intro.) of the statutes is amended to read:

21           25.29 (7) (intro.) All of the proceeds of the tax which is levied under s. 70.58,  
22 and all moneys paid into the state treasury as the counties’ share of compensation  
23 of emergency fire wardens under s. 26.14 shall be used for acquiring, preserving and  
24 developing the forests of the state, including the acquisition of lands owned by  
25 counties by virtue of any tax deed and of other lands suitable for state forests, and

**ASSEMBLY BILL 40****SECTION 876**

1 for the development of lands so acquired and the conduct of forestry thereon,  
2 including the growing and planting of trees; for forest and marsh fire prevention and  
3 control; for grants to forestry cooperatives under s. ~~36.56~~ 37.56; for compensation of  
4 emergency fire wardens; for maintenance, permanent property and forestry  
5 improvements; for other forestry purposes authorized by law and for the payment of  
6 aid for forests as authorized in s. 28.11 and subchs. I and VI of ch. 77.

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

**ASSEMBLY BILL 40**

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), and (2m), 341.17 (8), 341.19 (1) (a), 341.25, 341.255 (1), (2) (a), (b), and  
7 (c), and (5), 341.26 (1), (2), (2m) (am) and (b), (3), (3m), (4), (5), and (7), 341.264 (1),  
8 341.265 (1), 341.266 (2) (b) and (3), 341.268 (2) (b) and (3), 341.269 (2) (b), 341.30 (3),  
9 341.305 (3), 341.307 (4) (a), 341.308 (3), 341.36 (1) and (1m), 341.51 (2), and 342.14,  
10 ~~except s. 342.14 (1r)~~, that are pledged to any fund created under s. 84.59 (2).

11 **SECTION 879.** 25.40 (1) (a) 4. of the statutes is amended to read:

12 25.40 (1) (a) 4. Moneys received under s. 341.14 (6r) (b) 4. that are deposited  
13 in the general fund and credited to the ~~appropriation~~ appropriation accounts under  
14 s. ~~ss.~~ 20.285 (1) (jp) and 20.395 (5) (ef).

15 **SECTION 880.** 25.40 (1) (a) 5m. of the statutes is repealed.

16 **SECTION 881.** 25.40 (1) (bn) of the statutes is created to read:

17 25.40 (1) (bn) All moneys deposited under s. 77.61 (21).

18 **SECTION 882.** 25.42 of the statutes is amended to read:

19 **25.42 Wisconsin election campaign fund.** All moneys appropriated under  
20 s. 20.855 (4) (b) and all moneys deposited in the Wisconsin election campaign fund  
21 under s. 71.10 (3e) (j) together with all moneys reverting to the state under s. 11.50  
22 (8) and all gifts, bequests and devises received under s. 11.50 (13) constitute the  
23 Wisconsin election campaign fund, to be expended for the purposes of s. 11.50. All  
24 moneys in the fund not disbursed by the state treasurer shall continue to accumulate  
25 indefinitely.

**ASSEMBLY BILL 40****SECTION 883**

1           **SECTION 883.** 25.42 of the statutes, as affected by 2011 Wisconsin Act .... (this  
2 act), is amended to read:

3           **25.42 Wisconsin election campaign fund.** All moneys ~~appropriated under~~  
4 ~~s. 20.855 (4) (b) and all moneys~~ deposited in the Wisconsin election campaign fund  
5 under s. 71.10 (3e) (j) together with all moneys reverting to the state under s. 11.50  
6 (8) and all gifts, bequests and devises received under s. 11.50 (13) constitute the  
7 Wisconsin election campaign fund, to be expended for the purposes of s. 11.50. All  
8 moneys in the fund not disbursed by the state treasurer shall continue to accumulate  
9 indefinitely.

10           **SECTION 884.** 25.421 of the statutes is amended to read:

11           **25.421 Democracy trust fund.** All moneys appropriated under s. 20.855 (4)  
12 (ba) ~~and (bb)~~ and all moneys deposited in the state treasury democracy trust fund  
13 under ss. 11.509, 11.51 (4), ~~and 11.511 (5r), and 71.10 (3e) (j)~~ constitute the democracy  
14 trust fund, to be expended for the purposes of ss. 11.501 to 11.522.

15           **SECTION 885.** 25.421 of the statutes, as affected by 2011 Wisconsin Act .... (this  
16 act), is amended to read:

17           **25.421 Democracy trust fund.** All moneys ~~appropriated under s. 20.855 (4)~~  
18 ~~(ba) and all moneys~~ deposited in the democracy trust fund under ss. 11.509, 11.51 (4),  
19 11.511 (5r), and 71.10 (3e) (j) constitute the democracy trust fund, to be expended for  
20 the purposes of ss. 11.501 to 11.522.

21           **SECTION 886.** 25.46 (1k) of the statutes is repealed.

22           **SECTION 887.** 25.46 (6s) of the statutes is created to read:

23           25.46 (6s) The amounts required under s. 289.645 (6) to be deposited in the  
24 environmental fund.

25           **SECTION 888.** 25.46 (19) of the statutes is repealed.



**ASSEMBLY BILL 40****SECTION 889**

1           **SECTION 889.** 25.466 of the statutes is amended to read:

2           **25.466 Working lands fund.** There is created a separate trust fund  
3 designated as the working lands fund, consisting of all moneys received under ~~ss.~~  
4 ~~91.48 (2) (c) and s. 91.66 (1) (c) and all moneys received due to the sale, modification,~~  
5 ~~or termination of an easement purchased under s. 93.73.~~

6           **SECTION 890.** 25.47 (5) of the statutes is amended to read:

7           25.47 (5) The moneys transferred from the appropriation account under s.  
8 ~~20.143 (3) 20.165 (2) (s).~~

9           **SECTION 891.** 25.49 (intro.) of the statutes is amended to read:

10           **25.49 Recycling and renewable energy Economic development fund.**  
11 (intro.) There is established a separate nonlapsible trust fund designated as the  
12 ~~recycling and renewable energy~~ economic development fund, to consist of:

13           **SECTION 892.** 25.49 (1m) of the statutes is renumbered 25.46 (5k).

14           **SECTION 893.** 25.49 (2) of the statutes is renumbered 25.46 (5L).

15           **SECTION 894.** 25.49 (3) of the statutes is amended to read:

16           25.49 (3) The fees imposed amounts required under s. 289.645 (6) to be  
17 deposited in the economic development fund.

18           **SECTION 895.** 25.50 (1) (d) of the statutes is amended to read:

19           25.50 (1) (d) “Local government” means any county, town, village, city, power  
20 district, sewerage district, drainage district, town sanitary district, public inland  
21 lake protection and rehabilitation district, local professional baseball park district  
22 created under subch. III of ch. 229, long-term care district under s. 46.2895, local  
23 professional football stadium district created under subch. IV of ch. 229, local  
24 cultural arts district created under subch. V of ch. 229, public library system, school  
25 district or technical college district in this state, any commission, committee, board

**ASSEMBLY BILL 40****SECTION 895**

1 or officer of any governmental subdivision of this state, any court of this state, other  
2 than the court of appeals or the supreme court, or any authority created under s.  
3 37.02 (1), 114.61, 149.41, 231.02, 233.02 or 234.02.

4 **SECTION 896.** 25.50 (3) (a) of the statutes is amended to read:

5 25.50 (3) (a) With the consent of the governing body, a local official may transfer  
6 local funds to the ~~state treasurer~~ department of administration for deposit in the  
7 fund.

8 **SECTION 897.** 25.50 (3m) of the statutes is created to read:

9 25.50 (3m) Notwithstanding sub. (3) (a), each day, the authority created under  
10 s. 37.02 (1) shall transfer to the state treasurer for deposit into the fund the collected  
11 net cash balance from all sources except gifts, grants, and donations.

12 **SECTION 898.** 25.50 (4) of the statutes is amended to read:

13 25.50 (4) PERIOD OF INVESTMENTS; WITHDRAWAL OF FUNDS. Subject to the right of  
14 the local government to specify the period in which its funds may be held in the fund,  
15 the ~~state treasurer~~ department of administration shall prescribe the mechanisms  
16 and procedures for deposits and withdrawals.

17 **SECTION 899.** 25.50 (5m) (a) of the statutes is amended to read:

18 25.50 (5m) (a) The board, in cooperation with the department of  
19 administration, shall provide ~~information necessary for the state treasurer to~~  
20 ~~provide~~ a monthly report to each local government having an investment in the fund.  
21 The board shall use all reasonable efforts to provide ~~the information to the state~~  
22 ~~treasurer in time to allow the treasurer to mail or electronically transmit~~ the report  
23 to the local government no later than 6 business days after the end of the month  
24 covered by the report. The report shall include information on the fund's earnings

**ASSEMBLY BILL 40****SECTION 899**

1 for the month, with comparison to appropriate indexes or benchmarks in the private  
2 sector.

3 **SECTION 900.** 25.50 (7) of the statutes is amended to read:

4 25.50 (7) REIMBURSEMENT OF EXPENSES. The ~~state treasurer~~ department of  
5 administration shall deduct monthly from the earnings of the fund during the  
6 preceding calendar month an amount sufficient to cover all actual and necessary  
7 expenses incurred by the state in administering the fund in the preceding calendar  
8 month, except that in no fiscal year may the ~~state treasurer~~ department of  
9 administration deduct an amount exceeding the amount appropriated under s.  
10 ~~20.585~~ 20.505 (1) ~~(g)~~ (gc) for that fiscal year.

11 **SECTION 901.** 25.50 (8) (b) of the statutes is amended to read:

12 25.50 (8) (b) The ~~state treasurer~~ department of administration shall report  
13 monthly to each local official the deposits and withdrawals of the preceding month  
14 and any other activity within the account.

15 **SECTION 902.** 25.50 (9) of the statutes is amended to read:

16 25.50 (9) RULES. The ~~state treasurer~~ department of administration may  
17 promulgate rules to carry out the purposes of this section.

18 **SECTION 903.** 25.50 (10) of the statutes is amended to read:

19 25.50 (10) INSURANCE OF PRINCIPAL. The ~~state treasurer~~ department of  
20 administration may obtain insurance for the safety of the principal investments of  
21 the fund. The insurance is a reimbursable expense under sub. (7).

22 **SECTION 904.** 25.80 of the statutes is amended to read:

23 **25.80 Tuition trust fund.** There is established a separate nonlapsible trust  
24 fund designated as the tuition trust fund, consisting of all revenue from enrollment  
25 fees and the sale of tuition units under s. ~~14.63~~ 16.64.

**ASSEMBLY BILL 40****SECTION 905**

1           **SECTION 905.** 25.85 of the statutes is amended to read:

2           **25.85 College savings program trust fund.** There is established a separate  
3 nonlapsible trust fund designated as the college savings program trust fund,  
4 consisting of all revenue from enrollment fees for and contributions to college savings  
5 accounts under s. ~~14.64~~ 16.641 and from distributions and fees paid by the vendor  
6 under s. 16.255 (3) other than revenue from those sources that is deposited in the  
7 college savings program bank deposit trust fund or the college savings program  
8 credit union deposit trust fund.

9           **SECTION 906.** 25.853 of the statutes is amended to read:

10           **25.853 College savings program bank deposit trust fund.** There is  
11 established a separate nonlapsible trust fund designated as the college savings  
12 program bank deposit trust fund, consisting of all revenue from enrollment fees for  
13 and contributions to college savings accounts under s. ~~14.64~~ 16.641 in which the  
14 investment instrument is an account held by a state or national bank, a state or  
15 federal savings bank, a state or federal savings and loan association, or a savings and  
16 trust company that has its main office or home office or a branch office in this state  
17 and that is insured by the Federal Deposit Insurance Corporation, and all revenue  
18 from distributions and fees paid by the vendors of those investment instruments  
19 under s. 16.255 (3).

20           **SECTION 907.** 25.855 of the statutes is amended to read:

21           **25.855 College savings program credit union deposit trust fund.** There  
22 is established a separate nonlapsible trust fund designated as the college savings  
23 program credit union deposit trust fund, consisting of all revenue from enrollment  
24 fees for and contributions to college savings accounts under s. ~~14.64~~ 16.641 in which  
25 the investment instrument is an account held by a state or federal credit union,

**ASSEMBLY BILL 40****SECTION 907**

1 including a corporate central credit union organized under s. 186.32, that has its  
2 main office or home office or a branch office located in this state and that is insured  
3 by the National Credit Union Administration, and all revenue from distributions  
4 and fees paid by the vendors of those investment instruments under s. 16.255 (3).

5 **SECTION 908.** 26.02 (1) (intro.) of the statutes is amended to read:

6 26.02 (1) DUTIES. (intro.) The council on forestry shall advise the governor, the  
7 legislature, the department of natural resources, ~~the department of commerce,~~ and  
8 other state agencies, as determined to be appropriate by the council, on all of the  
9 following topics as they affect forests located in this state:

10 **SECTION 909.** 26.37 (1) (intro.) of the statutes is amended to read:

11 26.37 (1) (intro.) The department of natural resources ~~and the department of~~  
12 ~~commerce~~ shall jointly develop a plan to establish a lake states wood utilization  
13 consortium to provide research, development, and demonstration grants to enhance  
14 the forest products industry in Wisconsin and other states. The plan shall do all of  
15 the following:

16 **SECTION 910.** 26.37 (1) (b) of the statutes is amended to read:

17 26.37 (1) (b) Establish an implementation committee for the consortium.  
18 Members of the committee may include one or more representatives from the  
19 department of natural resources, ~~the department of commerce~~ Wisconsin Economic  
20 Development Corporation, and the forest products industry.

21 **SECTION 911.** 26.37 (2) of the statutes is amended to read:

22 26.37 (2) The department of natural resources may not expend moneys from  
23 the appropriations under s. 20.370 (5) (ax) or (6) (bt), 1997 stats., unless the  
24 department of natural resources and ~~the department of commerce~~ Wisconsin  
25 Economic Development Corporation first submit to the joint committee on finance

**ASSEMBLY BILL 40****SECTION 911**

1 the plan required under sub. (1). If the cochairpersons of the joint committee on  
2 finance do not notify the department of natural resources within 14 working days  
3 after the date of the departments' submittal of the plan that the committee has  
4 scheduled a meeting to review the plan, the plan may be implemented and moneys  
5 may be expended as proposed by the department of natural resources. If, within 14  
6 days after the date of the departments' submittal of the plan, the cochairpersons of  
7 the committee notify the department of natural resources that the committee has  
8 scheduled a meeting to review the plan, moneys may be expended only after the plan  
9 has been approved by the committee.

10 **SECTION 912.** 26.39 (6) of the statutes is amended to read:

11 26.39 (6) FORESTRY INTERNSHIPS. The department shall use the moneys  
12 allocated under s. 28.085 to provide internships to University of Wisconsin System  
13 students and University of Wisconsin–Madison students who are enrolled in a course  
14 of study that will result in a bachelor's or higher degree in forestry. The department  
15 shall promulgate rules establishing the application process and the criteria for  
16 receipt of an internship under this subsection.

17 **SECTION 913.** 28.02 (2) of the statutes is amended to read:

18 28.02 (2) ACQUISITION. The Subject to the limitations under s. 23.0917 (8m), the  
19 department may acquire lands or interest in lands by grant, devise, gift,  
20 condemnation or purchase within the boundaries of established state forests or  
21 purchase areas; and outside of such boundaries for forest nurseries, tracts for  
22 forestry research or demonstration and for forest protection structures, or for access  
23 to such properties. In the case of condemnation the department shall first obtain  
24 approval from the appropriate standing committees of each house of the legislature  
25 as determined by the presiding officer thereof.

**ASSEMBLY BILL 40****SECTION 914**

1           **SECTION 914.** 28.07 of the statutes is amended to read:

2           **28.07 Cooperation.** The department may cooperate with the University of  
3           Wisconsin System, with the University of Wisconsin–Madison, with departments  
4           and agencies of this or other states, with federal agencies and with counties, towns,  
5           corporations and individuals, to promote the best interest of the people and the state  
6           in forest surveys, research in forestry and related subjects, forest protection and in  
7           assistance to landowners to secure adoption of better forestry practice.

8           **SECTION 915.** 30.121 (3w) (b) of the statutes is amended to read:

9           30.121 **(3w)** (b) The boathouse is located on land zoned exclusively for  
10          commercial or industrial purposes or the boathouse is located on a brownfield, as  
11          defined in s. ~~560.13~~ 238.13 (1) (a), or in a blighted area, as defined in s. 66.1331 (3)  
12          (a).

13          **SECTION 916.** 30.126 (5) (h) of the statutes is amended to read:

14          30.126 **(5)** (h) *May not have improper toilets.* No person may construct, place  
15          or maintain a fishing raft on authorized portions of the Wolf River if the fishing raft  
16          is equipped with a toilet which permits toilet waste to be disposed of in the waterway.  
17          A toilet on a fishing raft shall comply with rules of the department of ~~commerce~~ safety  
18          and professional services as if the toilet were on a boat.

19          **SECTION 917.** 30.443 (1) (a) of the statutes is amended to read:

20          30.443 **(1)** (a) Promulgate rules establishing standards for erosion prevention  
21          or control at sites in the riverway that are not subject to the standards established  
22          under s. 101.1206 (1) or 101.653 (2) or ~~281.33 (3m) (a)~~ and that have a natural slope  
23          of 20% or less.

24          **SECTION 918.** 30.443 (1) (b) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 918**

1           30.443 (1) (b) Promulgate rules establishing standards for erosion prevention  
2 or control that are in addition to standards established under ss. 101.1206 (1) and  
3 101.653 (2) and ~~281.33 (3m) (a)~~ for sites in the riverway that are subject to those  
4 standards and that have a natural slope of 12% or more but 20% or less.

5           **SECTION 919.** 30.443 (2) of the statutes is amended to read:

6           30.443 (2) The board may impose any of the applicable standards established  
7 under sub. (1) (a) or (b) or ss. 101.1206 (1) or 101.653 (2) or ~~281.33 (3m) (a)~~ as a  
8 condition for receiving a permit under s. 30.44 (1), and the board may promulgate  
9 rules to enforce these standards in the riverway.

10          **SECTION 920.** 30.71 (4) of the statutes is amended to read:

11          30.71 (4) Any rules necessary to carry out the purposes of this section shall be  
12 promulgated jointly by the department of commerce safety and professional services  
13 and the department of natural resources.

14          **SECTION 921.** 31.385 (2) (c) 1. of the statutes is amended to read:

15          31.385 (2) (c) 1. The department conducts an investigation or inspection of the  
16 dam under this chapter and the owner of the dam requests financial assistance under  
17 this section ~~within 6 months~~ after having received department directives, based on  
18 the department's investigation or inspection of the dam, for the repair, modification  
19 or abandonment and removal of the dam or for another activity to increase the safety  
20 of the dam.

21          **SECTION 922.** 32.02 (1) of the statutes is amended to read:

22          32.02 (1) Any county, town, village, city, including villages and cities  
23 incorporated under general or special acts, school district, the department of health  
24 services, the department of corrections, the ~~board of regents~~ Board of Regents of the  
25 University of Wisconsin System, the Board of Trustees of the University of



**ASSEMBLY BILL 40****SECTION 922**

1 Wisconsin–Madison, the building commission, a commission created by contract  
2 under s. 66.0301, with the approval of the municipality in which condemnation is  
3 proposed, a commission created by contract under s. 66.0303 that is acting under s.  
4 66.0304, if the condemnation occurs within the boundaries of a member of the  
5 commission, or any public board or commission, for any lawful purpose, but in the  
6 case of city and village boards or commissions approval of that action is required to  
7 be granted by the governing body. A mosquito control commission, created under s.  
8 59.70 (12), and a local professional football stadium district board, created under  
9 subch. IV of ch. 229, may not acquire property by condemnation.

10 **SECTION 923.** 32.19 (2) (b) of the statutes is amended to read:

11 32.19 (2) (b) “Comparable dwelling” means one which, when compared with the  
12 dwelling being taken, is substantially equal concerning all major characteristics and  
13 functionally equivalent with respect to: the number and size of rooms and closets,  
14 area of living space, type of construction, age, state of repair, size and utility of any  
15 garage or other outbuilding, type of neighborhood and accessibility to public services  
16 and places of employment. “Comparable dwelling” shall meet all of the standard  
17 building requirements and other code requirements of the local governmental body  
18 and shall also be decent, safe and sanitary and within the financial means of the  
19 displaced person, as defined by the department of ~~commerce~~ safety and professional  
20 services.

21 **SECTION 924.** 32.19 (2) (e) 1. b. of the statutes is amended to read:

22 32.19 (2) (e) 1. b. As a result of rehabilitation, demolition or other displacing  
23 activity, as determined by the department of ~~commerce~~ safety and professional  
24 services, if the person is a tenant–occupant of a dwelling, business or farm operation  
25 and the displacement is permanent.

**ASSEMBLY BILL 40****SECTION 925**

1           **SECTION 925.** 32.19 (3) (b) 1. of the statutes is amended to read:

2           32.19 (3) (b) 1. ‘Dwellings.’ Any displaced person who moves from a dwelling  
3 and who elects to accept the payments authorized by this paragraph in lieu of the  
4 payments authorized by par. (a) may receive an expense and dislocation allowance,  
5 determined according to a schedule established by the department of ~~commerce~~  
6 safety and professional services.

7           **SECTION 926.** 32.19 (3) (b) 2. of the statutes is amended to read:

8           32.19 (3) (b) 2. ‘Business and farm operations.’ Any displaced person who  
9 moves or discontinues his or her business or farm operation, is eligible under criteria  
10 established by the department of ~~commerce~~ safety and professional services by rule  
11 and elects to accept payment authorized under this paragraph in lieu of the payment  
12 authorized under par. (a), may receive a fixed payment in an amount determined  
13 according to criteria established by the department of ~~commerce~~ safety and  
14 professional services by rule, except that such payment shall not be less than \$1,000  
15 nor more than \$20,000. A person whose sole business at the displacement dwelling  
16 is the rental of such property to others is not eligible for a payment under this  
17 subdivision.

18           **SECTION 927.** 32.19 (3) (c) of the statutes is amended to read:

19           32.19 (3) (c) *Optional payment for businesses.* Any displaced person who moves  
20 his or her business, and elects to accept the payment authorized in par. (a), may, if  
21 otherwise qualified under par. (b) 2., elect to receive the payment authorized under  
22 par. (b) 2., minus whatever payment the displaced person received under par. (a), if  
23 the displaced person discontinues the business within 2 years of the date of receipt  
24 of payment under par. (a), provided that the displaced person meets eligibility  
25 criteria established by the department of ~~commerce~~ safety and professional services

**ASSEMBLY BILL 40**

1 by rule. In no event may the total combined payment be less than \$1,000 nor more  
2 than \$20,000.

3 **SECTION 928.** 32.19 (4) (a) 2. of the statutes is amended to read:

4 32.19 (4) (a) 2. The amount of increased interest expenses and other debt  
5 service costs incurred by the owner to finance the purchase of another property  
6 substantially similar to the property taken, if at the time of the taking the land  
7 acquired was subject to a bona fide mortgage or was held under a vendee's interest  
8 in a bona fide land contract, and such mortgage or land contract had been executed  
9 in good faith not less than 180 days prior to the initiation of negotiations for the  
10 acquisition of such property. The computation of the increased interest costs shall  
11 be determined according to rules promulgated by the department of ~~commerce~~ safety  
12 and professional services.

13 **SECTION 929.** 32.19 (4) (b) (intro.) of the statutes is amended to read:

14 32.19 (4) (b) *Tenants and certain others.* (intro.) In addition to amounts  
15 otherwise authorized by this subchapter, the condemnor shall make a payment to  
16 any individual or family displaced from any dwelling which was actually and  
17 lawfully occupied by such individual or family for not less than 90 days prior to the  
18 initiation of negotiations for the acquisition of such property or, if displacement is not  
19 a direct result of acquisition, such other event as determined by the department of  
20 ~~commerce~~ safety and professional services by rule. For purposes of this paragraph,  
21 a corporation organized under ch. 181 that is a nonprofit corporation, as defined in  
22 s. 181.0103 (17), may, if otherwise eligible, be considered a displaced tenant. Subject  
23 to the limitations under par. (bm), such payment shall be either:

24 **SECTION 930.** 32.19 (4m) (a) 2. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 930**

1           32.19 **(4m)** (a) 2. The amount, if any, which will compensate such owner  
2 displaced person for any increased interest and other debt service costs which such  
3 person is required to pay for financing the acquisition of any replacement property,  
4 if the property acquired was encumbered by a bona fide mortgage or land contract  
5 which was a valid lien on the property for at least one year prior to the initiation of  
6 negotiations for its acquisition. The amount under this subdivision shall be  
7 determined according to rules promulgated by the department of ~~commerce~~ safety  
8 and professional services.

9           **SECTION 931.** 32.19 (4m) (b) (intro.) of the statutes is amended to read:

10           32.19 **(4m)** (b) *Tenant-occupied business or farm operation.* (intro.) In addition  
11 to amounts otherwise authorized by this subchapter, the condemnor shall make a  
12 payment to any tenant displaced person who has owned and occupied the business  
13 operation, or owned the farm operation, for not less than one year prior to initiation  
14 of negotiations for the acquisition of the real property on which the business or farm  
15 operation lies or, if displacement is not a direct result of acquisition, such other event  
16 as determined by the department of ~~commerce~~ safety and professional services, and  
17 who actually rents or purchases a comparable replacement business or farm  
18 operation for the displaced business or farm operation within 2 years after the date  
19 the person vacates the acquired property. At the option of the tenant displaced  
20 person, such payment shall be either:

21           **SECTION 932.** 32.19 (4m) (b) 1. of the statutes is amended to read:

22           32.19 **(4m)** (b) 1. The amount, not to exceed \$30,000, which is necessary to lease  
23 or rent a comparable replacement business or farm operation for a period of 4 years.  
24 The payment shall be computed by determining the average monthly rent paid for  
25 the property from which the person was displaced for the 12 months prior to the

**ASSEMBLY BILL 40****SECTION 932**

1 initiation of negotiations or, if displacement is not a direct result of acquisition, such  
2 other event as determined by the department of ~~commerce~~ safety and professional  
3 services and the monthly rent of a comparable replacement business or farm  
4 operation, and multiplying the difference by 48; or

5 **SECTION 933.** 32.197 of the statutes is amended to read:

6 **32.197 Waiver of relocation assistance.** An owner-occupant of property  
7 being acquired may waive his or her right to receive any relocation payments or  
8 services under this subchapter if the property being acquired is not contiguous to any  
9 property which may be acquired by the condemnor and is not part of a previously  
10 identified or proposed project where it is reasonable to conclude that acquisition by  
11 the condemnor may occur in the foreseeable future. Prior to the execution of any  
12 waiver under this section, the condemnor shall provide to the owner-occupant, in  
13 writing, full information about the specific payments and services being waived by  
14 the owner-occupant. The department of ~~commerce~~ safety and professional services  
15 shall by rule establish procedures for relocation assistance waivers under this  
16 section to ensure that the waivers are voluntarily and knowledgeably executed.

17 **SECTION 934.** 32.20 of the statutes is amended to read:

18 **32.20 Procedure for collection of itemized items of compensation.**  
19 Claims for damages itemized in ss. 32.19 and 32.195 shall be filed with the  
20 condemnor carrying on the project through which condemnee's or claimant's claims  
21 arise. All such claims must be filed after the damages upon which they are based  
22 have fully materialized but not later than 2 years after the condemnor takes physical  
23 possession of the entire property acquired or such other event as determined by the  
24 department of ~~commerce~~ safety and professional services by rule. If such claim is not  
25 allowed within 90 days after the filing thereof, the claimant has a right of action

**ASSEMBLY BILL 40****SECTION 934**

1 against the condemnor carrying on the project through which the claim arises. Such  
2 action shall be commenced in a court of record in the county wherein the damages  
3 occurred. In causes of action, involving any state commission, board or other agency,  
4 excluding counties, the sum recovered by the claimant shall be paid out of any funds  
5 appropriated to such condemning agency. Any judgment shall be appealable by  
6 either party and any amount recovered by the body against which the claim was filed,  
7 arising from costs, counterclaims, punitive damages or otherwise may be used as an  
8 offset to any amount owed by it to the claimant, or may be collected in the same  
9 manner and form as any other judgment.

10 **SECTION 935.** 32.25 (1) of the statutes is amended to read:

11 32.25 (1) Except as provided under sub. (3) and s. 85.09 (4m), no condemnor  
12 may proceed with any activity that may involve the displacement of persons,  
13 business concerns or farm operations until the condemnor has filed in writing a  
14 relocation payment plan and relocation assistance service plan and has had both  
15 plans approved in writing by the department of ~~commerce~~ safety and professional  
16 services.

17 **SECTION 936.** 32.25 (2) (h) of the statutes is amended to read:

18 32.25 (2) (h) Assure that, within a reasonable time prior to displacement, there  
19 will be available, to the extent that may reasonably be accomplished, housing  
20 meeting the standards established by the department of ~~commerce~~ safety and  
21 professional services for decent, safe and sanitary dwellings. The housing, so far as  
22 practicable, shall be in areas not generally less desirable in regard to public utilities,  
23 public and commercial facilities and at rents or prices within the financial means of  
24 the families and individuals displaced and equal in number to the number of such

**ASSEMBLY BILL 40****SECTION 936**

1 displaced families or individuals and reasonably accessible to their places of  
2 employment.

3 **SECTION 937.** 32.26 (title) of the statutes is amended to read:

4 **32.26 (title) Authority of the department of ~~commerce~~ safety and**  
5 **professional services.**

6 **SECTION 938.** 32.26 (1) of the statutes is amended to read:

7 32.26 (1) In addition to all other powers granted in this subchapter, the  
8 department of ~~commerce~~ safety and professional services shall formulate local  
9 standards for decent, safe and sanitary dwelling accommodations.

10 **SECTION 939.** 32.26 (2) (a) of the statutes is amended to read:

11 32.26 (2) (a) The department of ~~commerce~~ safety and professional services shall  
12 promulgate rules to implement and administer ss. 32.19 to 32.27.

13 **SECTION 940.** 32.26 (2) (b) of the statutes is amended to read:

14 32.26 (2) (b) The department of ~~commerce~~ safety and professional services and  
15 the department of transportation shall establish interdepartmental liaison  
16 procedures for the purpose of cooperating and exchanging information to assist the  
17 department of ~~commerce~~ safety and professional services in promulgating rules  
18 under par. (a).

19 **SECTION 941.** 32.26 (3) of the statutes is amended to read:

20 32.26 (3) The department of ~~commerce~~ safety and professional services may  
21 make investigations to determine if the condemnor is complying with ss. 32.19 to  
22 32.27. The department may seek an order from the circuit court requiring a  
23 condemnor to comply with ss. 32.19 to 32.27 or to discontinue work on that part of  
24 the project which is not in substantial compliance with ss. 32.19 to 32.27. The court  
25 shall give hearings on these actions precedence on the court's calendar.

**ASSEMBLY BILL 40****SECTION 942**

1           **SECTION 942.** 32.26 (4) of the statutes is amended to read:

2           32.26 (4) Upon the request of the department of ~~commerce~~ safety and  
3 professional services, the attorney general shall aid and prosecute all necessary  
4 actions or proceedings for the enforcement of this subchapter and for the punishment  
5 of all violations of this subchapter.

6           **SECTION 943.** 32.26 (5) of the statutes is amended to read:

7           32.26 (5) Any displaced person may, prior to commencing court action against  
8 the condemnor under s. 32.20, petition the department of ~~commerce~~ safety and  
9 professional services for review of his or her complaint, setting forth in the petition  
10 the reasons for his or her dissatisfaction. The department may conduct an informal  
11 review of the situation and attempt to negotiate an acceptable solution. If an  
12 acceptable solution cannot be negotiated within 90 days, the department shall notify  
13 all parties, and the petitioner may then proceed under s. 32.20. The informal review  
14 procedure provided by this subsection is not a condition precedent to the filing of a  
15 claim and commencement of legal action pursuant to s. 32.20. In supplying  
16 information required by s. 32.25 (2) (d), the condemnor shall clearly indicate to each  
17 displaced person his or her right to proceed under this paragraph and under s. 32.20,  
18 and shall supply full information on how the displaced person may contact the  
19 department of ~~commerce~~ safety and professional services.

20           **SECTION 944.** 32.26 (6) of the statutes is amended to read:

21           32.26 (6) The department of ~~commerce~~ safety and professional services, with  
22 the cooperation of the attorney general, shall prepare pamphlets in simple language  
23 and in readable format describing the eminent domain laws of this state, including  
24 the reasons for condemnation, the procedures followed by condemnors, how citizens  
25 may influence the condemnation process and the rights of property owners and



**ASSEMBLY BILL 40****SECTION 944**

1 citizens affected by condemnation. The department shall make copies of the  
2 pamphlets available to all condemnors, who may be charged a price for the  
3 pamphlets sufficient to recover the costs of production.

4 **SECTION 945.** 32.26 (7) of the statutes is amended to read:

5 32.26 (7) The department of ~~commerce~~ safety and professional services shall  
6 provide technical assistance on relocation plan development and implementation to  
7 any condemnor carrying out a project which may result in the displacement of any  
8 person.

9 **SECTION 946.** 33.11 of the statutes is amended to read:

10 **33.11 Goals.** The primary goal of activity under this chapter shall be to  
11 improve or protect the quality of public inland lakes. In addition, compilation of basic  
12 scientific data on lakes of this state and assessment of experimental and innovative  
13 techniques of lake rehabilitation and protection shall be goals of the program.  
14 Districts may undertake protection and rehabilitation projects to achieve the  
15 purposes of such districts specified in s. 33.21. Projects may be undertaken in  
16 cooperation with the department, the University of Wisconsin System, the  
17 University of Wisconsin–Madison, and other government agencies, and public and  
18 private organizations. Projects shall be divided into study, planning and  
19 implementation phases.

20 **SECTION 947.** 33.16 (8) of the statutes is amended to read:

21 33.16 (8) The department may evaluate or contract with the University of  
22 Wisconsin System or the University of Wisconsin–Madison to evaluate projects  
23 receiving financial assistance under this section.

24 **SECTION 948.** 36.03 of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 948**

1           **36.03 System.** There is created in this state a system of institutions of learning  
2 to be known as the University of Wisconsin System. The principal office ~~and one~~  
3 ~~university~~ of the system shall be located at or near the seat of state government.

4           **SECTION 949.** 36.09 (1) (a) of the statutes is amended to read:

5           36.09 (1) (a) The primary responsibility for governance of the system shall be  
6 vested in the board which shall enact policies and promulgate rules for governing the  
7 system, plan for the future needs of the state for university education within the  
8 system, ensure the diversity of quality undergraduate programs while preserving  
9 the strength of the state's graduate training and research centers within the system,  
10 and promote the widest degree of institutional autonomy within the controlling  
11 limits of ~~system-wide~~ systemwide policies and priorities established by the board.

12           **SECTION 950.** 36.09 (1) (am) (intro.) of the statutes is amended to read:

13           36.09 (1) (am) (intro.) The board, in consultation with the ~~department of~~  
14 ~~commerce~~ Wisconsin Economic Development Corporation, shall do all of the  
15 following for each economic development program, as defined in s. 36.11 (29r) (a),  
16 administered by the board:

17           **SECTION 951.** 36.09 (1) (e) of the statutes is amended to read:

18           36.09 (1) (e) The board shall appoint a president of the system; a chancellor for  
19 each institution; a dean for each college campus; ~~the state geologist; the director of~~  
20 ~~the laboratory of hygiene; the director of the psychiatric institute; the state~~  
21 ~~cartographer~~; and the requisite number of officers, other than the vice presidents,  
22 associate vice presidents, and assistant vice presidents of the system; faculty;  
23 academic staff; and other employees and fix the salaries, subject to the limitations  
24 under par. (j) and ss. 20.923 (4g) and 230.12 (3) (e), the duties and the term of office  
25 for each. The board shall fix the salaries, subject to the limitations under par. (j) and

**ASSEMBLY BILL 40****SECTION 951**

1 ss. 20.923 (4g) and 230.12 (3) (e), and the duties for each chancellor, vice president,  
2 associate vice president, and assistant vice president of the system. No sectarian or  
3 partisan tests or any tests based upon race, religion, national origin, or sex shall ever  
4 be allowed or exercised in the appointment of the employees of the system.

5 **SECTION 952.** 36.11 (1) (b) of the statutes is amended to read:

6 36.11 (1) (b) Except as provided in this paragraph, the board may purchase,  
7 have custody of, hold, control, possess, lease, grant easements and enjoy any lands,  
8 buildings, books, records and all other property of any nature which may be  
9 necessary and required for the purposes, objects and uses of the system authorized  
10 by law. ~~Any lease is subject to the powers of the University of Wisconsin Hospitals~~  
11 ~~and Clinics Authority under s. 233.03 (13) and the rights of the authority under any~~  
12 ~~lease agreement, as defined in s. 233.01 (6).~~ The board shall not permit a facility that  
13 would be privately owned or operated to be constructed on state-owned land without  
14 obtaining prior approval of the building commission under s. 13.48 (12). The board  
15 may sell or dispose of such property as provided by law, or any part thereof when in  
16 its judgment it is for the best interests of the system and the state. All purchases and  
17 sales of real property shall be subject to the approval of the building commission. The  
18 provision of all leases of real property to be occupied by the board shall be the  
19 responsibility of the department of administration under s. 16.84 (5).

20 **SECTION 953.** 36.11 (10) of the statutes is renumbered 37.11 (10) and amended  
21 to read:

22 37.11 (10) UNIVERSITY FUND. The board may expend such portion of the income  
23 of the university fund ~~on or at the University of Wisconsin-Madison~~ as is  
24 appropriated by the legislature for the erection of buildings and the purchase of  
25 equipment or books.

**ASSEMBLY BILL 40****SECTION 954**

1           **SECTION 954.** 36.11 (16) of the statutes is amended to read:

2           **36.11 (16)** COMMENCEMENT OF FALL SEMESTER. The board shall ensure that no  
3 fall semester classes at any institution, ~~except medical school classes and 4th year~~  
4 ~~classes at the school of veterinary medicine,~~ commence until after September 1.

5           **SECTION 955.** 36.11 (28) of the statutes is renumbered 37.11 (28).

6           **SECTION 956.** 36.11 (28m) of the statutes is renumbered 37.11 (28m).

7           **SECTION 957.** 36.11 (29) of the statutes is renumbered 37.11 (29) and amended  
8 to read:

9           **37.11 (29)** OTHER AGREEMENTS WITH THE UNIVERSITY OF WISCONSIN HOSPITALS  
10 AND CLINICS AUTHORITY. The board may enter into joint purchasing contracts and  
11 other contracts, rental agreements and cooperative agreements and other necessary  
12 arrangements with the University of Wisconsin Hospitals and Clinics Authority  
13 ~~which~~ that may be necessary and convenient for the missions, objects, and uses of  
14 the University of Wisconsin Hospitals and Clinics Authority authorized by law.  
15 ~~Purchasing contracts and agreements are subject to s. 16.73 (5).~~

16           **SECTION 958.** 36.11 (29m) of the statutes is repealed.

17           **SECTION 959.** 36.11 (29r) (b) of the statutes is renumbered 36.11 (29r) (b) 2. and  
18 amended to read:

19           **36.11 (29r) (b) 2.** Annually, no later than October 1, the board shall submit to  
20 the joint legislative audit committee and to the appropriate standing committees of  
21 the legislature under s. 13.172 (3) a comprehensive report assessing economic  
22 development programs administered by the board. The report shall include all of the  
23 information required under s. ~~560.01 (2) (am)~~ 238.07 (2). The board shall collaborate  
24 with the department of commerce Wisconsin Economic Development Corporation to

**ASSEMBLY BILL 40****SECTION 959**

1 make readily accessible to the public on an Internet-based system the information  
2 required under this subsection.

3 **SECTION 960.** 36.11 (29r) (b) 1. of the statutes is created to read:

4 36.11 **(29r)** (b) 1. The board shall coordinate any economic development  
5 assistance with the Wisconsin Economic Development Corporation.

6 **SECTION 961.** 36.11 (39) of the statutes is renumbered 37.11 (39) and amended  
7 to read:

8 37.11 **(39)** GAYLORD NELSON CHAIR OF INTEGRATED ENVIRONMENTAL STUDIES. The  
9 board shall may establish the Gaylord Nelson chair of integrated environmental  
10 studies and seek private funding for this chair.

11 **SECTION 962.** 36.11 (40) of the statutes is renumbered 37.11 (40) and amended  
12 to read:

13 37.11 **(40)** CENTER FOR COOPERATIVES. The board shall maintain a center for  
14 cooperatives at the ~~University of Wisconsin-Madison~~ university. The center shall  
15 comply with the requirements specified in s. 125.545 (5) (a).

16 **SECTION 963.** 36.11 (48) of the statutes is renumbered 37.11 (48) and amended  
17 to read:

18 37.11 **(48)** REPORT ON UTILITY CHARGES; ASSESSMENT OF CERTAIN UTILITY CHARGES.  
19 The board shall ~~ensure that the University of Wisconsin-Madison reports~~ report  
20 annually to the department of administration on utility charges in the following  
21 fiscal year to fund principal and interest costs incurred in purchasing the Walnut  
22 Street steam and chilled-water plant enumerated under 2003 Wisconsin Act 33,  
23 section 9106 (1) (g) 2., and in renovating and adding an addition to the Charter Street  
24 heating and cooling plant enumerated under 2009 Wisconsin Act 28, section 9106 (1)  
25 (g) 3., and the methodology used to calculate those charges. The board may not assess

**ASSEMBLY BILL 40****SECTION 963**

1 the utility charges until the charges are approved by the department of  
2 administration.

3 **SECTION 964.** 36.25 (3) (title) of the statutes is amended to read:

4 36.25 (3) (title) AGRICULTURAL DEMONSTRATION—STATIONS,—EXPERIMENTS,  
5 DEMONSTRATIONS RESEARCH AND INSTRUCTIONAL PROGRAMS.

6 **SECTION 965.** 36.25 (3) (a) to (c) of the statutes are renumbered 37.25 (3) (a) to  
7 (c), and 37.25 (3) (a) and (c), as renumbered, are amended to read:

8 37.25 (3) (a) The board may establish through the College of Agricultural and  
9 Life Sciences of the ~~University of Wisconsin–Madison~~ university demonstration  
10 stations for the purpose of aiding in agricultural development. The location of the  
11 stations shall be determined by the board which shall consider the opportunities for  
12 agricultural development in various regions of the state.

13 (c) The board shall, under the supervision of the dean of the College of  
14 Agricultural and Life Sciences of the ~~University of Wisconsin–Madison~~ university,  
15 foster research and experimentation in the control of bovine brucellosis, which is also  
16 known as Bang's disease, at various points within this state that the board considers  
17 advisable. To facilitate the bovine brucellosis research and experimentation,  
18 contracts may be entered into with owners of bovine animals of various classes for  
19 the supervised control of the animals and for the purchase of animals under  
20 conditions to be specified in contracts that shall be retained for control purposes.  
21 ~~Payment under the contracts shall be made out of the appropriation in s. 20.285 (1)~~  
22 ~~(a).~~

23 **SECTION 966.** 36.25 (3) (d) of the statutes is renumbered 36.25 (3).

24 **SECTION 967.** 36.25 (4) of the statutes is repealed.

**ASSEMBLY BILL 40****SECTION 968**

1           **SECTION 968.** 36.25 (5) (a) of the statutes is renumbered 36.25 (5) and amended  
2 to read:

3           **36.25 (5)** The board of regents, as licensee, shall manage, operate and maintain  
4 broadcasting station WHA and WHA-TV and shall enter into an affiliation  
5 agreement with the educational communications board pursuant to s. 39.14. ~~Except~~  
6 ~~as provided under par. (b), the agreement shall provide that the board of regents shall~~  
7 ~~grant the educational communications board the part-time use of equipment and~~  
8 ~~space necessary for the operations of the state educational radio and television~~  
9 ~~networks.~~ The board of regents shall maintain a separate account for each revenue  
10 source for broadcasting station WHA and for WHA-TV which permits identification  
11 of the functions or activities for which expenditures are made. The board of regents  
12 shall maintain annual records of its expenditures for programming purposes by type  
13 of programming and by source of revenue.

14           **SECTION 969.** 36.25 (5) (b) of the statutes is renumbered 37.25 (5) (b) and  
15 amended to read:

16           **37.25 (5) (b)** The board of regents may rent space on the Madison public  
17 broadcast transmission tower to the educational communications board and to other  
18 public and commercial broadcasters.

19           **SECTION 970.** 36.25 (6) (a) of the statutes is amended to read:

20           **36.25 (6) (a)** The board shall have charge of the geological and natural history  
21 survey. Under the supervision of the state geologist, appointed under s. 37.03 (1) (c).  
22 the survey shall study the geology, water, soils, plants, fish and animal life of the  
23 state and shall continue the topographic mapping of the state begun by the U.S.  
24 geological survey, but no money may be expended for topography unless an  
25 equivalent amount is expended for this purpose in the state by the U.S. government.

**ASSEMBLY BILL 40****SECTION 971**

1           **SECTION 971.** 36.25 (6) (e) of the statutes is renumbered 37.25 (6) and amended  
2 to read:

3           37.25 **(6)** STATE GEOLOGIST. The state geologist shall carry out the  
4 responsibilities specified for him or her under ~~s.~~ ss. 36.25 (6) and 107.15.

5           **SECTION 972.** 36.25 (8) of the statutes is renumbered 37.25 (8) and amended  
6 to read:

7           37.25 **(8)** WATER RESOURCES RESEARCH. Funds made available to the various  
8 state agencies for joint water resources research and data collection programs shall  
9 be administered and coordinated by the director of the water resources center of the  
10 ~~University of Wisconsin–Madison~~ university. Such funds shall be made available,  
11 on application from the state agencies concerned, when the director, after seeking the  
12 advice of the department of natural resources, finds the proposed projects to be  
13 consistent with other state projects and the needs of the state. The director shall  
14 make biennial reports to the chief clerk of each house of the legislature, for  
15 distribution to the legislature under s. 13.172 (2), at the convening of the legislature.

16           **SECTION 973.** 36.25 (9) of the statutes is amended to read:

17           36.25 **(9)** STATE SOILS LABORATORY. The board shall establish a state soils and  
18 plant analysis laboratory at the extension in connection with the College of  
19 Agricultural and Life Sciences of the University of Wisconsin–Madison ~~and the~~  
20 ~~University of Wisconsin–Extension.~~ The laboratory shall, at the request of the owner  
21 or occupant of any lands in the state and upon the payment of such fees as are  
22 prescribed, make field examinations and analyses of the soil and plant tissue and  
23 when possible interpret the results of such investigation and make appropriate  
24 recommendations. ~~The board through the College of Agricultural and Life Sciences~~  
25 ~~of the University of Wisconsin–Madison may cause an investigation to be made of~~



**ASSEMBLY BILL 40****SECTION 973**

1 ~~methods of clearing cutover lands, perform experiments and demonstrations in~~  
2 ~~conjunction therewith and provide related services to individual citizens at cost.~~

3 **SECTION 974.** 36.25 (10) of the statutes is repealed.

4 **SECTION 975.** 36.25 (11) of the statutes is renumbered 37.57, and 37.57 (1) and  
5 (5) to (7), as renumbered, are amended to read:

6 **37.57 (1)** ~~The board shall maintain the state laboratory of hygiene shall be~~  
7 ~~attached to the University of Wisconsin–Madison. The laboratory of hygiene board~~  
8 ~~shall meet at least quarterly and may promulgate rules under ch. 227, approve the~~  
9 ~~laboratory of hygiene budget, set fees, set priorities and make final approval of~~  
10 ~~laboratory resources so that the laboratory can act in response to agencies' planned~~  
11 ~~objectives and program priorities.~~

12 **(5)** ~~The technical staff and other employees necessary to the operation of the~~  
13 ~~laboratory shall be employed under the classified service by the director. The board,~~  
14 ~~upon the recommendation of the chancellor of the University of Wisconsin–Madison,~~  
15 ~~with the approval of the laboratory of hygiene board, shall appoint the director of the~~  
16 ~~laboratory and such other members of its professional staff as are required for the~~  
17 ~~administration of the laboratory.~~

18 **(5m)** ~~The laboratory of hygiene board shall create and maintain a roster of~~  
19 ~~scientists and other persons with technical expertise who are willing to work for the~~  
20 ~~laboratory of hygiene if the governor declares that an emergency related to public~~  
21 ~~health exists. If the governor declares such an emergency, the laboratory of hygiene~~  
22 ~~board shall hire as limited-term employees the requisite number of persons from the~~  
23 ~~roster to assist the department of health services under s. 250.042.~~

24 **(6)** ~~The laboratory of hygiene board may impose a fee for each test conducted~~  
25 ~~by the laboratory. Any test conducted for a local unit of government is exempt from~~

**ASSEMBLY BILL 40****SECTION 975**

1 the fee unless the test is outside the state public health care mission or is required  
2 under 42 USC 300f to 300j, as determined by the laboratory of hygiene board. The  
3 laboratory may charge state agencies through contractual arrangements for the  
4 actual services rendered.

5 (7) The laboratory of hygiene board shall submit ~~biennial budget requests~~  
6 ~~reflecting joint budgetary planning with agencies served,~~ and any information  
7 required by the department of administration under s. 16.43, directly to the  
8 department of administration.

9 **SECTION 976.** 36.25 (12) of the statutes is renumbered 37.25 (12), and 37.25 (12)  
10 (a), as renumbered, is amended to read:

11 37.25 (12) (a) The board shall house, equip and maintain the psychiatric  
12 research institute as a program of the ~~University of Wisconsin–Madison~~ Center for  
13 Health Sciences. The psychiatric research institute shall be a facility for research,  
14 development and service to the state in the field of mental health. The institute may  
15 exercise the powers granted under s. 46.044.

16 **SECTION 977.** 36.25 (12m) of the statutes is renumbered 37.25 (12m).

17 **SECTION 978.** 36.25 (13g) of the statutes is renumbered 37.25 (13g), and 37.25  
18 (13g) (a), (b) (intro.) and (d), as renumbered, are amended to read:

19 37.25 (13g) (a) The board shall establish at the ~~University of~~  
20 ~~Wisconsin–Madison~~ university the “University of Wisconsin Hospitals and Clinics”.

21 (b) (intro.) The board shall maintain, control and supervise the use of the  
22 University of Wisconsin Hospitals and Clinics, for the purposes of all of the following:

23 (d) This subsection applies only in the event that the on-campus facilities, as  
24 defined in s. 233.01 (7), leased to the University of Wisconsin Hospitals and Clinics  
25 Authority under s. ~~36.11~~ 37.11 (28), and any improvements, modifications or other

**ASSEMBLY BILL 40****SECTION 978**

1 facilities specified in s. 233.04 (7) (c), are transferred to the board under s. 233.04 (3b)  
2 (b), (7g) (b) or (7p) (b).

3 **SECTION 979.** 36.25 (13m) of the statutes is repealed.

4 **SECTION 980.** 36.25 (13s) of the statutes is renumbered 37.25 (13s) and  
5 amended to read:

6 **37.25 (13s) MEDICAL PRACTICE IN UNDERSERVED AREAS.** Of the moneys  
7 appropriated to the board under s. ~~20.285~~ 20.280 (1) ~~(fe)~~ (a) of the statutes, the board  
8 shall, ~~beginning in fiscal year 2008–09~~, allocate \$400,000 in each fiscal year for the  
9 department of family medicine and practice in the University of Wisconsin School of  
10 Medicine and Public Health to support the Wisconsin Academy for Rural Medicine,  
11 the Academy for Center-city Medical Education, and the Wisconsin Scholars  
12 Academy programs. The board may not expend any moneys allocated under this  
13 subsection in a fiscal year unless the board receives \$400,000 in gifts and grants from  
14 private sources in that fiscal year for supporting such programs.

15 **SECTION 981.** 36.25 (18) of the statutes is renumbered 37.25 (18) and amended  
16 to read:

17 **37.25 (18) SCHOOL OF VETERINARY MEDICINE.** The board shall establish and  
18 maintain a school of veterinary medicine at the ~~University of Wisconsin–Madison~~  
19 university. Existing facilities shall be used to the maximum possible extent for  
20 auxiliary instructional and research support of the veterinary program.

21 **SECTION 982.** 36.25 (19) of the statutes is renumbered 37.25 (19), and 37.25 (19)  
22 (a), as renumbered, is amended to read:

23 **37.25 (19) (a)** The board may establish at the ~~University of Wisconsin–Madison~~  
24 university a model school for children with disabilities, as defined in s. 115.76 (5).

**ASSEMBLY BILL 40****SECTION 982**

1 The school shall utilize practical demonstration techniques to train teachers and  
2 other support personnel under s. 115.28 (7) (c).

3 **SECTION 983.** 36.25 (21) of the statutes is renumbered 37.25 (21), and 37.25 (21)  
4 (intro.), (a) and (b), as renumbered, are amended to read:

5 37.25 (21) SCHOOL OF LAW; PART-TIME ENROLLMENT AND NIGHT COURSES. (intro.)

6 The board shall direct the School of Law to do all the following:

7 (a) Allow resident students who are admitted to law school to enroll in  
8 part-time programs;

9 (b) Allow resident students who are admitted to law school 6 years after first  
10 enrolling to complete requirements for a degree; ~~and.~~

11 **SECTION 984.** 36.25 (21m) of the statutes is renumbered 37.25 (21m) and  
12 amended to read:

13 37.25 (21m) GREAT LAKES INDIAN LAW PROGRAM. The board shall establish a  
14 Great Lakes Indian law program at the ~~University of Wisconsin-Madison Law~~  
15 ~~School~~ university law school.

16 **SECTION 985.** 36.25 (23) of the statutes is renumbered 37.25 (23) and amended  
17 to read:

18 37.25 (23) ROBERT M. LA FOLLETTE INSTITUTE OF PUBLIC AFFAIRS. There is  
19 established a Robert M. La Follette institute of public affairs at the ~~University of~~  
20 ~~Wisconsin-Madison~~ university. The institute shall engage in research, public  
21 service and educational activities to advance the knowledge of public affairs and the  
22 application of that knowledge to the needs of this state.

23 **SECTION 986.** 36.25 (24) of the statutes is amended to read:

24 36.25 (24) EMPLOYEE-OWNED BUSINESSES PROGRAM. Through the University of  
25 Wisconsin small business development center, in cooperation with the ~~department~~

**ASSEMBLY BILL 40****SECTION 986**

1 ~~of commerce under s. 560.07 (2m)~~ Wisconsin Economic Development Corporation,  
2 the technical college system board and the University of Wisconsin–Extension, the  
3 board shall create, as needed, educational programs to provide training in the  
4 management of employee–owned businesses and shall provide technical assistance  
5 to employee–owned businesses in matters affecting their management and business  
6 operations, including assistance with governmental relations and assistance in  
7 obtaining management, technical and financial assistance.

8 **SECTION 987.** 36.25 (30) of the statutes is amended to read:

9 **36.25 (30) POLLUTION PREVENTION.** The board shall maintain in the extension  
10 a solid and hazardous waste education center to promote pollution prevention, as  
11 defined in s. 299.13 (1) (dm). In cooperation with the department of natural resources  
12 ~~and the department of commerce,~~ the center shall conduct an education and  
13 technical assistance program to promote pollution prevention in this state.

14 **SECTION 988.** 36.25 (30m) of the statutes is renumbered 37.25 (30m) and  
15 amended to read:

16 **37.25 (30m) AGRICULTURAL TECHNOLOGY AND FAMILY FARM PROGRAMS.** The board  
17 may establish agricultural technology and family farm programs in the College of  
18 Agricultural and Life Sciences at the ~~University of Wisconsin–Madison~~ university.

19 **SECTION 989.** 36.25 (34) of the statutes is renumbered 37.25 (34) and amended  
20 to read:

21 **37.25 (34) CENTER FOR URBAN LAND ECONOMICS RESEARCH.** The board shall  
22 establish a center for urban land economics research in the School of Business at the  
23 ~~University of Wisconsin–Madison~~ university to conduct research and undertake  
24 educational, public outreach and grant activities related to real estate and urban  
25 land economics.

**ASSEMBLY BILL 40****SECTION 990**

1           **SECTION 990.** 36.25 (35m) of the statutes is renumbered 37.25 (35m) and  
2 amended to read:

3           **37.25 (35m)** HERBARIUM. The board shall maintain an herbarium at the  
4 ~~University of Wisconsin–Madison~~ university to be known as the “Wisconsin State  
5 Herbarium”.

6           **SECTION 991.** 36.25 (37) of the statutes is renumbered 37.25 (37) and amended  
7 to read:

8           **37.25 (37)** AREA HEALTH EDUCATION CENTER. The board shall maintain at the  
9 ~~University of Wisconsin–Madison~~ university an area health education center to  
10 support community–based primary care training programs.

11           **SECTION 992.** 36.25 (42) of the statutes is renumbered 37.25 (42) and amended  
12 to read:

13           **37.25 (42)** DISTINGUISHED CHAIR OF MILITARY HISTORY. The board shall establish  
14 a distinguished chair of military history at the ~~University of Wisconsin–Madison~~  
15 university.

16           **SECTION 993.** 36.25 (49m) of the statutes is renumbered 37.25 (49m), and 37.25  
17 (49m) (a) 1. and (c), as renumbered, are amended to read:

18           **37.25 (49m) (a) 1.** “Center” means the Center on Education and Work at the  
19 ~~University of Wisconsin–Madison~~ university.

20           (c) The center shall evaluate the effectiveness of the program during the pilot  
21 period in promoting careers in math, science, agricultural education, technology  
22 education, and information technology. If, based on the results of the evaluation, the  
23 center determines that the program has been effective in promoting such careers, the  
24 center may continue the program after the pilot period and may expand the program  
25 by allowing participation by additional classrooms. The center shall prepare a report

**ASSEMBLY BILL 40****SECTION 993**

1 regarding the evaluation and describing whether the center has continued or  
2 expanded the program, and submit the report to the appropriate standing  
3 committees of the legislature under s. 13.172 (3), the department of public  
4 instruction, and the department of workforce development, ~~and the department of~~  
5 ~~commerce.~~

6 **SECTION 994.** 36.25 (53) of the statutes is amended to read:

7 36.25 (53) BUSINESS PLAN COMPETITION. The board shall use the moneys  
8 appropriated under s. 20.285 (1) (eb) to support a business plan competition program  
9 existing on May 25, 2010, at institutions and college campuses ~~other than the~~  
10 ~~University of Wisconsin-Madison~~ that makes entrepreneurial expertise available to  
11 students and that has ties to campus-based business plan contests and national  
12 organizations that foster student entrepreneurship. The board may use the moneys  
13 only if the board receives matching funds for the same purpose from private  
14 contributions.

15 **SECTION 995.** 36.27 (2) (cr) of the statutes is repealed.

16 **SECTION 996.** 36.27 (3n) (b) (intro.) of the statutes is amended to read:

17 36.27 (3n) (b) (intro.) Except as provided in subds. 1. to 3. and par. (bg), the  
18 board shall grant full remission of academic fees and segregated fees for 128 credits  
19 or 8 semesters, whichever is longer, less the number of credits or semesters for which  
20 the person received remission of fees under s. 38.24 (7) ~~and, but not~~ less the amount  
21 of any academic fees or segregated fees paid under 38 USC 3319, to any resident  
22 student who is also any of the following:

23 **SECTION 997.** 36.27 (3n) (b) (intro.) of the statutes, as affected by 2011  
24 Wisconsin Act .... (this act), is amended to read:

**ASSEMBLY BILL 40****SECTION 997**

1           36.27 **(3n)** (b) (intro.) Except as provided in subds. 1. to 3. and par. (bg), the  
2 board shall grant full remission of academic fees and segregated fees for 128 credits  
3 or 8 semesters, whichever is longer, less the number of credits or semesters for which  
4 the person received remission of fees under ~~s. ss. 37.27 (3n) (b) and 38.24 (7)~~, but not  
5 less the amount of any academic fees or segregated fees paid under 38 USC 3319, to  
6 any resident student who is also any of the following:

7           **SECTION 998.** 36.27 (3p) (b) of the statutes is amended to read:

8           36.27 **(3p)** (b) Except as provided in par. (bg), the board shall grant full  
9 remission of nonresident tuition, academic fees, and segregated fees charged for 128  
10 credits or 8 semesters, whichever is longer, less the number of credits or semesters  
11 for which the person received remission of fees under s. 38.24 (8) and, but not less  
12 the amount of any academic fees or segregated fees paid under 10 USC 2107 (c), 38  
13 USC 3104 (a) (7) (A), or 38 USC 3313, to any student who is a veteran.

14           **SECTION 999.** 36.27 (3p) (b) of the statutes, as affected by 2011 Wisconsin Act  
15 .... (this act), is amended to read:

16           36.27 **(3p)** (b) Except as provided in par. (bg), the board shall grant full  
17 remission of nonresident tuition, academic fees, and segregated fees charged for 128  
18 credits or 8 semesters, whichever is longer, less the number of credits or semesters  
19 for which the person received remission of fees under ~~s. ss. 37.27 (3p) (b) and 38.24~~  
20 (8), but not less the amount of any academic fees or segregated fees paid under 10  
21 USC 2107 (c), 38 USC 3104 (a) (7) (A), or 38 USC 3313, to any student who is a  
22 veteran.

23           **SECTION 1000.** 36.29 (5) (a) of the statutes is renumbered 36.29 (5) and  
24 amended to read:



**ASSEMBLY BILL 40****SECTION 1000**

1           36.29 (5) ~~Except as provided in par. (b), the~~ The board may not acquire or make  
2 a commitment to operate any golf course not owned by the board prior to July 2, 1983,  
3 without specific authorization by the legislature.

4           **SECTION 1001.** 36.29 (5) (b) of the statutes is repealed.

5           **SECTION 1002.** 36.33 of the statutes is renumbered 37.33, and 37.33 (1) and (4),  
6 as renumbered, are amended to read:

7           37.33 (1) LEGISLATIVE INTENT. The legislature finds and determines that,  
8 because of the problems resulting from the development of the city of Madison  
9 around certain agricultural lands of the ~~University of Wisconsin-Madison~~  
10 university, the desirability of consolidating lands used for agricultural instruction,  
11 research and extension purposes, the desirability of disposing of agricultural lands  
12 no longer needed by the university and the need for land of better quality and of  
13 greater quantity for the purpose of improving and expanding agricultural research,  
14 it is in the public interest for the board to sell or lease, in whole or in part, the  
15 agricultural lands and improvements thereon owned by the board and located in  
16 sections 19, 20 and 30, township 7 north, range 9 east, Dane County; sections 25 and  
17 27, township 7 north, range 8 east, Dane County; sections 34 and 35, township 38  
18 north, range 11 east, Oneida County; and section 22, township 22 north, range 8 east,  
19 Portage County; and to purchase other agricultural lands outside of the Madison  
20 urban area and to construct thereon the necessary buildings and improvements. The  
21 foregoing policy determination is made without reference to or intention of limiting  
22 the powers which the board may otherwise have.

23           **(4) PROCEEDS.** The net proceeds from the sale of agricultural lands and  
24 improvements authorized by this section shall be devoted to the purchase of land and  
25 construction of improvements contemplated in sub. (1) ~~but of any excess of revenue~~

**ASSEMBLY BILL 40****SECTION 1002**

1 beyond the amount required for this purpose a sum not to exceed \$7,200,000 shall  
2 constitute a nonlapsible fund for the purpose of erecting facilities for research and  
3 instruction in animal husbandry, agricultural engineering and agricultural and life  
4 sciences at the University of Wisconsin–Madison, and such funds shall become  
5 available upon consent and recommendation of the board and authorization by the  
6 building commission.

7 **SECTION 1003.** 36.335 of the statutes is amended to read:

8 **36.335 Sale of other land; buildings and structures.** Except as provided  
9 in s. 36.33, if If the Board of Regents of the University of Wisconsin System board  
10 sells any real property under its jurisdiction during the period beginning on October  
11 27, 2007, and ending on June 30, 2009, and the period beginning on July 1, 2009, the  
12 board shall credit the net proceeds of the sale to the appropriation account under s.  
13 20.285 (1) (iz) except that if there is any outstanding public debt used to finance the  
14 acquisition, construction, or improvement of any property that is sold, the board  
15 shall deposit a sufficient amount of the net proceeds from the sale of the property in  
16 the bond security and redemption fund under s. 18.09 to repay the principal and pay  
17 the interest on the debt, and any premium due upon refunding any of the debt. If  
18 the property was acquired, constructed, or improved with federal financial  
19 assistance, the board shall pay to the federal government any of the net proceeds  
20 required by federal law. If the property was acquired by gift or grant or acquired with  
21 gift or grant funds, the board shall adhere to any restriction governing use of the  
22 proceeds.

23 **SECTION 1004.** 36.34 (1) (a) 3. of the statutes is amended to read:

24 36.34 (1) (a) 3. Is a Hispanic, as defined in s. 560.036 490.04 (1) (d).

25 **SECTION 1005.** 36.34 (1) (c) of the statutes is repealed.

**ASSEMBLY BILL 40****SECTION 1006**

1           **SECTION 1006.** 36.395 of the statutes is repealed.

2           **SECTION 1007.** 36.44 (1) of the statutes is renumbered 36.44.

3           **SECTION 1008.** 36.44 (2) of the statutes is renumbered 37.44 (2) and amended  
4 to read:

5           37.44 (2) Notwithstanding sub. (1), the board shall use the fees collected under  
6 s. 341.14 (6r) (b) 4. for the ~~University of Wisconsin–Madison~~ university's scholarship  
7 program to provide funds for the ~~University of Wisconsin–Madison~~ university's  
8 division of intercollegiate athletics. When the board determines that the division's  
9 deficit has been eliminated, the board shall use such fees as provided under sub. (1).

10           **SECTION 1009.** 36.46 (1) (a) of the statutes is renumbered 36.46 (1).

11           **SECTION 1010.** 36.46 (1) (b) of the statutes is renumbered 36.46 (2m) and  
12 amended to read:

13           36.46 (2m) Notwithstanding ~~par. (a)~~ sub. (1), if, within 14 working days after  
14 the date of the secretary's notification, the cochairpersons of the committee do not  
15 notify the secretary that the committee has scheduled a meeting for the purpose of  
16 reviewing the secretary's proposed action, the proposed reserve funds may be  
17 accumulated. If, within 14 working days after the date of the secretary's notification,  
18 the cochairpersons of the committee notify the secretary that the committee has  
19 scheduled a meeting for the purpose of reviewing the secretary's proposed action, the  
20 proposed reserve funds may not be accumulated unless the committee approves that  
21 action.

22           **SECTION 1011.** 36.46 (2) of the statutes is repealed.

23           **SECTION 1012.** 36.48 of the statutes is amended to read:

24           **36.48 Alcohol and other drug abuse prevention and intervention**  
25 **programs.** The board shall appoint alcohol and other drug abuse prevention and

**ASSEMBLY BILL 40****SECTION 1012**

1 intervention program counselors for the ~~University of Wisconsin–Madison and the~~  
2 University of Wisconsin–Milwaukee. The counselors shall develop alcohol and other  
3 drug abuse prevention and intervention programs and train faculty, academic staff  
4 and classified staff in the prevention of and early intervention in alcohol and other  
5 drug abuse.

6 **SECTION 1013.** 36.49 (intro.) and (2) of the statutes are consolidated,  
7 renumbered 36.49 and amended to read:

8 **36.49 Environmental program grants and scholarships.** From the  
9 appropriation under s. 20.285 (1) (rm), the board shall ~~annually do the following: (2)~~  
10 ~~Provide~~ provide annual scholarships totaling \$100,000 to students enrolled in the  
11 sustainable management degree program through the University ~~of~~  
12 ~~Wisconsin–Extension~~ extension.

13 **SECTION 1014.** 36.49 (1) of the statutes is renumbered 37.49 and amended to  
14 read:

15 **37.49 Environmental program grants.** Make From the appropriation  
16 under s. 20.280 (1) (rm), annually the board shall award need-based grants totaling  
17 \$100,000 to students who are members of underrepresented groups and who are  
18 enrolled in a program leading to a certificate or a bachelor's degree from the Nelson  
19 Institute for Environmental Studies at the University ~~of Wisconsin–Madison~~  
20 university.

21 **SECTION 1015.** 36.54 (2) (a) 2. of the statutes is amended to read:

22 36.54 (2) (a) 2. “Public agency” means a county, city, village, town, public inland  
23 lake protection and rehabilitation district, lake sanitary district ~~or~~, school district,  
24 or state agency or an agency ~~of this state or~~ of a county, city, village, town, public

**ASSEMBLY BILL 40****SECTION 1015**

1 inland lake protection and rehabilitation district, lake sanitary district, or school  
2 district.

3 **SECTION 1016.** 36.54 (2) (a) 3. of the statutes is created to read:

4 36.54 (2) (a) 3. “State agency” includes the University of Wisconsin–Madison.

5 **SECTION 1017.** 36.56 (title) of the statutes is renumbered 37.56 (title).

6 **SECTION 1018.** 36.56 (1) of the statutes is renumbered 37.56 and amended to  
7 read:

8 **37.56** From the appropriation under s. ~~20.285~~ 20.280 (1) (qm), the center for  
9 cooperatives under s. ~~36.11~~ 37.11 (40) may award grants to persons to form forestry  
10 cooperatives under ch. 185 or 193 that consist primarily of private, nonindustrial  
11 owners of woodland. A grant recipient shall provide matching funds equal to 50%  
12 of the grant amount awarded. The match may be in the form of money or in-kind  
13 services or both, but may not include money received from the state.

14 **SECTION 1019.** 36.56 (2) of the statutes is repealed.

15 **SECTION 1020.** 36.58 (title) of the statutes is renumbered 37.58 (title).

16 **SECTION 1021.** 36.58 (1) of the statutes is repealed.

17 **SECTION 1022.** 36.58 (2) of the statutes is renumbered 37.58 (2).

18 **SECTION 1023.** 36.58 (3) of the statutes is renumbered 37.58 (3), and 37.58 (3)  
19 (c), as renumbered, is amended to read:

20 37.58 (3) (c) The veterinary diagnostic laboratory board may identify services  
21 that are necessary to protect human health and safety for which the veterinary  
22 diagnostic laboratory may not charge fees.

23 **SECTION 1024.** 36.58 (3m) of the statutes is renumbered 37.58 (3m) and  
24 amended to read:

**ASSEMBLY BILL 40****SECTION 1024**

1           **37.58 (3m)** APPOINTMENT OF DIRECTOR. ~~After consultation with the veterinary~~  
2 ~~diagnostic laboratory board, the~~ The chancellor of the ~~University of~~  
3 ~~Wisconsin-Madison~~ shall appoint an individual who has received the degree of  
4 doctor of veterinary medicine as the director of the veterinary diagnostic laboratory.

5           **SECTION 1025.** 36.58 (4) and (5) of the statutes are repealed.

6           **SECTION 1026.** 36.58 (6) of the statutes is renumbered 37.58 (6).

7           **SECTION 1027.** 36.59 (8) of the statutes is repealed.

8           **SECTION 1028.** 36.60 (title) of the statutes is amended to read:

9           **36.60** (title) ~~Physician and dentist~~ **Dentist loan assistance program.**

10          **SECTION 1029.** 36.60 (1) (ag) of the statutes is renumbered 37.60 (1) (ag).

11          **SECTION 1030.** 36.60 (1) (aj) of the statutes is renumbered 37.60 (1) (aj).

12          **SECTION 1031.** 36.60 (1) (ap) of the statutes is renumbered 37.60 (1) (ap).

13          **SECTION 1032.** 36.60 (1) (b) of the statutes is renumbered 37.60 (1) (b).

14          **SECTION 1033.** 36.60 (1) (cm) of the statutes is renumbered 37.60 (1) (cm).

15          **SECTION 1034.** 36.60 (1) (d) of the statutes is amended to read:

16          **36.60 (1)** (d) “Rural area” has the meaning given in s. ~~36.63~~ 37.63 (1) (c).

17          **SECTION 1035.** 36.60 (2) (a) 1. of the statutes is renumbered 36.60 (2) (a) and  
18 amended to read:

19          **36.60 (2)** (a) ~~Except as provided in subd. 2., the~~ The board may repay, on behalf  
20 of a ~~physician or dentist~~, up to \$50,000 in educational loans obtained by the ~~physician~~  
21 ~~or dentist~~ from a public or private lending institution for education in an accredited  
22 school of ~~medicine or dentistry~~ or for postgraduate ~~medical or dental~~ training.

23          **SECTION 1036.** 36.60 (2) (a) 2. of the statutes is renumbered 37.60 (2) (a) 2.

24          **SECTION 1037.** 36.60 (2) (b) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1037**

1           36.60 (2) (b) A ~~physician or~~ dentist who is a participant in the national health  
2 service corps scholarship program under 42 USC 254n, or a ~~physician or~~ dentist who  
3 was a participant in that program and who failed to carry out his or her obligations  
4 under that program, is not eligible for loan repayment under this section.

5           **SECTION 1038.** 36.60 (3) (a) of the statutes is renumbered 37.60 (3) (a).

6           **SECTION 1039.** 36.60 (4m) of the statutes is renumbered 37.60 (4m).

7           **SECTION 1040.** 36.60 (5) (b) 1. of the statutes is amended to read:

8           36.60 (5) (b) 1. ~~The degree to which there is an extremely high need for medical~~  
9 ~~care in the eligible practice area, health professional shortage area, or rural area in~~  
10 ~~which a physician desires to practice and the degree to which there is an extremely~~  
11 ~~high need for dental care in the dental health shortage area or rural area in which~~  
12 ~~a dentist desires to practice.~~

13           **SECTION 1041.** 36.60 (5) (b) 2. of the statutes is amended to read:

14           36.60 (5) (b) 2. ~~The likelihood that a physician will remain in the eligible~~  
15 ~~practice area, health professional shortage area, or rural area, and that a dentist will~~  
16 ~~remain in the dental health shortage area or rural area, in which he or she desires~~  
17 ~~to practice after the loan repayment period.~~

18           **SECTION 1042.** 36.60 (5) (b) 3. of the statutes is amended to read:

19           36.60 (5) (b) 3. ~~The per capita income of the eligible practice area, health~~  
20 ~~professional shortage area, or rural area in which a physician desires to practice and~~  
21 ~~of the dental health shortage area or rural area in which a dentist desires to practice.~~

22           **SECTION 1043.** 36.60 (5) (b) 4. of the statutes is amended to read:

23           36.60 (5) (b) 4. ~~The financial or other support for physician recruitment and~~  
24 ~~retention provided by individuals, organizations, or local governments in the eligible~~  
25 ~~practice area, health professional shortage area, or rural area in which a physician~~

**ASSEMBLY BILL 40****SECTION 1043**

1 ~~desires to practice and~~ for dentist recruitment and retention provided by individuals,  
2 organizations, or local governments in the dental health shortage area or rural area  
3 in which a dentist desires to practice.

4 **SECTION 1044.** 36.60 (5) (b) 5. of the statutes is amended to read:

5 36.60 (5) (b) 5. The geographic distribution of the ~~physicians and~~ dentists who  
6 have entered into loan repayment agreements under this section and the geographic  
7 distribution of the ~~eligible practice areas, health professional shortage areas, dental~~  
8 ~~health shortage areas,~~ and rural areas in which the eligible applicants desire to  
9 practice.

10 **SECTION 1045.** 36.60 (5) (d) of the statutes is amended to read:

11 36.60 (5) (d) An agreement under sub. (3) does not create a right of action  
12 against the state on the part of the ~~physician, dentist,~~ or lending institution for  
13 failure to make the payments specified in the agreement.

14 **SECTION 1046.** 36.60 (6m) (a) (intro.) of the statutes is amended to read:

15 36.60 (6m) (a) (intro.) The board shall, by rule, establish penalties to be  
16 assessed by the board against ~~physicians and~~ dentists who breach agreements  
17 entered into under sub. (3). The rules shall do all of the following:

18 **SECTION 1047.** 36.60 (8) (b) of the statutes is amended to read:

19 36.60 (8) (b) Identify ~~eligible practice areas and rural areas with an extremely~~  
20 ~~high need for medical care and~~ dental health shortage areas and rural areas with an  
21 extremely high need for dental care.

22 **SECTION 1048.** 36.60 (8) (d) of the statutes is amended to read:

23 36.60 (8) (d) Publicize the program under this section to ~~physicians, dentists,~~  
24 and eligible communities.

25 **SECTION 1049.** 36.60 (8) (e) of the statutes is amended to read:



**ASSEMBLY BILL 40****SECTION 1049**

1           36.60 (8) (e) Assist ~~physicians and dentists~~ who are interested in applying for  
2 the program under this section.

3           **SECTION 1050.** 36.60 (8) (f) of the statutes is amended to read:

4           36.60 (8) (f) Assist communities in obtaining ~~physicians' and dentists'~~ services  
5 through the program under this section.

6           **SECTION 1051.** 36.60 (8) (h) of the statutes is amended to read:

7           36.60 (8) (h) Notwithstanding subs. (3) (b) and (5) (a) and (b), ensure that  
8 moneys appropriated under s. 20.285 (1) (qj) are used under this section only to repay  
9 loans on behalf of ~~physicians and dentists~~ who agree to practice in a rural area.

10          **SECTION 1052.** 36.60 (9) (intro.) of the statutes is amended to read:

11          36.60 (9) EXPANDED LOAN ASSISTANCE PROGRAM. (intro.) The board may agree to  
12 repay loans as provided under this section on behalf of a ~~physician or dentist~~ under  
13 an expanded ~~physician and dentist~~ loan assistance program that is funded through  
14 federal funds in addition to state matching funds. To be eligible for loan repayment  
15 under the expanded ~~physician and dentist~~ loan assistance program, a ~~physician or~~  
16 dentist must fulfill all of the requirements for loan repayment under this section, as  
17 well as all of the following:

18          **SECTION 1053.** 36.60 (9) (a) of the statutes is amended to read:

19          36.60 (9) (a) The ~~physician or dentist~~ must be a U.S. citizen.

20          **SECTION 1054.** 36.60 (9) (b) of the statutes is amended to read:

21          36.60 (9) (b) The ~~physician or dentist~~ may not have a judgment lien against his  
22 or her property for a debt to the United States.

23          **SECTION 1055.** 36.60 (9) (c) (intro.) of the statutes is amended to read:

24          36.60 (9) (c) (intro.) The ~~physician or dentist~~ must agree to do all of the  
25 following:

**ASSEMBLY BILL 40****SECTION 1056**

1           **SECTION 1056.** 36.60 (9) (c) 2. of the statutes is amended to read:

2           36.60 **(9)** (c) 2. Use a sliding fee scale or a comparable method of determining  
3 payment arrangements for patients who are not eligible for medicare or medical  
4 assistance and who are unable to pay the customary fee for the physician's or  
5 dentist's services.

6           **SECTION 1057.** 36.60 (9) (c) 3. of the statutes is amended to read:

7           36.60 **(9)** (c) 3. Practice at a public or private nonprofit entity in a health  
8 professional shortage area, if a physician, or in a dental health shortage area, if a  
9 dentist.

10          **SECTION 1058.** 36.61 (title) of the statutes is amended to read:

11          **36.61** (title) ~~Health care provider~~ **Dental hygienist loan assistance**  
12 **program.**

13          **SECTION 1059.** 36.61 (1) (am) of the statutes is renumbered 37.61 (1) (am) and  
14 amended to read:

15          37.61 **(1)** (am) “Eligible practice area” means a primary care shortage area, an  
16 American Indian reservation, or trust lands of an American Indian tribe, ~~except that~~  
17 ~~with respect to a dental hygienist “eligible practice area” means a dental health~~  
18 ~~shortage area.~~

19          **SECTION 1060.** 36.61 (1) (b) of the statutes is renumbered 37.61 (1) (b) and  
20 amended to read:

21          37.61 **(1)** (b) “Health care provider” means a ~~dental hygienist,~~ physician  
22 assistant, nurse–midwife, or nurse practitioner.

23          **SECTION 1061.** 36.61 (1) (bp) of the statutes is renumbered 37.61 (1) (bp) and  
24 amended to read:

**ASSEMBLY BILL 40****SECTION 1061**

1           37.61 (1) (bp) “Health professional shortage area” has the meaning given in s.  
2           ~~36.60~~ 37.60 (1) (aj).

3           **SECTION 1062.** 36.61 (1) (d) of the statutes is renumbered 37.61 (1) (d) and  
4           amended to read:

5           37.61 (1) (d) “Primary care shortage area” has the meaning given in s. ~~36.60~~  
6           37.60 (1) (cm).

7           **SECTION 1063.** 36.61 (1) (e) of the statutes is amended to read:

8           36.61 (1) (e) “Rural area” has the meaning given in s. ~~36.63~~ 37.63 (1) (c).

9           **SECTION 1064.** 36.61 (2) of the statutes is amended to read:

10           36.61 (2) ELIGIBILITY. The board may repay, on behalf of a ~~health care provider~~  
11           dental hygienist, up to \$25,000 in educational loans obtained by the ~~health care~~  
12           ~~provider~~ dental hygienist from a public or private lending institution for education  
13           related to the ~~health care provider’s field of practice~~ of dental hygiene, as determined  
14           by the board with the advice of the council.

15           **SECTION 1065.** 36.61 (3) (a) of the statutes is amended to read:

16           36.61 (3) (a) The board shall enter into a written agreement with the ~~health~~  
17           ~~care provider~~ dental hygienist. In the agreement, the ~~health care provider~~ dental  
18           hygienist shall agree to practice at least 32 clinic hours per week for 3 years in one  
19           or more ~~eligible practice~~ dental health shortage areas in this state or in a rural area,  
20           except that a ~~health care provider in the expanded loan assistance program under~~  
21           ~~sub. (8) who is not a dental hygienist may only agree to practice at a public or private~~  
22           ~~nonprofit entity in a health professional shortage area.~~

23           **SECTION 1066.** 36.61 (5) (b) 1. of the statutes is amended to read:

24           36.61 (5) (b) 1. The degree to which there is an extremely high need for medical  
25           care in the ~~eligible practice area, health professional shortage area, or rural area in~~

**ASSEMBLY BILL 40****SECTION 1066**

1 ~~which an eligible applicant who is not a dental hygienist desires to practice and the~~  
2 ~~degree to which there is an extremely high need for dental care in the dental health~~  
3 ~~shortage area or rural area in which an eligible applicant who is a dental hygienist~~  
4 ~~desires to practice.~~

5 **SECTION 1067.** 36.61 (5) (b) 2. of the statutes is amended to read:

6 36.61 (5) (b) 2. The likelihood that an eligible applicant will remain in the  
7 ~~eligible practice dental health shortage area, health professional shortage area, or~~  
8 ~~rural area in which he or she desires to practice after the loan repayment period.~~

9 **SECTION 1068.** 36.61 (5) (b) 3. of the statutes is amended to read:

10 36.61 (5) (b) 3. The per capita income of the ~~eligible practice dental health~~  
11 ~~shortage area, health professional shortage area, or rural area in which an eligible~~  
12 ~~applicant desires to practice.~~

13 **SECTION 1069.** 36.61 (5) (b) 4. of the statutes is amended to read:

14 36.61 (5) (b) 4. The financial or other support for ~~health care provider dental~~  
15 ~~hygienist recruitment and retention provided by individuals, organizations or local~~  
16 ~~governments in the eligible practice dental health shortage area, health professional~~  
17 ~~shortage area, or rural area in which an eligible applicant desires to practice.~~

18 **SECTION 1070.** 36.61 (5) (b) 5. of the statutes is amended to read:

19 36.61 (5) (b) 5. The geographic distribution of the ~~health care providers dental~~  
20 ~~hygienists who have entered into loan repayment agreements under this section and~~  
21 ~~the geographic location of the eligible practice dental health shortage area, health~~  
22 ~~professional shortage area, or rural area in which an eligible applicant desires to~~  
23 ~~practice.~~

24 **SECTION 1071.** 36.61 (5) (c) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1071**

1           36.61 (5) (c) An agreement under sub. (3) does not create a right of action  
2 against the state on the part of the ~~health-care provider~~ dental hygienist or the  
3 lending institution for failure to make the payments specified in the agreement.

4           **SECTION 1072.** 36.61 (6m) (a) (intro.) of the statutes is amended to read:

5           36.61 (6m) (a) (intro.) The board shall, by rule, establish penalties to be  
6 assessed by the board against ~~health-care providers~~ dental hygienists who breach an  
7 agreement entered into under sub. (3) (a). The rules shall do all of the following:

8           **SECTION 1073.** 36.61 (7) (a) of the statutes is amended to read:

9           36.61 (7) (a) Identify communities with an extremely high need for ~~health-care,~~  
10 ~~including~~ dental health care.

11          **SECTION 1074.** 36.61 (7) (b) of the statutes is amended to read:

12          36.61 (7) (b) Publicize the program under this section to ~~health-care providers~~  
13 dental hygienists and eligible communities.

14          **SECTION 1075.** 36.61 (7) (c) of the statutes is amended to read:

15          36.61 (7) (c) Assist ~~health-care providers~~ dental hygienists who are interested  
16 in applying for the program under this section.

17          **SECTION 1076.** 36.61 (7) (d) of the statutes is amended to read:

18          36.61 (7) (d) Assist communities in obtaining the services of ~~health-care~~  
19 ~~providers~~ dental hygienists through the program under this section.

20          **SECTION 1077.** 36.61 (7) (e) of the statutes is amended to read:

21          36.61 (7) (e) Notwithstanding subs. (3) (b) and (5) (a) and (b), ensure that  
22 moneys appropriated under s. 20.285 (1) (qj) are used under this section only to repay  
23 loans on behalf of ~~health-care providers~~ dental hygienists who agree to practice in  
24 a rural area.

25          **SECTION 1078.** 36.61 (8) (intro.) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1078**

1           36.61 (8) EXPANDED LOAN ASSISTANCE PROGRAM. (intro.) The board may agree to  
2 repay loans as provided under this section on behalf of a ~~health care provider~~ dental  
3 hygienist under an expanded ~~health care provider~~ dental hygienist loan assistance  
4 program that is funded through federal funds in addition to state matching funds.  
5 To be eligible for loan repayment under the expanded ~~health care provider~~ dental  
6 hygienist loan assistance program, a ~~health care provider~~ dental hygienist must  
7 fulfill all of the requirements for loan repayment under this section, as well as all of  
8 the following:

9           **SECTION 1079.** 36.61 (8) (a) of the statutes is amended to read:

10          36.61 (8) (a) The ~~health care provider~~ dental hygienist must be a U.S. citizen.

11          **SECTION 1080.** 36.61 (8) (b) of the statutes is amended to read:

12          36.61 (8) (b) The ~~health care provider~~ dental hygienist may not have a  
13 judgment lien against his or her property for a debt to the United States.

14          **SECTION 1081.** 36.61 (8) (c) (intro.) of the statutes is amended to read:

15          36.61 (8) (c) (intro.) The ~~health care provider~~ dental hygienist must agree to  
16 do all of the following:

17          **SECTION 1082.** 36.61 (8) (c) 2. of the statutes is amended to read:

18          36.61 (8) (c) 2. Use a sliding fee scale or a comparable method of determining  
19 payment arrangements for patients who are not eligible for medicare or medical  
20 assistance and who are unable to pay the customary fee for the ~~health care provider's~~  
21 dental hygienist's services.

22          **SECTION 1083.** 36.61 (8) (c) 3. of the statutes is amended to read:

23          36.61 (8) (c) 3. Practice at a public or private nonprofit entity ~~in a health~~  
24 ~~professional shortage area, if the health care provider is not a dental hygienist, or~~  
25 ~~in a dental health shortage area, if the health care provider is a dental hygienist.~~

**ASSEMBLY BILL 40**

1           **SECTION 1084.** 36.62 (1) of the statutes is amended to read:

2           36.62 (1) Advise the board on matters related to the ~~physician and dentist loan~~  
3           assistance program under s. 36.60 and the ~~health care provider~~ dental hygienist loan  
4           assistance program under s. 36.61.

5           **SECTION 1085.** 36.62 (2) of the statutes is amended to read:

6           36.62 (2) Advise the board on the amount, up to \$25,000, to be repaid on behalf  
7           of each ~~health care provider~~ dental hygienist who participates in the ~~health care~~  
8           ~~provider~~ dental hygienist loan assistance program under s. 36.61.

9           **SECTION 1086.** 36.63 of the statutes is renumbered 37.63, and 37.63 (3) and (4)  
10          (b) 1., as renumbered, are amended to read:

11          37.63 (3) Annually by December 1, the department shall submit a plan for  
12          increasing the number of physician residency programs that include a majority of  
13          training experience in a rural area to the Rural Wisconsin Health Cooperative, the  
14          Wisconsin Hospital Association, and the Wisconsin Medical Society. The plan shall  
15          include a detailed proposed budget for expending the moneys appropriated to the  
16          board under s. ~~20.285~~ 20.280 (1) (qe) and demonstrate that the moneys do not  
17          supplant existing funding. The department shall consider comments made by the  
18          organizations in formulating its final budget.

19          (4) (b) 1. The number of such physician residency positions funded in whole or  
20          in part under this section ~~or s. 36.63, 2009 stats.,~~ in the previous fiscal year.

21          **SECTION 1087.** Chapter 37 of the statutes is created to read:

22   **CHAPTER 37**

23                                   **UNIVERSITY OF WISCONSIN-MADISON**

24          **37.001 Statement of purpose and mission.** (1) The University of  
25          Wisconsin–Madison continues to be this state’s comprehensive teaching and

**ASSEMBLY BILL 40****SECTION 1087**

1 research university, with a statewide, national, and international mission, offering  
2 programs at the undergraduate, graduate, and professional levels in a wide range  
3 of fields while engaging in extensive scholarly research, continuing adult education,  
4 and public service.

5       **(2)** The primary purpose of the university is to provide a learning environment  
6 in which faculty, staff, and students may discover, examine critically, preserve, and  
7 transmit the knowledge, wisdom, and value that will help ensure the survival of this  
8 and future generations and improve the quality of life for all. The university seeks  
9 to help students develop an understanding of and appreciation for the complex  
10 cultural and physical worlds in which they live and to realize their highest potential  
11 of intellectual, physical, and human development. It also seeks to attract and serve  
12 students from diverse social, economic, and ethnic backgrounds and to be sensitive  
13 and responsive to those groups that have been underserved by higher education.

14       **37.01 Definitions.** In this chapter:

15       **(1)** “Academic staff” means those university employees who, immediately prior  
16 to the effective date of this subsection .... [LRB inserts date], were designated as  
17 academic staff of the University of Wisconsin–Madison under ch. 36, 2009 stats., and  
18 those university employees hired as or designated as academic staff by the board.

19       **(1m)** “Authority” means the authority created in this chapter.

20       **(2)** “Board” means the Board of Trustees of the authority.

21       **(3)** “Board of Regents” means the Board of Regents of the system.

22       **(4)** “Campus” means the publicly owned or leased buildings and grounds that  
23 comprise all or part of the university.

24       **(5)** “Chancellor” means the chief executive of the university.



**ASSEMBLY BILL 40****SECTION 1087**

1           **(6)** “Faculty” means persons who hold the rank of professor, associate professor,  
2           assistant professor, or instructor in an academic department or its functional  
3           equivalent in the university and such other employees as may be designated by the  
4           chancellor and faculty.

5           **(7)** “Student” means any person who is registered for study in the university  
6           for the current academic period. For the purpose of administering particular  
7           programs or functions involving students, the board shall adopt rules defining  
8           continuation or termination of student status during periods between academic  
9           periods.

10          **(8)** “System” means the University of Wisconsin System.

11          **(9)** “University” means the university operated by the board under this  
12          chapter.

13          **37.02 University of Wisconsin–Madison: creation; organization of**  
14          **Board of Trustees. (1)** (a) There is created an authority, which is a public body  
15          corporate and politic, to be known as the “University of Wisconsin–Madison.” The  
16          board shall consist of the following:

17                1. The following members, at least 7 of whom shall be university alumni,  
18                appointed by the governor for 3–year terms:

19                    a. One member of the Board of Regents.

20                    b. One member who represents agricultural interests in this state.

21                    c. Nine additional members.

22                2. The following members appointed for 3–year terms:

23                    a. Two faculty members selected by the faculty.

24                    b. One university employee who is not a faculty member, selected by university  
25                employees who are not faculty.

**ASSEMBLY BILL 40****SECTION 1087**

1           c. Two university alumni selected by the Wisconsin Alumni Research  
2 Foundation board.

3           d. Two university alumni selected by the Wisconsin Alumni Association board.

4           e. Two university alumni selected by the University of Wisconsin Foundation  
5 board.

6           3. One student enrolled in the university, selected by students enrolled in the  
7 university, for a 2-year term.

8           4. The chancellor, who shall serve as a nonvoting member.

9           (b) Members appointed under par. (a) 1. c. and 2. c., d., and e. shall have a  
10 demonstrated commitment to the welfare of the university and shall have  
11 management experience or possess expertise in aspects of the university's mission,  
12 such as undergraduate, graduate, and professional education, research, intellectual  
13 property, support of existing industries, new business startups, and public service.

14           (c) Members appointed under par. (a) 1. and 2. may serve no more than 2  
15 consecutive terms. The member appointed under par. (a) 3. may serve no more than  
16 one term.

17           **(2)** A vacancy on the board shall be filled in the same manner as the original  
18 appointment to the board for the remainder of the unexpired term, if any.

19           **(3)** A member of the board may not be compensated for his or her services but  
20 may be reimbursed for actual and necessary expenses, including travel expenses,  
21 incurred in the performance of his or her duties.

22           **(4)** No cause of action of any nature may arise against and no civil liability may  
23 be imposed upon a member of the board for any act or omission in the performance  
24 of his or her powers and duties under this chapter, unless the person asserting  
25 liability proves that the act or omission constitutes willful misconduct.

**ASSEMBLY BILL 40****SECTION 1087**

1           **(5)** The members of the board shall annually elect a chairperson and may elect  
2 other officers as they consider appropriate. Eleven voting members of the board  
3 constitute a quorum for the purpose of conducting the business and exercising the  
4 powers of the authority, notwithstanding the existence of any vacancy. The board  
5 may take action upon a vote of a majority of the members present, unless the bylaws  
6 of the authority require a larger number.

7           **(6)** The board shall appoint a chancellor to serve as chief executive officer of the  
8 university. The chancellor serves at the pleasure of the board. The chancellor shall  
9 receive such compensation as the board fixes.

10           **(6m)** The board shall appoint a secretary of the board, who shall keep a record  
11 of all its transactions.

12           **(7)** The state treasurer shall be the treasurer of the board for those moneys  
13 appropriated to the board under s. 20.280.

14           **(8) (a)** The board shall provide in its operating policies for access to the board  
15 by the public, faculty, students, and employees.

16           **(b)** The board meetings shall be open and all records of such meetings and of  
17 all proceedings of the board shall be open to inspection in accordance with subchs.  
18 II and V of ch. 19.

19           **37.03 Responsibilities. (1) BOARD.** **(a)** The primary responsibility for  
20 governance of the authority is vested in the board, which shall operate a university  
21 at or near the seat of government, and adopt policies for governing the university.

22           **(b)** The board shall determine the educational programs to be offered by the  
23 university and may discontinue educational programs as it deems necessary.

24           **(c)** The board shall appoint a chancellor; faculty; other employees; the state  
25 geologist; the director of the laboratory of hygiene; the director of the psychiatric

**ASSEMBLY BILL 40****SECTION 1087**

1 institute; and the state cartographer; and fix the salaries, the duties, and the term  
2 of office for each. No sectarian or partisan tests or any tests based upon race, color,  
3 creed, religion, national origin, sex, disability, ancestry, age, sexual orientation,  
4 pregnancy, marital status, or parental status shall ever be allowed or exercised in the  
5 appointment of the employees of the university.

6 (d) The board shall delegate to the chancellor the responsibility for the  
7 administration and operation of the university within the policies and guidelines  
8 established by the board.

9 (e) In order to provide for the evaluation of the quality and effectiveness of the  
10 university, the board shall prepare an accountability report measuring its  
11 performance in such areas as the access and affordability of the university, student  
12 achievement, the research efforts of the university, the economic impact of the  
13 university on the state, the services provided by the university to the residents of the  
14 state, and the financial accountability of the university's operations. By July 1, 2013,  
15 and biennially thereafter, the board shall submit the accountability report to the  
16 governor and shall post the report prominently on its Web site.

17 **(2) CHANCELLOR.** The chancellor shall be the executive head of the faculty and  
18 the university, shall be vested with the responsibility of administering board policies,  
19 and shall be accountable and report to the board on the operation and administration  
20 of the university. Subject to board policy, the chancellor, in consultation with the  
21 faculty, is responsible for designing curricula and setting degree requirements;  
22 determining academic standards and establishing grading systems; defining and  
23 administering institutional standards for faculty peer evaluation and screening  
24 candidates for appointment, promotion, and tenure; recommending individual merit  
25 increases; administering associated auxiliary services; and administering all funds,

**ASSEMBLY BILL 40****SECTION 1087**

1 from whatever source, allocated, generated, or intended for use of the university. The  
2 chancellor may designate a person as provost, to act as chief executive officer of the  
3 university in the chancellor's absence.

4 **(3) FACULTY.** The faculty, subject to the responsibilities and powers of the board  
5 and the chancellor, shall be vested with responsibility for the immediate governance  
6 of the university and shall actively participate in university policy development. As  
7 such, the faculty has the primary responsibility for academic and educational  
8 activities and faculty personnel matters. The faculty have the right to determine  
9 their own faculty organizational structure and to select representatives to  
10 participate in university governance.

11 **(4) ACADEMIC STAFF.** The academic staff, subject to the responsibilities and  
12 powers of the board, the chancellor, and the faculty, shall be active participants in  
13 the immediate governance of and policy development for the university. The  
14 academic staff have the primary responsibility for the formulation and review, and  
15 shall be represented in the development, of all policies and procedures concerning  
16 the academic staff, including academic staff personnel matters. The academic staff  
17 have the right to organize themselves in a manner they determine and to select their  
18 representatives to participate in university governance.

19 **(5) STUDENTS.** The students, subject to the responsibilities and powers of the  
20 board, the chancellor, and the faculty, shall be active participants in the immediate  
21 governance of and policy development for the university. As such, students have  
22 primary responsibility for the formulation and review of policies concerning student  
23 life, services, and interests. In consultation with the chancellor and subject to the  
24 final confirmation of the board, students have the responsibility for the disposition  
25 of those student fees that constitute substantial support for campus student

**ASSEMBLY BILL 40****SECTION 1087**

1 activities. The students have the right to organize themselves in a manner they  
2 determine and to select their representatives to participate in university  
3 governance.

4 **37.11 Powers and duties of the board. (1)** GENERALLY. The board shall have  
5 all the powers necessary or convenient to carry out the purposes and provisions of  
6 this chapter. In addition to all other powers granted the board under this chapter,  
7 the board may specifically:

8 (a) Adopt, amend, and repeal any bylaws, policies, and procedures for the  
9 regulation of its affairs and the conduct of its business.

10 (b) Have a seal and alter the seal at pleasure.

11 (c) Maintain an office.

12 (d) Accept gifts, grants, loans, or other contributions from private or public  
13 sources.

14 (e) Establish the university's annual budget and monitor the fiscal  
15 management of the university.

16 (f) Execute contracts and other instruments required for the operation of the  
17 university.

18 **(1g)** PERSONNEL SYSTEM. The board shall develop and implement a personnel  
19 system, effective July 1, 2012, that is separate and distinct from the system created  
20 under ch. 230. The board shall develop and implement the system with the active  
21 participation of the faculty and academic staff as provided in s. 37.03 (3) and (4). In  
22 developing the personnel system, the board shall provide for the transfer of classified  
23 civil service employees to the university personnel system as necessary upon the  
24 effective date of its implementation.

**ASSEMBLY BILL 40****SECTION 1087**

1           **(1m)** PROTECTION OF PEOPLE; CUSTODY AND MANAGEMENT OF PROPERTY. (a) The  
2 board may promulgate rules to protect the lives, health, and safety of persons on  
3 property under its jurisdiction and to protect such property and to prevent  
4 obstruction of the functions of the university. Any person who violates any rule  
5 promulgated under this paragraph may be fined not more than \$500 or imprisoned  
6 for not more than 90 days or both.

7           (b) Except as provided in this paragraph, the board may purchase, have custody  
8 of, hold, control, possess, lease, grant easements, and enjoy any lands, buildings,  
9 books, records, and all other property of any nature that may be necessary and  
10 required for the purposes, objects, and uses of the university authorized by law. Any  
11 lease is subject to the powers of the University of Wisconsin Hospitals and Clinics  
12 Authority under s. 233.03 (13) and the rights of the authority under any lease  
13 agreement, as defined in s. 233.01 (6). The board may sell or dispose of such property  
14 as provided by law, or any part thereof when in its judgment it is for the best interests  
15 of the university and the state.

16           (c) The board may promulgate rules for the management of all property under  
17 its jurisdiction, for the care and preservation thereof, and for the promotion and  
18 preservation of the orderly operation of the university in any or all of its authorized  
19 activities with forfeitures for their violation, which may be sued for and collected in  
20 the name of the board before any court having jurisdiction of such action. Forfeitures  
21 shall not exceed \$500.

22           (cm) The board shall promulgate rules prescribing the times, places, and  
23 manner in which political literature may be distributed and political campaigning  
24 may be conducted in state-owned residence halls. No such rule may authorize any  
25 activity prohibited under s. 11.36 (3) or (4).

**ASSEMBLY BILL 40****SECTION 1087**

1 (d) All fines imposed and collected under this subsection shall be transmitted  
2 to the county treasurer for disposition in accordance with s. 59.25 (3) (f) and (j). All  
3 forfeitures, including forfeitures of posted bail if any, imposed and collected under  
4 this subsection shall be transmitted to the county treasurer for disposition in  
5 accordance with ss. 778.13 and 778.17.

6 **(2) POLICE AUTHORITY.** (a) The board shall have concurrent police power, with  
7 other authorized peace officers, over all property subject to its jurisdiction. Such  
8 concurrent police authority shall not be construed to reduce or lessen the authority  
9 of the police power of the community or communities in which the university is  
10 located. All university police officers shall cooperate with and be responsive to the  
11 local police authorities as they meet and exercise their statutory responsibilities.  
12 The designated agents of the board may arrest, with or without warrant, any person  
13 on such property who they have reasonable grounds to believe has violated a state  
14 law or any rule promulgated under sub. (1m) (a), (c), or (cm) or (8) and deliver such  
15 person to any court having jurisdiction over the violation and execute a complaint  
16 charging such person with the violation. This subsection does not impair the duty  
17 of any other peace officers within their jurisdictions to arrest and take before the  
18 proper court persons found violating any state law on such property.

19 (b) The board may employ police for the university and a chief to head such  
20 police, or contract for police, all of whom shall be deemed peace officers under s.  
21 939.22 (22) under the supervision and control of the chancellor or the chancellor's  
22 designee. Such police officers shall meet the minimum standards established for  
23 other police officers by the law enforcement standards board or a comparable agency.  
24 Such police shall preserve the peace on all property described under par. (a), enforce  
25 all rules promulgated under subs. (1) (a), (c), and (cm) and (8) and all other laws, and



**ASSEMBLY BILL 40****SECTION 1087**

1 for that purpose the chancellor or the chancellor's designee may call for aid from such  
2 other persons as is deemed necessary.

3 **(3) ADMISSION OF APPLICANTS.** (a) The board shall establish the policies for  
4 admission to the university and within these policies shall establish specific  
5 requirements for admission to its courses of instruction. No sectarian or partisan  
6 tests or any tests based upon race, religion, color, creed, national origin of U.S.  
7 citizens, sex, disability, ancestry, age, sexual orientation, pregnancy, marital status,  
8 or parental status shall ever be allowed in the admission of students.

9 (b) The board may establish policies for the appropriate transfer of credits with  
10 other educational institutions.

11 **(4) INJUNCTIVE RELIEF.** The board may obtain injunctive relief to enforce any  
12 rules promulgated under sub. (1m) (a), (c) or (cm) or sub. (8).

13 **(5) INSURANCE.** (a) The board may procure liability insurance covering the  
14 members of the board, any officer, employee, or such students whose activities may  
15 constitute an obligation or responsibility of the university.

16 (b) The board may procure insurance to cover injuries sustained by students  
17 as a result of their participation in intercollegiate athletics. The board may not use  
18 general purpose revenue to pay for such insurance. With respect to any of the risks  
19 to be covered by the insurance, the board may contract for the services of a claims  
20 administrator and may obtain coverage by any combination of self-insurance, excess  
21 or stop-loss insurance, or blanket insurance.

22 **(6) FINANCIAL AIDS.** (a) The board may:

23 1. Make grants to students from funds budgeted to or controlled by the  
24 university and formulate policies and adopt rules for the grants.

**ASSEMBLY BILL 40****SECTION 1087**

1           2. Make grants equivalent in value to the payment of incidental fees to disabled  
2 residents of the state who are recommended and supervised by the department of  
3 workforce development under s. 47.02.

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

9           **(7) CONFER DEGREES.** The board may confer such degrees and grant such  
10 diplomas as are usual in universities or as it deems appropriate.

11           **(8) PARKING RULES.** (a) The board may make general policies and shall  
12 authorize the chancellor to promulgate rules regulating the parking of motor  
13 vehicles on property under its jurisdiction.

14           (b) The board shall establish fines for the violation of any rule promulgated  
15 under par. (a). The university may collect such fines together with moneys collected  
16 from the sale of parking permits and other fees established under par. (a), to be used  
17 only for the purpose of developing and operating parking or other transportation  
18 facilities at the university and for enforcing parking rules under par. (a).

19           **(8e) PARKING FEES.** The board shall charge a parking fee for the parking of  
20 motor vehicles by students, employees, and visitors at campus. The board may  
21 require the fee to be sufficient to recover the costs of the construction and  
22 maintenance necessary for the parking facilities. Nothing in this subsection  
23 requires the recovery of the costs of land for parking facilities. Nothing in this  
24 subsection requires that all users of the parking facilities be charged a parking fee.

**ASSEMBLY BILL 40****SECTION 1087**

1           **(8m)** TRANSPORTATION PLANNING. The board shall work with the regional  
2           planning commissions and the local authorities of the community in which the  
3           university is located to evaluate the transportation needs of the university  
4           population. The board shall develop a transportation plan for the university to effect  
5           energy resource conservation and efficient use of transportation resources. The plan  
6           shall include pedestrian walkways, bikeways, bike routes, bicycle storage racks, car  
7           and van pools, and, to the extent feasible, improved mass transit services. The  
8           transportation plans shall detail parking management strategies that provide  
9           incentives for the use of mass transit and high occupancy vehicles.

10           **(9)** CONDEMNATION. The board may acquire by condemnation proceedings  
11           under ch. 32 such parcels of land as it deems necessary for the use of the university  
12           whenever the board is unable to agree with the owner upon the compensation  
13           therefor, or whenever the absence or legal incapacity of such owner, or other cause,  
14           prevents or unreasonably delays such agreement.

15           **(11)** SURPLUS MONEY. The board may invest any surplus money in such  
16           securities as are legal for trust fund investments; or invest such funds or any part  
17           thereof, in the senior or junior bonds or obligations that may be issued by such  
18           nonprofit-sharing corporation as may be contracted with by the board for the  
19           construction or equipment of dormitories, commons, or field houses, which bonds or  
20           obligations shall be secured by a mortgage or pledge of the buildings or  
21           improvements erected or to be erected by such corporations and by a mortgage or  
22           pledge of its leasehold interest. Any interest on any of such bonds or securities shall  
23           when received be added to the revolving funds and may be used for the purposes set  
24           forth in this subsection.

**ASSEMBLY BILL 40****SECTION 1087**

1           **(12) LIBRARY DEPOSITORY.** (a) The board may participate in the formation and  
2 maintenance of a nonprofit-sharing corporation sponsored by participating colleges,  
3 universities, and libraries for the purpose of providing and operating a central  
4 library depository at a location in a midwestern state for the storage of little used  
5 books and other library and research materials of participating institutions, and  
6 which corporation may also perform other functions for the benefit of participating  
7 institutions such as, without limitation because of enumeration, the correlating of  
8 library catalogs of the participating institutions, the coordinating and planning of  
9 the purchasing by each institution of costly or infrequently used books and research  
10 materials in order to avoid unnecessary duplication, and facilitating the loaning of  
11 library books and other library and research materials between participating  
12 institutions. The board shall possess all powers necessary or convenient to  
13 accomplish the foregoing, including the authority to designate representatives or  
14 members of such corporation in accordance with its articles and bylaws.

15           (b) The board may make use of and pay for the use of the facilities and services  
16 of such nonprofit-sharing corporation, but the board shall retain title to all books  
17 and materials deposited with such corporation for storage or loaned to other  
18 participating institutions. The appropriations to the board are to be available for the  
19 purposes of this subsection to the extent that such appropriations may be applicable.

20           **(13) AUXILIARY RESERVES.** Auxiliary enterprise reserve funds established prior  
21 to merger of this state's public institutions of higher education for the benefit or  
22 support of an institution or group of institutions shall not be utilized for any other  
23 purpose.

24           **(15) TAX DEFERRED ANNUITIES.** The board may continue all salary reduction  
25 agreements with its employees pursuant to section 403 (b) of the Internal Revenue

**ASSEMBLY BILL 40****SECTION 1087**

1 Code. The board may enter into new salary reduction agreements with its employees  
2 pursuant to section 403 (b) of the Internal Revenue Code or other applicable federal  
3 law and may purchase annuities for its employees pursuant to these agreements  
4 from such annuity providers, both public and private, as the board deems  
5 appropriate.

6 **(15m)** FOOTBALL COACHES PENSION PLAN. The board may deduct contributions  
7 from the salaries of football coaches employed in the university who are eligible and  
8 wish to participate in the qualified pension plan for football coaches established as  
9 the American football coaches retirement trust, and remit the deductions to the  
10 administrator of that plan, if the American football coaches retirement trust or the  
11 administrator or agent of the plan indemnifies the board and its employees against,  
12 and holds the board and its employees harmless from, all claims and demands  
13 associated with the plan.

14 **(17)** SABBATICAL LEAVE FOR INSTRUCTIONAL FACULTY. The board may grant  
15 sabbatical leave of up to one year to university faculty, in order to recognize and  
16 enhance teaching efforts and excellence, under rules and procedures adopted by the  
17 board, subject to the following conditions:

18 (a) Sabbatical leave may be granted only to those faculty members who have  
19 completed 6 or more years, or the equivalent, of full-time instructional service in the  
20 university.

21 (b) Only one sabbatical leave may be granted for each 6 years of full-time  
22 instructional service in the university with preference given to those who have been  
23 making significant contributions to teaching and have not had a leave of absence  
24 except under s. 103.10, regardless of source of funding, in the previous 4 years.

**ASSEMBLY BILL 40****SECTION 1087**

1 (c) Sabbatical leave shall be granted for the purposes of enhancing teaching,  
2 course and curriculum development, or conducting research or any other scholarly  
3 activities related to instructional programs within the field of expertise of the faculty  
4 member taking such leave.

5 (d) Sabbatical leave shall be approved by appropriate faculty and  
6 administrative committees.

7 (e) A faculty member shall receive compensation while on sabbatical leave, but  
8 such compensation, when combined with outside compensation earned while on  
9 leave, shall not exceed the full compensation normally received from the university.

10 (f) The faculty member taking a sabbatical leave shall agree to return to the  
11 university for at least one year after the termination of the sabbatical or return any  
12 compensation received from the university during the sabbatical.

13 **(21)** CONTROLLED SUBSTANCES AND CONTROLLED SUBSTANCE ANALOGS; DISCIPLINE.  
14 Any student who engages in an activity, on campus or at an event sponsored by the  
15 university, that constitutes a violation of ch. 961 is subject to nonacademic  
16 misconduct disciplinary sanctions, as provided by the board by rule. In determining  
17 the appropriate sanction, the board or its designee shall consider those penalties,  
18 including suspension and expulsion, that will contribute most effectively to  
19 maintaining a university environment that is free from controlled substances, as  
20 defined in s. 961.01 (4), and controlled substance analogs, as defined in s. 961.01  
21 (4m).

22 **(22)** ORIENTATION PROGRAM; INFORMATION ON SEXUAL ASSAULT AND SEXUAL  
23 HARASSMENT. (a) The board shall do all of the following:

24 1. Incorporate in the orientation program for newly entering students oral and  
25 written or electronic information on sexual assault and sexual harassment, as

**ASSEMBLY BILL 40****SECTION 1087**

1 defined in s. 111.32 (13), including information on sexual assault by acquaintances  
2 of the victims and on all of the following:

3 a. The legal definitions of, and penalties for, sexual assault under ss. 940.225,  
4 948.02, and 948.025, sexual exploitation by a therapist under s. 940.22, and  
5 harassment under s. 947.013.

6 b. Generally available national and state statistics, and university statistics  
7 as compiled under par. (c) and as reported under par. (d), on sexual assaults and on  
8 sexual assaults by acquaintances of the victims.

9 c. The rights of victims under ch. 950 and the services available at the  
10 university and in the community to assist a student who is the victim of sexual  
11 assault or sexual harassment.

12 d. Protective behaviors, including methods of recognizing and avoiding sexual  
13 assault and sexual harassment and locations in the community where courses on  
14 protective behaviors are provided.

15 2. Annually supply to all students enrolled in the university printed or  
16 electronic material that includes all of the information under subd. 1.

17 (b) Annually, the board shall submit a report to the chief clerk of each house  
18 of the legislature for distribution to the appropriate standing committees under s.  
19 13.172 (3). The report shall indicate the methods the university has used to comply  
20 with par. (a).

21 (c) Any person employed at the university who witnesses a sexual assault on  
22 campus or receives a report from a student enrolled in the university that the student  
23 has been sexually assaulted shall report to the dean of students. The dean of  
24 students shall compile reports for the purpose of disseminating statistical  
25 information under par. (a) 1. b.

**ASSEMBLY BILL 40****SECTION 1087**

1 (d) Annually, the university shall report to the office of justice assistance in the  
2 department of administration statistics on sexual assaults and on sexual assaults by  
3 acquaintances of the victims that occurred on campus in the previous year. The office  
4 of justice assistance shall include the statistics in appropriate crime reports  
5 published by the office.

6 **(26) BUILDING PROGRAM PLANNING AND APPROVAL.** The board shall establish a  
7 process for submission of building projects to the building commission for approval.  
8 No building project for the university may be submitted by the board to the building  
9 commission unless the project is developed and approved by the board in conformity  
10 with this subsection. This subsection does not apply to building projects of the  
11 University of Wisconsin Hospitals and Clinics Authority.

12 **(27) CONDITION ON FINANCIAL ASSISTANCE.** The board may not provide any state  
13 financial assistance under this chapter to any person during the period that the  
14 person is required to register with the selective service system under 50 USC,  
15 Appendix, sections 451 to 473 if the person has not so registered.

16 **(47) ARMED FORCES.** If a student who is a member of a national guard or a  
17 member of a reserve unit of the U.S. armed forces withdraws from school after  
18 September 11, 2001, because he or she is called into state active duty or into active  
19 service with the U.S. armed forces for at least 30 days, the board shall reenroll the  
20 student beginning in the semester in which he or she is discharged, demobilized, or  
21 deactivated from active duty or the next succeeding semester, whichever the student  
22 prefers, shall give the student the same priority in registering for courses that the  
23 student would have had if he or she had registered for courses at the beginning of the  
24 registration period, and, at the student's request, do one of the following for all  
25 courses from which the student had to withdraw:



**ASSEMBLY BILL 40****SECTION 1087**

1 (a) Reimburse the student all tuition and fees paid for all the courses and a  
2 prorated portion of room and board payments.

3 (b) Grant the student an incomplete in all the courses and permit the student  
4 to complete the courses, within 6 months after leaving state service or active service,  
5 without paying additional tuition or fees.

6 **(50) RESERVE OFFICER TRAINING CORPS.** The board may not prohibit the reserve  
7 officer training corps from operating on its campus.

8 **(51) AUTOMOBILE ALLOWANCE.** The board may not use general purpose revenue,  
9 tuition, or academic fees for the chancellors' automobile allowance.

10 **37.12 Student discrimination prohibited. (1)** No student may be denied  
11 admission to, participation in, or the benefits of, or be discriminated against in any  
12 service, program, course, or facility of, the university because of the student's race,  
13 color, creed, religion, sex, national origin, disability, ancestry, age, sexual  
14 orientation, pregnancy, marital status, or parental status.

15 **(2) (a)** The board shall establish policies and procedures to protect students  
16 from discrimination under sub. (1). The policies and procedures shall do all of the  
17 following:

18 1. Provide criteria for determining whether sub. (1) has been violated.

19 2. Provide remedies and sanctions for violations of sub. (1).

20 3. Require a complainant to file a complaint with the university within 300  
21 days of the alleged violation of sub. (1).

22 4. Provide periods within which the complainant and the university must act  
23 for each procedural step leading to the issuance of a final decision and for appeal of  
24 the final decision to the chancellor.

**ASSEMBLY BILL 40****SECTION 1087**

1 (b) The board shall establish policies and procedures for the appeal of the  
2 chancellor's decision to the board.

3 **37.13 Faculty tenure and probationary appointments. (1) DEFINITIONS.**

4 In this section:

5 (a) "Probationary appointment" means an appointment by the board held by  
6 a faculty member during the period that may precede a decision on a tenure  
7 appointment.

8 (b) "Tenure appointment" means an appointment for an unlimited period  
9 granted to a faculty member by the board.

10 **(2) APPOINTMENTS.** (a) Except as provided under par. (b), the board may grant  
11 a tenure appointment only upon the affirmative recommendation of the chancellor  
12 and the appropriate academic department or its functional equivalent. Neither the  
13 chancellor nor the academic department or its functional equivalent may base a  
14 tenure recommendation upon impermissible factors, as defined by the board by rule.

15 (b) The board may grant a tenure appointment without the affirmative  
16 recommendation of the appropriate academic department or its functional  
17 equivalent if all of the following apply:

- 18 1. The board has the affirmative recommendation of the chancellor.
- 19 2. A faculty committee authorized by the board by rule to review the negative  
20 recommendation of the academic department or its functional equivalent finds that  
21 the decision of the academic department or its functional equivalent was based upon  
22 impermissible factors, as defined by the board by rule.
- 23 3. The board has the affirmative recommendation of a committee appointed  
24 according to the policies and procedures of the university to review the individual's  
25 record with reference to criteria for tenure published by the university under

**ASSEMBLY BILL 40****SECTION 1087**

1 procedures established by the board by rule. No person may be appointed to the  
2 committee under this subdivision unless the person is knowledgeable or experienced  
3 in the individual's academic field or in a substantially similar academic field. No  
4 member of the committee appointed under this subdivision may be a member of the  
5 academic department, or its functional equivalent, that made the negative  
6 recommendation. The committee appointed under this subdivision may not base its  
7 tenure recommendation upon impermissible factors, as defined by the board by rule.

8 (c) A tenure appointment may be granted to any faculty member who holds or  
9 will hold a half-time appointment or more. The proportion of time provided for in the  
10 appointment may not be diminished nor increased without the mutual consent of the  
11 faculty member and the university subject only to sub. (5) and s. 37.21.

12 (d) A probationary appointment shall not exceed 7 consecutive academic years  
13 in a full-time position. A leave of absence, sabbatical or a teacher improvement  
14 assignment does not constitute a break in continuous service and shall not be  
15 included in the 7-year period. The board may adopt rules specifying additional  
16 circumstances that do not constitute a break in continuous service and that shall not  
17 be included in the 7-year period.

18 **(3) RULES.** The board and the faculty shall adopt rules for tenure and  
19 probationary appointments, for the review of faculty performance and for the  
20 nonretention and dismissal of faculty members.

21 **(4) CONTINUATION OF APPOINTMENT.** (a) Any person who holds a tenure  
22 appointment under ch. 36, 1971 stats., and ch. 37, 1971 stats., and related rules on  
23 July 9, 1974, shall continue to hold tenure as defined under those chapters and  
24 related rules. Any person who holds a tenure appointment under sub. (2) (a) or (b)

**ASSEMBLY BILL 40****SECTION 1087**

1 and related rules on the effective date of this paragraph .... [LRB inserts date], shall  
2 continue to hold tenure under that subsection and related rules.

3 (b) Any person who holds a probationary appointment under sub. (2) (d) and  
4 related rules on the effective date of this paragraph .... [LRB inserts date], shall  
5 continue to enjoy the contractual rights and guarantees as defined under that  
6 paragraph and related rules.

7 (5) PROCEDURAL GUARANTEES. Any person having tenure may be dismissed only  
8 for just cause and only after due notice and hearing. Any person having a  
9 probationary appointment may be dismissed prior to the end of the person's contract  
10 term only for just cause and only after due notice and hearing. The action and  
11 decision of the board in such matters shall be final. The board and the faculty shall  
12 develop procedures for the notice and hearing that shall be adopted by rule.

13 **37.14 Wisconsin distinguished professorships.** (1) The board may  
14 establish distinguished professorships under this section.

15 (2) The board may pay under this section the salary and fringe benefit costs  
16 of the professor holding the distinguished professorship and of any graduate  
17 assistant assigned to the professor, and the equipment, supplies, and travel costs of  
18 the professor and the graduate assistants assigned to the professor.

19 **37.15 Academic staff appointments.** A person having an academic staff  
20 appointment for a term may be dismissed prior to the end of the appointment term  
21 only for just cause and only after due notice and hearing. A person having an  
22 academic staff appointment for an indefinite term who has attained permanent  
23 status may be dismissed only for just cause and only after due notice and hearing.

24 **37.17 Executive appointments.** An appointment to an executive position,  
25 as determined by the board, shall be at the pleasure of the board. A person holding

**ASSEMBLY BILL 40****SECTION 1087**

1 a tenured or academic staff appointment under s. 37.13 or 37.15 does not lose that  
2 appointment by accepting an executive appointment.

3 **37.19 Other appointments. (1)** The board may make or authorize  
4 appointments for former classified service employees, student assistants, and  
5 employees in training, such as residents, interns, post–doctoral fellows, or trainees  
6 or associates.

7 **(2) (a)** Beginning July 1, 2012, all board employees in the classified service who  
8 have been achieved permanent status in class, and who became board employees  
9 before July 1, 2012, may be dismissed only for just cause and only after due notice  
10 and hearing.

11 **(b)** Except for appointments under par. (a), ss. 37.13, 37.15, and 37.17, and  
12 except for limited–term employees, project employees, student assistants,  
13 employees in training such as residents, interns, post–doctoral fellows, or trainees  
14 or associates, all appointments made on or after July 1, 2012, have the procedural  
15 guarantees included in the personnel system implemented by the board under s.  
16 37.11 (1g).

17 **37.21 Lapse of appointments.** Notwithstanding ss. 37.13 (4) and (5), 37.15,  
18 and 37.19 (2), the board may, with appropriate notice, terminate any appointment  
19 when a financial emergency exists. No person may be employed at the university  
20 within 2 years to perform reasonably comparable duties to those of the person whose  
21 appointment was terminated without first offering such person a reappointment.  
22 The board, after consultation with the faculty and chancellor, shall adopt procedures  
23 to be followed in the event of termination under this section.

24 **37.23 Conflict of interest.** No member of the board, or other person  
25 appointed or employed in any position in the university, may at any time act as an

**ASSEMBLY BILL 40****SECTION 1087**

1 agent for any person or organization if the act would create a conflict of interest with  
2 the terms of the person's service in the university. The board shall define conflicts  
3 of interest and adopt policies related thereto.

4 **37.25 Special programs. (2) WISCONSIN RESIDENTS PREFERENCE IN HOUSING.**  
5 Preference as to rooming, boarding, and apartment facilities in the use of living units  
6 operated by the university shall, for the following school year, be given to students  
7 who are residents of this state and who apply before March 15, unless a later date  
8 is set by the board. Such preference shall be granted in accordance with categories  
9 of priority established by the board. Leases or other agreements for occupancy of  
10 such living units shall not exceed a term of one calendar year. The board may  
11 establish requirements for the execution of this subsection.

12 **(3m) SOLID WASTE EXPERIMENT CENTERS.** (a) In this subsection, "solid waste  
13 disposal" has the meaning given in s. 289.01 (34).

14 (b) The board may establish one or more solid waste experiment centers for the  
15 purpose of developing, demonstrating, promoting, and assessing the costs and  
16 environmental effects of alternatives to solid waste disposal. The board shall  
17 determine the location of the solid waste experiment centers. In making the  
18 determination, the board shall consider the solid waste disposal needs of the various  
19 regions of the state. The board may establish, through cooperative agreements, solid  
20 waste experiment centers at existing publicly owned or privately owned storage,  
21 treatment, or disposal facilities.

22 (c) The board shall conduct research into alternatives to solid waste disposal,  
23 including the reuse and recycling of materials, composting, source separation, and  
24 the disposal of household hazardous wastes. The board shall also conduct research  
25 into the safe disposal of solid waste that cannot be composted or recycled. Research

**ASSEMBLY BILL 40****SECTION 1087**

1 conducted under this paragraph shall include technologies suitable for application  
2 to waste streams of less than 50 tons of solid waste per day and shall consider the  
3 environmental effects of the technologies being researched and measures that could  
4 be taken to mitigate such effects. Research conducted under this paragraph shall be  
5 designed for the benefit of all public and private entities responsible for the  
6 collection, storage, transportation, treatment, or disposal of solid waste and all  
7 persons who generate solid waste.

8 **(5) STATE EDUCATIONAL RADIO AND TELEVISION NETWORKS.** (a) Except as provided  
9 in par. (b), the board may grant the educational communications board the part-time  
10 use of equipment and space necessary for the operations of the state educational  
11 radio and television networks pursuant to the affiliation agreement between the  
12 educational communications board and the Board of Regents required under s. 36.25  
13 (5).

14 **(9) CLEARING CUTOVER LANDS.** The board through the College of Agricultural  
15 and Life Sciences may cause an investigation to be made of methods of clearing  
16 cutover lands, perform experiments and demonstrations in conjunction therewith,  
17 and provide related services to individual citizens at cost.

18 **(14) GRADUATE STUDENT FINANCIAL AID.** The board shall establish a grant  
19 program for minority and disadvantaged graduate students enrolled in the  
20 university. The grants shall be awarded from the appropriation under s. 20.280 (1)  
21 (a). The board shall give preference in awarding grants under this subsection to  
22 residents of this state. The board may not make a grant under this subsection to a  
23 person whose name appears on the statewide support lien docket under s. 49.854 (2)  
24 (b), unless the person provides to the board a payment agreement that has been

**ASSEMBLY BILL 40****SECTION 1087**

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

3 **(14m) MINORITY AND DISADVANTAGED PROGRAMS.** (a) The board shall allocate  
4 funds under s. 20.280 (4) (a) to fund programs for recruiting minority and  
5 disadvantaged students and to fund programs for minority and disadvantaged  
6 students enrolled in the university.

7 (b) Annually by April 15, the board shall adopt a precollege, recruitment and  
8 retention plan for minority and disadvantaged students enrolled in the university.

9 (c) Annually by April 15, the board shall submit a report to the governor and  
10 to the chief clerk of each house of the legislature for distribution to the appropriate  
11 standing committees under s. 13.172 (3). The report shall include all of the following:

12 1. The plan adopted under par. (b).

13 2. All financial aid distributed to students, categorized by ethnic group, class  
14 level, and dependency status. The report shall include information on financial need,  
15 percentage of need satisfied by loan, percentage of need satisfied by grant, and the  
16 percentage remaining unsatisfied.

17 **(15) MILITARY INSTRUCTION.** The board may provide courses in military science  
18 and tactics.

19 **(27) INTEGRATED AGRICULTURE PROGRAM.** The board shall establish an integrated  
20 agriculture program.

21 **(28) SCHOOLS OF BUSINESS.** The board shall use the funds appropriated under  
22 s. 20.280 (1) (a) to support improvements in master's level business programs. The  
23 board may spend funds in that appropriation for this purpose only if it receives  
24 matching funds for the same purpose from private contributions.



**ASSEMBLY BILL 40****SECTION 1087**

1           **(46) MENINGOCOCCAL DISEASE AND HEPATITIS B.** (a) The board shall do all of the  
2 following:

3           1. Annually, provide detailed information on the risks associated with  
4 meningococcal disease and hepatitis B and the availability and effectiveness of  
5 vaccines against the diseases to each enrolled student, if he or she is at least 18 years  
6 old, or to the student's parent or guardian, if the student is a minor.

7           2. Require a student who resides in a dormitory or residence hall, or the  
8 student's parent or guardian if the student is a minor, to affirm that the student  
9 received the information under subd. 1.

10          3. Require a student who resides in a dormitory or residence hall to affirm  
11 whether he or she has received the vaccination against meningococcal disease and  
12 to provide the date of the vaccination, if any.

13          4. Require a student who resides in a dormitory or residence hall to affirm  
14 whether he or she has received the vaccination against hepatitis B and to provide the  
15 date of the vaccination, if any.

16          5. Maintain a confidential record of the affirmations and the dates of the  
17 vaccinations of each student under subds. 3. and 4.

18          (b) Nothing in this subsection requires the board to provide or pay for  
19 vaccinations against meningococcal disease or hepatitis B.

20           **37.27 Tuition and fees. (1) BOARD TO ESTABLISH.** (a) Subject to par. (b), the  
21 board may establish for different classes of students differing tuition and fees  
22 incidental to enrollment in educational programs or use of facilities in the university.  
23 Except as otherwise provided in this section, the board may charge any student who  
24 is not exempted by this section a nonresident tuition. The board may establish

**ASSEMBLY BILL 40****SECTION 1087**

1 special rates of tuition and fees for summer sessions and such other studies or  
2 courses of instruction as the board deems advisable.

3 (b) The board shall permit a person who is 60 years of age or older to audit a  
4 course without paying an auditor's fee if the person is a resident of this state, as  
5 determined under sub. (2) (e), space is available in the course, and the instructor  
6 approves.

7 **(2) NONRESIDENT TUITION EXCEPTIONS.** (a) Students qualifying under any of the  
8 following categories, while they continue to be residents of this state, are entitled to  
9 exemption from nonresident tuition but not from incidental or other fees:

10 1. Any adult student who has been a bona fide resident of the state for 12  
11 months next preceding the beginning of any semester or session for which such  
12 student registers at the university.

13 2. Any minor student, if one or both of the student's parents have been bona fide  
14 residents of this state for at least 12 months next preceding the beginning of any  
15 semester or session for which the student registers at the university.

16 3. Any adult student who is a dependent of his or her parents under 26 USC  
17 152 (a), if one or both of the student's parents have been bona fide residents of this  
18 state for at least 12 months next preceding the beginning of any semester or session  
19 for which the student registers at the university.

20 4. Any minor student who has resided substantially in this state during the  
21 years of minority and at least 12 months next preceding the beginning of any  
22 semester or session for which such student registers at the university.

23 5. Any minor student under guardianship in this state whose legal guardian  
24 has been a bona fide resident of this state for at least 12 months next preceding the

**ASSEMBLY BILL 40****SECTION 1087**

1 beginning of any semester or session for which such student registers at the  
2 university.

3 6. Any adult student who has been employed as a migrant worker for at least  
4 2 months each year for 3 of the 5 years next preceding the beginning of any semester  
5 or session for which the student registers at the university, or for at least 3 months  
6 each year for 2 of the 5 years next preceding the beginning of any semester or session  
7 for which the student registers at the university, any adult student whose parent or  
8 legal guardian has been so employed while the student was a minor and any minor  
9 student whose parent or legal guardian has been so employed. In this subdivision,  
10 “migrant worker” has the meaning specified in s. 103.90 (5).

11 (am) Any person who is a refugee, as defined under 8 USC 1101 (a) (42), who  
12 moved to this state immediately upon arrival in the United States and who has  
13 resided in this state continuously since then is entitled to the exemption under par.  
14 (a) if he or she demonstrates an intent to establish and maintain a permanent home  
15 in Wisconsin according to the criteria under par. (e).

16 (b) 1. Nonresident members of the armed forces and persons engaged in  
17 alternative service who are stationed in this state on active duty and their spouses  
18 and children are entitled to the exemption under par. (a) during the period that such  
19 persons are stationed in this state.

20 2. Members of the armed forces who reside in this state and are stationed at  
21 a federal military installation located within 90 miles of the borders of this state, and  
22 their spouses and children, are entitled to the exemption under par. (a).

23 3. Nonresident persons who served in active duty in the U.S. armed forces for  
24 at least 10 years, who were honorably discharged from such service within 4 years  
25 before applying at the university, and who filed state income tax returns for at least

**ASSEMBLY BILL 40****SECTION 1087**

1 8 of the last 10 years of active duty in the U.S. armed forces, and their spouses and  
2 children are entitled to the exemption under par. (a).

3 4. A person who was a resident of this state at the time of entry into active duty,  
4 who is a resident of and living in this state at the time of registering at the university,  
5 and who is a veteran, as defined in s. 45.01 (12), is entitled to the exemption under  
6 par. (a).

7 (c) Any student who is a graduate of a Wisconsin high school and whose parents  
8 are bona fide residents of this state for 12 months next preceding the beginning of  
9 any semester or session for which the student registers at the university or whose  
10 last surviving parent was a bona fide resident of this state for the 12 months  
11 preceding death is entitled to the exemption under par. (a).

12 (cm) Any person continuously employed full time in this state, who was  
13 relocated to this state by his or her current employer or who moved to this state for  
14 employment purposes and accepted his or her current employment before applying  
15 for admission to the university and before moving, and the spouse and dependents  
16 of any such person, are entitled to the exemption under par. (a) if the student  
17 demonstrates an intent to establish and maintain a permanent home in Wisconsin  
18 according to the criteria under par. (e). In this paragraph, “dependents” has the  
19 meaning given in 26 USC 152 (a).

20 (d) Any person who has not been a bona fide resident of the state for 12 months  
21 next preceding the beginning of any semester or session for which such person  
22 registers at the university, except as provided in this subsection, is not exempt from  
23 the payment of the nonresident tuition.

24 (e) In determining bona fide residence at the time of the beginning of any  
25 semester or session and for the preceding 12 months the intent of the person to

**ASSEMBLY BILL 40****SECTION 1087**

1 establish and maintain a permanent home in Wisconsin is determinative. In  
2 addition to representations by the student, intent may be demonstrated or disproved  
3 by factors including, but not limited to, timely filing of a Wisconsin income tax return  
4 of a type that only full-year Wisconsin residents may file, voter registration in  
5 Wisconsin, motor vehicle registration in Wisconsin, possession of a Wisconsin  
6 operator's license, place of employment, self-support, involvement in community  
7 activities in Wisconsin, physical presence in Wisconsin for at least 12 months  
8 preceding the beginning of the semester or session for which the student registers,  
9 and, if the student is not a U.S. citizen, possession of a visa that permits indefinite  
10 residence in the United States. Notwithstanding par. (a), a student who enters and  
11 remains in this state principally to obtain an education is presumed to continue to  
12 reside outside this state and such presumption continues in effect until rebutted by  
13 clear and convincing evidence of bona fide residence.

14 **(2m) APPEALS.** Any body designated by the board to determine nonresident  
15 tuition exemptions under sub. (2) may require a student who has been granted such  
16 an exemption to submit information from which the body may determine the  
17 student's eligibility for the exemption, the student's eligibility for a different  
18 exemption, or the student's residency status.

19 **(3) TUITION REMISSIONS.** (a) The board may remit nonresident tuition either in  
20 whole or in part at the university, but not other fees:

21 1. To a number of needy and worthy nonresident students upon the basis of  
22 merit, to be shown by suitable tests, examinations, or scholastic records and  
23 continued high standards of scholastic attainment.

**ASSEMBLY BILL 40****SECTION 1087**

1           2. To additional individual students who, in the judgment of the board, are  
2           deserving of relief from the assessment of nonresident tuition because of  
3           extraordinary circumstances.

4           (b) The board may remit nonresident tuition, in whole or in part, but no other  
5           fees, except in special circumstances as approved by the chancellor, to worthy and  
6           needy foreign students and to students who are United States citizens but whose  
7           residence is not in the United States.

8           (c) In addition to the remissions of nonresident tuition under this subsection,  
9           the board may, as athletic scholarships, grant full remission of fees and nonresident  
10          tuition, up to the maximum number allowed by the appropriate athletic conference  
11          as recommended by the chancellor.

12          (d) The board shall remit nonresident tuition and fees, in whole or part, to  
13          resident and nonresident graduate students who are fellows or who are employed  
14          within the university as faculty, instructional staff, or assistants with an  
15          appointment equal to at least 33 percent of a full-time equivalent position.

16          **(3m)** FEE REMISSIONS FOR SURVIVORS. (a) In this subsection:

17          1. “Correctional officer” has the meaning given in s. 102.475 (8) (a).

18          1g. “Emergency medical services technician” means an individual under s.  
19          256.01 (5) or (9).

20          1m. “Fire fighter” means any person employed by this state or any political  
21          subdivision of this state as a member or officer of a fire department whose duties  
22          include fire fighting or fire fighting training or a member of a volunteer fire  
23          department whose duties include fire fighting or fire fighting training.

24          2. “Law enforcement officer” has the meaning given in s. 165.85 (2) (c) and  
25          includes a person appointed as a conservation warden under s. 23.10.

**ASSEMBLY BILL 40****SECTION 1087**

1           (b) The board shall grant full remission of fees to any resident undergraduate  
2 student who is enrolled in a bachelor's degree program and who is any of the  
3 following:

4           1. The child of an ambulance driver, correctional officer, fire fighter, emergency  
5 medical services technician, or law enforcement officer who was killed in the line of  
6 duty in this state or who qualified for a duty disability benefit, as defined in s. 40.65  
7 (4), under the Wisconsin Retirement System, the Employees' Retirement System of  
8 the city of Milwaukee, or the Milwaukee County Employee's Retirement System and  
9 died as a result of the qualifying disability. The student must be the child of an  
10 ambulance driver, correctional officer, fire fighter, emergency medical services  
11 technician, or law enforcement officer who was so killed or who died as a result of the  
12 qualifying disability when the child was under the age of 21 or before the child was  
13 born.

14           2. The surviving spouse of an ambulance driver, correctional officer, fire fighter,  
15 emergency medical services technician, or law enforcement officer who was killed in  
16 the line of duty in this state or who qualified for a duty disability benefit, as defined  
17 in s. 40.65 (4), under the Wisconsin Retirement System, the Employees' Retirement  
18 System of the city of Milwaukee, or the Milwaukee County Employee's Retirement  
19 System and died as a result of the qualifying disability.

20           (c) The fee remission under par. (b) shall remain in effect until completion of  
21 a sufficient number of credits to be awarded a bachelor's degree in the student's  
22 major field of study, except that a student must be in good academic standing to  
23 receive the remission for the next semester and may not receive a remission for more  
24 than 5 consecutive years.

**ASSEMBLY BILL 40****SECTION 1087**

1           **(3n)** FEE REMISSION FOR SPOUSE, SURVIVING SPOUSE, AND CHILDREN OF CERTAIN  
2 VETERANS. (a) In this subsection, “eligible veteran” means a person verified by the  
3 department of veterans affairs to be either of the following:

4           1. A person who has served on active duty under honorable conditions in the  
5 U.S. armed forces, in forces incorporated as part of the U.S. armed forces, in the  
6 national guard, or in a reserve component of the U.S. armed forces; who was a  
7 resident of this state at the time of entry into that service; and who, while a resident  
8 of this state, died on active duty, died as the result of a service-connected disability,  
9 or died in the line of duty while on active or inactive duty for training purposes.

10           2. A person who was a resident of this state at the time of entry into service  
11 described in subd. 1. and who the U.S. department of veteran affairs has awarded  
12 at least a 30 percent service-connected disability rating under 38 USC 1114 or 1134.

13           (b) Except as provided in subds. 1. to 3. and par. (bg), the board shall grant full  
14 remission of academic fees and segregated fees for 128 credits or 8 semesters,  
15 whichever is longer, less the number of credits or semesters for which the person  
16 received remission of fees under ss. 36.27 (3n) (b) and 38.24 (7), but not less the  
17 amount of any academic fees or segregated fees paid under 38 USC 3319, to any  
18 resident student who is also any of the following:

19           1. A spouse of an eligible veteran. The remission under this subdivision applies  
20 only during the first 10 years after the eligible veteran received the  
21 service-connected disability rating.

22           2. Except as provided in subd. 2m., an unremarried surviving spouse of an  
23 eligible veteran. The remission under this subdivision applies only during the first  
24 10 years after the veteran died.



**ASSEMBLY BILL 40****SECTION 1087**

1           2m. An unremarried surviving spouse of an eligible veteran who had a child  
2 with the eligible veteran. The remission under this subdivision applies only until 10  
3 years after the youngest child that the spouse had with the eligible veteran reaches  
4 or would have reached 18 years of age, or during the first 10 years after the veteran  
5 died, whichever is longer.

6           3. A child of an eligible veteran, if the child is at least 17 but not yet 26 years  
7 of age.

8           (bg) Before the board grants a remission of academic fees and segregated fees  
9 under par. (b), the board shall require the resident student to apply to the payment  
10 of those fees all educational assistance to which the resident student is entitled  
11 under 38 USC 3319. This requirement applies notwithstanding the fact that the  
12 resident student may be entitled to educational assistance under 10 USC 16132a, 10  
13 USC 16163a, or 38 USC 3500 to 3566 as well as under 38 USC 3319, unless the  
14 resident student has 12 months or less of eligibility remaining for educational  
15 assistance under 10 USC 16132a, 10 USC 16163a, or 38 USC 3500 to 3566.

16           (bm) 1. For a resident student who is entitled to educational assistance under  
17 10 USC 16132a, 10 USC 16163a, or 38 USC 3500 to 3566 and under 38 USC 3319,  
18 if the amount of educational assistance, not including educational assistance for  
19 tuition, to which the resident student is entitled under 10 USC 16132a, 10 USC  
20 16163a, or 38 USC 3500 to 3566 is greater than the amount of educational assistance,  
21 not including educational assistance for tuition, that the resident student received  
22 under 38 USC 3319, as determined by the higher educational aids board, in the  
23 academic year the higher educational aids board shall reimburse the resident  
24 student for the difference in those amounts of educational assistance, as calculated  
25 by the higher educational aids board, from the appropriation account under s. 20.235

**ASSEMBLY BILL 40****SECTION 1087**

1 (1) (fz). The higher educational aids board shall make that determination and  
2 calculation in consultation with the board.

3 2. If in any fiscal year there are insufficient moneys available in the  
4 appropriation account under s. 20.235 (1) (fz) to provide full reimbursement under  
5 subd. 1. to all resident students who are eligible for that reimbursement, the higher  
6 educational aids board and the board shall reimburse those resident students as  
7 provided in s. 39.50 (4).

8 (c) The higher educational aids board shall reimburse the board for all  
9 academic fees and segregated fees remitted under par. (b) as provided in s. 39.50 (1)  
10 and (3m).

11 **(3p)** FEE REMISSION FOR VETERANS. (a) In this subsection, “veteran” means a  
12 person who is verified by the department of veterans affairs as being a resident of  
13 this state for purposes of receiving benefits under ch. 45, as being a resident at the  
14 time of his or her entry into the U.S. armed forces or forces incorporated in the U.S.  
15 armed forces, and as meeting any of the following conditions:

16 1. The person has served on active duty for at least one qualifying term of  
17 service under subds. 2. to 4. under honorable conditions in the U.S. armed forces or  
18 in forces incorporated as part of the U.S. armed forces during a war period or in a  
19 crisis zone.

20 2. The person has served on active duty in the U.S. armed forces or in forces  
21 incorporated in the U.S. armed forces under honorable conditions, for 2 continuous  
22 years or more or for the full period of his or her initial service obligation, whichever  
23 is less.

24 3. The person has served on active duty for 90 days or more under honorable  
25 conditions in the U.S. armed forces or in forces incorporated in the U.S. armed forces

**ASSEMBLY BILL 40****SECTION 1087**

1 during a war period or for any period of service under section 1 of executive order  
2 10957 dated August 10, 1961.

3 4. The term of service in the U.S. armed forces or in forces incorporated as part  
4 of the U.S. armed forces under honorable conditions entitled the person to receive the  
5 Armed Forces Expeditionary Medal, established by executive order 10977 on  
6 December 4, 1961, the Vietnam Service Medal established by executive order 11231  
7 on July 8, 1965, the Navy Expeditionary Medal, the Marine Corps Expeditionary  
8 Medal, or an equivalent expeditionary or service medal.

9 5. The person was honorably discharged from the U.S. armed forces or from  
10 forces incorporated in the U.S. armed forces for a service-connected disability, for a  
11 disability subsequently adjudicated to have been service connected, or for reasons of  
12 hardship.

13 6. The person was released under honorable conditions from the U.S. armed  
14 forces or from forces incorporated in the U.S. armed forces due to a reduction in the  
15 U.S. armed forces.

16 (b) Except as provided in par. (bg), the board shall grant full remission of  
17 nonresident tuition, academic fees, and segregated fees charged for 128 credits or 8  
18 semesters, whichever is longer, less the number of credits or semesters for which the  
19 person received remission of fees under ss. 36.27 (3p) (b) and 38.24 (8), but not less  
20 the amount of any academic fees or segregated fees paid under 10 USC 2107 (c), 38  
21 USC 3104 (a) (7) (A), or 38 USC 3313, to any student who is a veteran.

22 (bg) Before the board grants a remission of nonresident tuition, academic fees,  
23 and segregated fees under par. (b), the board shall require the student to apply to the  
24 payment of that tuition and those fees all educational assistance to which the student  
25 is entitled under 38 USC 3313. This requirement applies notwithstanding the fact

**ASSEMBLY BILL 40****SECTION 1087**

1 that the student may be entitled to educational assistance under 10 USC 16131 to  
2 16137, 10 USC 16161 to 16166, or 38 USC 3001 to 3036 as well as under 38 USC 3313,  
3 unless the student has 12 months or less of eligibility remaining for educational  
4 assistance under 10 USC 16131 to 16137, 10 USC 16161 to 16166, or 38 USC 3001  
5 to 3036.

6 (bm) 1. For a student who is entitled to educational assistance under 10 USC  
7 16131 to 16137, 10 USC 16161 to 16166, or 38 USC 3001 to 3036 and under 38 USC  
8 3313, if the amount of educational assistance, not including educational assistance  
9 for tuition, to which the student is entitled under 10 USC 16131 to 16137, 10 USC  
10 16161 to 16166, or 38 USC 3001 to 3036 is greater than the amount of educational  
11 assistance, not including educational assistance for tuition, that the student  
12 received under 38 USC 3313, as determined by the higher educational aids board,  
13 in the academic year the higher educational aids board shall reimburse the student  
14 for the difference in those amounts of educational assistance, as calculated by the  
15 higher educational aids board, from the appropriation account under s. 20.235 (1)  
16 (fz). The higher educational aids board shall make that determination and  
17 calculation in consultation with the board.

18 2. If in any fiscal year there are insufficient moneys available in the  
19 appropriation account under s. 20.235 (1) (fz) to provide full reimbursement under  
20 subd. 1. to all students who are eligible for that reimbursement, the higher  
21 educational aids board and the board shall reimburse those students as provided in  
22 s. 39.50 (4).

23 (c) The higher educational aids board shall reimburse the board for all  
24 nonresident tuition, academic fees, and segregated fees remitted under par. (b) as  
25 provided in s. 39.50 (1) and (3m).

**ASSEMBLY BILL 40****SECTION 1087**

1           **(3r)** FEE REMISSIONS FOR FUNERAL ASSISTANTS. The board shall grant a \$25  
2 remission of nonresident tuition or academic fees to any student enrolled in the  
3 university as an undergraduate for each valid voucher issued to the student under  
4 s. 45.60 (3).

5           **(4)** APPLICABILITY. Subsections (1) (b) and (2) to (3r) do not apply beginning on  
6 the date on which the board adopts a resolution to that effect or on July 1, 2013,  
7 whichever occurs sooner.

8           **37.29 Gifts. (1)** All gifts, grants, and bequests for the benefit or advantage  
9 of the university or any of its departments or facilities or to provide any means of  
10 instruction, illustration, or knowledge in connection therewith, whether made to  
11 trustees or otherwise, shall be valid notwithstanding any other provision of this  
12 chapter except as otherwise provided in this subsection and shall be executed and  
13 enforced according to the provisions of the instrument making the same, including  
14 all provisions and directions in any such instrument for accumulation of the income  
15 of any fund or rents and profits of any real estate without being subject to the  
16 limitations and restrictions provided by law in other cases. No investment of the  
17 funds of such gifts, grants, or bequests shall knowingly be made in any company,  
18 corporation, subsidiary, or affiliate that practices or condones through its actions  
19 discrimination on the basis of race, religion, color, creed, sex, national origin,  
20 disability, ancestry, age, sexual orientation, pregnancy, marital status, or parental  
21 status. This subsection does not apply to a gift, grant, or bequest that the board  
22 declines to accept or that the board is not authorized to accept under this section.

23           **(2)** All gifts, grants, or bequests under sub. (1) may be made to the board, the  
24 chancellor, or any officer, or to any person as trustee, or may be charged upon any  
25 personal representative, trustee, heir, devisee, or legatee, or made in any other

**ASSEMBLY BILL 40****SECTION 1087**

1 manner indicating an intention to create a trust, and may be made as well for the  
2 benefit of the university or any of its schools, colleges, departments, or facilities to  
3 provide any means of instruction, illustration, or knowledge in connection therewith,  
4 or for the benefit of any students or any class or group of students whether by way  
5 of scholarship, fellowship, or otherwise, or whether for the benefit of students or any  
6 class or group of students in any course, subcourse, special course, postgraduate  
7 course, summer school or teachers course, oratorical or debating course, laboratory,  
8 shop, lectureship, drill, gymnasium or any other like division or department of study,  
9 experiment, research, observation, travel, or mental or physical improvement in any  
10 manner connected with the university, or to provide for the voluntary retirement of  
11 any of the faculty.

12       **(3)** It shall not be necessary for a gift, grant, devise, or bequest to exactly or  
13 particularly describe the members of a class or group of students intended to be the  
14 beneficiaries, but it shall be sufficient to describe the class or group. In such case,  
15 the board shall divide, graduate, or otherwise categorize the students into such  
16 classes or groups as are necessary to select and determine those students belonging  
17 to the class or group intended.

18       **(4)** Any grant, contract, gift, endowment, trust, or segregated funds  
19 bequeathed or assigned to the university or its component parts for any purpose  
20 whatsoever shall not be commingled or reassigned.

21       **(5)** Notwithstanding sub. (4), the board may transfer any grant, contract, gift,  
22 endowment, or trust or segregated funds bequeathed or assigned to the university  
23 to the University of Wisconsin Foundation, Inc., if the transfer is consistent with its  
24 terms.

**ASSEMBLY BILL 40****SECTION 1087**

1           **37.30 Sick leave.** Leave of absence with pay for university employees, owing  
2 to sickness, shall be regulated by board policy, except that unused sick leave shall  
3 accumulate from year to year.

4           **37.32 Student identification numbers.** The university may assign to each  
5 enrolled student a unique identification number. The university shall not assign to  
6 any student an identification number that is identical to or incorporates the  
7 student's social security number. This section does not prohibit the university from  
8 requiring a student to disclose his or her social security number, nor from using a  
9 student's social security number if such use is required by a federal or state agency  
10 or private organization in order for the university or the student to participate in a  
11 particular program.

12           **37.335 Sale of other land; buildings and structures.** If there is any  
13 outstanding public debt used to finance the acquisition, construction, or  
14 improvement of any real property that is sold, the board shall deposit a sufficient  
15 amount of the net proceeds from the sale of the property in the bond security and  
16 redemption fund under s. 18.09 to repay the principal and pay the interest on the  
17 debt, and any premium due upon refunding any of the debt. If the property was  
18 acquired, constructed, or improved with federal financial assistance, the board shall  
19 pay to the federal government any of the net proceeds required by federal law. If the  
20 property was acquired by gift or grant or acquired with gift or grant funds, the board  
21 shall adhere to any restriction governing use of the proceeds.

22           **37.34 Minority student programs. (1)** In this subsection, "minority  
23 undergraduate" means an undergraduate student who is any of the following:

24           (a) A Black American.

25           (b) An American Indian.

**ASSEMBLY BILL 40****SECTION 1087**

1 (c) A Hispanic, as defined in s. 490.04 (1) (d).

2 (d) A person who is admitted to the United States after December 31, 1975, and  
3 who either is a former citizen of Laos, Vietnam, or Cambodia or whose ancestor was  
4 or is a citizen of Laos, Vietnam, or Cambodia.

5 (2) The board shall establish a grant program for minority undergraduates  
6 enrolled in the university. The board shall designate all grants under this subsection  
7 as Lawton grants. The board may not make a grant under this subsection to a person  
8 whose name appears on the statewide support lien docket under s. 49.854 (2) (b),  
9 unless the person provides to the board a payment agreement that has been  
10 approved by the county child support agency under s. 59.53 (5) and that is consistent  
11 with rules promulgated under s. 49.858 (2) (a).

12 **37.35 Misconduct; campus security. (1) POWER TO SUSPEND AND EXPEL.** The  
13 board may delegate the power to suspend or expel students for misconduct or other  
14 cause prescribed by the board. The board shall adopt policies governing student  
15 conduct and procedures for the administration of violations.

16 (2) **AUTHORITY TO RESTRICT PRESENCE OF PERSONS ON CAMPUS.** The chancellor or  
17 the university's chief security officer during a period of immediate danger or  
18 disruption may designate periods of time during which the campus and designated  
19 buildings and facilities connected therewith are off limits to all persons who are not  
20 faculty, staff, employees, students, or other personnel authorized by the above named  
21 officials. Any person violating such an order shall be subject to the penalties  
22 provided by law for criminal trespass.

23 (3) **REQUIRING PERMISSION FOR PRESENCE ON CAMPUS.** Any person who is convicted  
24 of any crime involving danger to property or persons as a result of conduct by that  
25 person that obstructs or seriously impairs activities run or authorized by the



**ASSEMBLY BILL 40****SECTION 1087**

1 university and who, as a result of such conduct, is in a state of suspension or  
2 expulsion from the university, and who enters university property without  
3 permission of the chancellor or the chancellor's designee within 2 years, may for each  
4 such offense be fined not more than \$500 or imprisoned for not more than 6 months  
5 or both.

6 **37.40 Use of animals for research purposes.** The board shall adopt criteria  
7 for researchers to follow regarding humane treatment of animals for scientific  
8 research purposes.

9 **37.43 Accommodation of religious beliefs.** The board shall adopt rules  
10 providing for the reasonable accommodation of a student's sincerely held religious  
11 beliefs with regard to all examinations and other academic requirements. The rules  
12 shall include all of the following:

13 (1) Written and timely notification of all students and instructors of the rules  
14 and complaint process.

15 (2) A means by which a student can conveniently and confidentially notify an  
16 instructor of potential conflicts.

17 (3) A means by which a student is permitted to make up an examination or  
18 academic requirement at another time or by an alternative means without any  
19 prejudicial effect.

20 (4) A procedure for handling and resolving complaints.

21 **37.44 License plate scholarship program.** (1) The board shall establish  
22 a scholarship program funded by the fees collected under s. 341.14 (6r) (b) 4. for the  
23 university. The scholarships shall be awarded by the chancellor according to criteria  
24 developed by the chancellor.

**ASSEMBLY BILL 40****SECTION 1087**

1           **37.48 Alcohol and other drug abuse prevention and intervention**  
2 **programs.** The board shall appoint alcohol and other drug abuse prevention and  
3 intervention program counselors for the university. The counselors shall develop  
4 alcohol and other drug abuse prevention and intervention programs and train  
5 faculty, academic staff, and classified staff in the prevention of and early  
6 intervention in alcohol and other drug abuse.

7           **37.51 Nutritional improvement for elderly. (1)** In this section,  
8 “authorized elderly person” means any resident of this state who is 60 years of age  
9 or older, and the spouse of any such person.

10           **(2)** The board may establish a system to provide the opportunity for authorized  
11 elderly persons to participate in its meal program. If the board establishes such a  
12 service, it shall develop a plan and annually notify the department of public  
13 instruction of the plan.

14           **(3)** The plan shall provide at least one meal per day for each day that school  
15 is in regular session. The board may provide additional service at other times in its  
16 discretion, if the number of eligible persons in the area is of sufficient size, in the  
17 opinion of the board, so that unwarranted production expense is not incurred.

18           **(4)** If the board operates a food services plan for elderly persons under this  
19 section, it shall make facilities available for service to elderly persons at every facility  
20 that provides hot food service to its students unless there is reason not to do so due  
21 to concerns regarding safety, convenience, or insufficient interest in a given  
22 neighborhood.

23           **(5)** Meals may be served at schools where they are served to students or at any  
24 site more convenient to the majority of authorized elderly persons interested in the  
25 service. Food may be transported to authorized elderly persons who are unable to

**ASSEMBLY BILL 40****SECTION 1087**

1 leave their homes or distributed to nonprofit organizations for such purposes.  
2 However, no state funds under this section may be used for food delivery to individual  
3 homes.

4 **(6)** The board may file a claim with the department of public instruction for  
5 reimbursement for reasonable expenses incurred, excluding capital equipment  
6 costs, but not to exceed 15 percent of the cost of the meal or 50 cents per meal,  
7 whichever is less. Any cost in excess of the lesser amount may be charged to  
8 participants. If the department of public instruction approves the claim, it shall  
9 certify that payment is due and the secretary of administration shall pay the claim  
10 from the appropriation under s. 20.255 (2) (cn).

11 **(7)** All meals served must meet the approval of the board, which shall establish  
12 minimum nutritional standards and reasonable expenditure limits consistent with  
13 the standards and limits established by the state superintendent of public  
14 instruction under s. 115.345 (6). The board shall give special consideration to the  
15 dietary problems of elderly persons in formulating a nutritional plan. However, the  
16 board is not required to provide special foods for individual persons with allergies or  
17 medical disorders.

18 **(8)** Participants in a program under this section may be required to document  
19 their Wisconsin residency in a manner approved by the board. The board may issue  
20 identification cards to such persons if necessary. The board may admit nonresidents  
21 who would otherwise qualify into its program, but no state funds under this section  
22 may be used to subsidize any portion of the meals served to such persons.

23 **(9)** The board shall adopt reasonable policies necessary to implement this  
24 section.

**ASSEMBLY BILL 40****SECTION 1087**

1           **37.53 Tuition gift certificates.** The board may establish a gift certificate  
2 program for the payment of nonresident tuition and academic fees. The program  
3 shall include all of the following components:

4           **(1)** The individual named in a gift certificate may use the gift certificate to pay  
5 all or a portion of his or her nonresident tuition or academic fees, or for a  
6 study-abroad program, at the university.

7           **(2)** A gift certificate is not transferable, except to a parent, child, spouse, or  
8 sibling of the named individual in sub. (1).

9           **(3)** A gift certificate does not expire.

10           **37.60 Physician loan assistance program. (1) DEFINITIONS.** In this section:

11           (ac) “Clinic hours” means hours spent working with patients in a clinic.

12           (d) “Rural area” has the meaning given in s. 37.63 (1) (c).

13           **(2) ELIGIBILITY.** (a) 1. Except as provided in subd. 2., the board may repay, on  
14 behalf of a physician, up to \$50,000 in educational loans obtained by the physician  
15 from a public or private lending institution for education in an accredited school of  
16 medicine or for postgraduate medical training.

17           (b) A physician who is a participant in the national health service corps  
18 scholarship program under 42 USC 254n, or a physician who was a participant in  
19 that program and who failed to carry out his or her obligations under that program,  
20 is not eligible for loan repayment under this section.

21           **(3) AGREEMENT.** (b) The agreement shall specify that the responsibility of the  
22 board to make the payments under the agreement is subject to the availability of  
23 funds in the appropriations under s. 20.280 (1) (ks) and (qj) or collected as  
24 contributions under sub. (6) or as penalties under sub. (6m) (b).

**ASSEMBLY BILL 40****SECTION 1087**

1           **(4) LOAN REPAYMENT.** Except as provided in sub. (4m), principal and interest due  
2 on loans, exclusive of any penalties, may be repaid by the board at the following rate:

3           (a) Up to 40 percent of the principal of the loan or \$20,000, whichever is less,  
4 during the first year of participation in the program under this section.

5           (b) Up to an additional 40 percent of the principal of the loan or \$20,000,  
6 whichever is less, during the 2nd year of participation in the program under this  
7 section.

8           (c) Up to an additional 20 percent of the principal of the loan or \$10,000,  
9 whichever is less, during the 3rd year of participation in the program under this  
10 section.

11           **(5) AVAILABILITY OF FUNDS; RIGHT OF ACTION AGAINST STATE.** (a) The obligation of  
12 the board to make payments under an agreement entered into under sub. (3) (b) is  
13 subject to the availability of funds in the appropriations under s. 20.280 (1) (ks) and  
14 (qj) or collected as contributions under sub. (6) or as penalties under sub. (6m) (b).

15           (b) If the cost of repaying the loans of all eligible applicants, when added to the  
16 cost of loan repayments scheduled under existing agreements, exceeds the total  
17 amount in the appropriations under s. 20.280 (1) (ks) and (qj) or collected as  
18 contributions under sub. (6) or as penalties under sub. (6m) (b), the board shall  
19 establish priorities among the eligible applicants based upon the following  
20 considerations:

21           1. The degree to which there is an extremely high need for medical care in the  
22 eligible practice area, health professional shortage area, or rural area in which a  
23 physician desires to practice.

**ASSEMBLY BILL 40****SECTION 1087**

1           2. The likelihood that a physician will remain in the eligible practice area,  
2 health professional shortage area, or rural area in which he or she desires to practice  
3 after the loan repayment period.

4           3. The per capita income of the eligible practice area, health professional  
5 shortage area, or rural area in which a physician desires to practice.

6           4. The financial or other support for physician recruitment and retention  
7 provided by individuals, organizations, or local governments in the eligible practice  
8 area, health professional shortage area, or rural area in which a physician desires  
9 to practice.

10          5. The geographic distribution of the physicians who have entered into loan  
11 repayment agreements under this section and the geographic distribution of the  
12 eligible practice areas, health professional shortage areas, and rural areas in which  
13 the eligible applicants desire to practice.

14          6. Other considerations that the board may specify.

15          (d) An agreement under sub. (3) does not create a right of action against the  
16 state, university, or other instrumentalities of the state on the part of the physician  
17 or lending institution for failure to make the payments specified in the agreement.

18          **(6)** LOCAL PARTICIPATION. The board shall encourage contributions to the  
19 program under this section by counties, cities, villages, and towns.

20          **(6m)** PENALTIES. (a) The board shall establish requirements for penalties to  
21 be assessed by the board against physicians who breach agreements entered into  
22 under sub. (3). The requirements shall do all of the following:

23           1. Specify what actions constitute a breach of the agreement.

24           2. Provide specific penalty amounts for specific breaches.

**ASSEMBLY BILL 40****SECTION 1087**

1           3. Provide exceptions for certain actions, including breaches resulting from  
2 death or disability.

3           (b) The board shall use any penalties assessed and collected under this  
4 subsection for the program under this section.

5           **(8) ADMINISTRATION.** The board shall do all of the following:

6           (b) Identify eligible practice areas and rural areas with an extremely high need  
7 for medical care.

8           (d) Publicize the program under this section to physicians and eligible  
9 communities.

10          (e) Assist physicians who are interested in applying for the program under this  
11 section.

12          (f) Assist communities in obtaining physicians' services through the program  
13 under this section.

14          (g) Make recommendations to the governor on all of the following:

15           1. Ways to improve the delivery of health care to persons living in rural areas  
16 of the state that constitute shortage areas.

17           2. Ways to help communities evaluate and utilize the linkage between rural  
18 health facilities and economic development.

19           3. Coordination of state and federal programs available to assist rural health  
20 care service delivery.

21           4. Strengthening coordination and maintenance of rural services and the  
22 delivery system.

23           5. Development of mechanisms to reduce shortages of health care providers in  
24 rural areas.

**ASSEMBLY BILL 40****SECTION 1087**

1 (h) Notwithstanding subs. (3) (b) and (5) (a) and (b), ensure that moneys  
2 appropriated under s. 20.280 (1) (qj) are used under this section only to repay loans  
3 on behalf of physicians who agree to practice in a rural area.

4 **(9) EXPANDED LOAN ASSISTANCE PROGRAM.** The board may agree to repay loans  
5 as provided under this section on behalf of a physician under an expanded physician  
6 loan assistance program that is funded through federal funds in addition to state  
7 matching funds. To be eligible for loan repayment under the expanded physician  
8 loan assistance program, a physician must fulfill all of the requirements for loan  
9 repayment under this section, as well as all of the following:

10 (a) The physician must be a U.S. citizen.

11 (b) The physician may not have a judgment lien against his or her property for  
12 a debt to the United States.

13 (c) The physician must agree to do all of the following:

14 1. Accept medicare assignment as payment in full for services or articles  
15 provided.

16 2. Use a sliding fee scale or a comparable method of determining payment  
17 arrangements for patients who are not eligible for medicare or medical assistance  
18 and who are unable to pay the customary fee for the physician's services.

19 3. Practice at a public or private nonprofit entity in a health professional  
20 shortage area.

21 **37.61 Health care provider loan assistance program. (1) DEFINITIONS.**

22 In this section:

23 (ac) "Clinic hours" has the meaning given in s. 37.60 (1) (ac).

24 (ad) "Council" means the rural health development council.

25 (e) "Rural area" has the meaning given in s. 37.63 (1) (c).



**ASSEMBLY BILL 40****SECTION 1087**

1           **(2) ELIGIBILITY.** The board may repay, on behalf of a health care provider, up  
2 to \$25,000 in educational loans obtained by the health care provider from a public  
3 or private lending institution for education related to the health care provider's field  
4 of practice, as determined by the board with the advice of the council.

5           **(3) AGREEMENT.** (a) The board shall enter into a written agreement with the  
6 health care provider. In the agreement, the health care provider shall agree to  
7 practice at least 32 clinic hours per week for 3 years in one or more eligible practice  
8 areas in this state or in a rural area, except that a health care provider in the  
9 expanded loan assistance program under sub. (8) may only agree to practice at a  
10 public or private nonprofit entity in a health professional shortage area.

11           (b) The agreement shall specify that the responsibility of the board to make the  
12 payments under the agreement is subject to the availability of funds in the  
13 appropriations under s. 20.280 (1) (ks) and (qj) or collected as contributions under  
14 sub. (6) or as penalties under sub. (6m) (b).

15           **(4) LOAN REPAYMENT.** Principal and interest due on loans, exclusive of any  
16 penalties, may be repaid by the board at the following rate:

17           (a) Up to 40 percent of the principal of the loan or \$10,000, whichever is less,  
18 during the first year of participation in the program under this section.

19           (b) Up to an additional 40 percent of the principal of the loan or \$10,000,  
20 whichever is less, during the 2nd year of participation in the program under this  
21 section.

22           (c) Up to an additional 20 percent of the principal of the loan or \$5,000,  
23 whichever is less, during the 3rd year of participation in the program under this  
24 section.

**ASSEMBLY BILL 40****SECTION 1087**

1           **(5) AVAILABILITY OF FUNDS; RIGHT OF ACTION AGAINST STATE.** (a) The obligation of  
2 the board to make payments under an agreement entered into under sub. (3) is  
3 subject to the availability of funds in the appropriations under s. 20.280 (1) (ks) and  
4 (qj) or collected as contributions under sub. (6) or as penalties under sub. (6m) (b).

5           (b) If the cost of repaying the loans of all eligible applicants, when added to the  
6 cost of loan repayments scheduled under existing agreements, exceeds the total  
7 amount in the appropriations under s. 20.280 (1) (ks) and (qj) or collected as  
8 contributions under sub. (6) or as penalties under sub. (6m) (b), the board shall  
9 establish priorities among the eligible applicants based upon the following  
10 considerations:

11           1. The degree to which there is an extremely high need for medical care in the  
12 eligible practice area, health professional shortage area, or rural area in which an  
13 eligible applicant desires to practice.

14           2. The likelihood that an eligible applicant will remain in the eligible practice  
15 area, health professional shortage area, or rural area in which he or she desires to  
16 practice after the loan repayment period.

17           3. The per capita income of the eligible practice area, health professional  
18 shortage area, or rural area in which an eligible applicant desires to practice.

19           4. The financial or other support for health care provider recruitment and  
20 retention provided by individuals, organizations, or local governments in the eligible  
21 practice area, health professional shortage area, or rural area in which an eligible  
22 applicant desires to practice.

23           5. The geographic distribution of the health care providers who have entered  
24 into loan repayment agreements under this section and the geographic location of

**ASSEMBLY BILL 40****SECTION 1087**

1 the eligible practice area, health professional shortage area, or rural area in which  
2 an eligible applicant desires to practice.

3 6. Other considerations that the board may specify.

4 (c) An agreement under sub. (3) does not create a right of action against the  
5 state, the university, or other instrumentalities of the state on the part of the health  
6 care provider or the lending institution for failure to make the payments specified  
7 in the agreement.

8 **(6)** LOCAL PARTICIPATION. The board shall encourage contributions to the  
9 program under this section by counties, cities, villages, and towns.

10 **(6m)** PENALTIES. (a) The board shall establish requirements for penalties to  
11 be assessed by the board against health care providers who breach an agreement  
12 entered into under sub. (3) (a). The requirements shall do all of the following:

13 1. Specify what actions constitute a breach of the agreement.

14 2. Provide specific penalty amounts for specific breaches.

15 3. Provide exceptions for certain actions, including breaches resulting from  
16 death or disability.

17 (b) The board shall use any penalties assessed and collected under this  
18 subsection for the program under this section.

19 **(7)** ADMINISTRATION. The board shall do all of the following:

20 (a) Identify communities with an extremely high need for health care.

21 (b) Publicize the program under this section to health care providers and  
22 eligible communities.

23 (c) Assist health care providers who are interested in applying for the program  
24 under this section.

**ASSEMBLY BILL 40****SECTION 1087**

1 (d) Assist communities in obtaining the services of health care providers  
2 through the program under this section.

3 (e) Notwithstanding subs. (3) (b) and (5) (a) and (b), ensure that moneys  
4 appropriated under s. 20.280 (1) (qj) are used under this section only to repay loans  
5 on behalf of health care providers who agree to practice in a rural area.

6 **(8) EXPANDED LOAN ASSISTANCE PROGRAM.** The board may agree to repay loans  
7 as provided under this section on behalf of a health care provider under an expanded  
8 health care provider loan assistance program that is funded through federal funds  
9 in addition to state matching funds. To be eligible for loan repayment under the  
10 expanded health care provider loan assistance program, a health care provider must  
11 fulfill all of the requirements for loan repayment under this section, as well as all of  
12 the following:

13 (a) The health care provider must be a U.S. citizen.

14 (b) The health care provider may not have a judgment lien against his or her  
15 property for a debt to the United States.

16 (c) The health care provider must agree to do all of the following:

17 1. Accept medicare assignment as payment in full for services or articles  
18 provided.

19 2. Use a sliding fee scale or a comparable method of determining payment  
20 arrangements for patients who are not eligible for medicare or medical assistance  
21 and who are unable to pay the customary fee for the health care provider's services.

22 3. Practice at a public or private nonprofit entity in a health professional  
23 shortage area.

24 **37.62 Rural health development council.** The rural health development  
25 council created under s. 15.917 (1) shall do all of the following:

**ASSEMBLY BILL 40****SECTION 1087**

1           **(1)** Advise the board on matters related to the physician loan assistance  
2 program under s. 37.60 and the health care provider loan assistance program under  
3 s. 37.61.

4           **(2)** Advise the board on the amount, up to \$25,000, to be repaid on behalf of each  
5 health care provider who participates in the health care provider loan assistance  
6 program under s. 37.61.

7           **SECTION 1088.** 38.04 (1m) (b) (intro.) of the statutes is amended to read:

8           38.04 **(1m)** (b) (intro.) The board, in consultation with the ~~department of~~  
9 ~~commerce~~ Wisconsin Economic Development Corporation, shall do all of the  
10 following for each economic development program administered by the board:

11           **SECTION 1089.** 38.04 (4) (a) of the statutes is amended to read:

12           38.04 **(4)** (a) ~~Except as provided in par. (ag), the~~ The qualifications of  
13 educational personnel and the courses of study for each program offered in district  
14 schools shall be approved by the board. The board may charge the districts for the  
15 full costs associated with certification of educational personnel. Such certification  
16 expenses shall not be included in the district aidable cost.

17           **SECTION 1090.** 38.04 (4) (ag) of the statutes is repealed.

18           **SECTION 1091.** 38.04 (8) (a) of the statutes is amended to read:

19           38.04 **(8)** (a) In this subsection, “minority group member” has the meaning  
20 given in s. ~~560.036~~ 490.04 (1) (f).

21           **SECTION 1092.** 38.04 (10m) (title) of the statutes is amended to read:

22           38.04 **(10m)** (title) ECONOMIC DEVELOPMENT ASSISTANCE COORDINATION AND  
23 REPORTING.

24           **SECTION 1093.** 38.04 (10m) of the statutes is renumbered 38.04 (10m) (b) and  
25 amended to read:

**ASSEMBLY BILL 40****SECTION 1093**

1           38.04 **(10m)** (b) Annually, no later than October 1, the board shall submit to  
2 the joint legislative audit committee and to the appropriate standing committees of  
3 the legislature under s. 13.172 (3) a comprehensive report assessing economic  
4 development programs, as defined in sub. (1m) (a), administered by the board. The  
5 report shall include all of the information required under s. ~~560.01 (2) (am)~~ 238.07  
6 (2). The board shall collaborate with the ~~department of commerce~~ Wisconsin  
7 Economic Development Corporation to make readily accessible to the public on an  
8 Internet-based system the information required under this subsection.

9           **SECTION 1094.** 38.04 (10m) (a) of the statutes is created to read:

10           38.04 **(10m)** (a) The board shall coordinate any economic development  
11 assistance with the Wisconsin Economic Development Corporation.

12           **SECTION 1095.** 38.16 (3) of the statutes is created to read:

13           38.16 **(3)** (a) In this subsection:

14           1. “Department” means the department of revenue.

15           2. “Excess levy” means the amount by which a district board’s tax levy exceeds  
16 the limit under par. (b).

17           3. “Tax levy” excludes taxes levied for the purpose of paying principal and  
18 interest on valid bonds and notes.

19           (b) Notwithstanding sub. (1), a district board’s tax levy in 2011 and in 2012 may  
20 not exceed the district board’s tax levy in 2010.

21           (c) Except as provided in par. (d), if the board determines that a district board  
22 imposed an excess levy in 2011 or 2012, the board shall do all of the following:

23           1. Reduce the amount of state aid payments to the district board in the school  
24 year in which the district board imposed the excess levy by an amount equal to the  
25 amount of the excess levy.

**ASSEMBLY BILL 40****SECTION 1095**

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           **SECTION 1096.** 38.22 (6) (e) of the statutes is repealed.

21           **SECTION 1097.** 38.23 (4) of the statutes is amended to read:

22           38.23 (4) Nothing in this section or s. 36.12 or 37.12 prevents institutions from  
23 segregating students in dormitories based on sex.

24           **SECTION 1098.** 38.24 (7) (b) (intro.) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1098**

1           38.24 (7) (b) (intro.) Except as provided in subds. 1. to 3. and par. (bg), the  
2 district board shall grant full remission of fees under sub. (1m) (a) to (c) for 128  
3 credits or 8 semesters, whichever is longer, less the number of credits or semesters  
4 for which the person received remission of fees from any other district board under  
5 this subsection and from the Board of Regents under s. 36.27 (3n) (b) ~~and, but not less~~  
6 the amount of any fees paid under 38 USC 3319, to any resident student who is also  
7 any of the following:

8           **SECTION 1099.** 38.24 (7) (b) (intro.) of the statutes, as affected by 2011  
9 Wisconsin Act .... (this act), is amended to read:

10           38.24 (7) (b) (intro.) Except as provided in subds. 1. to 3. and par. (bg), the  
11 district board shall grant full remission of fees under sub. (1m) (a) to (c) for 128  
12 credits or 8 semesters, whichever is longer, less the number of credits or semesters  
13 for which the person received remission of fees from any other district board under  
14 this subsection ~~and,~~ from the Board of Regents under s. 36.27 (3n) (b), and from the  
15 Board of Trustees under s. 37.27 (3n) (b), but not less the amount of any fees paid  
16 under 38 USC 3319, to any resident student who is also any of the following:

17           **SECTION 1100.** 38.24 (8) (b) of the statutes is amended to read:

18           38.24 (8) (b) Except as provided in par. (bg), the district board shall grant full  
19 remission of the fees charged under sub. (1m) (a) to (c) for 128 credits or 8 semesters,  
20 whichever is longer, less the number of credits or semesters for which the person  
21 received remission of fees from any other district board under this subsection and  
22 from the Board of Regents under s. 36.27 (3p) ~~and, but not less~~ the amount of any fees  
23 paid under 10 USC 2107 (c), 38 USC 3104 (a) (7) (A), or 38 USC 3313, to any student  
24 who is a veteran.



**ASSEMBLY BILL 40****SECTION 1101**

1           **SECTION 1101.** 38.24 (8) (b) of the statutes, as affected by 2011 Wisconsin Act  
2 .... (this act), is amended to read:

3           38.24 **(8)** (b) Except as provided in par. (bg), the district board shall grant full  
4 remission of the fees charged under sub. (1m) (a) to (c) for 128 credits or 8 semesters,  
5 whichever is longer, less the number of credits or semesters for which the person  
6 received remission of fees from any other district board under this subsection and  
7 from the Board of Regents under s. 36.27 (3p), and from the Board of Trustees under  
8 s. 37.27 (3p), but not less the amount of any fees paid under 10 USC 2107 (c), 38 USC  
9 3104 (a) (7) (A), or 38 USC 3313, to any student who is a veteran.

10           **SECTION 1102.** 38.26 (1) of the statutes is amended to read:

11           38.26 **(1)** In this section, “minority student” means a student enrolled in a  
12 district school who is a minority group member, as defined in s. 560.036 490.04 (1)  
13 (f).

14           **SECTION 1103.** 38.28 (1m) (a) 2. of the statutes is amended to read:

15           38.28 **(1m)** (a) 2. “District aidable cost” for any district that does not have an  
16 institution ~~or~~, college campus, or university located in the district does not include  
17 costs associated with the collegiate transfer program at the district school. In this  
18 subdivision, “institution” and “college campus” have the meanings specified under  
19 s. 36.05 and “university” has the meaning given in s. 37.01 (9).

20           **SECTION 1104.** 38.28 (4) of the statutes is amended to read:

21           38.28 **(4)** From the appropriation under s. 20.292 (1) (dm), the board shall  
22 annually pay to any district that does not have an institution ~~or~~, college campus, or  
23 university located within the district an amount equal to that portion of the  
24 instructional costs of the district’s collegiate transfer program not supported by fees  
25 and tuition that is equal to the state support of similar programs in the University

**ASSEMBLY BILL 40****SECTION 1104**

1 of Wisconsin System, as determined by the board. In this subsection, “institution”  
2 and “college campus” have the meanings specified under s. 36.05 and “university”  
3 has the meaning given in s. 37.01 (9).

4 **SECTION 1105.** 38.40 (4m) (a) of the statutes is amended to read:

5 38.40 **(4m)** (a) The board may approve an innovative school-to-work program  
6 provided by a nonprofit organization for children at risk, as defined in s. 118.153(1)  
7 (a) 115.001 (1m), in a county having a population of 500,000 or more to assist those  
8 children at risk in acquiring employability skills and occupational-specific  
9 competencies before leaving high school. If the board approves a program under this  
10 paragraph, the board may award a grant, from the appropriation under s. 20.292 (1)  
11 (ef), to the nonprofit organization providing the program and the nonprofit  
12 organization shall use the funds received under the grant to provide the program.

13 **SECTION 1106.** 39.16 (1) of the statutes is amended to read:

14 39.16 **(1)** There is created a medical education review committee consisting of  
15 9 members as follows. Seven members shall be appointed by the governor for  
16 staggered 5-year terms, and shall be selected from citizens with broad knowledge of  
17 medical education who are currently not associated with either of the medical schools  
18 of this state. The remaining members of the committee shall be the president  
19 chancellor of the University of ~~Wisconsin System~~ Wisconsin-Madison or a designee,  
20 and the president of the Medical College of Wisconsin, Inc. or a designee.

21 **SECTION 1107.** 39.16 (2) (a) of the statutes is amended to read:

22 39.16 **(2)** (a) Stimulate the development of cooperative programs by the  
23 Medical College of Wisconsin, Inc. and the University of ~~Wisconsin-Madison~~ Medical  
24 Wisconsin School of Medicine and Public Health, and advise the governor and  
25 legislature on the viability of such cooperative arrangements.

**ASSEMBLY BILL 40****SECTION 1108**

1           **SECTION 1108.** 39.30 (1) (e) of the statutes is amended to read:

2           39.30 (1) (e) “Resident student” shall be determined under s. 36.27 or 37.27, so  
3 far as applicable.

4           **SECTION 1109.** 39.30 (3) (a) of the statutes is amended to read:

5           39.30 (3) (a) From the total tuition charged the student by the institution,  
6 subtract the amount of the resident academic fee charged at ~~the Madison campus of~~  
7 the University of Wisconsin System Wisconsin–Madison.

8           **SECTION 1110.** 39.32 (1) (b) of the statutes is amended to read:

9           39.32 (1) (b) “Resident student” shall be determined under s. 36.27 or 37.27,  
10 so far as applicable.

11           **SECTION 1111.** 39.325 (1) of the statutes is amended to read:

12           39.325 (1) There is established, to be administered by the board, a Wisconsin  
13 health education loan program under P.L. 94–484, on July 29, 1979, in order to  
14 provide financial aid to medical and dentistry students enrolled in the University of  
15 Wisconsin Medical School of Medicine and Public Health, the Medical College of  
16 Wisconsin, or the Marquette University School of Dentistry.

17           **SECTION 1112.** 39.40 (1) (c) of the statutes is amended to read:

18           39.40 (1) (c) A Hispanic, as defined in s. 560.036 490.04 (1) (d).

19           **SECTION 1113.** 39.40 (2) (a) of the statutes is amended to read:

20           39.40 (2) (a) Are registered as juniors or seniors, or hold a bachelor’s degree and  
21 are registered as special students, in the University of Wisconsin–Madison, in the  
22 University of Wisconsin System, or in an accredited, private institution of higher  
23 education located in this state.

24           **SECTION 1114.** 39.41 (2) (a) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1114**

1           39.41 (2) (a) If a designated scholar under sub. (1m) is admitted to and enrolls,  
2 on a full-time basis, by September 30 of the academic year immediately following the  
3 school year in which the senior was designated a scholar, in the University of  
4 Wisconsin-Madison, in an institution within the University of Wisconsin System, or  
5 in a technical college district school that is participating in the program under this  
6 section, the scholar shall receive a higher education scholarship that exempts the  
7 scholar from all tuition and fees, including segregated fees, at ~~the~~ that university,  
8 institution, or district school for one year, except that the maximum scholarship for  
9 a scholar who receives an original scholarship for the 1996–97 academic year or for  
10 any academic year thereafter may not exceed \$2,250 per academic year.

11           **SECTION 1115.** 39.41 (2) (b) of the statutes is amended to read:

12           39.41 (2) (b) For each year that a scholar who receives a scholarship under par.  
13 (a) is enrolled full time, maintains at least a 3.000 grade point average, or the  
14 equivalent as determined by the university, institution, or district school, and makes  
15 satisfactory progress toward an associate degree, a bachelor's degree, or a vocational  
16 diploma, the student shall be exempt from all tuition and fees, including segregated  
17 fees, in the subsequent year or, if the scholar does not enroll in a participating  
18 institution of higher education in the subsequent year, in the 2nd year following the  
19 year in which the scholar received the scholarship, except that the maximum  
20 scholarship for a scholar who receives an original scholarship for the 1996–97  
21 academic year or for any academic year thereafter may not exceed \$2,250 per  
22 academic year. No scholar is eligible for an exemption for more than 4 years in the  
23 University of Wisconsin-Madison or the University of Wisconsin System or more  
24 than 3 years at a district school.

25           **SECTION 1116.** 39.41 (2) (c) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1116**

1           39.41 (2) (c) Subject to sub. (4), for each year the student is exempt from tuition  
2 and fees under par. (a) or (b), the board shall pay the university, institution, or district  
3 school, on behalf of the student, an amount equal to 50% of the student's tuition and  
4 fees, except that the maximum payment for a student who receives an original  
5 scholarship for the 1996–97 academic year or for any academic year thereafter may  
6 not exceed \$1,125 per academic year.

7           **SECTION 1117.** 39.41 (4) (a) of the statutes is amended to read:

8           39.41 (4) (a) The board shall make the payments under subs. (2) (c) and (3) only  
9 if the university, institution, district school, or private institution matches the  
10 amount of the payment from institutional funds, gifts, or grants. Beginning in the  
11 1992–93 school year, the matching requirement under this paragraph for the  
12 institutions within the University of Wisconsin System shall be satisfied by  
13 payments of an amount equal to the total payments from the institutions made under  
14 this paragraph in the 1991–92 school year and, if such payments are insufficient to  
15 satisfy the matching requirement, by the waiver of academic fees established under  
16 s. 36.27. Beginning in the 2011–12 school year, the matching requirement under this  
17 paragraph for the University of Wisconsin–Madison shall be satisfied by payments  
18 of an amount equal to the total payments from the University of Wisconsin–Madison  
19 made under this paragraph in the 1991–92 school year and, if such payments are  
20 insufficient to satisfy the matching requirement, by the waiver of academic fees  
21 established under s. 37.27.

22           **SECTION 1118.** 39.41 (5) (a) 1. of the statutes is amended to read:

23           39.41 (5) (a) 1. Each institution within the University of Wisconsin System,  
24 technical college district school and private institution of higher education that  
25 wishes to participate in the scholarship program under this section in academic year

**ASSEMBLY BILL 40****SECTION 1118**

1 1999–2000 and thereafter shall notify the board by October 1, 1998, that the  
2 institution wishes to participate. Notification as required under this subdivision  
3 provided by the University of Wisconsin–Madison prior to the effective date of this  
4 subdivision .... [LRB inserts date], shall be considered notification that the  
5 University of Wisconsin–Madison wishes to participate in the scholarship program  
6 under this section.

7 **SECTION 1119.** 39.435 (7) (a) 1. of the statutes is amended to read:

8 39.435 (7) (a) 1. For purposes of calculating the amount to be appropriated  
9 under s. 20.235 (1) (fe) for fiscal year ~~2011–12~~ 2013–14, “base amount” means the  
10 amount shown in the schedule under s. 20.005 for that appropriation for fiscal year  
11 ~~2010–11~~ 2012–13.

12 **SECTION 1120.** 39.435 (7) (a) 2. of the statutes is amended to read:

13 39.435 (7) (a) 2. For purposes of calculating the amount to be appropriated  
14 under s. 20.235 (1) (fe) for each fiscal year after fiscal year ~~2011–12~~ 2013–14, “base  
15 amount” means the appropriation amount calculated under par. (b) for the previous  
16 fiscal year.

17 **SECTION 1121.** 39.435 (7) (b) (intro.) of the statutes is amended to read:

18 39.435 (7) (b) (intro.) Biennially, beginning on February 1, ~~2011~~ 2013, the board  
19 shall calculate the amounts to be appropriated under s. 20.235 (1) (fe) for the next  
20 biennium as follows:

21 **SECTION 1122.** 39.435 (7) (b) 1. of the statutes is amended to read:

22 39.435 (7) (b) 1. The board shall determine the percentage by which the  
23 undergraduate academic fees that will be charged for the next academic year at the  
24 University of Wisconsin–Madison and at each institution within the University of

**ASSEMBLY BILL 40****SECTION 1122**

1 Wisconsin System, as estimated by the board, will increase or decrease from the  
2 undergraduate academic fees charged for the current academic year.

3 **SECTION 1123.** 39.435 (7) (b) 1m. of the statutes is amended to read:

4 39.435 (7) (b) 1m. The board shall determine the percentage by which the  
5 undergraduate academic fees that will be charged for the academic year after the  
6 next academic year at the University of Wisconsin–Madison and at each institution  
7 within the University of Wisconsin System, as estimated by the board, will increase  
8 or decrease from the estimated undergraduate academic fees that will be charged for  
9 the next academic year.

10 **SECTION 1124.** 39.435 (8) of the statutes is amended to read:

11 39.435 (8) The board shall award grants under this section to University of  
12 Wisconsin–Madison and University of Wisconsin System students from the  
13 appropriation under s. 20.235 (1) (fe).

14 **SECTION 1125.** 39.437 (1) of the statutes is amended to read:

15 39.437 (1) ESTABLISHMENT OF GRANT PROGRAM. There is established, to be  
16 administered by the board, ~~with the assistance of the office of the Wisconsin~~  
17 ~~Covenant Scholars Program in the department of administration as provided in~~  
18 ~~subs. (2) (a) 2., (4), and (5),~~ a Wisconsin Covenant Scholars Program to provide grants  
19 to students who meet the eligibility criteria specified in sub. (2).

20 **SECTION 1126.** 39.437 (2) (a) 2. of the statutes is amended to read:

21 39.437 (2) (a) 2. The student has been designated as a Wisconsin covenant  
22 scholar by the ~~office of the Wisconsin Covenant Scholars Program in the department~~  
23 ~~of administration~~ board.

24 **SECTION 1127.** 39.437 (4) (a) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1127**

1           39.437 (4) (a) By February 1 of each year, the Board of Trustees of the  
2 University of Wisconsin–Madison shall provide to the board information relating to  
3 the resident undergraduate academic fees charged to attend that university for the  
4 current academic year, the Board of Regents of the University of Wisconsin System  
5 shall provide to the ~~office of the Wisconsin Covenant Scholars Program in the~~  
6 ~~department of administration~~ board information relating to the resident  
7 undergraduate academic fees charged to attend each of the institutions within that  
8 system for the current academic year, the technical college system board shall  
9 provide to ~~that office~~ the board information relating to the fees under s. 38.24 (1m)  
10 (a) to (c) charged to attend each of the technical colleges within that system for the  
11 current academic year, each tribally controlled college in this state shall provide to  
12 ~~that office~~ the board information relating to the tuition and fees charged to attend  
13 the tribal college for the current academic year, and the Wisconsin Association of  
14 Independent Colleges and Universities or a successor organization shall provide to  
15 ~~that office~~ the board information relating to tuition and fees charged to attend each  
16 of the private, nonprofit, accredited institutions of higher education in this state for  
17 the current academic year.

18           **SECTION 1128.** 39.437 (4) (b) of the statutes is amended to read:

19           39.437 (4) (b) By April 1 of each year, the ~~office of the Wisconsin Covenant~~  
20 ~~Scholars Program in the department of administration~~ board shall determine the  
21 average of the resident undergraduate academic fees charged for the current  
22 academic year at the University of Wisconsin–Madison, the average of the resident  
23 undergraduate academic fees charged for the current academic year among the  
24 institutions within the University of Wisconsin System, the average of the fees under  
25 s. 38.24 (1m) (a) to (c) charged for the current academic year among the technical



**ASSEMBLY BILL 40****SECTION 1128**

1 colleges in this state, the average of the tuition and fees charged for the current  
2 academic year among the tribally controlled colleges in this state, and the average  
3 of the tuition and fees charged for the current academic year among the private,  
4 nonprofit, accredited institutions of higher education in this state.

5 **SECTION 1129.** 39.437 (4) (c) of the statutes is amended to read:

6 39.437 (4) (c) To the extent permitted under 20 USC 1232g and 34 CFR part  
7 99, the department of public instruction shall provide pupil information to the office  
8 of the ~~Wisconsin Covenant Scholars Program in the department of administration~~  
9 board as necessary for that office to fulfill its role in the administration of the grant  
10 program under this section.

11 **SECTION 1130.** 39.437 (5) (intro.) of the statutes is amended to read:

12 39.437 (5) RULES. (intro.) The ~~department of administration~~ board shall  
13 promulgate rules to implement this section, including all of the following:

14 **SECTION 1131.** 39.437 (5) (c) of the statutes is amended to read:

15 39.437 (5) (c) Any other rules the ~~department of administration~~ board  
16 considers necessary to assure the uniform administration of this section.

17 **SECTION 1132.** 39.437 (6) of the statutes is created to read:

18 39.437 (6) SUNSET. No student may enroll in the Wisconsin Covenant Scholars  
19 Program after September 30, 2011. After that date, the board may designate a  
20 student as a Wisconsin covenant scholar under sub. (2) (a) 2. only if the student  
21 enrolled in the Wisconsin Covenant Scholars Program by that date.

22 **SECTION 1133.** 39.44 (1) (a) 3. of the statutes is amended to read:

23 39.44 (1) (a) 3. Is a Hispanic, as defined in s. ~~560.036~~ 490.04 (1) (d).

24 **SECTION 1134.** 39.50 (1m) of the statutes is created to read:

**ASSEMBLY BILL 40****SECTION 1134**

1           **39.50 (1m)** UNIVERSITY OF WISCONSIN-MADISON. At the end of each semester,  
2 the Board of Trustees of the University of Wisconsin-Madison shall certify to the  
3 board the number of students enrolled in the University of Wisconsin-Madison to  
4 whom any fees or nonresident tuition has been remitted under s. 37.27 (3n) or (3p),  
5 the number of credits for which those fees or that nonresident tuition has been  
6 remitted, and the amount of fees and nonresident tuition remitted. Subject to sub.  
7 (3m), if the board approves the information certified under this subsection, the  
8 board, from the appropriation account under s. 20.235 (1) (fz), shall reimburse the  
9 board of trustees for the full amount of fees and nonresident tuition remitted.

10           **SECTION 1135.** 39.50 (3m) of the statutes is amended to read:

11           **39.50 (3m)** REMISSION OF FEES; PRORATED REIMBURSEMENT. In June of each fiscal  
12 year, the board shall determine the total amount of fees and nonresident tuition  
13 remitted by the ~~board of regents~~ Board of Regents and the Board of Trustees that are  
14 eligible for reimbursement under ~~sub.~~ subs. (1) and (1m) and fees remitted by the  
15 district boards that are eligible for reimbursement under sub. (2). If the moneys  
16 appropriated under s. 20.235 (1) (fz) are not sufficient to reimburse the ~~board of~~  
17 ~~regents~~ Board of Regents and the Board of Trustees for the full amount of those fees  
18 and that nonresident tuition and each district board for the full amount of those fees,  
19 the board shall prorate the reimbursement paid under subs. (1), (1m), and (2) in the  
20 proportion that the moneys available bears to the total amount eligible for  
21 reimbursement under subs. (1), (1m), and (2).

22           **SECTION 1136.** 39.50 (4) of the statutes is amended to read:

23           **39.50 (4)** REIMBURSEMENT OF VETERANS AND DEPENDENTS; PRORATED  
24 REIMBURSEMENT. In each fiscal year, the higher educational aids board shall  
25 determine the total amount of reimbursement due to students under ss. 36.27 (3n)

**ASSEMBLY BILL 40****SECTION 1136**

1 (bm) 1. and (3p) (bm) 1., 37.27 (3n) (bm) 1. and (3p) (bm) 1., and 38.24 (7) (bm) 1. and  
2 (8) (bm) 1. If the moneys appropriated under s. 20.235 (1) (fz) are not sufficient to  
3 provide full reimbursement to those students, the higher educational aids board  
4 shall prorate the reimbursement paid to those students under ss. 36.27 (3n) (bm) 1.  
5 and (3p) (bm) 1., 37.27 (3n) (bm) 1. and (3p) (bm) 1., and 38.24 (7) (bm) 1. and (8) (bm)  
6 1. in the proportion that the moneys available bears to the total amount eligible for  
7 reimbursement under ss. 36.27 (3n) (bm) 1. and (3p) (bm) 1., 37.27 (3n) (bm) 1. and  
8 (3p) (bm) 1., and 38.24 (7) (bm) 1. and (8) (bm) 1. If the higher educational aids board  
9 prorates reimbursement under this subsection, the Board of Regents shall reimburse  
10 a student who is eligible for reimbursement under s. 36.27 (3n) (bm) 1. or (3p) (bm)  
11 1., the Board of Trustees shall reimburse a student who is eligible for reimbursement  
12 under s. 37.27 (3n) (bm) 1. or (3p) (bm) 1., and the appropriate technical college  
13 district board shall reimburse a student who is eligible for reimbursement under s.  
14 38.24 (7) (bm) 1. or (8) (bm) 1., in an amount that is equal to the difference between  
15 the amount of reimbursement for which the student is eligible and the amount of  
16 reimbursement paid by the higher educational aids board.

17 **SECTION 1137.** 40.02 (22) (em) of the statutes is amended to read:

18 40.02 (22) (em) For Wisconsin retirement system purposes only, for a member  
19 of the a faculty, as defined in s. 36.05 (8) or 37.01 (6), of a university who is on  
20 sabbatical leave under s. 36.11 (17) or 37.11 (17), means the compensation that would  
21 have been payable to the participant, at the participant's rate of pay immediately  
22 prior to beginning the sabbatical leave, for service that would have been rendered at  
23 the university during the period of the sabbatical leave if the participant had  
24 continued to render services for the participant's employer during that period.

**ASSEMBLY BILL 40****SECTION 1137**

1 Contributions and premiums on earnings considered to be received under this  
2 paragraph shall be paid as required under s. 40.05.

3 **SECTION 1138.** 40.02 (25) (b) 2. of the statutes is amended to read:

4 40.02 (25) (b) 2. Any person employed as a graduate assistant and other  
5 employees-in-training as are designated by the ~~board of regents~~ Board of Regents  
6 or Board of Trustees of the university, who are employed on at least a one-third  
7 full-time basis.

8 **SECTION 1139.** 40.02 (25) (b) 2c. of the statutes is amended to read:

9 40.02 (25) (b) 2c. A state employee described in s. ~~49.825 (4) or~~ 49.826 (4).

10 **SECTION 1140.** 40.02 (48) (am) 22. of the statutes is amended to read:

11 40.02 (48) (am) 22. A person employed under s. 60.553 (1), 61.66 (1), or 62.13  
12 (2e) (a).

13 **SECTION 1141.** 40.02 (48) (c) of the statutes is amended to read:

14 40.02 (48) (c) In s. 40.65, “protective occupation participant” means a  
15 participating employee who is a police officer, fire fighter, an individual determined  
16 by a participating employer under par. (a) or (bm) to be a protective occupation  
17 participant, county undersheriff, deputy sheriff, state probation and parole officer,  
18 county traffic police officer, conservation warden, state forest ranger, field  
19 conservation employee of the department of natural resources who is subject to call  
20 for forest fire control or warden duty, member of the state traffic patrol, state motor  
21 vehicle inspector, University of ~~Wisconsin~~ Wisconsin-Madison or University of  
22 Wisconsin System full-time police officer, guard or any other employee whose  
23 principal duties are supervision and discipline of inmates at a state penal institution,  
24 excise tax investigator employed by the department of revenue, person employed

**ASSEMBLY BILL 40****SECTION 1141**

1 under s. 60.553 (1), 61.66 (1), or 62.13 (2e) (a), or special criminal investigation agent  
2 employed by the department of justice.

3 **SECTION 1142.** 40.02 (54) (hm) of the statutes is created to read:

4 40.02 (54) (hm) The University of Wisconsin–Madison.

5 **SECTION 1143.** 40.02 (57) of the statutes is amended to read:

6 40.02 (57) “University” means the University of Wisconsin System under ch.  
7 36 or the University of Wisconsin–Madison under ch. 37.

8 **SECTION 1144.** 40.03 (6) (h) (intro.) and 2. of the statutes are consolidated,  
9 renumbered 40.03 (6) (h) and amended to read:

10 40.03 (6) (h) Shall, on behalf of the state, offer as provided in s. 40.55 long-term  
11 care insurance policies, ~~subject to the following conditions:~~ 2. For purposes of this  
12 section, the offering by the state of long-term health insurance policies shall  
13 constitute a group insurance plan under par. (a) 1.

14 **SECTION 1145.** 40.03 (6) (h) 1. of the statutes is repealed.

15 **SECTION 1146.** 40.05 (4) (b) of the statutes is amended to read:

16 40.05 (4) (b) Except as provided under pars. (bc) and (bp), accumulated unused  
17 sick leave under ss. 13.121 (4), 36.30, 37.30, 230.35 (2), 233.10, 238.04 (8), and 757.02  
18 (5) and subch. I, V, or VI of ch. 111 of any eligible employee shall, at the time of death,  
19 upon qualifying for an immediate annuity or for a lump sum payment under s. 40.25  
20 (1) or upon termination of creditable service and qualifying as an eligible employee  
21 under s. 40.02 (25) (b) 6. or 10., be converted, at the employee’s highest basic pay rate  
22 he or she received while employed by the state, to credits for payment of health  
23 insurance premiums on behalf of the employee or the employee’s surviving insured  
24 dependents. Any supplemental compensation that is paid to a state employee who  
25 is classified under the state classified civil service as a teacher, teacher supervisor,

**ASSEMBLY BILL 40****SECTION 1146**

1 or education director for the employee's completion of educational courses that have  
2 been approved by the employee's employer is considered as part of the employee's  
3 basic pay for purposes of this paragraph. The full premium for any eligible employee  
4 who is insured at the time of retirement, or for the surviving insured dependents of  
5 an eligible employee who is deceased, shall be deducted from the credits until the  
6 credits are exhausted and paid from the account under s. 40.04 (10), and then  
7 deducted from annuity payments, if the annuity is sufficient. The department shall  
8 provide for the direct payment of premiums by the insured to the insurer if the  
9 premium to be withheld exceeds the annuity payment. Upon conversion of an  
10 employee's unused sick leave to credits under this paragraph or par. (bf), the  
11 employee or, if the employee is deceased, the employee's surviving insured  
12 dependents may initiate deductions from those credits or may elect to delay  
13 initiation of deductions from those credits, but only if the employee or surviving  
14 insured dependents are covered by a comparable health insurance plan or policy  
15 during the period beginning on the date of the conversion and ending on the date on  
16 which the employee or surviving insured dependents later elect to initiate  
17 deductions from those credits. If an employee or an employee's surviving insured  
18 dependents elect to delay initiation of deductions from those credits, an employee or  
19 the employee's surviving insured dependents may only later elect to initiate  
20 deductions from those credits during the annual enrollment period under par. (be).  
21 A health insurance plan or policy is considered comparable if it provides hospital and  
22 medical benefits that are substantially equivalent to the standard health insurance  
23 plan established under s. 40.52 (1).

24 **SECTION 1147.** 40.05 (4) (bm) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1147**

1           40.05 (4) (bm) Except as provided under par. (bp), accumulated unused sick  
2           leave under ss. 36.30, 37.30, and 230.35 (2) ~~or, 233.10, or 238.04~~ (8) of any eligible  
3           employee shall, upon request of the employee at the time the employee is subject to  
4           layoff under s. 40.02 (40), be converted at the employee's highest basic pay rate he  
5           or she received while employed by the state to credits for payment of health  
6           insurance premiums on behalf of the employee. Any supplemental compensation  
7           that is paid to a state employee who is classified under the state classified civil  
8           service as a teacher, teacher supervisor or education director for the employee's  
9           completion of educational courses that have been approved by the employee's  
10          employer is considered as part of the employee's basic pay for purposes of this  
11          paragraph. The full amount of the required employee contribution for any eligible  
12          employee who is insured at the time of the layoff shall be deducted from the credits  
13          until the credits are exhausted, the employee is reemployed, or 5 years have elapsed  
14          from the date of layoff, whichever occurs first.

15           **SECTION 1148.** 40.05 (4) (bp) 1. of the statutes is amended to read:

16           40.05 (4) (bp) 1. Except as provided in subds. 2. and 3., for sick leave which  
17          accumulates beginning on August 1, 1987, conversion under par. (b) or (bm) of  
18          accumulated unused sick leave under s. 36.30 or 37.30 to credits for payment of  
19          health insurance premiums shall be limited to the annual amounts of sick leave  
20          specified in this subdivision. For faculty and academic staff personnel who are  
21          appointed to work 52 weeks per year, conversion is limited to 8.5 days of sick leave  
22          per year. For faculty and academic staff personnel who are appointed to work 39  
23          weeks per year, conversion is limited to 6.4 days of sick leave per year. For faculty  
24          and academic staff personnel not otherwise specified, conversion is limited to a

**ASSEMBLY BILL 40****SECTION 1148**

1 number of days of sick leave per year to be determined by the secretary by rule, in  
2 proportion to the number of weeks per year appointed to work.

3 **SECTION 1149.** 40.05 (4) (bp) 2. of the statutes is amended to read:

4 40.05 (4) (bp) 2. The limits on conversion of accumulated unused sick leave  
5 which are specified under subd. 1. may be waived for nonteaching faculty who are  
6 appointed to work 52 weeks per year and nonteaching academic staff personnel if the  
7 secretary of administration determines that a sick leave accounting system  
8 comparable to the system used by the state for employees in the classified service is  
9 in effect at the University of Wisconsin–Madison or the institution, as defined in s.  
10 36.05 (9), and if the University of Wisconsin–Madison or the institution regularly  
11 reports on the operation of its sick leave accounting system to the ~~board of regents~~  
12 Board of Regents of the University of Wisconsin System or the Board of Trustees of  
13 the University of Wisconsin–Madison.

14 **SECTION 1150.** 40.05 (4) (bp) 3. of the statutes is amended to read:

15 40.05 (4) (bp) 3. The limits on conversion of accumulated unused sick leave  
16 which are specified under subd. 1. may be waived for teaching faculty or teaching  
17 academic staff at the University of Wisconsin–Madison or any institution, as defined  
18 in s. 36.05 (9), if the secretary of administration determines all of the following:

19 a. That administrative procedures for the crediting and use of earned sick leave  
20 for teaching faculty and teaching academic staff on a standard comparable to a  
21 scheduled 40-hour work week are in operation at the University of  
22 Wisconsin–Madison or institution.

23 b. That a sick leave accounting system for teaching faculty and teaching  
24 academic staff comparable to the system used by state employees in the classified  
25 service is in effect at the University of Wisconsin–Madison or institution.



**ASSEMBLY BILL 40****SECTION 1150**

1           c. That the University of Wisconsin–Madison or institution regularly reports  
2 on the operation of its sick leave accounting system to the ~~board of regents~~ Board of  
3 Regents of the University of Wisconsin System ~~or the Board of Trustees of the~~  
4 University of Wisconsin–Madison.

5           **SECTION 1151.** 40.05 (4) (e) of the statutes is created to read:

6           40.05 (4) (e) The Health Insurance Risk–Sharing Plan Authority shall not be  
7 required to pay any contributions related to benefits authorized under pars. (b), (bc),  
8 (bm), and (bw) and subch. IX.

9           **SECTION 1152.** 40.05 (5) (a) of the statutes is amended to read:

10           40.05 (5) (a) For teachers in the unclassified service of the state employed by  
11 the ~~board of regents of the university~~ Board of Regents of the University of Wisconsin  
12 System or for teachers employed by the Board of Trustees of the University of  
13 Wisconsin–Madison, no contribution if the teacher has less than one year of state  
14 creditable service and an amount equal to the gross premium for coverage subject to  
15 a 130–day waiting period if the teacher has one year or more of state creditable  
16 service.

17           **SECTION 1153.** 40.05 (5) (b) 4. of the statutes is amended to read:

18           40.05 (5) (b) 4. The accrual and crediting of sick leave shall be determined in  
19 accordance with ss. 13.121 (4), 36.30, 37.30, 230.35 (2), 233.10, 238.04 (8), and 757.02  
20 (5) and subch. I, V, or VI of ch. 111.

21           **SECTION 1154.** 40.22 (2) (g) of the statutes is amended to read:

22           40.22 (2) (g) The employee is appointed by the ~~university~~ Board of Regents of  
23 the University of Wisconsin System under s. 36.19, ~~by the Board of Trustees of the~~  
24 University of Wisconsin–Madison under s. 37.19 (1), or by the University of  
25 Wisconsin Hospitals and Clinics Authority, as a student assistant or employee in

**ASSEMBLY BILL 40****SECTION 1154**

1 training or is appointed by a school or other education system in which the person  
2 is regularly enrolled as a student and is attending classes to perform services  
3 incidental to the person's course of study at that school or education system.

4 **SECTION 1155.** 40.22 (2) (h) of the statutes is amended to read:

5 40.22 (2) (h) The employee is teaching while on leave from an educational  
6 institution not a part of the University of Wisconsin–Madison or University of  
7 Wisconsin System, if the person is a visiting professor, visiting associate professor,  
8 visiting assistant professor or visiting lecturer at the university and if the  
9 employment at the university is all within 12 consecutive calendar months. If the  
10 employment at the university is continued beyond the 12–month period the person  
11 shall, at the start of the 13th consecutive calendar month of employment, come under  
12 the system for future service.

13 **SECTION 1156.** 40.22 (2) (m) of the statutes is amended to read:

14 40.22 (2) (m) Notwithstanding sub. (3m), the employee was formerly employed  
15 by Milwaukee County, is a state employee described in s. 49.825 (4), 2009 stats., or  
16 s. 49.826 (4), and elects to remain a covered employee under the retirement system  
17 established under chapter 201, laws of 1937, pursuant to s. 49.825 (4) (c), 2009 stats.,  
18 or s. 49.826 (4) (c). This paragraph shall not apply if the employee remains a state  
19 employee, but is no longer performing services for the Milwaukee County enrollment  
20 services unit under s. 49.825, 2009 stats., or the child care provider services unit  
21 under s. 49.826.

22 **SECTION 1157.** 40.51 (8) of the statutes is amended to read:

23 40.51 (8) Every health care coverage plan offered by the state under sub. (6)  
24 shall comply with ss. 631.89, 631.90, 631.93 (2), 631.95, 632.72 (2), 632.746 (1) to (8)

**ASSEMBLY BILL 40****SECTION 1157**

1 and (10), 632.747, 632.748, 632.798, 632.83, 632.835, 632.85, 632.853, 632.855,  
2 632.87 (3) to (6), 632.885, 632.89, 632.895 (5m) and (8) to ~~(17)~~ (16m), and 632.896.

3 **SECTION 1158.** 40.51 (8m) of the statutes is amended to read:

4 40.51 **(8m)** Every health care coverage plan offered by the group insurance  
5 board under sub. (7) shall comply with ss. 631.95, 632.746 (1) to (8) and (10), 632.747,  
6 632.748, 632.798, 632.83, 632.835, 632.85, 632.853, 632.855, 632.885, 632.89, and  
7 632.895 (11) to ~~(17)~~ (16m).

8 **SECTION 1159.** 40.52 (3) of the statutes is amended to read:

9 40.52 **(3)** The group insurance board, after consulting with the ~~board of regents~~  
10 Board of Trustees of the University of Wisconsin–Madison and the Board of Regents  
11 of the University of Wisconsin System, shall establish the terms of a health insurance  
12 plan for graduate assistants, and for employees–in–training designated by the ~~board~~  
13 ~~of regents~~ Board of Trustees or Board of Regents, who are employed on at least a  
14 one–third full–time basis and for teachers who are employed on at least a one–third  
15 full–time basis by the University of Wisconsin–Madison or University of Wisconsin  
16 System with an expected duration of employment of at least 6 months but less than  
17 one year.

18 **SECTION 1160.** 40.55 (1) of the statutes is amended to read:

19 40.55 **(1)** Except as provided in sub. (5), the state shall offer, through the group  
20 insurance board, to eligible employees under s. 40.02 (25) (bm) and to state  
21 annuitants long–term care insurance policies which have been filed with the office  
22 of the commissioner of insurance and which have been approved for offering under  
23 contracts established by the group insurance board ~~if the insurer requests that the~~  
24 ~~policy be offered and the.~~ The state shall also allow an eligible employee or a state

**ASSEMBLY BILL 40****SECTION 1160**

1 annuitant to purchase those policies for his or her spouse, domestic partner, or  
2 parent.

3 **SECTION 1161.** 40.62 (2) of the statutes is amended to read:

4 40.62 (2) Sick leave accumulation shall be determined in accordance with rules  
5 of the department, any collective bargaining agreement under subch. I, V, or VI of  
6 ch. 111, and ss. 13.121 (4), 36.30, 37.30, 49.825 (4) (d), 49.826 (4) (d), 230.35 (2),  
7 233.10, 238.04 (8), 757.02 (5) and 978.12 (3).

8 **SECTION 1162.** 40.62 (2) of the statutes, as affected by 2011 Wisconsin Act ....  
9 (this act), is amended to read:

10 40.62 (2) Sick leave accumulation shall be determined in accordance with rules  
11 of the department, any collective bargaining agreement under subch. I, V, or VI of  
12 ch. 111, and ss. 13.121 (4), 36.30, 37.30, ~~49.825 (4) (d)~~, 49.826 (4) (d), 230.35 (2),  
13 233.10, 238.04 (8), 757.02 (5) and 978.12 (3).

14 **SECTION 1163.** 40.95 (1) (a) 1. of the statutes is amended to read:

15 40.95 (1) (a) 1. The employee accrues accumulated unused sick leave under s.  
16 13.121 (4), 36.30, 37.30, 230.35 (2), 233.10, 238.04 (8), or 757.02 (5).

17 **SECTION 1164.** 41.11 (1g) (b) (intro.) of the statutes is amended to read:

18 41.11 (1g) (b) (intro.) The department, in consultation with the department of  
19 ~~commerce~~ Wisconsin Economic Development Corporation, shall do all of the  
20 following for each economic development program administered by the department:

21 **SECTION 1165.** 41.11 (1r) (title) of the statutes is amended to read:

22 41.11 (1r) (title) ECONOMIC DEVELOPMENT ASSISTANCE COORDINATION AND  
23 REPORTING.

24 **SECTION 1166.** 41.11 (1r) of the statutes is renumbered 41.11 (1r) (b) and  
25 amended to read:

**ASSEMBLY BILL 40****SECTION 1166**

1           41.11 (1r) (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. (1g) (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 1167.** 41.11 (1r) (a) of the statutes is created to read:

10           41.11 (1r) (a) The department shall coordinate any economic development  
11 assistance with the Wisconsin Economic Development Corporation.

12           **SECTION 1168.** 41.41 (4) (c) of the statutes is amended to read:

13           41.41 (4) (c) The department of agriculture, trade and consumer protection, the  
14 department of natural resources, the department of transportation, ~~the department~~  
15 ~~of commerce~~, the department of administration, the state historical society, and the  
16 University of Wisconsin-Extension shall cooperate with and assist the board in  
17 matters related to its functions.

18           **SECTION 1169.** 41.41 (5) (e) of the statutes is amended to read:

19           41.41 (5) (e) Consult and cooperate with the department of agriculture, trade  
20 and consumer protection, the department of natural resources, the department of  
21 transportation, ~~the department of commerce~~, the department of administration, the  
22 state historical society, the University of Wisconsin-Extension, any federally  
23 recognized American Indian tribe or band in this state that appoints a liaison  
24 representative to the board regarding the management of the Kickapoo valley  
25 reserve.

**ASSEMBLY BILL 40****SECTION 1170**

1           **SECTION 1170.** 42.09 (3) (b) of the statutes is amended to read:

2           42.09 (3) (b) The board shall develop policies encouraging each private person  
3 entering into an agreement with the board under this subsection to agree that his  
4 or her goal shall be to ensure that at least 25% of the employees hired to perform  
5 construction work in connection with state fair park facilities or to perform  
6 professional services in connection with the construction or development of those  
7 facilities will be minority group members, as defined in s. ~~560.036~~ 490.04 (1) (f), and  
8 that at least 5% of the employees hired to perform construction work in connection  
9 with state fair park facilities or to perform professional services in connection with  
10 the construction or development of those facilities will be women.

11           **SECTION 1171.** 43.15 (2) (a) of the statutes is renumbered 43.15 (2).

12           **SECTION 1172.** 43.15 (2) (b) to (e) of the statutes are repealed.

13           **SECTION 1173.** 43.15 (4) (c) 5. of the statutes is repealed.

14           **SECTION 1174.** 43.15 (4) (e) of the statutes is repealed.

15           **SECTION 1175.** 43.15 (5) of the statutes is amended to read:

16           43.15 (5) CAPITAL COSTS EXCLUDED. For the purpose of determining the amount  
17 of financial support required under ~~subs. (2) (b) and sub. (4) (b) 2. and (c) 5.~~, amounts  
18 spent for capital projects shall be excluded.

19           **SECTION 1176.** 43.53 (2) (a) of the statutes is amended to read:

20           43.53 (2) (a) Name one of the participants as the library's fiscal agent, who is  
21 responsible for the payroll, benefit administration, insurance, and financial record  
22 keeping and auditing for the library. The participant's costs of providing the services  
23 under this paragraph count toward the financial support required of the participant  
24 under s. 43.15 ~~(2) (b) or (4) (b) 2. or (c) 5.~~

25           **SECTION 1177.** Chapter 44 (title) of the statutes is amended to read:

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**CHAPTER 44**

**HISTORICAL SOCIETIES AND ARTS**

**BOARD HISTORICAL PRESERVATION**

**SECTION 1178.** 44.02 (5g) (a) of the statutes is amended to read:

44.02 (5g) (a) Not charge a fee for use of the main library by any member of the historical society, any member of the faculty or academic staff of the University of Wisconsin–Madison or University of Wisconsin System, any student enrolled in the University of Wisconsin–Madison or University of Wisconsin System or any other person exempted by rule of the historical society. The historical society may not charge a fee for use of the main library by any other person unless the historical society submits a fee schedule to the joint committee on finance that includes the specific fee to be charged to different categories of persons and an identification of any persons exempted by rule of the historical society. The fee schedule of the historical society shall be implemented if the committee approves the report, or does not schedule a meeting for the purpose of reviewing the report within 14 working days after receipt of the report.

**SECTION 1179.** 44.02 (12) of the statutes is amended to read:

44.02 (12) Be the custodian of the official series of the portraits of the governors of Wisconsin under s. ~~44.53~~ 41.53 (1) (g) and maintain the portraits in proper condition. The society may permit any or all of the portraits to be exhibited in such state buildings for such periods of time as it deems feasible.

**SECTION 1180.** 44.14 (1) of the statutes is amended to read:

44.14 (1) It is the purpose of this section to establish a more economical system of handling federal documents in this state in such a way as to effect savings of staff and space to the participating libraries, both state and local; to make such documents

**ASSEMBLY BILL 40****SECTION 1180**

1 more available to more of the people, colleges and libraries of the state, in accordance  
2 with the purposes of the federal depository act of 1895 and the needs of the citizens  
3 of the state; and to make possible substantial economies in the publication costs of  
4 such documents at the federal level as well. To this end the state documents  
5 depository established by s. 44.06 may acquire and establish a central state  
6 depository and loan collection of federal documents for the benefit of the University  
7 of Wisconsin–Madison and the University of Wisconsin System, the state law library,  
8 the depository libraries and such other college and public libraries in this state as  
9 may desire to share in the benefits of this loan collection.

10 **SECTION 1181.** 44.14 (2) of the statutes is amended to read:

11 44.14 (2) The University of Wisconsin–Madison, the University of Wisconsin  
12 System, and the public and other participating libraries, federal regulations  
13 permitting, may transfer outright or may loan indefinitely to this central depository  
14 any or all federal documents now in their possession which in their opinion are so  
15 little used for ready reference purposes as to make their retention unnecessary if  
16 copies are available on loan from the central depository loan collection.

17 **SECTION 1182.** Subchapter III (title) of chapter 44 [precedes 44.51] of the  
18 statutes is renumbered subchapter III (title) of chapter 41 [precedes 41.51].

19 **SECTION 1183.** 44.51 (intro.) and (1) of the statutes are consolidated,  
20 renumbered 44.51 and amended to read:

21 **44.51 Definitions.** In this subchapter, unless the context requires otherwise:  
22 ~~(1) “Board” otherwise, “board” means the arts board.~~

23 **SECTION 1184.** 44.51 (1m) of the statutes is repealed.

24 **SECTION 1185.** 44.51 (2) of the statutes is repealed.

25 **SECTION 1186.** 44.51 (3) of the statutes is repealed.



**ASSEMBLY BILL 40****SECTION 1187**

1           **SECTION 1187.** 44.53 (title) of the statutes is renumbered 41.53 (title).

2           **SECTION 1188.** 44.53 (1) (intro.) of the statutes is renumbered 41.53 (1) (intro.).

3           **SECTION 1189.** 44.53 (1) (a) of the statutes is renumbered 41.53 (1) (a).

4           **SECTION 1190.** 44.53 (1) (b) of the statutes is renumbered 41.53 (1) (b).

5           **SECTION 1191.** 44.53 (1) (c) of the statutes is renumbered 41.53 (1) (c).

6           **SECTION 1192.** 44.53 (1) (d) of the statutes is renumbered 41.53 (1) (d).

7           **SECTION 1193.** 44.53 (1) (e) of the statutes is renumbered 41.53 (1) (e).

8           **SECTION 1194.** 44.53 (1) (f) of the statutes is renumbered 41.53 (1) (f) and  
9 amended to read:

10           41.53 (1) (f) Plan and implement, when funds are available in the  
11 appropriations under s. ~~20.215 (1)~~ 20.380 (3) (b) and (o), a program of contracts with  
12 or grants-in-aid to groups or, in appropriate cases, individuals of exceptional talent  
13 engaged in or concerned with the arts. No grantee may receive any funds distributed  
14 as grants-in-aid under this paragraph unless the grantee provides at least 50% of  
15 the estimated total cost of the project, either in the form of moneys or in-kind  
16 contributions of equivalent value, to be funded under this paragraph.

17           **SECTION 1195.** 44.53 (1) (fm) of the statutes is renumbered 41.53 (1) (fm) and  
18 amended to read:

19           41.53 (1) (fm) Conduct a program identical to that described in par. (f), but only  
20 for American Indian individuals and groups. The program shall be funded from the  
21 appropriation under s. ~~20.215 (1)~~ 20.380 (3) (km).

22           **SECTION 1196.** 44.53 (1) (g) of the statutes is renumbered 41.53 (1) (g) and  
23 amended to read:

24           41.53 (1) (g) Arrange and schedule the portrait of the governor or any former  
25 governor. Costs incurred under this paragraph shall be charged to the appropriation

**ASSEMBLY BILL 40****SECTION 1196**

1 under s. ~~20.215 (1)~~ 20.380 (3) (c) up to a limit of \$10,000 per portrait. Costs in excess  
2 of \$10,000 per portrait may be charged to the appropriation under s. ~~20.215 (1)~~  
3 20.380 (3) (c) only with the prior approval of the joint committee on finance.

4 **SECTION 1197.** 44.53 (1) (h) of the statutes is renumbered 41.53 (1) (h) and is  
5 amended to read:

6 41.53 (1) (h) Annually, award an amount equal to at least 5% of all state and  
7 federal funds received by the board in that year for grants to artists and arts  
8 organizations to artists who are minority group members and arts groups composed  
9 principally of minority group members. In this paragraph, “minority group member”  
10 has the meaning specified in s. ~~560.036~~ 490.04 (1) (f).

11 **SECTION 1198.** 44.53 (1) (i) of the statutes is renumbered 41.53 (1) (i).

12 **SECTION 1199.** 44.53 (1) (j) of the statutes is renumbered 41.53 (1) (j) and  
13 amended to read:

14 41.53 (1) (j) Annually pay to the Milwaukee Foundation, Inc., for deposit in the  
15 High Point fund, the amount appropriated under s. ~~20.215 (1)~~ 20.380 (3) (e).

16 **SECTION 1200.** 44.53 (2) (intro.) of the statutes is renumbered 41.53 (2) (intro.).

17 **SECTION 1201.** 44.53 (2) (a) of the statutes is renumbered 41.53 (2) (a).

18 **SECTION 1202.** 44.53 (2) (am) of the statutes is renumbered 41.53 (2) (am).

19 **SECTION 1203.** 44.53 (2) (b) of the statutes is renumbered 41.53 (2) (b).

20 **SECTION 1204.** 44.53 (2) (c) of the statutes is amended to read:

21 44.53 (2) (c) Award an operational grant to an organization if the sum of all  
22 operational grants awarded in the current year does not exceed 50% of the sum of all  
23 grants awarded to organizations from the appropriations under s. ~~20.215 (1)~~ 20.380  
24 (3) (b) and (o) in the current year. In this paragraph, “operational grant” means a

**ASSEMBLY BILL 40****SECTION 1204**

1 grant awarded by the board to support those administrative costs of an organization  
2 that are not directly related to the development of an artistic performance or product.

3 **SECTION 1205.** 44.55 of the statutes is amended to read:

4 **44.55 Executive secretary.** The board secretary shall appoint an executive  
5 secretary of the board outside the classified service to serve at its the pleasure of the  
6 secretary.

7 **SECTION 1206.** 44.56 (title) of the statutes is renumbered 41.56 (title).

8 **SECTION 1207.** 44.56 (1) of the statutes is renumbered 41.56 (1).

9 **SECTION 1208.** 44.56 (2) of the statutes is renumbered 41.56 (2) and amended  
10 to read:

11 41.56 (2) Every recipient of a grant awarded by the board under the board's  
12 general grants program or community arts program from the appropriation under  
13 s. ~~20.215 (1)~~ 20.380 (3) (b) shall perform a public service ~~which~~ that shall be mutually  
14 agreed upon by the board and the grant recipient at the time the grant is awarded.

15 **SECTION 1209.** 44.565 (title) of the statutes is renumbered 41.565 (title).

16 **SECTION 1210.** 44.565 (1) of the statutes is renumbered 41.565 (1).

17 **SECTION 1211.** 44.565 (2) (a) of the statutes is amended to read:

18 44.565 (2) (a) From the appropriation under s. ~~20.215 (1)~~ 20.380 (3) (d), the  
19 board shall award arts challenge initiative grants to arts organizations and local arts  
20 agencies.

21 **SECTION 1212.** 44.565 (2) (b) (intro.) of the statutes is renumbered 41.565 (2)

22 (b) (intro.) and amended to read:

23 41.565 (2) (b) (intro.) The board shall award grants from the appropriation  
24 under s. ~~20.215 (1)~~ 20.380 (3) (d) to match up to 25% of an arts organization's or a local  
25 arts agency's income from contributions for the fiscal year in which a grant may be

**ASSEMBLY BILL 40****SECTION 1212**

1 awarded ~~which~~ that exceeds the amount of income from contributions in the previous  
2 fiscal year and income from earned income ~~which~~ that exceeds the amount of earned  
3 income from the previous fiscal year in that fiscal year subject to the following  
4 requirements:

5 **SECTION 1213.** 44.565 (2) (b) 1. of the statutes is renumbered 41.565 (2) (b) 1.

6 **SECTION 1214.** 44.565 (2) (b) 2. of the statutes is renumbered 41.565 (2) (b) 2.

7 **SECTION 1215.** 44.565 (2) (c) of the statutes is renumbered 41.565 (2) (c).

8 **SECTION 1216.** 44.565 (2) (d) of the statutes is renumbered 41.565 (2) (d).

9 **SECTION 1217.** 44.565 (2) (e) of the statutes is renumbered 41.565 (2) (e).

10 **SECTION 1218.** 44.565 (3) of the statutes is renumbered 41.565 (3) and amended  
11 to read:

12 41.565 (3) If the amount in the appropriation under s. ~~20.215 (1)~~ 20.380 (3) (d)  
13 in any fiscal year is insufficient to fund all grants under this section, the board shall  
14 award grants, including the minimum and maximum grants under sub. (2) (e), on  
15 a prorated basis.

16 **SECTION 1219.** 44.565 (4) of the statutes is renumbered 41.565 (4).

17 **SECTION 1220.** 44.57 (1) of the statutes is repealed.

18 **SECTION 1221.** 44.57 (2) of the statutes is repealed.

19 **SECTION 1222.** 44.57 (3) of the statutes is repealed.

20 **SECTION 1223.** 44.57 (4) of the statutes is repealed.

21 **SECTION 1224.** 44.57 (5) (intro.) of the statutes is amended to read:

22 44.57 (5) BOARD RESPONSIBILITIES. (intro.) After acquisition of the work of art  
23 under ~~sub. (4) s. 44.57 (4), 2009 stats.~~, the board shall:

24 **SECTION 1225.** 44.57 (5) (a) of the statutes is repealed.

25 **SECTION 1226.** 44.57 (5) (b) of the statutes is repealed.

**ASSEMBLY BILL 40****SECTION 1227**

1           **SECTION 1227.** 44.57 (5) (c) of the statutes is amended to read:

2           44.57 (5) (c) Cooperate with the bureau of facilities management and consult  
3 with the artist or the artist’s representative to ensure that each work of art acquired  
4 under ~~this section~~ s. 44.57 (4), 2009 stats., is properly maintained and is not  
5 artistically altered without the consent of the artist or the artist’s representative.

6           **SECTION 1228.** 44.57 (5) (d) of the statutes is amended to read:

7           44.57 (5) (d) Ensure that any work of art acquired under ~~this section~~ s. 44.57  
8 (4), 2009 stats., is maintained and displayed on the grounds of the state building for  
9 at least 25 years, unless the board finds that earlier removal is in the public interest.  
10 When the board, in consultation with the agency making principal use of the building  
11 to which the work of art is appurtenant, determines that the work of art should be  
12 removed, the board shall loan the work of art to an accredited museum in the state  
13 or to an educational or other appropriate public institution capable of maintaining  
14 and exhibiting the work of art.

15           **SECTION 1229.** 44.60 of the statutes is renumbered 41.60.

16           **SECTION 1230.** 44.62 (title) of the statutes is renumbered 41.62 (title).

17           **SECTION 1231.** 44.62 (1) (intro.) of the statutes is renumbered 41.62 (1) (intro.).

18           **SECTION 1232.** 44.62 (1) (a) of the statutes is renumbered 41.62 (1) (a) and  
19 amended to read:

20           41.62 (1) (a) “Local arts agency” has the meaning given in s. ~~44.565~~ 41.565 (1).

21           **SECTION 1233.** 44.62 (1) (b) of the statutes is renumbered 41.62 (1) (b).

22           **SECTION 1234.** 44.62 (2) of the statutes is renumbered 41.62 (2) and amended  
23 to read:

**ASSEMBLY BILL 40****SECTION 1234**

1           41.62 (2) Subject to sub. (3), the board shall award grants under the Wisconsin  
2           regranting program to local arts agencies and municipalities. Grants shall be  
3           awarded from the appropriations under s. ~~20.215 (1)~~ 20.380 (3) (f) and (j).

4           **SECTION 1235.** 44.62 (3) of the statutes is renumbered 41.62 (3).

5           **SECTION 1236.** 44.62 (4) of the statutes is renumbered 41.62 (4).

6           **SECTION 1237.** 45.03 (11) (title) of the statutes is repealed.

7           **SECTION 1238.** 45.03 (11) (a) of the statutes is renumbered 440.03 (18) (am).

8           **SECTION 1239.** 45.03 (11) (b) of the statutes is renumbered 440.03 (18) (b).

9           **SECTION 1240.** 45.03 (13) (L) of the statutes is amended to read:

10          45.03 (13) (L) Provide verification to the educational institution of the  
11          information required under s. 36.27 (3p) (a), 37.27 (3p) (a), or 38.24 (8) (a).

12          **SECTION 1241.** 45.03 (13) (m) of the statutes is amended to read:

13          45.03 (13) (m) Provide verification to the educational institution of the  
14          information required under s. 36.27 (3n) (a), 37.27 (3n) (a), or 38.24 (7) (a).

15          **SECTION 1242.** 45.03 (20) of the statutes is repealed.

16          **SECTION 1243.** 45.03 (20m) of the statutes is created to read:

17          45.03 (20m) TRANSFER OF FUNDS TO THE VETERANS TRUST FUND. On June 30 of  
18          each fiscal year, the department of veterans affairs may transfer all or part of the  
19          unencumbered balance of any of the appropriations under s. 20.485 (1) (g), (gd), (gk),  
20          (h), (hm), (i), or (j) from the general fund to the veterans trust fund.

21          **SECTION 1244.** 45.20 (1) (d) of the statutes is amended to read:

22          45.20 (1) (d) “Tuition,” when referring to the University of Wisconsin–Madison  
23          or University of Wisconsin System, means academic fees and segregated fees; when  
24          referring to the technical colleges, means “program fees” and “additional fees” as  
25          described in s. 38.24 (1m) and (1s); and when referring to a high school, a school that

**ASSEMBLY BILL 40****SECTION 1244**

1 is approved under s. ~~45.03 (11)~~ 440.03 (18), or a proprietary school that is approved  
2 under s. 38.50, means the charge for the courses for which a person is enrolled.

3 **SECTION 1245.** 45.20 (2) (a) 1. of the statutes is amended to read:

4 45.20 (2) (a) 1. The department shall administer a tuition reimbursement  
5 program for eligible veterans enrolling as undergraduates in any institution of  
6 higher education in this state, enrolling in a school that is approved under s. ~~45.03~~  
7 ~~(11)~~ 440.03 (18), enrolling in a proprietary school that is approved under s. 38.50,  
8 enrolling in a public or private high school, enrolling in a tribal school, as defined in  
9 s. ~~115.011~~ 115.001 (15m), in any grade from 9 to 12, or receiving a waiver of  
10 nonresident tuition under s. 39.47.

11 **SECTION 1246.** 45.20 (2) (a) 2. (intro.) of the statutes is amended to read:

12 45.20 (2) (a) 2. (intro.) A veteran who is a resident of this state and otherwise  
13 qualified to receive benefits under this subsection may receive the benefits under  
14 this subsection upon the completion of any correspondence courses or part-time  
15 classroom study from an institution of higher education located outside this state,  
16 from a school that is approved under s. ~~45.03 (11)~~ 440.03 (18), or from a proprietary  
17 school that is approved under s. 38.50, if any of the following applies:

18 **SECTION 1247.** 45.20 (2) (c) 1. of the statutes is amended to read:

19 45.20 (2) (c) 1. A veteran who meets the eligibility requirements under par. (b)  
20 1. may be reimbursed upon satisfactory completion of an undergraduate semester in  
21 any institution of higher education in this state, or upon satisfactory completion of  
22 a course at any school that is approved under s. ~~45.03 (11)~~ 440.03 (18), any  
23 proprietary school that is approved under s. 38.50, any public or private high school,  
24 any tribal school, as defined in s. 115.001 (15m), that operates any grade from 9 to  
25 12, or any institution from which the veteran receives a waiver of nonresident tuition

**ASSEMBLY BILL 40****SECTION 1247**

1 under s. 39.47. Except as provided in par. (e), the amount of reimbursement may not  
2 exceed the total cost of the veteran's tuition minus any grants or scholarships that  
3 the veteran receives specifically for the payment of the tuition, or, if the tuition is for  
4 an undergraduate semester in any institution of higher education, the standard cost  
5 of tuition for a state resident for an equivalent undergraduate semester at the  
6 University of Wisconsin–Madison, whichever is less.

7 **SECTION 1248.** 45.20 (2) (d) 1. (intro.) of the statutes is amended to read:

8 45.20 (2) (d) 1. (intro.) Subject to subd. 1m., a veteran's eligibility for  
9 reimbursement under this subsection at any institution of higher education in this  
10 state, at a school that is approved under s. 45.03–(11) 440.03 (18), at a proprietary  
11 school that is approved under s. 38.50, at a public or private high school, at a tribal  
12 school, as defined in s. 115.001 (15m), that operates any grade from 9 to 12, or at an  
13 institution where he or she is receiving a waiver of nonresident tuition under s. 39.47  
14 is limited to the following:

15 **SECTION 1249.** 45.50 (1) (a) of the statutes is renumbered 45.50 (1) and  
16 amended to read:

17 45.50 (1) VETERANS HOME AT KING. The department shall operate the Wisconsin  
18 Veterans Home at King and employ a commandant for the home. The department  
19 ~~shall employ a commandant for the Wisconsin Veterans Home at Union Grove and~~  
20 ~~may employ a commandant for the Wisconsin Veterans Home at Chippewa Falls.~~  
21 ~~The department may employ any personnel that are necessary for the proper~~  
22 ~~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,~~  
25 ~~and other services furnished to employees and members of the employees' family~~



**ASSEMBLY BILL 40****SECTION 1249**

1 ~~maintained at veterans homes. The department shall provide complete personal~~  
2 ~~maintenance and medical care, including programs and facilities that promote~~  
3 ~~comfort, recreation, well-being, or rehabilitation, to all members of veterans homes.~~

4 **SECTION 1250.** 45.50 (1) (b) of the statutes is renumbered 45.50 (2m) (e) and  
5 amended to read:

6 45.50 **(2m)** (e) All moneys received as reimbursement for services to veterans  
7 homes employees or as payment for meals served to guests at veterans homes shall  
8 be accumulated in an account named “employee maintenance credits” and shall be  
9 paid into the general fund within one week after receipt and credited to the  
10 appropriation account under s. 20.485 (1) (gk). This paragraph does not apply to any  
11 agreement entered into pursuant to par. (c).

12 **SECTION 1251.** 45.50 (1) (c) of the statutes is renumbered 45.50 (2m) (d) and  
13 amended to read:

14 45.50 **(2m)** (d) Veterans homes with a skilled nursing facility shall include a  
15 geriatric evaluation, research, and education program. The program staff shall be  
16 funded from the appropriations under s. 20.485 (1) (hm), (j), and (mj).

17 **SECTION 1252.** 45.50 (2) (a) of the statutes is renumbered 45.50 (2b) and  
18 amended to read:

19 45.50 **(2b)** Subject to authorization under ss. 13.48 (10) and 20.924 (1), the  
20 department may construct or renovate and operate residential, treatment, and  
21 nursing care facilities, including a community-based residential facility, to be known  
22 as the Wisconsin Veterans Home at Union Grove. The department shall employ a  
23 commandant for the Wisconsin Veterans Home at Union Grove.

24 **SECTION 1253.** 45.50 (2) (b) of the statutes is renumbered 45.50 (2d) and  
25 amended to read:

**ASSEMBLY BILL 40****SECTION 1253**

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,

**ASSEMBLY BILL 40****SECTION 1258**

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.

**ASSEMBLY BILL 40****SECTION 1268**

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 1270.** 45.60 (3) (b) of the statutes is amended to read:

18           45.60 **(3)** (b) A funeral director may issue a tuition voucher in the amount of  
19 \$25 to an individual who sounds “Taps” on a bugle, trumpet, or cornet during each  
20 funeral for which military honors are held in this state for a person described in sub.  
21 (1) and who is a student in grades 6 to 12 or at an institution of higher education, as  
22 defined under s. 895.515 (1) (b). The tuition voucher may be used at any time for the  
23 payment of tuition and required program activity fees at a University of Wisconsin  
24 System institution as provided under s. 36.27 (3r), the University of  
25 Wisconsin–Madison under s. 37.27 (3r), or a technical college as provided under s.

**ASSEMBLY BILL 40****SECTION 1270**

1 38.24 (6). The department shall encourage private institutions of higher education  
2 to accept the vouchers. The vouchers are not transferable.

3 **SECTION 1271.** 46.03 (18) (ar) of the statutes is amended to read:

4 46.03 (18) (ar) ~~A- Subject to s. 46.995, a county may retain fees that it collects~~  
5 under this subsection for services the county provides without state funding under  
6 the disabled children's long-term support program.

7 **SECTION 1272.** 46.042 of the statutes is amended to read:

8 **46.042 Treatment program for emotionally disturbed children.** The  
9 department shall establish a program for the intensive treatment of emotionally  
10 disturbed children. The program shall be operated by the Mendota Mental Health  
11 Institute and be subject to all federal and state laws, rules, and regulations that  
12 apply to the institute. Operational planning shall provide close interrelationship  
13 between the department and the University of Wisconsin ~~Medical School of Medicine~~  
14 and Public Health for conduct of educational and research programs.

15 **SECTION 1273.** 46.057 (2) of the statutes is amended to read:

16 46.057 (2) From the appropriation account under s. 20.410 (3) (ba), the  
17 department of corrections shall transfer to the appropriation account under s. 20.435  
18 (2) (kx) \$1,365,500 in each fiscal year and, from the appropriation account under s.  
19 20.410 (3) (hm), the department of corrections shall transfer to the appropriation  
20 account under s. 20.435 (2) (kx) ~~\$2,872,300~~ \$2,890,700 in fiscal year 2009–10  
21 2011–12 and ~~\$2,896,100~~ \$2,964,000 in fiscal year ~~2010–11~~ 2012–13, for services for  
22 juveniles placed at the Mendota juvenile treatment center. The department of health  
23 services may charge the department of corrections not more than the actual cost of  
24 providing those services.

25 **SECTION 1274.** 46.206 (1) (bm) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1274**

1           46.206 (1) (bm) All records of the department relating to aid provided under  
2 s. 49.77, 2009 stats., or s. 49.46, 49.465, 49.468, 49.47, or 49.471, or 49.77 are open  
3 to inspection at reasonable hours by members of the legislature who require the  
4 information contained in the records in pursuit of a specific state legislative purpose.  
5 All records of any county relating to aid provided under s. 49.77, 2009 stats., or s.  
6 49.46, 49.465, 49.468, 49.47, or 49.471, or 49.77 are open to inspection at reasonable  
7 hours by members of the board of supervisors of the county or the governing body of  
8 a city, village or town located in the county who require the information contained  
9 in the records in pursuit of a specific county or municipal legislative purpose. The  
10 right to records access provided by this paragraph does not apply if access is  
11 prohibited by federal law or regulation or if this state is required to prohibit such  
12 access as a condition precedent to participation in a federal program in which this  
13 state participates.

14           **SECTION 1275.** 46.21 (2) (b) of the statutes is amended to read:

15           46.21 (2) (b) May make such arrangements with the University of  
16 ~~Wisconsin–Madison Medical~~ Wisconsin School of Medicine and Public Health or the  
17 Medical College of Wisconsin, or any other duly accredited medical colleges and  
18 medical societies for teaching and research in such institutions as in its judgment  
19 will best promote the purpose of hospitals and sanatoriums under sub. (4m).

20           **SECTION 1276.** 46.21 (2m) (am) of the statutes is created to read:

21           46.21 (2m) (am) *Multicounty department.* A county board of supervisors may  
22 establish with one or more other counties a county department of human services on  
23 a multicounty basis. A multicounty department of human services established  
24 under this paragraph shall meet the requirements for a county department of human  
25 services under this section.

**ASSEMBLY BILL 40****SECTION 1277**

1           **SECTION 1277.** 46.215 (1) (intro.) of the statutes is amended to read:

2           46.215 (1) CREATION; POWERS AND DUTIES. (intro.) In a county with a population  
3 of 500,000 or more the administration of welfare services, other than child welfare  
4 services under s. 48.48 (17) administered by the department and except as provided  
5 in ss. 49.155 (3g), 49.78 (1m), 49.825, and 49.826, is vested in a county department  
6 of social services under the jurisdiction of the county board of supervisors under s.  
7 46.21 (2m) (b) 1. a. Any reference in any law to a county department of social services  
8 under this section applies to a county department under s. 46.21 (2m) in its  
9 administration under s. 46.21 (2m) of the powers and duties of the county  
10 department of social services. Except as provided in ss. 49.155 (3g), 49.78 (1m),  
11 49.825, and 49.826, the county department of social services shall have the following  
12 functions, duties, and powers, and such other welfare functions as may be delegated  
13 to it:

14           **SECTION 1278.** 46.215 (1) (intro.) of the statutes, as affected by 2011 Wisconsin  
15 Act .... (this act), is amended to read:

16           46.215 (1) CREATION; POWERS AND DUTIES. (intro.) In a county with a population  
17 of 500,000 or more the administration of welfare services, other than child welfare  
18 services under s. 48.48 (17) administered by the department and except as provided  
19 in ss. 49.155 (3g), 49.78 (1m), ~~49.825~~, and 49.826, is vested in a county department  
20 of social services under the jurisdiction of the county board of supervisors under s.  
21 46.21 (2m) (b) 1. a. Any reference in any law to a county department of social services  
22 under this section applies to a county department under s. 46.21 (2m) in its  
23 administration under s. 46.21 (2m) of the powers and duties of the county  
24 department of social services. Except as provided in ss. 49.155 (3g), 49.78 (1m),  
25 ~~49.825~~, and 49.826, the county department of social services shall have the following

**ASSEMBLY BILL 40****SECTION 1278**

1 functions, duties, and powers, and such other welfare functions as may be delegated  
2 to it:

3 **SECTION 1279.** 46.215 (1) (k) of the statutes is amended to read:

4 46.215 (1) (k) Certify eligibility for and issue ~~food coupons~~ benefits to needy  
5 households in conformity with the federal ~~food stamp act of 1964~~ supplemental  
6 nutrition assistance program under 7 USC 2011 to 2036, as amended, and, in  
7 addition, the county department of social services may certify eligibility for and  
8 distribute surplus commodities and food stuffs.

9 **SECTION 1280.** 46.215 (1) (L) of the statutes is amended to read:

10 46.215 (1) (L) Within the limits of available state and federal funds and of  
11 county funds appropriated to match state funds, to provide social services for persons  
12 eligible for or receiving benefits under the supplementary security income program  
13 under federal Title XVI, the supplemental payments program under s. ~~49.77~~ 49.39  
14 or aid to families with dependent children under s. 49.19.

15 **SECTION 1281.** 46.215 (1) (t) of the statutes is created to read:

16 46.215 (1) (t) At the discretion of the county board of supervisors, to combine  
17 with one or more other counties to establish a county department of social services  
18 on a multicounty basis. A multicounty department of social services established  
19 under this paragraph shall meet the requirements for a county department of human  
20 services under this section.

21 **SECTION 1282.** 46.215 (2) (c) 3. of the statutes is amended to read:

22 46.215 (2) (c) 3. A county department of social services shall develop, under the  
23 requirements of s. 301.08 (2), plans and contracts for juvenile delinquency-related  
24 care and services to be purchased. The department of corrections may review the  
25 contracts and approve them if they are consistent with s. 301.08 (2) and if state or



**ASSEMBLY BILL 40****SECTION 1282**

1 federal funds are available for such purposes. The joint committee on finance may  
2 require the department of corrections to submit the contracts to the committee for  
3 review and approval. The department of corrections may not make any payments  
4 to a county for programs included in a contract under review by the committee. The  
5 department of corrections shall reimburse each county for the contracts from the  
6 appropriations under s. 20.410 (3) (cd), ~~(ke)~~, and ~~(e)~~ and (ko) as appropriate.

7 **SECTION 1283.** 46.22 (1) (a) of the statutes is amended to read:

8 46.22 (1) (a) *Creation.* Except as provided under s. 46.23 (3) (b), the county  
9 board of supervisors of any county with a population of less than 500,000, or the  
10 county boards of 2 or more contiguous counties each with a population of less than  
11 500,000, shall establish a county department of social services on a single-county or  
12 multicounty basis. The county department of social services shall consist of a county  
13 social services board, a county social services director and necessary personnel.

14 **SECTION 1284.** 46.22 (1) (b) 1. (intro.) of the statutes is amended to read:

15 46.22 (1) (b) 1. (intro.) The Except as provided in s. 49.78 (1m), the county  
16 department of social services shall have the following functions, duties and powers  
17 in accordance with the rules promulgated by the department of health services and  
18 subject to the supervision of the department of health services:

19 **SECTION 1285.** 46.22 (1) (b) 1. c. of the statutes is renumbered 46.22 (1) (b) 2.  
20 h. and amended to read:

21 46.22 (1) (b) 2. h. Within the limits of available state and federal funds and of  
22 county funds appropriated to match state funds, to provide social services for persons  
23 eligible for or receiving supplemental security aids under Title XVI of the social  
24 security act, eligible for or receiving state supplemental payments under s. 49.77

**ASSEMBLY BILL 40****SECTION 1285**

1 49.39 or eligible for or receiving aid to families with dependent children under s.  
2 49.19.

3 **SECTION 1286.** 46.22 (1) (b) 2. d. of the statutes is repealed.

4 **SECTION 1287.** 46.22 (1) (d) of the statutes is amended to read:

5 46.22 (1) (d) *Merit system; records.* The county department of social services  
6 is subject to s. ~~49.78 (4) to (7)~~ 49.19 (19g). The county department of social services  
7 and all county officers and employees performing any duties in connection with the  
8 administration of aid to families with dependent children shall observe all rules  
9 promulgated by the department of children and families under s. ~~49.78 (4)~~ 49.19  
10 (19g) (a) and shall keep records and furnish reports as the department of children  
11 and families requires in relation to their performance of such duties.

12 **SECTION 1288.** 46.22 (1) (e) 3. c. of the statutes is amended to read:

13 46.22 (1) (e) 3. c. A county department of social services shall develop, under  
14 the requirements of s. 301.08 (2), plans and contracts for juvenile  
15 delinquency-related care and services to be purchased. The department of  
16 corrections may review the contracts and approve them if they are consistent with  
17 s. 301.08 (2) and to the extent that state or federal funds are available for such  
18 purposes. The joint committee on finance may require the department of corrections  
19 to submit the contracts to the committee for review and approval. The department  
20 of corrections may not make any payments to a county for programs included in the  
21 contract that is under review by the committee. The department of corrections shall  
22 reimburse each county for the contracts from the appropriations under s. 20.410 (3)  
23 (cd), ~~(ke)~~, and ~~(o)~~ and (ko) as appropriate.

24 **SECTION 1289.** 46.22 (2) (b) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1289**

1           46.22 (2) (b) Appoint the county social services director under sub. (3) subject  
2 to s. ~~49.78 (4) to (7)~~ 49.19 (19g) and the rules promulgated thereunder and subject  
3 to the approval of the county board of supervisors in a county with a single-county  
4 department of social services or the county boards of supervisors in counties with a  
5 multicounty department of social services.

6           **SECTION 1290.** 46.22 (3m) (a) of the statutes is amended to read:

7           46.22 (3m) (a) In any county with a county executive or a county administrator  
8 that has established a single-county department of social services, the county  
9 executive or county administrator, subject to s. ~~49.78 (4) to (7)~~ 49.19 (19g) and the  
10 rules promulgated thereunder, shall appoint and supervise the county social services  
11 director. The appointment is subject to the confirmation of the county board of  
12 supervisors unless the county board of supervisors, by ordinance, elects to waive  
13 confirmation or unless the appointment is made under a civil service system  
14 competitive examination procedure established under s. 59.52 (8) or ch. 63.

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:

**ASSEMBLY BILL 40****SECTION 1292**

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 for the cost of assessing persons who are eligible for medical assistance  
6 under s. 49.46, 49.468, 49.47, or 49.471 (4) (a) ~~as part of the administrative services~~  
7 ~~of medical assistance, payable, as provided~~ 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)

**ASSEMBLY BILL 40****SECTION 1294**

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:

**ASSEMBLY BILL 40****SECTION 1298**

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 1300.** 46.283 (3) (k) of the statutes is amended to read:

15           46.283 (3) (k) A determination of eligibility for state supplemental payments  
16 under s. ~~49.77~~ 49.39, medical assistance under s. 49.46, 49.468, 49.47, or 49.471, or  
17 the federal food stamp program under 7 USC 2011 to 2029.

18           **SECTION 1301.** 46.283 (3) (k) of the statutes, as affected by 2011 Wisconsin Act  
19 .... (this act), is amended to read:

20           46.283 (3) (k) A determination of eligibility for state supplemental payments  
21 under s. 49.39, medical assistance under s. 49.46, 49.468, 49.47, or 49.471, or the  
22 federal ~~food stamp~~ supplemental nutrition assistance program under 7 USC 2011 to  
23 ~~2029~~ 2036.

24           **SECTION 1302.** 46.283 (4) (e) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1302**

1           46.283 (4) (e) Provide information about the services of the resource center,  
2 including the services specified in sub. (3) (d), about assessments under s. 46.284 (4)  
3 (b) and care plans under s. 46.284 (4) (c), and about the family care benefit and the  
4 self-directed services option to all older persons and adults with a physical or  
5 developmental disability who are residents of nursing homes, community-based  
6 residential facilities, adult family homes, ~~as defined in s. 50.01 (1) (a) or (b)~~, and  
7 residential care apartment complexes in the area of the resource center when the  
8 benefit under s. 46.286 first becomes available in the county where the nursing home,  
9 community-based residential facility, adult family home, or residential care  
10 apartment complex is located.

11           **SECTION 1303.** 46.283 (4) (g) of the statutes is amended to read:

12           46.283 (4) (g) Perform a functional screening and a financial and cost-sharing  
13 screening for any person seeking admission to a nursing home, community-based  
14 residential facility, residential care apartment complex, or adult family home, as  
15 ~~defined in s. 50.01 (1) (a) or (b)~~, if the secretary has certified that the resource center  
16 is available to the person and the facility and the person is determined by the  
17 resource center to have a condition that is expected to last at least 90 days that would  
18 require care, assistance, or supervision. A resource center may not require a  
19 financial and cost-sharing screening for a person seeking admission or about to be  
20 admitted on a private pay basis who waives the requirement for a financial and  
21 cost-sharing screening under this paragraph, unless the person is expected to  
22 become eligible for medical assistance within 6 months. A resource center need not  
23 perform a functional screening for a person seeking admission or about to be  
24 admitted for whom a functional screening was performed within the previous 6  
25 months.

**ASSEMBLY BILL 40****SECTION 1304**

1           **SECTION 1304.** 46.283 (5) of the statutes is amended to read:

2           46.283 (5) FUNDING. From the appropriation accounts under s. 20.435 (4) (b),  
3 (bm), (gm), (pa), and (w) and (7) (b), (bd), and (md), the department may contract with  
4 organizations that meet standards under sub. (3) for performance of the duties under  
5 sub. (4) and shall distribute funds for services provided by resource centers.

6           **SECTION 1305.** 46.284 (5) (a) of the statutes is amended to read:

7           46.284 (5) (a) From the appropriation accounts under s. 20.435 (4) (b), (g), (gm),  
8 (im), (o), and (w) and (7) (b), (bd), and (g), the department shall provide funding on  
9 a capitated payment basis for the provision of services under this section.  
10 Notwithstanding s. 46.036 (3) and (5m), a care management organization that is  
11 under contract with the department may expend the funds, consistent with this  
12 section, including providing payment, on a capitated basis, to providers of services  
13 under the family care benefit.

14           **SECTION 1306.** 46.29 (3) (e) of the statutes is amended to read:

15           46.29 (3) (e) The secretary of ~~commerce~~ safety and professional services.

16           **SECTION 1307.** 46.40 (9) (d) of the statutes is amended to read:

17           46.40 (9) (d) *Payment adjustments for certain Medical Assistance services.* The  
18 department may decrease a county's allocation under sub. (2) by the amount of any  
19 payment adjustments under s. 49.45 (52) (a) made for that county from the  
20 appropriation account under s. 20.435 (7) (b) for services described under s. 49.45 (52)  
21 (a) 1. The total amount of the decrease for a county under this paragraph during any  
22 fiscal year may not exceed that part of the county's allocation under sub. (2) that  
23 derives from the appropriation account under s. 20.435 (7) (b) for that fiscal year.

24           **SECTION 1308.** 46.40 (9) (e) of the statutes is created to read:



**ASSEMBLY BILL 40****SECTION 1308**

1           46.40 (9) (e) *Adjustment for income maintenance programs.* In each fiscal year,  
2 beginning in fiscal year 2012–13, the department shall decrease a county’s allocation  
3 under sub. (2) from the appropriation under s. 20.435 (7) (b) by the amount that the  
4 department determines the county expended in calendar year 2009 to provide  
5 income maintenance programs, as defined in s. 49.78 (1) (b).

6           **SECTION 1309.** 46.48 (1) of the statutes is amended to read:

7           46.48 (1) GENERAL. From the appropriation accounts under s. 20.435 (5) (bc)  
8 and (7) (bc), the department shall award grants for community programs as provided  
9 in this section subs. (4) to (30).

10          **SECTION 1310.** 46.48 (31) of the statutes is created to read:

11          46.48 (31) BRIGHTER FUTURES INITIATIVE. From the appropriation account under  
12 s. 20.435 (5) (bc), the department shall transfer not more than \$865,000 in each fiscal  
13 year to the appropriation account under s. 20.437 (1) (kb) to award grants under s.  
14 48.545.

15          **SECTION 1311.** 46.90 (1) (gr) 3. of the statutes is amended to read:

16          46.90 (1) (gr) 3. The department of ~~regulation and licensing~~ safety and  
17 professional services.

18          **SECTION 1312.** 46.90 (5m) (br) 5. of the statutes is amended to read:

19          46.90 (5m) (br) 5. Refer the case to the department of ~~regulation and licensing~~  
20 safety and professional services if the financial exploitation, neglect, self–neglect, or  
21 abuse involves an individual who is required to hold a credential, as defined in s.  
22 440.01 (2) (a), under chs. 440 to 460.

23          **SECTION 1313.** 46.99 (3) of the statutes is amended to read:

24          46.99 (3) If the waiver requested under sub. (2) is granted, counties shall  
25 provide to the department the nonfederal share of costs for medical assistance

**ASSEMBLY BILL 40****SECTION 1313**

1 services provided under the waiver. Counties may use moneys appropriated under  
2 s. 20.435 (7) (bt) and distributed to counties under s. 51.44 (3) (a) to provide the  
3 nonfederal share of medical assistance costs.

4 **SECTION 1314.** 46.99 (3m) of the statutes is created to read:

5 46.99 (3m) If the waiver requested under sub. (2) is granted, counties shall  
6 provide to the department the nonfederal share of the cost incurred by an entity to  
7 administer the waiver program under this section.

8 **SECTION 1315.** 46.99 (4) of the statutes is amended to read:

9 46.99 (4) From the appropriation account under s. 20.435 (4) (o), the  
10 department ~~shall~~ may distribute to counties that provide services under this section  
11 the amount of federal moneys received by the state as the federal share of medical  
12 assistance for those services, minus the amount transferred to the appropriation  
13 account under s. 20.435 (7) (im) for the department's costs of administering this  
14 section. Counties shall use moneys distributed under this section to provide services  
15 under this section or s. 51.44.

16 **SECTION 1316.** 46.995 of the statutes is created to read:

17 **46.995 Disabled children's long-term support program; local funding.**

18 (1) A county shall provide to the department the nonfederal share of the cost  
19 incurred by an entity to administer services provided without state funding under  
20 the disabled children's long-term support program for a child enrolled in the  
21 program after December 31, 2010.

22 (2) A county shall provide to the department the nonfederal share of the cost  
23 of services provided without state funding under the disabled children's long-term  
24 support program.

25 **SECTION 1317.** 47.03 (11) (a) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1317**

1           47.03 (11) (a) The department shall provide services, including vocational  
2 training, ~~craft instruction~~ and a supervised business initiatives program for persons  
3 with severe disabilities who are eligible for vocational rehabilitation services. Under  
4 this subsection, the department may own, lease, manage, supervise or operate  
5 businesses for the benefit of persons with severe disabilities, ~~including home-based~~  
6 ~~employment and craft work~~, with the ultimate objective of enabling persons with  
7 severe disabilities to operate their own businesses. ~~The department shall assist~~  
8 ~~persons with severe disabilities who receive these services in marketing the finished~~  
9 ~~products.~~

10           **SECTION 1318.** 47.03 (11) (c) of the statutes is repealed.

11           **SECTION 1319.** 47.03 (11) (d) of the statutes is repealed.

12           **SECTION 1320.** 47.03 (11) (e) of the statutes is repealed.

13           **SECTION 1321.** 48.345 (12) (a) 1. of the statutes is amended to read:

14           48.345 (12) (a) 1. A nonresidential educational program, ~~including a program~~  
15 ~~for children at risk under s. 118.153~~, provided by the school district in which the child  
16 resides.

17           **SECTION 1322.** 48.487 (4m) (a) 2. of the statutes is amended to read:

18           48.487 (4m) (a) 2. “Dropout” has the meaning given under s. 118.153 (1) (b)  
19 115.001 (2m).

20           **SECTION 1323.** 48.545 (2) (a) (intro.) of the statutes is amended to read:

21           48.545 (2) (a) (intro.) From the appropriations under s. 20.437 (1) (eg), (kb), and  
22 (nL), the department shall distribute \$2,097,700 in each fiscal year to applying  
23 nonprofit corporations and public agencies operating in a county having a population  
24 of 500,000 or more, \$1,171,800 in each fiscal year to applying county departments  
25 under s. 46.22, 46.23, 51.42, or 51.437 operating in counties other than a county

**ASSEMBLY BILL 40****SECTION 1323**

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 1324.** 48.563 (1) (a) of the statutes is amended to read:

4 48.563 (1) (a) Within the limits of available federal funds and of the  
5 appropriations under s. 20.437 (1) (b), (km), and (o), the department shall distribute  
6 funds for children and family services to county departments as provided in subs. (2),  
7 (3), and (7m) and s. 48.986.

8 **SECTION 1325.** 48.565 (2) (c) of the statutes is amended to read:

9 48.565 (2) (c) The department shall credit to the appropriation account under  
10 s. 20.437 (3) ~~(mp)~~ (kp) any moneys carried forward under par. (a), but not distributed  
11 to counties, and may expend those moneys as provided in s. 48.567.

12 **SECTION 1326.** 48.567 (1) of the statutes is amended to read:

13 48.567 (1) From the appropriation account under s. 20.437 (3) ~~(mp)~~ (kp), the  
14 department shall support costs that are exclusively related to the ongoing and  
15 recurring operational costs of augmenting the amount of moneys received under 42  
16 USC 670 to 679a and to any other purpose provided for by the legislature by law or  
17 in budget determinations. In addition, the department may expend moneys from the  
18 those appropriation account under s. 20.437 (3) ~~(mp)~~ accounts as provided in subs.  
19 (1m) and (2).

20 **SECTION 1327.** 48.567 (1m) of the statutes is amended to read:

21 48.567 (1m) In addition to expending moneys from the appropriation account  
22 under s. 20.437 (3) ~~(mp)~~ (kp) for the augmentation activities specified in sub. (1), the  
23 department may expend moneys received under 42 USC 1396 to 1396v in  
24 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 and

**ASSEMBLY BILL 40****SECTION 1327**

1 credited to the from that appropriation account under s. 20.437 (3) ~~(mp)~~ to support  
2 the counties' share of implementing the statewide automated child welfare  
3 information system under s. 46.22 (1) (c) 8. f. and to provide services to children and  
4 families under s. 48.48 (17).

5 **SECTION 1328.** 48.567 (2) of the statutes is amended to read:

6 48.567 (2) If the department proposes to use any moneys from the  
7 appropriation account under s. 20.437 (3) ~~(mp)~~ (kp) for any purpose other than the  
8 purposes specified in subs. (1) and (1m), the department shall submit a plan for the  
9 proposed use of those moneys to the secretary of administration by September 1 of  
10 the fiscal year after the fiscal year in which those moneys were received. If the  
11 secretary of administration approves the plan, he or she shall submit the plan to the  
12 joint committee on finance by October 1 of the fiscal year after the fiscal year in which  
13 those moneys were received. If the cochairpersons of the committee do not notify the  
14 secretary of administration within 14 working days after the date of submittal of the  
15 plan that the committee has scheduled a meeting for the purpose of reviewing the  
16 plan, the department may implement the plan. If within 14 working days after the  
17 date of the submittal by the secretary of administration the cochairpersons of the  
18 committee notify him or her that the committee has scheduled a meeting for the  
19 purpose of reviewing the plan, the department may implement the plan only with the  
20 approval of the committee.

21 **SECTION 1329.** 48.569 (1) (am) of the statutes is amended to read:

22 48.569 (1) (am) The department shall reimburse each county from the  
23 appropriations under s. 20.437 (1) (b), (km), and (o) for children and family services  
24 as approved by the department under ss. 46.22 (1) (b) 2. f. and (e) 3. b.

25 **SECTION 1330.** 48.569 (1) (d) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1330**

1           48.569 (1) (d) From the appropriations under s. 20.437 (1) (b), (km), and (o), the  
2 department shall distribute the funding for children and family services, including  
3 funding for foster care or subsidized guardianship care of a child on whose behalf aid  
4 is received under s. 48.645 to county departments as provided under s. 48.563.  
5 County matching funds are required for the distribution under s. 48.563 (2). Each  
6 county's required match for the distribution under s. 48.563 (2) shall be specified in  
7 a schedule established annually by the department. Matching funds may be from  
8 county tax levies, federal and state revenue sharing funds, or private donations to  
9 the county that meet the requirements specified in sub. (1m). Private donations may  
10 not exceed 25 percent of the total county match. If the county match is less than the  
11 amount required to generate the full amount of state and federal funds distributed  
12 for this period, the decrease in the amount of state and federal funds equals the  
13 difference between the required and the actual amount of county matching funds.

14           **SECTION 1331.** 48.57 (3m) (am) 6. of the statutes is amended to read:

15           48.57 (3m) (am) 6. The child for whom the kinship care relative is providing  
16 care and maintenance is not receiving supplemental security income under 42 USC  
17 1381 to 1383c or state supplemental payments under s. 49.77 49.39.

18           **SECTION 1332.** 48.57 (3n) (am) 5r. of the statutes is amended to read:

19           48.57 (3n) (am) 5r. The child for whom the long-term kinship care relative is  
20 providing care and maintenance is not receiving supplemental security income  
21 under 42 USC 1381 to 1383c or state supplemental payments under s. 49.77 49.39.

22           **SECTION 1333.** 48.67 (intro.) of the statutes is amended to read:

23           **48.67 Rules governing child welfare agencies, child care centers,**  
24 **foster homes, group homes, shelter care facilities, and county departments.**  
25 (intro.) The department shall promulgate rules establishing minimum

**ASSEMBLY BILL 40****SECTION 1333**

1 requirements for the issuance of licenses to, and establishing standards for the  
2 operation of, child welfare agencies, child care centers, foster homes, group homes,  
3 shelter care facilities, and county departments. Those rules shall be designed to  
4 protect and promote the health, safety, and welfare of the children in the care of all  
5 licensees. The department shall consult with the department of ~~commerce~~ safety  
6 and professional services, the department of public instruction, and the child abuse  
7 and neglect prevention board before promulgating those rules. For foster homes,  
8 those rules shall include the rules promulgated under s. 48.62 (8). Those rules shall  
9 include rules that require all of the following:

10 **SECTION 1334.** 48.685 (2) (am) 3. of the statutes is amended to read:

11 48.685 (2) (am) 3. Information maintained by the department of ~~regulation and~~  
12 ~~licensing~~ safety and professional services regarding the status of the person's  
13 credentials, if applicable.

14 **SECTION 1335.** 48.685 (2) (b) 1. c. of the statutes is amended to read:

15 48.685 (2) (b) 1. c. Information maintained by the department of ~~regulation and~~  
16 ~~licensing~~ safety and professional services regarding the status of the person's  
17 credentials, if applicable.

18 **SECTION 1336.** 48.685 (4m) (a) 5. of the statutes is amended to read:

19 48.685 (4m) (a) 5. That, in the case of a position for which the person must be  
20 credentialed by the department of ~~regulation and licensing~~ safety and professional  
21 services, the person's credential is not current or is limited so as to restrict the person  
22 from providing adequate care to a client.

23 **SECTION 1337.** 48.685 (4m) (b) 5. of the statutes is amended to read:

24 48.685 (4m) (b) 5. That, in the case of a position for which the person must be  
25 credentialed by the department of ~~regulation and licensing~~ safety and professional

**ASSEMBLY BILL 40****SECTION 1337**

1 services, the person's credential is not current or is limited so as to restrict the person  
2 from providing adequate care to a client.

3 **SECTION 1338.** 48.685 (5) (br) 5. of the statutes is amended to read:

4 48.685 (5) (br) 5. An offense involving fraudulent activity as a participant in  
5 the Wisconsin Works program under ss. 49.141 to 49.161, including as a recipient of  
6 a child care subsidy under s. 49.155, or as a recipient of aid to families with dependent  
7 children under s. 49.19, medical assistance under subch. IV of ch. 49, food stamps  
8 benefits under the food stamp program under 7 USC 2011 to 2036, supplemental  
9 security income payments under s. 49.77, 2009 stats., or s. 49.39, payments for the  
10 support of children of supplemental security income recipients under s. 49.775, 2009  
11 stats., or s. 49.395, or health care benefits under the Badger Care health care  
12 program under s. 49.665.

13 **SECTION 1339.** 48.685 (5) (br) 5. of the statutes, as affected by 2011 Wisconsin  
14 Act .... (this act), is amended to read:

15 48.685 (5) (br) 5. An offense involving fraudulent activity as a participant in  
16 the Wisconsin Works program under ss. 49.141 to 49.161, including as a recipient of  
17 a child care subsidy under s. 49.155, or as a recipient of aid to families with dependent  
18 children under s. 49.19, medical assistance under subch. IV of ch. 49, ~~food stamps~~  
19 benefits under the ~~food stamp~~ supplemental nutrition assistance program under 7  
20 USC 2011 to 2036, supplemental security income payments under s. 49.77, 2009  
21 stats., or s. 49.39, payments for the support of children of supplemental security  
22 income recipients under s. 49.775, 2009 stats., or s. 49.395, or health care benefits  
23 under the Badger Care health care program under s. 49.665.

24 **SECTION 1340.** 48.78 (2) (g) of the statutes is amended to read:



**ASSEMBLY BILL 40****SECTION 1340**

1           48.78 (2) (g) Paragraph (a) does not prohibit an agency from disclosing  
2 information about an individual in its care or legal custody on the written request  
3 of the department of ~~regulation and licensing~~ safety and professional services or of  
4 any interested examining board or affiliated credentialing board in that department  
5 for use in any investigation or proceeding relating to any alleged misconduct by any  
6 person who is credentialed or who is seeking credentialing under ch. 448, 455 or 457.  
7 Unless authorized by an order of the court, the department of ~~regulation and~~  
8 ~~licensing~~ safety and professional services and any examining board or affiliated  
9 credentialing board in that department shall keep confidential any information  
10 obtained under this paragraph and may not disclose the name of or any other  
11 identifying information about the individual who is the subject of the information  
12 disclosed, except to the extent that redisclosure of that information is necessary for  
13 the conduct of the investigation or proceeding for which that information was  
14 obtained.

15           **SECTION 1341.** 48.84 (1) of the statutes is amended to read:

16           48.84 (1) Before a child may be placed under s. 48.833 for adoption by a  
17 proposed adoptive parent who has not previously adopted a child, before a proposed  
18 adoptive parent who has not previously adopted a child may petition for placement  
19 of a child for adoption under s. 48.837, and before a proposed adoptive parent who  
20 has not previously adopted a child may bring a child into this state for adoption under  
21 s. 48.839, the proposed adoptive parent shall complete the preadoption preparation  
22 required under this section. The preparation shall be provided by a licensed child  
23 welfare agency, a licensed private adoption agency, the state adoption information  
24 exchange under s. 48.55, the state adoption center under s. 48.55, a state-funded  
25 foster care and adoption resource center, a state-funded postadoption resource

**ASSEMBLY BILL 40****SECTION 1341**

1 center, a technical college district school, the University of Wisconsin–Madison, or  
2 an institution or college campus within the University of Wisconsin System. If the  
3 proposed adoptive parent does not reside in this state, he or she may meet this  
4 requirement by obtaining equivalent preparation in his or her state of residence.

5 **SECTION 1342.** 48.981 (3m) (b) (intro.) of the statutes is amended to read:

6 48.981 **(3m)** (b) (intro.) The department shall establish a pilot program under  
7 which an agency in a county having a population of 500,000 or more or a county  
8 department that is selected to participate in the pilot program may employ  
9 alternative responses to a report of abuse or neglect or of threatened abuse or neglect.  
10 The department shall select ~~an agency in a county having a population of 500,000~~  
11 ~~or more and not more than 4~~ agencies and county departments to participate in the  
12 pilot program in accordance with the department's request-for-proposal procedures  
13 and according to criteria developed by the department. Those criteria shall include  
14 an assessment of the plan of an agency or county department for involving the  
15 community in providing services for a family that is participating in the pilot  
16 program and a determination of whether an agency or a county department has an  
17 agreement with local law enforcement agencies and the representative of the public  
18 under s. 48.09 to ensure interagency cooperation in implementing the pilot program.  
19 To implement the pilot program, the department shall provide all of the following:

20 **SECTION 1343.** 49.131 (3) of the statutes is amended to read:

21 49.131 **(3)** The Except as provided in s. 49.377 (2), the department may not  
22 require a county or tribal governing body to participate in an electronic benefit  
23 transfer system under this section if the costs to the county or tribal governing body  
24 would be greater than the costs that the county or tribal governing body would incur

**ASSEMBLY BILL 40****SECTION 1343**

1 in delivering the benefits through a system that is not an electronic benefit transfer  
2 system.

3 **SECTION 1344.** 49.141 (7) (c) 3. of the statutes is amended to read:

4 49.141 (7) (c) 3. Fraudulently misstating or misrepresenting his or her identity  
5 or place of residence for the purpose of receiving simultaneously in this state and at  
6 least one other state benefits under the federal ~~food stamp~~ supplemental nutrition  
7 assistance program under 7 USC 2011 to ~~2029~~ 2036.

8 **SECTION 1345.** 49.143 (2) (d) of the statutes is amended to read:

9 49.143 (2) (d) If the Wisconsin ~~works~~ Works agency is not a county department  
10 under s. 46.215, 46.22 or 46.23 or tribal governing body, cooperate with the county  
11 department or tribal governing body to ensure that services delivered under  
12 Wisconsin ~~works~~ Works, the ~~food stamp~~ supplemental nutrition assistance program  
13 and medical assistance are coordinated with the county or tribal governing body in  
14 a manner that most effectively serves the recipients of those services.

15 **SECTION 1346.** 49.143 (2r) of the statutes is amended to read:

16 49.143 (2r) JOB PROGRAMS. A Wisconsin Works agency shall collaborate with  
17 the local workforce development board to connect individuals seeking employment  
18 with employment opportunities, including the trial job program under s. 49.147 (3)  
19 and, ~~if operating in the geographical area in which the Wisconsin Works agency~~  
20 ~~administers Wisconsin Works, the transitional jobs demonstration project under s.~~  
21 ~~49.162.~~

22 **SECTION 1347.** 49.145 (2) (i) of the statutes is amended to read:

23 49.145 (2) (i) The individual is not receiving supplemental security income  
24 under 42 USC 1381 to 1383c or state supplemental payments under s. ~~49.77~~ 49.39  
25 and, if the individual is a dependent child, the custodial parent of the individual does

**ASSEMBLY BILL 40****SECTION 1347**

1 not receive a payment on behalf of the individual under s. ~~49.775~~ 49.395. The  
2 department may require an individual who receives benefits under s. 49.148 and who  
3 has applied for supplemental security income under 42 USC 1381 to 1383c to  
4 authorize the federal social security administration to reimburse the department for  
5 the benefits paid to the individual under s. 49.148 during the period that the  
6 individual was entitled to supplemental security income benefits to the extent that  
7 retroactive supplemental security income benefits are made available to the  
8 individual.

9 **SECTION 1348.** 49.147 (3) (c) of the statutes is created to read:

10 49.147 (3) (c) *Time-limited participation.* A participant under this subsection  
11 may participate in a trial job for a maximum of 3 months, with an opportunity for a  
12 3-month extension under circumstances determined by the Wisconsin Works  
13 agency. A participant may participate in more than one trial job, but may not exceed  
14 a total of 24 months of participation under this subsection. The months need not be  
15 consecutive. The department or, with the approval of the department, the Wisconsin  
16 Works agency may grant an extension of the 24-month limit on a case-by-case basis  
17 if the participant has made all appropriate efforts to find unsubsidized employment  
18 and has been unable to find unsubsidized employment because local labor market  
19 conditions preclude a reasonable job opportunity for that participant, as determined  
20 by a Wisconsin Works agency and approved by the department.

21 **SECTION 1349.** 49.147 (4) (as) of the statutes is amended to read:

22 49.147 (4) (as) *Required hours.* Except as provided in pars. (at) and (av) and  
23 sub. (5m), a Wisconsin Works agency shall require a participant placed in a  
24 community service job program to work in a community service job for the number  
25 of hours determined by the Wisconsin Works agency to be appropriate for the

**ASSEMBLY BILL 40****SECTION 1349**

1 participant at the time of application or review, ~~except that the~~ but not to exceed 30  
2 hours per week. Except as provided in pars. (at) and (av), a Wisconsin Works agency  
3 ~~may not require a participant under this subsection to spend more than 40 hours per~~  
4 ~~week in combined activities under this subsection~~ participate in education or  
5 training activities for not more than 10 hours per week.

6 **SECTION 1350.** 49.147 (4) (b) of the statutes is created to read:

7 49.147 (4) (b) *Time-limited participation.* An individual may participate in a  
8 community service job for a maximum of 6 months, with an opportunity for a  
9 3-month extension under circumstances approved by the department. An individual  
10 may participate in more than one community service job, but may not exceed a total  
11 of 24 months of participation under this subsection. The months need not be  
12 consecutive. The department or, with the approval of the department, the Wisconsin  
13 Works agency may grant an extension to the 24-month limit on a case-by-case basis  
14 if the Wisconsin Works agency determines that the individual has made all  
15 appropriate efforts to find unsubsidized employment and has been unable to find  
16 unsubsidized employment because local labor market conditions preclude a  
17 reasonable employment opportunity in unsubsidized employment for that  
18 participant, as determined by a Wisconsin Works agency and approved by the  
19 department, and if the Wisconsin Works agency determines, and the department  
20 agrees, that no trial job opportunities are available in the specified local labor  
21 market.

22 **SECTION 1351.** 49.147 (5) (b) (intro.) of the statutes is renumbered 49.147 (5)

23 (b) 1. (intro.) and amended to read:

24 49.147 (5) (b) 1. (intro.) The Wisconsin works Works agency shall assign a  
25 participant under this subsection to work activities such as a community

**ASSEMBLY BILL 40****SECTION 1351**

1 rehabilitation program, as defined by the department, a job similar to a community  
2 service job, or a volunteer activity. A Wisconsin works Works agency may require a  
3 participant under this subsection to participate in any of the following:

4 **SECTION 1352.** 49.147 (5) (b) 1m. of the statutes is renumbered 49.147 (5) (b)

5 1. a. and amended to read:

6 49.147 (5) (b) 1. a. An alcohol and other drug abuse evaluation, assessment, and  
7 treatment program.

8 **SECTION 1353.** 49.147 (5) (b) 2. of the statutes is created to read:

9 49.147 (5) (b) 2. An individual may participate in a transitional placement for  
10 a maximum of 24 months. The months need not be consecutive. This period may be  
11 extended on a case-by-case basis by the department or by the Wisconsin Works  
12 agency with the approval of the department.

13 **SECTION 1354.** 49.147 (5) (b) 2m. of the statutes is renumbered 49.147 (5) (b)

14 1. b.

15 **SECTION 1355.** 49.147 (5) (b) 3. of the statutes is renumbered 49.147 (5) (b) 1.

16 c.

17 **SECTION 1356.** 49.147 (5) (b) 4. of the statutes is renumbered 49.147 (5) (b) 1.

18 d. and amended to read:

19 49.147 (5) (b) 1. d. Other activities that the Wisconsin works Works agency  
20 determines are consistent with the capabilities of the individual.

21 **SECTION 1357.** 49.147 (5) (bs) of the statutes 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 engage in activities under par. (b) 1m. to 4. The 1. for up to 28 hours  
25 per week. Except as provided in sub. (5m), a Wisconsin Works agency may not

**ASSEMBLY BILL 40****SECTION 1357**

1 require a participant under this subsection to ~~spend more than 40 hours per week~~  
2 ~~in combined activities under this subsection~~ participate in education or training  
3 activities under par. (bm) for not more than 12 hours per week.

4 **SECTION 1358.** 49.148 (1) (b) 1. of the statutes is amended to read:

5 49.148 (1) (b) 1. Except as provided in subd. 1m., for a participant in a  
6 community service job under s. 49.147 (4), a monthly grant of \$~~673~~ \$653, paid by the  
7 Wisconsin ~~works~~ Works agency. For every hour that the participant misses work or  
8 education or training activities without good cause, the grant amount shall be  
9 reduced by \$5.15. Good cause shall be determined by the financial and employment  
10 planner in accordance with rules promulgated by the department. Good cause shall  
11 include required court appearances for a victim of domestic abuse. If a participant  
12 in a community service job under s. 49.147 (4) is required to work fewer than 30 hours  
13 per week because the participant has unsubsidized employment, as defined in s.  
14 49.147 (1) (c), the grant amount under this paragraph shall equal the amount  
15 specified under subd. 1m. minus \$5.15 for each hour that the participant misses work  
16 or education or training activities without good cause.

17 **SECTION 1359.** 49.148 (1) (b) 1m. d. of the statutes is amended to read:

18 49.148 (1) (b) 1m. d. For a participant placed in a community service job for  
19 more than 20 hours per week, \$~~673~~ \$653.

20 **SECTION 1360.** 49.148 (1) (b) 3. of the statutes is amended to read:

21 49.148 (1) (b) 3. For a participant in a community service job who participates  
22 in technical college education under s. 49.147 (5m), a monthly grant of \$~~673~~ \$653,  
23 paid by the Wisconsin ~~works~~ Works agency. For every hour that the participant  
24 misses work or other required activities without good cause, the grant amount shall  
25 be reduced by \$5.15. Good cause shall be determined by the financial and

**ASSEMBLY BILL 40****SECTION 1360**

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 1. a. to d., the grant amount shall be reduced by \$5.15. Good cause shall be  
10 determined by the financial and employment planner in accordance with rules  
11 promulgated by the department. Good cause shall include required court  
12 appearances for a victim of domestic abuse.

13 **SECTION 1362.** 49.148 (1m) (c) (intro.) of the statutes is amended to read:

14 49.148 (1m) (c) (intro.) For purposes of the time ~~limit~~ limits under s. ss. 49.145  
15 (2) (n) and 49.147 (3) (c), (4) (b), and (5) (b) 2., all of the following apply:

16 **SECTION 1363.** 49.148 (4) (b) of the statutes is amended to read:

17 49.148 (4) (b) The Wisconsin Works agency may require an individual who tests  
18 positive for use of a controlled substance under par. (a) to participate in a drug abuse  
19 evaluation, assessment, and treatment program as part of the participation  
20 requirement under s. 49.147 (4) ~~(a) and (am)~~ (as) or (5) ~~(b) and (bm)~~ (bs).

21 **SECTION 1364.** 49.151 (1) (b) of the statutes is amended to read:

22 49.151 (1) (b) The participant, or an individual who is in the participant's  
23 Wisconsin Works group and who is subject to the work requirement under s. 49.15  
24 (2), fails, without good cause, as determined by the Wisconsin Works agency, to  
25 appear for an interview with a prospective employer or, if the participant is in a



**ASSEMBLY BILL 40****SECTION 1364**

1 Wisconsin Works transitional placement, the participant fails to appear for an  
2 assigned activity, including an activity under s. 49.147 (5) (b) ~~1m. to 4. 1. a. to d.~~,  
3 without good cause, as determined by the Wisconsin Works agency.

4 **SECTION 1365.** 49.1515 (title) of the statutes is amended to read:

5 **49.1515 (title) Determining nonparticipation without good cause.**

6 **SECTION 1366.** 49.1515 (2) of the statutes is repealed.

7 **SECTION 1367.** 49.1515 (3) of the statutes is repealed.

8 **SECTION 1368.** 49.153 (1) (am) of the statutes is repealed.

9 **SECTION 1369.** 49.153 (1) (bm) of the statutes is renumbered 49.153 (1) (a) and  
10 amended to read:

11 49.153 (1) (a) ~~After providing the explanation under par. (am), provide~~ Provide  
12 to the participant written notice of the proposed action and of the reasons for the  
13 proposed action.

14 **SECTION 1370.** 49.153 (1) (c) of the statutes is amended to read:

15 49.153 (1) (c) ~~After providing the explanation or the attempts to provide an~~  
16 ~~explanation under par. (am) and the notice under par. (bm), if the participant has not~~  
17 ~~already been afforded a conciliation period under s. 49.1515 (3) (a),~~ allow the  
18 participant a reasonable time to rectify the deficiency, failure, or other behavior to  
19 avoid the proposed action.

20 **SECTION 1371.** 49.153 (2) of the statutes is amended to read:

21 49.153 (2) RULES. The department shall promulgate rules that establish  
22 procedures for the notice ~~and explanation~~ under sub. (1) (a) and that define  
23 “reasonable attempts” for the purpose of sub. (1) (am) and “reasonable time” for the  
24 purpose of sub. (1) (c).

25 **SECTION 1372.** 49.155 (1) (ah) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1372**

1           49.155 (1) (ah) “County department or agency” means a county department  
2 under s. 46.215, 46.22, or 46.23, ~~the unit, as defined in s. 49.825 (1) (e),~~ or a Wisconsin  
3 Works agency, child care resource and referral agency, or other agency.

4           **SECTION 1373.** 49.155 (1g) (ac) of the statutes is amended to read:

5           49.155 (1g) (ac) A child care scholarship and bonus program, in the amount of  
6 at least \$3,475,000 \$3,975,000 per fiscal year.

7           **SECTION 1374.** 49.155 (1g) (c) of the statutes is amended to read:

8           49.155 (1g) (c) Child care licensing activities, in the amount of at least  
9 \$5,763,900 \$8,767,000 per fiscal year.

10          **SECTION 1375.** 49.155 (1g) (g) of the statutes is created to read:

11          49.155 (1g) (g) Contracts and grants to implement the child care quality rating  
12 system under s. 48.659.

13          **SECTION 1376.** 49.155 (1h) of the statutes is repealed.

14          **SECTION 1377.** 49.155 (1m) (a) 3m. of the statutes is amended to read:

15          49.155 (1m) (a) 3m. Participate in a job search or work experience component  
16 of the ~~food stamp~~ supplemental nutrition assistance employment and training  
17 program under s. 49.79 (9) 49.37 (9).

18          **SECTION 1378.** 49.155 (3g) (a) (intro.) of the statutes is amended to read:

19          49.155 (3g) (a) (intro.) The department may contract with the Milwaukee  
20 ~~County enrollment services unit, as provided in s. 49.825 (2) (b)~~ department of health  
21 services, to do any of the following:

22          **SECTION 1379.** 49.155 (6) (e) of the statutes is renumbered 49.155 (6) (e) 2. and  
23 amended to read:

**ASSEMBLY BILL 40****SECTION 1379**

1           49.155 (6) (e) 2. ~~The Except as provided in subd. 3., the department may not~~  
2           increase the maximum reimbursement rates for child care providers ~~in 2009, in~~  
3           ~~2010, or before June 30 in 2011, 2013.~~

4           **SECTION 1380.** 49.155 (6) (e) 1. of the statutes is created to read:

5           49.155 (6) (e) 1. In this paragraph, “quality rating plan” means the plan for  
6           implementing the child care quality rating system under s. 48.659 submitted by the  
7           department under 2009 Wisconsin Act 28, section 9108 (7f).

8           **SECTION 1381.** 49.155 (6) (e) 3. of the statutes is created to read:

9           49.155 (6) (e) 3. The department may modify a child care provider’s  
10          reimbursement rate under subd. 2. on the basis of the provider’s quality rating, as  
11          described in the quality rating plan, in the following manner:

12          a. For a child care provider who receives a 1–star rating, the department may  
13          deny reimbursement.

14          b. For a child care provider who receives a 2–star rating, the department may  
15          reduce the maximum reimbursement rate by up to 5 percent.

16          c. For a child care provider who receives a 3–star rating, the department shall  
17          pay the maximum reimbursement rate.

18          d. For a child care provider who receives a 4–star rating, the department may  
19          increase the maximum reimbursement rate by up to 5 percent.

20          e. For a child care provider who receives a 5–star rating, the department may  
21          increase the maximum reimbursement rate by up to 10 percent.

22          **SECTION 1382.** 49.155 (6) (e) 4. of the statutes is created to read:

23          49.155 (6) (e) 4. The department may use a severity–index tool, as described  
24          in the quality rating plan, to disqualify child care providers who receive a low quality

**ASSEMBLY BILL 40****SECTION 1382**

1 rating, as described in the quality rating plan, from providing child care services to  
2 individuals under this section.

3 **SECTION 1383.** 49.155 (6d) of the statutes is created to read:

4 49.155 **(6d)** COST-SAVING MEASURES. To reduce costs under the program under  
5 this section, the department may do any of the following:

6 (a) Notwithstanding sub. (1m), implement a waiting list for receipt of a child  
7 care subsidy under this section.

8 (b) Notwithstanding sub. (5), increase the copayment amount that an  
9 individual must pay toward the cost of child care received under this section.

10 (c) Notwithstanding sub. (6), adjust the amount of reimbursement paid to child  
11 care providers providing child care services under this section.

12 (d) Notwithstanding sub. (1m), adjust the gross income levels for eligibility for  
13 receipt of a child care subsidy under this section.

14 **SECTION 1384.** 49.159 (2) of the statutes is amended to read:

15 49.159 **(2)** MINOR CUSTODIAL PARENTS; FINANCIAL AND EMPLOYMENT COUNSELING.

16 A custodial parent who is under the age of 18 is eligible, regardless of that  
17 individual's or that individual's parent's income or assets, to meet with a financial  
18 and employment planner. The financial and employment planner may provide the  
19 individual with information regarding Wisconsin ~~works~~ Works eligibility, available  
20 child care services, employment and financial planning, family planning services, as  
21 defined in s. 253.07 (1) (b), community resources, eligibility for ~~food stamps~~ the  
22 supplemental nutrition assistance program, and other food and nutrition programs.

23 **SECTION 1385.** 49.162 of the statutes, as affected by 2009 Wisconsin Act 333,  
24 is repealed.

25 **SECTION 1386.** 49.165 (2) (c) (intro.) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1386**

1           49.165 (2) (c) (intro.) No grant may be made to an organization which provides  
2 or will provide shelter facilities unless the department of commerce safety and  
3 professional services determines that the physical plant of the facility will not be  
4 dangerous to the health or safety of the residents when the facility is in operation.  
5 No grant may be given to an organization which provides or will provide shelter  
6 facilities or private home shelter care unless the organization ensures that the  
7 following services will be provided either by that organization or by another  
8 organization, person or agency:

9           **SECTION 1387.** 49.173 (3) (a) 2. of the statutes is amended to read:

10           49.173 (3) (a) 2. ~~Food stamp~~ Supplemental nutrition assistance employment  
11 and training.

12           **SECTION 1388.** 49.175 (1) (intro.) of the statutes, as affected by 2009 Wisconsin  
13 Act 28, section 1227, is amended to read:

14           49.175 (1) ALLOCATION OF FUNDS. (intro.) Except as provided in sub. (2), within  
15 the limits of the appropriations under s. 20.437 (2) (a), (cm), (dz), (ed), (k), (kx), (L),  
16 (mc), (md), (me), ~~(mf)~~, and (s), the department shall allocate the following amounts  
17 for the following purposes:

18           **SECTION 1389.** 49.175 (1) (a) of the statutes is amended to read:

19           49.175 (1) (a) *Wisconsin Works benefits.* For Wisconsin Works benefits,  
20 ~~\$49,139,400~~ \$78,787,800 in fiscal year ~~2009–10~~ 2011–12 and ~~\$51,229,600~~  
21 \$61,779,400 in fiscal year ~~2010–11~~ 2012–13.

22           **SECTION 1390.** 49.175 (1) (b) of the statutes is amended to read:

23           49.175 (1) (b) *Wisconsin Works administration.* For administration of  
24 Wisconsin Works performed under contracts under s. 49.143, ~~\$8,247,000~~

**ASSEMBLY BILL 40****SECTION 1390**

1 ~~\$11,830,800~~ in fiscal year ~~2009–10~~ 2011–12 and ~~\$8,247,000~~ \$11,117,100 in fiscal year  
2 ~~2010–11~~ 2012–13.

3 **SECTION 1391.** 49.175 (1) (f) of the statutes is amended to read:

4 49.175 (1) (f) *Wisconsin Works ancillary services.* For program services under  
5 Wisconsin Works provided under contracts under s. 49.143, ~~\$38,471,500~~ \$54,846,300  
6 in fiscal year ~~2009–10~~ 2011–12 and ~~\$35,471,500~~ \$45,637,000 in fiscal year ~~2010–11~~  
7 2012–13.

8 **SECTION 1392.** 49.175 (1) (g) of the statutes is amended to read:

9 49.175 (1) (g) *State administration of public assistance programs and costs of*  
10 *overpayment collections.* For state administration of public assistance programs and  
11 ~~costs associated with the collection of public assistance overpayments, \$16,985,900~~  
12 ~~in fiscal year 2009–10 and \$17,091,700~~ \$12,322,400 in each fiscal year ~~2010–11~~.

13 **SECTION 1393.** 49.175 (1) (i) of the statutes is amended to read:

14 49.175 (1) (i) *Emergency assistance.* For emergency assistance under s. 49.138,  
15 ~~\$6,500,000~~ and for transfer to the department of administration for low-income  
16 energy or weatherization assistance programs, \$6,200,000 in fiscal year ~~2009–10~~  
17 2011–12 and ~~\$6,000,000~~ in fiscal year ~~2010–11~~ 2012–13.

18 **SECTION 1394.** 49.175 (1) (p) of the statutes is amended to read:

19 49.175 (1) (p) *Direct child care services.* For direct child care services under s.  
20 49.155, ~~\$384,987,600~~ \$290,042,500 in fiscal year ~~2009–10~~ 2011–12 and ~~\$402,496,800~~  
21 \$288,018,300 in fiscal year ~~2010–11~~ 2012–13.

22 **SECTION 1395.** 49.175 (1) (q) of the statutes is amended to read:

23 49.175 (1) (q) *Child care state administration and child care licensing*  
24 *activities.* For administration of child care programs under s. 49.155 and the  
25 allocation under s. 49.155 (1g) (c) for child care licensing activities, ~~\$8,534,700~~

**ASSEMBLY BILL 40****SECTION 1395**

1     ~~\$21,061,700~~ in fiscal year ~~2009–10~~ 2011–12 and ~~\$8,889,700~~ \$21,143,400 in fiscal  
2     year ~~2010–11~~ 2012–13.

3           **SECTION 1396.** 49.175 (1) (qm) of the statutes is amended to read:

4           49.175 **(1)** (qm) *Quality care for quality kids.* For the child care quality  
5     improvement activities specified in s. 49.155 (1g), ~~\$5,384,600~~ \$13,486,700 in fiscal  
6     year ~~2009–10~~ 2011–12 and ~~\$5,384,600~~ \$13,169,400 in fiscal year ~~2010–11~~ 2012–13.

7           **SECTION 1397.** 49.175 (1) (r) of the statutes is amended to read:

8           49.175 **(1)** (r) *Children of recipients of supplemental security income.* For  
9     payments made under s. ~~49.775~~ 49.395 for the support of the dependent children of  
10    recipients of supplemental security income, ~~\$29,899,800 in fiscal year 2009–10 and~~  
11    ~~\$29,933,200~~ \$31,232,200 in each fiscal year thereafter.

12          **SECTION 1398.** 49.175 (1) (s) of the statutes is amended to read:

13          49.175 **(1)** (s) *Kinship care, long–term kinship care, and foster care assistance.*  
14    For the kinship care and long–term kinship care programs under s. 48.57 (3m), (3n),  
15    and (3p) and for foster care for relatives under s. 48.62, ~~\$24,435,000 in fiscal year~~  
16    ~~2009–10 and \$24,435,000~~ \$21,375,800 in each fiscal year ~~2010–11~~.

17          **SECTION 1399.** 49.175 (1) (v) of the statutes is created to read:

18          49.175 **(1)** (v) *Program improvement plan.* For services provided under the  
19    child welfare program improvement plan developed under 45 CFR 1355.35, \$680,400  
20    in fiscal year 2011–12 and \$1,360,800 in each fiscal year thereafter.

21          **SECTION 1400.** 49.175 (1) (zh) of the statutes is amended to read:

22          49.175 **(1)** (zh) *Earned income tax credit supplement.* For the transfer of  
23    moneys from the appropriation account under s. 20.437 (2) (md) to the appropriation  
24    account under s. 20.835 (2) (kf) for the earned income tax credit, ~~\$6,664,200 in fiscal~~  
25    year ~~2009–10 and \$6,664,200~~ \$43,664,200 in each fiscal year ~~2010–2011~~.

**ASSEMBLY BILL 40****SECTION 1401**

1           **SECTION 1401.** 49.19 (5) (d) of the statutes is amended to read:

2           49.19 (5) (d) The department shall ~~reimburse the county for~~ pay the funeral,  
3 burial, and cemetery expenses of a dependent child or the child's parents as provided  
4 in s. 49.785.

5           **SECTION 1402.** 49.19 (19m) of the statutes is amended to read:

6           49.19 (19m) Notwithstanding subs. (1) to (19), no aid may be paid under this  
7 section for a child on whose behalf a payment is made under s. ~~49.775~~ 49.395.

8           **SECTION 1403.** 49.197 (1m) of the statutes is amended to read:

9           49.197 (1m) FRAUD INVESTIGATION. From the appropriations under s. 20.437 (2)  
10 (dz), (kx), (L), (mc), (md), (me), and (nL), the department shall establish a program  
11 to investigate suspected fraudulent activity on the part of recipients of aid to families  
12 with dependent children under s. 49.19, supplemental security income payments  
13 under s. 49.77, 2009 stats., or s. 49.39, and payments for the support of children of  
14 supplemental security income recipients under s. 49.775, 2009 stats., or s. 49.395,  
15 on the part of participants in the Wisconsin Works program under ss. 49.141 to  
16 49.161, and, if the department of health services contracts with the department  
17 under sub. (5), on the part of recipients of medical assistance under subch. IV, food  
18 stamp benefits under the food stamp program under 7 USC 2011 to 2036,  
19 ~~supplemental security income payments under s. 49.77, payments for the support of~~  
20 ~~children of supplemental security income recipients under s. 49.775, and health care~~  
21 benefits under the Badger Care health care program under s. 49.665. The  
22 department's activities under this subsection may include, but are not limited to,  
23 comparisons of information provided to the department by an applicant and  
24 information provided by the applicant to other federal, state, and local agencies,  
25 development of an advisory welfare investigation prosecution standard, and



**ASSEMBLY BILL 40****SECTION 1403**

1 provision of funds to county departments under ss. 46.215, 46.22, and 46.23 and to  
2 Wisconsin Works agencies to encourage activities to detect fraud. The department  
3 shall cooperate with district attorneys regarding fraud prosecutions.

4 **SECTION 1404.** 49.197 (1m) of the statutes, as affected by 2011 Wisconsin Act  
5 .... (this act), is amended to read:

6 49.197 (1m) FRAUD INVESTIGATION. From the appropriations under s. 20.437 (2)  
7 (dz), (kx), (L), (mc), (md), (me), and (nL), the department shall establish a program  
8 to investigate suspected fraudulent activity on the part of recipients of aid to families  
9 with dependent children under s. 49.19, on the part of recipients of benefits under  
10 the supplemental nutrition assistance program under 7 USC 2011 to 2036,  
11 supplemental security income payments under s. 49.77, 2009 stats., or s. 49.39, and  
12 payments for the support of children of supplemental security income recipients  
13 under s. 49.775, 2009 stats., or s. 49.395, on the part of participants in the Wisconsin  
14 Works program under ss. 49.141 to 49.161, and, if the department of health services  
15 contracts with the department under sub. (5), on the part of recipients of medical  
16 assistance under subch. IV, ~~food stamp benefits under the food stamp program under~~  
17 ~~7 USC 2011 to 2036,~~ and health care benefits under the Badger Care health care  
18 program under s. 49.665. The department's activities under this subsection may  
19 include, but are not limited to, comparisons of information provided to the  
20 department by an applicant and information provided by the applicant to other  
21 federal, state, and local agencies, development of an advisory welfare investigation  
22 prosecution standard, and provision of funds to county departments under ss.  
23 46.215, 46.22, and 46.23 and to Wisconsin Works agencies to encourage activities to  
24 detect fraud. The department shall cooperate with district attorneys regarding  
25 fraud prosecutions.

**ASSEMBLY BILL 40****SECTION 1405**

1           **SECTION 1405.** 49.197 (2) (cm) of the statutes is amended to read:

2           49.197 **(2)** (cm) Any amounts recovered with respect to the child care subsidy  
3 program under s. 49.155 by a county department in a county having a population of  
4 500,000 or more as a result of a program under par. (b) or due to the efforts of an  
5 employee of such a county who is supervised by the department ~~or the department~~  
6 ~~of health services under s. 49.825~~ shall be credited to the appropriation account  
7 under s. 20.437 (2) (me).

8           **SECTION 1406.** 49.197 (3) of the statutes is amended to read:

9           49.197 **(3)** STATE ERROR REDUCTION ACTIVITIES. The department shall conduct  
10 activities to reduce payment errors in Wisconsin Works under ss. 49.141 to 49.161,  
11 the supplemental security income payments program under s. 49.39, the program  
12 providing payments for the support of children of supplemental security income  
13 recipients under s. 49.395, and, if the department of health services contracts with  
14 the department under sub. (5), the Medical Assistance program under subch. IV, the  
15 food stamp program under 7 USC 2011 to 2036, ~~the supplemental security income~~  
16 ~~payments program under s. 49.77, the program providing payments for the support~~  
17 ~~of children of supplemental security income recipients under s. 49.775,~~ and the  
18 Badger Care health care program under s. 49.665.

19           **SECTION 1407.** 49.197 (3) of the statutes, as affected by 2011 Wisconsin Act ...  
20 (this act), is amended to read:

21           49.197 **(3)** STATE ERROR REDUCTION ACTIVITIES. The department shall conduct  
22 activities to reduce payment errors in Wisconsin Works under ss. 49.141 to 49.161,  
23 the supplemental nutrition assistance program under 7 USC 2011 to 2036, the  
24 supplemental security income payments program under s. 49.39, and the program  
25 providing payments for the support of children of supplemental security income

**ASSEMBLY BILL 40****SECTION 1407**

1 recipients under s. 49.395, and, if the department of health services contracts with  
2 the department under sub. (5), the Medical Assistance program under subch. IV, ~~the~~  
3 ~~food stamp program under 7 USC 2011 to 2036,~~ and the Badger Care health care  
4 program under s. 49.665.

5 **SECTION 1408.** 49.197 (4) of the statutes is amended to read:

6 49.197 (4) COUNTY AND TRIBAL ERROR REDUCTION. If the department of health  
7 services contracts with the department under sub. (5), the department shall provide  
8 funds from the appropriation under s. 20.437 (2) (kx) to counties and governing  
9 bodies of federally recognized American Indian tribes administering Medical  
10 Assistance under subch. IV, the food stamp program under 7 USC 2011 to 2036, ~~the~~  
11 ~~supplemental security income payments program under s. 49.77, the program~~  
12 ~~providing payments for the support of children of supplemental security income~~  
13 ~~recipients under s. 49.775,~~ and the Badger Care health care program under s. 49.665,  
14 as applicable, to offset administrative costs of reducing payment errors in those  
15 programs.

16 **SECTION 1409.** 49.197 (4) of the statutes, as affected by 2011 Wisconsin Act ...  
17 (this act), is amended to read:

18 49.197 (4) COUNTY AND TRIBAL ERROR REDUCTION. If the department of health  
19 services contracts with the department under sub. (5), the department shall provide  
20 funds from the appropriation under s. 20.437 (2) (kx) to counties and governing  
21 bodies of federally recognized American Indian tribes administering Medical  
22 Assistance under subch. IV, ~~the food stamp program under 7 USC 2011 to 2036,~~ and  
23 the Badger Care health care program under s. 49.665, as applicable, to offset  
24 administrative costs of reducing payment errors in those programs.

25 **SECTION 1410.** 49.197 (5) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1410**

1           49.197 (5) ~~CONTRACTS FOR MEDICAL ASSISTANCE, AND FOOD STAMPS, SUPPLEMENTAL~~  
2 ~~SECURITY INCOME, AND CARETAKER SUPPLEMENT.~~ Notwithstanding s. 49.845 (1) and (2),  
3 the department of health services may contract with the department to investigate  
4 suspected fraudulent activity on the part of recipients of medical assistance under  
5 subch. IV, food stamp benefits under the food stamp program under 7 USC 2011 to  
6 2036, ~~supplemental security income payments under s. 49.77, payments for the~~  
7 ~~support of children of supplemental security income recipients under s. 49.775, and~~  
8 health care benefits under the Badger Care health care program under s. 49.665 and  
9 to conduct activities to reduce payment errors in the Medical Assistance program  
10 under subch. IV, the food stamp program under 7 USC 2011 to 2036, ~~the~~  
11 ~~supplemental security income payments program under s. 49.77, the program~~  
12 ~~providing payments for the support of children of supplemental security income~~  
13 ~~recipients under s. 49.775, and the Badger Care health care program under s. 49.665,~~  
14 as provided in this section.

15           **SECTION 1411.** 49.197 (5) of the statutes, as affected by 2011 Wisconsin Act ...  
16 (this act), is amended to read:

17           49.197 (5)     CONTRACTS FOR MEDICAL ASSISTANCE ~~AND FOOD STAMPS.~~  
18 Notwithstanding s. 49.845 (1) and (2), the department of health services may  
19 contract with the department to investigate suspected fraudulent activity on the  
20 part of recipients of medical assistance under subch. IV, ~~food stamp benefits under~~  
21 ~~the food stamp program under 7 USC 2011 to 2036,~~ and health care benefits under  
22 the Badger Care health care program under s. 49.665 and to conduct activities to  
23 reduce payment errors in the Medical Assistance program under subch. IV, ~~the food~~  
24 ~~stamp program under 7 USC 2011 to 2036,~~ and the Badger Care health care program  
25 under s. 49.665, as provided in this section.

**ASSEMBLY BILL 40****SECTION 1412**

1           **SECTION 1412.** 49.22 (6) of the statutes is amended to read:

2           49.22 **(6)** The department shall establish, pursuant to federal and state laws,  
3 rules and regulations, a uniform system of fees for services provided under this  
4 section to individuals not receiving aid under s. 48.645, 49.19, 49.47, or 49.471;  
5 benefits under s. 49.148, 49.155, or ~~49.79~~ 49.37; foster care maintenance payments  
6 under 42 USC 670 to 679a; or kinship care payments under s. 48.57 (3m) or  
7 long-term kinship care payments under s. 48.57 (3n). The system of fees may take  
8 into account an individual's ability to pay. Any fee paid and collected under this  
9 subsection may be retained by the county providing the service except for the fee  
10 specified in 42 USC 653 (e) (2) for federal parent locator services.

11           **SECTION 1413.** 49.26 (1) (g) 12. of the statutes is repealed.

12           **SECTION 1414.** 49.26 (1) (gm) 1. c. of the statutes is amended to read:

13           49.26 **(1)** (gm) 1. c. Dropouts, as defined in s. ~~118.153 (1) (b)~~ 115.001 (2m),  
14 including individuals who were dropouts and reenrolled in school in the same or  
15 immediately succeeding semester in which they dropped out of school.

16           **SECTION 1415.** 49.265 (4) (a) of the statutes is amended to read:

17           49.265 **(4)** (a) The department shall distribute the federal community services  
18 block grant funds received under 42 USC 9903 and ~~deposited in~~ credited to the  
19 ~~appropriations~~ appropriation account under s. 20.437 ~~(1) (mc) and (md)~~ (2) (mg).

20           **SECTION 1416.** 49.32 (7) (b) of the statutes is amended to read:

21           49.32 **(7)** (b) The department shall conduct a program to periodically match the  
22 records of recipients of aid to families with dependent children under s. 49.19 and  
23 recipients of benefits under the supplemental nutrition assistance program under 7  
24 USC 2011 to 2036 and, if the department of health services contracts with the  
25 department under s. 49.197 (5), recipients of medical assistance under subch. IV ~~and~~

**ASSEMBLY BILL 40****SECTION 1416**

1 ~~food stamp benefits under the food stamp program under 7 USC 2011 to 2036 with~~  
2 the records of recipients under those programs in other states. If an agreement with  
3 the other states can be obtained, matches with records of states contiguous to this  
4 state shall be conducted at least annually.

5 **SECTION 1417.** 49.32 (7) (c) of the statutes is amended to read:

6 49.32 (7) (c) The department shall conduct a program to periodically match  
7 review the address records of recipients of aid to families with dependent children  
8 under s. 49.19 and recipients of benefits under the supplemental nutrition assistance  
9 program under 7 USC 2011 to 2036 and, if the department of health services  
10 contracts with the department under s. 49.197 (5), recipients of medical assistance  
11 under subch. IV ~~and food stamp benefits under the food stamp program under 7 USC~~  
12 ~~2011 to 2036~~ to verify residency and to identify recipients receiving duplicate or  
13 fraudulent payments.

14 **SECTION 1418.** 49.32 (7) (d) of the statutes is amended to read:

15 49.32 (7) (d) The department, with assistance from the department of  
16 corrections, shall conduct a program to periodically match the records of persons  
17 confined in state correctional facilities with the records of recipients of aid to families  
18 with dependent children under s. 49.19 and benefits under the supplemental  
19 nutrition assistance program under 7 USC 2011 to 2036 and, if the department of  
20 health services contracts with the department under s. 49.197 (5), recipients of  
21 medical assistance under subch. IV ~~and food stamp benefits under the food stamp~~  
22 ~~program under 7 USC 2011 to 2036~~ to identify recipients who may be ineligible for  
23 benefits.

24 **SECTION 1419.** 49.32 (10) (a) (intro.) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1419**

1           49.32 **(10)** (a) (intro.) Each county department under s. 46.215, 46.22, or 46.23  
2 may release the current address of a recipient of ~~food stamps~~ supplemental nutrition  
3 assistance program benefits under s. 49.37 or of aid under s. 49.19, and each  
4 Wisconsin works agency may release the current address of a participant in  
5 Wisconsin works under ss. 49.141 to 49.161, to a law enforcement officer if the officer  
6 meets all of the following conditions:

7           **SECTION 1420.** 49.35 (1) (bm) of the statutes is amended to read:

8           49.35 **(1)** (bm) All records of the department relating to aid provided under s.  
9 49.19 or 49.39 are open to inspection at reasonable hours by members of the  
10 legislature who require the information contained in the records in pursuit of a  
11 specific state legislative purpose. All records of any county relating to aid provided  
12 under s. 49.19 or 49.39 are open to inspection at reasonable hours by members of the  
13 board of supervisors of the county or the governing body of a city, village or town  
14 located in the county who require the information contained in the records in pursuit  
15 of a specific county or municipal legislative purpose. The right to records access  
16 provided by this paragraph does not apply if access is prohibited by federal law or  
17 regulation or if this state is required to prohibit such access as a condition precedent  
18 to participation in a federal program in which this state participates.

19           **SECTION 1421.** 49.37 (1m) of the statutes is created to read:

20           49.37 **(1m)** ADMINISTRATION BY DEPARTMENT. The department shall administer,  
21 and may enter into contracts for the administration of, the supplemental nutrition  
22 assistance program in this state. Administration of the supplemental nutrition  
23 assistance program includes all of the following:

24           (a) Receiving applications.

25           (b) Determining eligibility.

**ASSEMBLY BILL 40****SECTION 1421**

1 (c) Conducting fraud investigation and fraud prevention activities.

2 (d) Implementing error reduction procedures.

3 (e) Recovering overpayments of benefits.

4 **SECTION 1422.** 49.43 (1e) of the statutes is amended to read:

5 49.43 (1e) “Accommodated person” means any person in a hospital or in a  
6 skilled nursing facility or intermediate care facility, as defined in Title XIX of the  
7 social security act, who would have been eligible for benefits under s. 49.19 or ~~49.77~~  
8 49.39 or federal Title XVI if the person were not in such a hospital or facility, and any  
9 person in such an institution who can be found eligible for Title XIX under the social  
10 security act.

11 **SECTION 1423.** 49.45 (2) (a) 3. of the statutes is amended to read:

12 49.45 (2) (a) 3. Determine the eligibility of persons for medical assistance,  
13 rehabilitative, and social services under ss. 49.46, 49.468, 49.47, and 49.471 and  
14 rules and policies adopted by the department and may, under a contract under s.  
15 49.78 (2), delegate all, or any portion, of this function to ~~the county department under~~  
16 ~~s. 46.215, 46.22, or 46.23~~ or a tribal governing body.

17 **SECTION 1424.** 49.45 (3) (a) of the statutes is amended to read:

18 49.45 (3) (a) Reimbursement shall be made to each county department under  
19 ss. 46.215, 46.22, and 46.23 for ~~any administrative services performed in the Medical~~  
20 ~~Assistance program on the basis of s. 49.78 (8).~~ For purposes of reimbursement  
21 ~~under this paragraph,~~ assessments completed under s. 46.27 (6) (a) are  
22 ~~administrative services performed in the Medical Assistance program.~~

23 **SECTION 1425.** 49.45 (5) (b) 1. (intro.) of the statutes is amended to read:

24 49.45 (5) (b) 1. (intro.) Upon receipt of a timely petition under par. (a) the  
25 department shall give the applicant or recipient reasonable notice and opportunity



**ASSEMBLY BILL 40****SECTION 1425**

1 for a fair hearing. The department may make such additional investigation as it  
2 considers necessary. Notice of the hearing shall be given to the applicant or recipient  
3 and, if a county department under s. 46.215, 46.22, or 46.23 is responsible for making  
4 made the medical assistance determination, to the county clerk of the county. The  
5 county may be represented at such hearing. The department shall render its decision  
6 as soon as possible after the hearing and shall send a certified copy of its decision to  
7 the applicant or recipient, and to the county clerk, ~~and to any county officer charged~~  
8 ~~with administration of the Medical Assistance program.~~ ~~The decision of the~~  
9 ~~department shall have the same effect as an order of a county officer charged with~~  
10 ~~the administration of the Medical Assistance program~~ of the county that made the  
11 medical assistance determination. The decision shall be final, but may be revoked  
12 or modified as altered conditions may require. The department shall deny a petition  
13 for a hearing or shall refuse to grant relief if:

14 **SECTION 1426.** 49.45 (5) (b) 2. (intro.) of the statutes is amended to read:

15 49.45 (5) (b) 2. (intro.) If a recipient requests a hearing within the timely notice  
16 period specified in 42 CFR 431.231 (c), medical assistance coverage shall not be  
17 suspended, reduced, or discontinued until a decision is rendered after the hearing  
18 but medical assistance payments made pending the hearing decision may be  
19 recovered by the department if the contested decision or failure to act is upheld. If  
20 a county department is responsible for making made the medical assistance  
21 determination, the department shall notify the county department of the county in  
22 which the recipient resides that the recipient has requested a hearing. Medical  
23 assistance coverage shall be suspended, reduced, or discontinued if:

24 **SECTION 1427.** 49.45 (5m) (am) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1427**

1           49.45 **(5m)** (am) Notwithstanding sub. (3) (e), from the appropriation accounts  
2           under s. 20.435 (4) (b), (gm), (o), (w) and (xc), the department shall distribute not  
3           more than \$5,000,000 in each fiscal year, to provide supplemental funds to rural  
4           hospitals that, as determined by the department, have high utilization of inpatient  
5           services by patients whose care is provided from governmental sources, except that  
6           the department may not distribute funds to a rural hospital to the extent that the  
7           distribution would exceed any limitation under 42 USC 1396b (i) (3).

8           **SECTION 1428.** 49.45 (6m) (a) 6. of the statutes is amended to read:

9           49.45 **(6m)** (a) 6. “Resource Utilization Groupings III” means a comparative  
10          resource utilization grouping that classifies each facility resident based on  
11          information obtained from performing, for the resident, a minimum data set  
12          assessment developed by the federal Centers for Medicare and Medicaid Services.

13          **SECTION 1429.** 49.45 (6m) (ag) (intro.) of the statutes is amended to read:

14          49.45 **(6m)** (ag) (intro.) Payment for care provided in a facility under this  
15          subsection made under s. 20.435 (4) (b), (gm), (o), (pa), or (w) shall, except as provided  
16          in pars. (bg), (bm), and (br), be determined according to a prospective payment  
17          system updated annually by the department. The payment system shall implement  
18          standards that are necessary and proper for providing patient care and that meet  
19          quality and safety standards established under subch. II of ch. 50 and ch. 150. The  
20          payment system shall reflect all of the following:

21          **SECTION 1430.** 49.45 (6m) (ag) 3p. a. of the statutes is amended to read:

22          49.45 **(6m)** (ag) 3p. a. The system shall may incorporate acuity measurements  
23          under the most recent Resource Utilization Groupings III methodology to determine  
24          factors for case-mix adjustment.

25          **SECTION 1431.** 49.45 (6tw) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1431**

1           **49.45 (6tw)** PAYMENTS TO CITY HEALTH DEPARTMENTS. From the appropriation  
2 account under s. 20.435 (7) (b), if the department selects the payment procedure  
3 under s. 49.45 (52) (a), the department may make payments to local health  
4 departments, as defined under s. 250.01 (4) (a) 3. Payment under this subsection to  
5 such a local health department may not exceed on an annualized basis payment  
6 made by the department to the local health department under s. 49.45 (6t), 2003  
7 stats., for services provided by the local health department in 2002.

8           **SECTION 1432.** 49.45 (6v) (b) of the statutes is amended to read:

9           **49.45 (6v)** (b) The department shall, each year, submit to the joint committee  
10 on finance a report for the previous fiscal year, except for the 1997–98 fiscal year, that  
11 provides information on the utilization of beds by recipients of medical assistance in  
12 facilities and a discussion and detailed projection of the likely balances,  
13 expenditures, encumbrances and carry over of currently appropriated amounts in  
14 the appropriation accounts under s. 20.435 (4) (b), (gm), and (o).

15           **SECTION 1433.** 49.45 (6x) of the statutes is repealed.

16           **SECTION 1434.** 49.45 (6y) (a) of the statutes is amended to read:

17           **49.45 (6y)** (a) Notwithstanding sub. (3) (e), from the appropriation accounts  
18 under s. 20.435 (4) (b), (gm), (o), and (w), the department may distribute funding in  
19 each fiscal year to provide supplemental payment to hospitals that enter into a  
20 contract under s. 49.02 (2) to provide health care services funded by a relief block  
21 grant, as determined by the department, for hospital services that are not in excess  
22 of the hospitals' customary charges for the services, as limited under 42 USC 1396b  
23 (i) (3). If no relief block grant is awarded under this chapter or if the allocation of  
24 funds to such hospitals would exceed any limitation under 42 USC 1396b (i) (3), the

**ASSEMBLY BILL 40****SECTION 1434**

1 department may distribute funds to hospitals that have not entered into a contract  
2 under s. 49.02 (2).

3 **SECTION 1435.** 49.45 (6z) (a) (intro.) of the statutes is amended to read:

4 49.45 **(6z)** (a) (intro.) Notwithstanding sub. (3) (e), from the appropriation  
5 accounts under s. 20.435 (4) (b), (gm), (o), and (w), the department may distribute  
6 funding in each fiscal year to supplement payment for services to hospitals that enter  
7 into indigent care agreements, in accordance with the approved state plan for  
8 services under 42 USC 1396a, with relief agencies that administer the medical relief  
9 block grant under this chapter, if the department determines that the hospitals serve  
10 a disproportionate number of low-income patients with special needs. If no medical  
11 relief block grant under this chapter is awarded or if the allocation of funds to such  
12 hospitals would exceed any limitation under 42 USC 1396b (i) (3), the department  
13 may distribute funds to hospitals that have not entered into indigent care  
14 agreements. The department may not distribute funds under this subsection to the  
15 extent that the distribution would do any of the following:

16 **SECTION 1436.** 49.45 (8) (b) of the statutes is amended to read:

17 49.45 **(8)** (b) Reimbursement under s. 20.435 (4) (b), (gm), (o), and (w) for home  
18 health services provided by a certified home health agency or independent nurse  
19 shall be made at the home health agency's or nurse's usual and customary fee per  
20 patient care visit, subject to a maximum allowable fee per patient care visit that is  
21 established under par. (c).

22 **SECTION 1437.** 49.45 (8r) of the statutes is amended to read:

23 49.45 **(8r)** PAYMENT FOR CERTAIN OBSTETRIC AND GYNECOLOGICAL CARE. The rate  
24 of payment for obstetric and gynecological care provided in primary care shortage  
25 areas, as defined in s. ~~36.60~~ 37.60 (1) (cm), or provided to recipients of medical

**ASSEMBLY BILL 40****SECTION 1437**

1 assistance who reside in primary care shortage areas, that is equal to 125% of the  
2 rates paid under this section to primary care physicians in primary care shortage  
3 areas, shall be paid to all certified primary care providers who provide obstetric or  
4 gynecological care to those recipients.

5 **SECTION 1438.** 49.45 (19) (bm) of the statutes is amended to read:

6 49.45 (19) (bm) The department ~~or the county department under s. 46.215 or~~  
7 ~~46.22~~ shall notify applicants of the requirements of this subsection at the time of  
8 application.

9 **SECTION 1439.** 49.45 (24m) (intro.) of the statutes is amended to read:

10 49.45 (24m) (intro.) From the appropriation accounts under s. 20.435 (4) (b),  
11 ~~(gm)~~, (o), and (w), in order to test the feasibility of instituting a system of  
12 reimbursement for providers of home health care and personal care services for  
13 medical assistance recipients that is based on competitive bidding, the department  
14 shall:

15 **SECTION 1440.** 49.45 (24r) (a) of the statutes is renumbered 49.45 (24r).

16 **SECTION 1441.** 49.45 (24r) (b) of the statutes is repealed.

17 **SECTION 1442.** 49.45 (34) of the statutes is amended to read:

18 49.45 (34) MEDICAL ASSISTANCE MANUAL. The department shall prepare a  
19 medical assistance manual that is clear, comprehensive and consistent with this  
20 subchapter and 42 USC 1396a to 1396u and shall, ~~no later than July 1, 1992, provide~~  
21 ~~the manual to counties for use by county employees who administer the medical~~  
22 ~~assistance program.~~

23 **SECTION 1443.** 49.45 (51) (a) of the statutes is amended to read:

24 49.45 (51) (a) By November 1 annually, the department shall provide to the  
25 department of revenue information concerning the estimated amounts of

**ASSEMBLY BILL 40****SECTION 1443**

1 supplements payable from the appropriation accounts under s. 20.435 (4) (b) and  
2 (gm) to specific local governmental units for the provision of transportation for  
3 medical care, as specified under s. 49.46 (2) (b) 3., during the fiscal year. Beginning  
4 November 1, 2004, the information that the department provides under this  
5 paragraph shall include any adjustments necessary to reflect actual claims  
6 submitted by service providers in the previous fiscal year.

7 **SECTION 1444.** 49.45 (52) (title) of the statutes is amended to read:

8 49.45 (52) (title) PAYMENT ADJUSTMENTS; FEDERAL FUNDING FOR CERTAIN SERVICES.

9 **SECTION 1445.** 49.45 (52) of the statutes is renumbered 49.45 (52) (a) 1. and  
10 amended to read:

11 49.45 (52) (a) 1. Beginning on January 1, 2003 If the department provides the  
12 notice under par. (c) selecting the payment procedure in this paragraph, the  
13 department may, from the appropriation account under s. 20.435 (7) (b), make  
14 Medical Assistance payment adjustments to county departments under s. 46.215,  
15 46.22, 46.23, ~~or~~ 51.42, or 51.437 or to local health departments, as defined in s. 250.01  
16 (4), as appropriate, for covered services under s. 49.46 (2) (a) 2. and 4. d. and f. and  
17 (b) 6. b., c., f., fm., g., j., k., L., Lm., and m., 9., 12., 12m., 13., 15., and 16., except for  
18 services specified under s. 49.46 (2) (b) 6. b. and c. provided to children participating  
19 in the early intervention program under s. 51.44. Payment adjustments under this  
20 subsection paragraph shall include the state share of the payments. The total of any  
21 payment adjustments under this subsection paragraph and Medical Assistance  
22 payments made from appropriation accounts under s. 20.435 (4) (b), (gm), (o), and  
23 (w), may not exceed applicable limitations on payments under 42 USC 1396a (a) (30)  
24 (A).

25 **SECTION 1446.** 49.45 (52) (a) 2. of the statutes is created to read:

**ASSEMBLY BILL 40****SECTION 1446**

1           49.45 (52) (a) 2. The department may require a county department or local  
2 health department to submit a certified cost report that meets the requirements of  
3 the federal department of health and human services for covered services described  
4 in subd. 1.

5           **SECTION 1447.** 49.45 (52) (b) of the statutes is created to read:

6           49.45 (52) (b) If the department provides the notice under par. (c) selecting the  
7 payment procedure in this paragraph, all of the following apply:

8           1. Annually, a county department under s. 46.215, 46.22, 46.23, 51.42, or 51.437  
9 shall submit a certified cost report that meets the requirements of the federal  
10 department of health and human services for covered services under s. 49.46 (2) (a)  
11 2. and 4. d. and f. and (b) 6. b., c., f., fm., g., j., k., L., Lm., and m., 9., 12., 12m., 13.,  
12 15., and 16., except for services specified under s. 49.46 (2) (b) 6. b. and c. provided  
13 to children participating in the early intervention program under s. 51.44.

14           2. For services described under subd. 1., the department shall base the amount  
15 of a claim for federal medical assistance funds on certified cost reports submitted by  
16 county departments under subd. 1. to the extent the reports comply with federal  
17 requirements.

18           3. The department shall pay county departments a percentage of the federal  
19 funds claimed under subd. 2. for services described under subd. 1., which percentage  
20 is established in the most recent biennial budget.

21           4. The department may pay a local health department, as defined in s. 250.01  
22 (4), that submits certified cost reports for services described under subd. 1. a  
23 percentage of the federal funds claimed for those services, which percentage is  
24 established in the most recent biennial budget.

25           **SECTION 1448.** 49.45 (52) (c) of the statutes is created to read:

**ASSEMBLY BILL 40****SECTION 1448**

1           49.45 (52) (c) The department shall select a payment procedure under either  
2 par. (a) or (b) and may change which procedure under par. (a) or (b) is selected. The  
3 department shall notify each county department and local health department, as  
4 applicable, of the selected payment procedure before the date on which payment for  
5 services is made under that selected or newly selected procedure.

6           **SECTION 1449.** 49.45 (53) of the statutes is amended to read:

7           49.45 (53) PAYMENTS FOR CERTAIN SERVICES. Beginning on January 1, 2003, the  
8 department may, from the appropriation account under s. 20.435 (7) (b), make  
9 Medical Assistance payments to providers for covered services under ss. 49.46 (2) (a)  
10 4. d. and (b) 6. j. and m. and 49.471 (11) (f) that are provided before January 1, 2012.

11           **SECTION 1450.** 49.46 (1) (a) 4. of the statutes is amended to read:

12           49.46 (1) (a) 4. Any person receiving benefits under s. ~~49.77~~ 49.39 or federal  
13 Title XVI.

14           **SECTION 1451.** 49.46 (1) (a) 4m. of the statutes is amended to read:

15           49.46 (1) (a) 4m. Any child for whom a payment is made under s. ~~49.775~~ 49.395.

16           **SECTION 1452.** 49.46 (1) (d) 4. of the statutes is amended to read:

17           49.46 (1) (d) 4. A child who meets the conditions under 42 USC 1396a (e) (3)  
18 shall be considered a recipient of benefits under s. ~~49.77~~ 49.39 or federal Title XVI.

19           **SECTION 1453.** 49.46 (1) (e) of the statutes is amended to read:

20           49.46 (1) (e) If an application under s. 49.47 (3) shows that the individual meets  
21 the income limits under s. 49.19 or meets the income and resource requirements  
22 under federal Title XVI or s. ~~49.77~~ 49.39, or that the individual is an essential person,  
23 an accommodated person, or a patient in a public medical institution, the individual  
24 shall be granted the benefits enumerated under sub. (2) whether or not the  
25 individual requests or receives a grant of any of such aids.



**ASSEMBLY BILL 40****SECTION 1454**

1           **SECTION 1454.** 49.465 (2) (a) of the statutes is amended to read:

2           49.465 (2) (a) If the woman applies for benefits under s. 49.46 or 49.47 within  
3 the time required under sub. (4), the day on which the department ~~or the county~~  
4 ~~department under s. 46.215, 46.22 or 46.23~~ determines whether the woman is  
5 eligible for benefits under s. 49.46 or 49.47.

6           **SECTION 1455.** 49.468 (1) (b) of the statutes is amended to read:

7           49.468 (1) (b) For an elderly or disabled individual who is entitled to coverage  
8 under part Part A of ~~medicare~~ Medicare, entitled to coverage under part Part B of  
9 ~~medicare~~ Medicare, and who does not meet the eligibility criteria for ~~medical~~  
10 ~~assistance~~ Medical Assistance under s. 49.46 (1), 49.465, 49.47 (4), or 49.471 but  
11 meets the limitations on income and resources under par. (d), ~~medical assistance~~  
12 Medical Assistance shall pay the deductible and coinsurance portions of ~~medicare~~  
13 Medicare services under 42 USC 1395 to 1395zz ~~which~~ that are not paid under 42  
14 USC 1395 to 1395zz, including those ~~medicare~~ Medicare services that are not  
15 included in the approved state plan for services under 42 USC 1396; the monthly  
16 premiums payable under 42 USC 1395v; the monthly premiums, if applicable, under  
17 42 USC 1395i-2 (d); and the late enrollment penalty, if applicable, for premiums  
18 under part Part A of ~~medicare~~ Medicare. Payment of coinsurance for a service under  
19 part Part B of ~~medicare~~ Medicare under 42 USC 1395j to 1395w, other than payment  
20 of coinsurance for outpatient hospital services, and payment of coinsurance for a  
21 service under Part A of Medicare may not exceed the allowable charge for the service  
22 under ~~medical assistance~~ Medical Assistance minus the ~~medicare~~ Medicare  
23 payment.

24           **SECTION 1456.** 49.468 (1) (c) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1456**

1           49.468 (1) (c) For an elderly or disabled individual who is only entitled to  
2 coverage under part Part A of medicare Medicare and who does not meet the  
3 eligibility criteria for ~~medical assistance~~ Medical Assistance under s. 49.46 (1),  
4 49.465, 49.47 (4), or 49.471 but meets the limitations on income and resources under  
5 par. (d), ~~medical assistance~~ Medical Assistance shall pay the deductible and  
6 coinsurance portions of ~~medicare~~ Medicare services under 42 USC 1395 to 1395i  
7 ~~which that~~ are not paid under 42 USC 1395 to 1395i, including those ~~medicare~~  
8 Medicare services that are not included in the approved state plan for services under  
9 42 USC 1396; the monthly premiums, if applicable, under 42 USC 1395i-2 (d); and  
10 the late enrollment penalty for premiums under part Part A of medicare Medicare,  
11 if applicable. Payment of coinsurance for a service under Part A of Medicare may not  
12 exceed the allowable charge for the service under Medical Assistance minus the  
13 Medicare payment.

14           **SECTION 1457.** 49.47 (3) (b) of the statutes is amended to read:

15           49.47 (3) (b) The agency department shall promptly review the application and  
16 shall issue a certificate to the individual showing eligibility when eligibility has been  
17 established.

18           **SECTION 1458.** 49.47 (4) (c) 1. of the statutes is amended to read:

19           49.47 (4) (c) 1. Except as provided in par. (am) and as limited by subd. 3.,  
20 eligibility exists if income does not exceed 133 1/3% of the maximum aid to families  
21 with dependent children payment under s. 49.19 (11) for the applicant's family size  
22 or the combined benefit amount available under supplemental security income  
23 under 42 USC 1381 to 1383c and state supplemental aid under s. ~~49.77~~ 49.39,  
24 whichever is higher. In this subdivision "income" includes earned or unearned  
25 income that would be included in determining eligibility for the individual or family

**ASSEMBLY BILL 40****SECTION 1458**

1 under s. 49.19 or ~~49.77~~ 49.39, or for the aged, blind or disabled under 42 USC 1381  
2 to 1385. “Income” does not include earned or unearned income which would be  
3 excluded in determining eligibility for the individual or family under s. 49.19 or ~~49.77~~  
4 49.39, or for the aged, blind or disabled individual under 42 USC 1381 to 1385.

5 **SECTION 1459.** 49.47 (4) (i) 1. of the statutes is amended to read:

6 49.47 **(4)** (i) 1. The department shall request a waiver from the secretary of the  
7 federal department of health and human services to permit the application of subd.  
8 2. The waiver shall request approval to implement the waiver on a statewide basis,  
9 unless the department of health services determines that statewide implementation  
10 of the waiver would present an obstacle to the approval of the waiver by the secretary  
11 of the federal department of health and human services, in which case the waiver  
12 shall request approval to implement the waiver in 48 pilot counties to be selected by  
13 the department of health services. Within 30 days after August 12, 1993, the  
14 department of ~~regulation and licensing~~ safety and professional services shall notify  
15 funeral directors licensed under ch. 445, cemetery associations, as defined in s.  
16 157.061 (1r), and cemetery authorities, as defined in s. 157.061 (2), of the terms of  
17 the waiver required to be requested under this subdivision. If the waiver is approved  
18 by the secretary of the federal department of health and human services and if the  
19 waiver remains in effect, subd. 2. shall apply.

20 **SECTION 1460.** 49.471 (5) (b) 3. a. of the statutes is amended to read:

21 49.471 **(5)** (b) 3. a. If the woman or child applies for benefits under sub. (4)  
22 within the time required under par. (d), the benefits specified in subd. 1. or 2.,  
23 whichever is applicable, end on the day on which the department ~~or the county~~  
24 ~~department~~ under s. ~~46.215, 46.22, or 46.23~~ determines whether the woman or child  
25 is eligible for benefits under sub. (4).

**ASSEMBLY BILL 40****SECTION 1461**

1           **SECTION 1461.** 49.471 (7) (c) 4. of the statutes is amended to read:

2           49.471 (7) (c) 4. Not include in the calculation any income of an individual  
3 receiving benefits under s. ~~49.77~~ 49.39 or federal Title XVI.

4           **SECTION 1462.** 49.472 (4) (a) 2. a. of the statutes is amended to read:

5           49.472 (4) (a) 2. a. A maintenance allowance established by the department by  
6 rule. The maintenance allowance may not be less than the sum of \$20, the federal  
7 supplemental security income payment level determined under 42 USC 1382 (b) and  
8 the state supplemental payment determined under s. ~~49.77 (2m)~~ 49.39 (2m).

9           **SECTION 1463.** 49.472 (6) (a) of the statutes is amended to read:

10           49.472 (6) (a) Notwithstanding sub. (4) (a) 3., from the appropriation ~~account~~  
11 accounts under s. 20.435 (4) (b), (gm), or (w), the department shall, on the part of an  
12 individual who is eligible for medical assistance under sub. (3), pay premiums for or  
13 purchase individual coverage offered by the individual's employer if the department  
14 determines that paying the premiums for or purchasing the coverage will not be more  
15 costly than providing medical assistance.

16           **SECTION 1464.** 49.472 (6) (b) of the statutes is amended to read:

17           49.472 (6) (b) If federal financial participation is available, from the  
18 appropriation ~~account~~ accounts under s. 20.435 (4) (b), (gm), or (w), the department  
19 may pay medicare Part A and Part B premiums for individuals who are eligible for  
20 medicare and for medical assistance under sub. (3).

21           **SECTION 1465.** 49.473 (2) (intro.) of the statutes is amended to read:

22           49.473 (2) (intro.) A woman is eligible for medical assistance as provided under  
23 sub. (5) if, after applying to the department ~~or a county department~~, the department  
24 ~~or a county department~~ determines that she meets all of the following requirements:

25           **SECTION 1466.** 49.473 (3) (intro.) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1466**

1           49.473 (3) (intro.) Prior to applying to the department ~~or a county department~~  
2 for medical assistance, a woman is eligible for medical assistance as provided under  
3 sub. (5) beginning on the date on which a qualified entity determines, on the basis  
4 of preliminary information, that the woman meets the requirements specified in sub.  
5 (2) and ending on one of the following dates:

6           **SECTION 1467.** 49.473 (3) (a) of the statutes is amended to read:

7           49.473 (3) (a) If the woman applies to the department ~~or a county department~~  
8 for medical assistance within the time limit required under sub. (4), the day on which  
9 the department ~~or county department~~ determines whether the woman meets the  
10 requirements under sub. (2).

11           **SECTION 1468.** 49.473 (3) (b) of the statutes is amended to read:

12           49.473 (3) (b) If the woman does not apply to the department ~~or county~~  
13 ~~department~~ for medical assistance within the time limit required under sub. (4), the  
14 last day of the month following the month in which the qualified entity determines  
15 that the woman is eligible for medical assistance.

16           **SECTION 1469.** 49.473 (4) of the statutes is amended to read:

17           49.473 (4) A woman who a qualified entity determines under sub. (3) is eligible  
18 for medical assistance shall apply to the department ~~or county department~~ no later  
19 than the last day of the month following the month in which the qualified entity  
20 determines that the woman is eligible for medical assistance.

21           **SECTION 1470.** 49.473 (5) of the statutes is amended to read:

22           49.473 (5) The department shall audit and pay, from the appropriation  
23 accounts under s. 20.435 (4) (b), (gm), and (o), allowable charges to a provider who  
24 is certified under s. 49.45 (2) (a) 11. for medical assistance on behalf of a woman who

**ASSEMBLY BILL 40****SECTION 1470**

1 meets the requirements under sub. (2) for all benefits and services specified under  
2 s. 49.46 (2).

3 **SECTION 1471.** 49.473 (6) (b) of the statutes is amended to read:

4 49.473 (6) (b) Inform the woman at the time of the determination that she is  
5 required to apply to the department ~~or a county department~~ for medical assistance  
6 no later than the last day of the month following the month in which the qualified  
7 entity determines that the woman is eligible for medical assistance.

8 **SECTION 1472.** 49.496 (4) (a) of the statutes is renumbered 49.496 (4) and  
9 amended to read:

10 49.496 (4) The department may require a county department under s. 46.215,  
11 46.22, or 46.23 or the governing body of a federally recognized American Indian tribe  
12 administering medical assistance to gather and provide the department with  
13 information needed to recover medical assistance under this section. ~~Except as~~  
14 ~~provided in par. (b), the~~ The department shall pay to a county department or tribal  
15 governing body an amount equal to 5% of the recovery collected by the department  
16 relating to a beneficiary for whom the county department or tribal governing body  
17 made the last determination of medical assistance eligibility. A county department  
18 or tribal governing body may use funds received under this paragraph subsection  
19 only to pay costs incurred under this paragraph subsection and, if any amount  
20 remains, to pay for improvements to functions required under s. 49.78 (2). The  
21 department may withhold payments under this paragraph subsection for failure to  
22 comply with the department's requirements under this paragraph subsection. The  
23 department shall treat payments made under this paragraph subsection as costs of  
24 administration of the Medical Assistance program.

25 **SECTION 1473.** 49.496 (4) (b) of the statutes is repealed.

**ASSEMBLY BILL 40****SECTION 1474**

1           **SECTION 1474.** 49.496 (5) of the statutes is amended to read:

2           49.496 (5) USE OF FUNDS. From the appropriation under s. 20.435 (4) (im), the  
3 department shall pay the amount of the payments under sub. (4) ~~(a)~~ that is not paid  
4 from federal funds, shall pay to the federal government the amount of the funds  
5 recovered under this section equal to the amount of federal funds used to pay the  
6 benefits recovered under this section, and shall spend the remainder of the funds  
7 recovered under this section for medical assistance benefits under this subchapter.

8           **SECTION 1475.** 49.497 (1) (b) of the statutes is amended to read:

9           49.497 (1) (b) The department's right of recovery is against any Medical  
10 Assistance or Badger Care recipient to whom or on whose behalf the incorrect  
11 payment was made. The extent of recovery is limited to the amount of the benefits  
12 incorrectly granted. ~~The county department under s. 46.215 or 46.22 or the~~  
13 governing body of a federally recognized American Indian tribe administering  
14 Medical Assistance or Badger Care ~~shall~~ may begin recovery actions on behalf of the  
15 department according to rules promulgated by the department.

16           **SECTION 1476.** 49.497 (2) (a) of the statutes is renumbered 49.497 (2) and  
17 amended to read:

18           49.497 (2) ~~Except as provided in par. (b), a~~ A county or governing body of a  
19 federally recognized American Indian tribe may retain 15% of benefits provided  
20 under this subchapter or s. 49.665 that are recovered under this section due to the  
21 efforts of an employee or officer of the county or tribe.

22           **SECTION 1477.** 49.497 (2) (b) of the statutes is repealed.

23           **SECTION 1478.** 49.68 (3) (b) of the statutes is amended to read:

24           49.68 (3) (b) From the appropriation accounts under ss. 20.435 (4) (e) and (je),  
25 the state shall pay ~~the cost of~~, at a rate determined by the department under par. (e).

**ASSEMBLY BILL 40****SECTION 1478**

1 for medical treatment that is required as a direct result of chronic renal disease of  
2 certified patients from the date of certification, including ~~the cost of~~ administering  
3 recombinant human erythropoietin to appropriate patients, whether the treatment  
4 is rendered in an approved facility in the state or in a dialysis or transplantation  
5 center ~~which~~ that is approved as such by a contiguous state, subject to the conditions  
6 specified under par. (d). Approved facilities may include a hospital in-center dialysis  
7 unit or a nonhospital dialysis center ~~which~~ that is closely affiliated with a home  
8 dialysis program supervised by an approved facility. Aid shall also be provided for  
9 all reasonable expenses incurred by a potential living-related donor, including  
10 evaluation, hospitalization, surgical costs, and postoperative follow-up to the extent  
11 that these costs are not reimbursable under the federal medicare program or other  
12 insurance. In addition, all expenses incurred in the procurement, transportation,  
13 and preservation of cadaveric donor kidneys shall be covered to the extent that these  
14 costs are not otherwise reimbursable. All donor-related costs are chargeable to the  
15 recipient and reimbursable under this subsection.

16 **SECTION 1479.** 49.68 (3) (e) of the statutes is amended to read:

17 49.68 (3) (e) ~~State aids~~ Payment for services provided under this section shall  
18 ~~be equal to~~ at a rate determined by the department that does not exceed the allowable  
19 charges under the federal Medicare program. In no case shall state rates for  
20 individual service elements exceed the federally defined allowable costs. The rate  
21 of charges for services not covered by public and private insurance shall not exceed  
22 the reasonable charges as established by ~~medicare~~ Medicare fee determination  
23 procedures. A person that provides to a patient a service for which aid is provided  
24 under this section shall accept the amount paid under this section for the service as  
25 payment in full and may not bill the patient for any amount by which the charge for



**ASSEMBLY BILL 40****SECTION 1479**

1 the service exceeds the amount paid for the service under this section. The state may  
2 not pay for the cost of travel, lodging, or meals for persons who must travel to receive  
3 inpatient and outpatient dialysis treatment for kidney disease. This paragraph shall  
4 not apply to donor related costs as defined in par. (b).

5 **SECTION 1480.** 49.688 (2) (a) 6. of the statutes is created to read:

6 49.688 (2) (a) 6. The person applies for and, if eligible, enrolls in Medicare  
7 under Part D of Title XVIII of the federal Social Security Act, 42 USC 1395w–101 to  
8 1395w–153, if the secretary of the federal department of health and human services  
9 approves the condition on eligibility under this subdivision.

10 **SECTION 1481.** 49.688 (2) (b) of the statutes is amended to read:

11 49.688 (2) (b) A person to whom par. (a) 1. to 3. ~~and 5., and 6.~~ applies, but whose  
12 annual household income, as determined by the department, exceeds 240% of the  
13 federal poverty line for a family the size of the persons' eligible family, is eligible to  
14 purchase a prescription drug at the amounts specified in sub. (5) (a) 4. only during  
15 the remaining amount of any 12–month period in which the person has first paid the  
16 annual deductible specified in sub. (3) (b) 2. a. in purchasing prescription drugs at  
17 the retail price and has then paid the annual deductible specified in sub. (3) (b) 2. b.

18 **SECTION 1482.** 49.77 of the statutes is renumbered 49.39, and 49.39 (6), as  
19 renumbered, is amended to read:

20 49.39 (6) AUTHORITY TO ADMINISTER; RULES. The department shall administer  
21 this section and s. ~~49.775~~ 49.395, and may promulgate rules to guide the  
22 administration of eligibility determinations and benefits payments.

23 **SECTION 1483.** 49.775 of the statutes is renumbered 49.395, and 49.395 (2) (a),  
24 (b), (bm) and (e) 1., as renumbered, are amended to read:

**ASSEMBLY BILL 40****SECTION 1483**

1           49.395 (2) (a) The custodial parent is a recipient of supplemental security  
2 income under 42 USC 1381 to 1383c or of state supplemental payments under s.  
3 ~~49.77~~ 49.39, or both.

4           (b) If the dependent child has 2 custodial parents, each custodial parent  
5 receives supplemental security income under 42 USC 1381 to 1383c or state  
6 supplemental payments under s. ~~49.77~~ 49.39, or both.

7           (bm) The custodial parent assigns to the state any right of the custodial parent  
8 or of the dependent child to support from any other person accruing during the time  
9 that any payment under this subsection is made to the custodial parent. No amount  
10 of support that begins to accrue after the individual ceases to receive payments under  
11 this section may be considered assigned to the state. Seventy-five percent of all  
12 money that is received by the department ~~of children and families~~ under an  
13 assignment to the state under this paragraph shall be paid to the custodial parent.  
14 The department ~~of children and families~~ shall pay the federal share of support  
15 assigned under this paragraph as required under federal law or waiver.

16           (e) 1. The custodial parent is ineligible for aid under s. 49.19 solely because he  
17 or she receives supplemental security income under 42 USC 1381 to 1383c or state  
18 supplemental payments under s. ~~49.77~~ 49.39.

19           **SECTION 1484.** 49.776 of the statutes is renumbered 49.396 and amended to  
20 read:

21           **49.396 Payment of support arrears.** If a custodial parent who formerly  
22 received payments under s. 49.775, 2009 stats., or s. 49.395 but who is no longer  
23 receiving payments under s. 49.775, 2009 stats., or s. 49.395 assigned to the state  
24 under s. 49.775 (2) (bm), 2009 stats., or s. 49.395 (2) (bm) his or her right or the right  
25 of the dependent child to support from any other person, the department shall pay

**ASSEMBLY BILL 40****SECTION 1484**

1 to the custodial parent all money in support arrears that is collected by the  
2 department after the custodial parent's receipt of payments under s. 49.775, 2009  
3 stats., or s. 49.395 ceased and that accrued while the custodial parent was receiving  
4 those payments.

5 **SECTION 1485.** 49.78 (1) (b) of the statutes is amended to read:

6 49.78 (1) (b) "Income maintenance program" means the Medical Assistance  
7 program under subch. IV of ch. 49, the Badger Care health care program under s.  
8 49.665, ~~the food stamp program under 7 USC 2011 to 2036,~~ or the cemetery, funeral,  
9 and burial expenses program under s. 49.785.

10 **SECTION 1486.** 49.78 (1) (bm) of the statutes is created to read:

11 49.78 (1) (bm) "Income maintenance worker" means a person employed by or  
12 under a contract with the department or a tribal governing body whose duties  
13 include determining eligibility for income maintenance programs.

14 **SECTION 1487.** 49.78 (1) (f) of the statutes is created to read:

15 49.78 (1) (f) "Unit" means the income maintenance administration unit.

16 **SECTION 1488.** 49.78 (1m) (intro.) of the statutes, as created by 2011 Wisconsin  
17 Act .... (this act), is amended to read:

18 49.78 (1m) (intro.) The department shall establish an income maintenance  
19 administration unit under s. 15.02 (3) (c) 3. to administer income maintenance  
20 programs in this state, ~~except as provided in s. 49.825 (2).~~ Administration of income  
21 maintenance programs includes the following:

22 **SECTION 1489.** 49.78 (1m) of the statutes is created to read:

23 49.78 (1m) ESTABLISHMENT OF UNIT. The department shall establish an income  
24 maintenance administration unit under s. 15.02 (3) (c) 3. to administer income

**ASSEMBLY BILL 40****SECTION 1489**

1 maintenance programs in this state, except as provided in s. 49.825 (2).

2 Administration of income maintenance programs includes the following:

3 (a) Receiving applications.

4 (b) Determining eligibility.

5 (c) Conducting fraud investigation and fraud prevention activities.

6 (d) Implementing error reduction procedures.

7 (e) Recovering overpayments of benefits.

8 **SECTION 1490.** 49.78 (1p) of the statutes is created to read:

9 **49.78 (1p)** INCOME MAINTENANCE ADMINISTRATION UNIT CONTRACTS. The  
10 department may contract with a public or private entity to provide the income  
11 maintenance administrative services described in sub. (1m). A contract to provide  
12 income maintenance administrative services under this section is exempt from  
13 subch. IV of ch. 16.

14 **SECTION 1491.** 49.78 (1r) of the statutes is created to read:

15 **49.78 (1r)** ADMINISTRATION BY A TRIBAL GOVERNING BODY. A tribal governing body  
16 may administer income maintenance programs by electing to have the unit  
17 administer the tribe's income maintenance programs or by providing the required  
18 administrative services and entering into a contract with the department for  
19 reimbursement under sub. (2).

20 **SECTION 1492.** 49.78 (2) of the statutes is amended to read:

21 **49.78 (2)** CONTRACTS WITH A TRIBAL GOVERNING BODY. Annually, for the income  
22 maintenance administrative program functions, if any, that the department  
23 delegates to a county or tribal governing body, ~~the department and county~~  
24 ~~department under s. 46.215, 46.22, or 46.23 shall enter into a contract, and the~~  
25 department and tribal governing body may enter into a contract, for reimbursement

**ASSEMBLY BILL 40****SECTION 1492**

1 of the ~~county department or~~ tribal governing body for the reasonable cost of  
2 administering income maintenance programs.

3 **SECTION 1493.** 49.78 (4) of the statutes is renumbered 49.19 (19g) (a) and  
4 amended to read:

5 49.19 (19g) (a) ~~RULES; MERIT SYSTEM.~~ The department of children and families  
6 shall promulgate rules for the efficient administration of aid to families with  
7 dependent children in agreement with the requirement for federal aid, including the  
8 establishment and maintenance of personnel standards on a merit basis. The  
9 provisions of this ~~section~~ subsection relating to personnel standards on a merit basis  
10 supersede any inconsistent provisions of any law relating to county personnel. This  
11 ~~subsection~~ paragraph shall not be construed to invalidate the provisions of s. 46.22  
12 (1) (d).

13 **SECTION 1494.** 49.78 (5) of the statutes is renumbered 49.19 (19g) (b) and  
14 amended to read:

15 49.19 (19g) (b) ~~PERSONNEL EXAMINATIONS.~~ Statewide examinations to ascertain  
16 qualifications of applicants in any county department administering aid to families  
17 with dependent children shall be given by the administrator of the division of merit  
18 recruitment and selection in the office of state employment relations. The office of  
19 state employment relations shall be reimbursed for actual expenditures incurred in  
20 the performance of its functions under this ~~section~~ subsection from the  
21 appropriations available to the department of ~~children and families~~ for  
22 administrative expenditures.

23 **SECTION 1495.** 49.78 (6) (title) of the statutes is repealed.

24 **SECTION 1496.** 49.78 (6) of the statutes is renumbered 49.19 (19g) (c).

**ASSEMBLY BILL 40****SECTION 1497**

1           **SECTION 1497.** 49.78 (7) of the statutes is renumbered 49.19 (19g) (d) and  
2 amended to read:

3           49.19 **(19g)** (d) ~~COUNTY PERSONNEL SYSTEMS.~~ Pursuant to rules promulgated  
4 under ~~sub. (4) par. (a)~~, the department of children and families where requested by  
5 the county shall delegate to that county, without restriction because of enumeration,  
6 any or all of the authority of the department of children and families under ~~sub. (4)~~  
7 par. (a) to establish and maintain personnel standards including salary levels.

8           **SECTION 1498.** 49.78 (8) (a) of the statutes is amended to read:

9           49.78 **(8)** (a) From the ~~appropriation accounts~~ appropriations under s. 20.435  
10 (4) ~~(bn)~~ (bm) and (nn) and subject to par. (b), the department shall reimburse each  
11 ~~county and~~ tribal governing body that contracts with the department under sub. (2)  
12 for reasonable costs of administering the income maintenance programs, including  
13 conducting fraud prevention activities. The amount of each reimbursement paid  
14 under this paragraph shall be calculated using a formula based on workload within  
15 the limits of available state and federal funds under s. 20.435 (4) ~~(bn)~~ (bm) and (nn)  
16 by contract under sub. (2). The amount of reimbursement calculated under this  
17 paragraph and par. (b) is in addition to any reimbursement provided to a ~~county or~~  
18 tribal governing body for fraud and error reduction under s. 49.197 or 49.845.

19           **SECTION 1499.** 49.78 (8) (b) of the statutes is amended to read:

20           49.78 **(8)** (b) The department may adjust the amounts determined under par.  
21 (a) for workload changes and computer network activities performed by a ~~county or~~  
22 tribal governing body and may reduce the amount of any reimbursement if federal  
23 reimbursement is withheld due to audits, quality control samples, or program  
24 reviews.

25           **SECTION 1500.** 49.78 (10) (title) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1500**

1           49.78 (10) (title) ~~COUNTY~~ TRIBAL GOVERNING BODY CERTIFICATION.

2           **SECTION 1501.** 49.78 (10) (a) of the statutes is amended to read:

3           49.78 (10) (a) ~~Each county treasurer and director of a county department under~~  
4 ~~s. 46.215, 46.22, or 46.23 that contracts with the department under sub. (2) and each~~  
5 Each tribal governing body that contracts with the department under sub. (2) shall  
6 certify monthly under oath to the department in such manner as the department  
7 prescribes the claim of the ~~county or~~ tribal governing body for state reimbursement  
8 under sub. (8) (a). The department shall review each claim of reimbursement and,  
9 if the department approves the claim, the department shall certify to the department  
10 of administration for reimbursement to the ~~county or~~ tribal governing body for  
11 amounts due under sub. (8) (a) and payment claimed to be made to the ~~counties or~~  
12 tribal governing bodies monthly. The department may make advance payments  
13 prior to the beginning of each month equal to one-twelfth of the contracted amount.

14           **SECTION 1502.** 49.78 (10) (b) of the statutes is amended to read:

15           49.78 (10) (b) To facilitate prompt reimbursement, the certificate of the  
16 department may be based on the certified statements of the ~~county officers or~~ tribal  
17 governing body executives filed under par. (a). Funds recovered from audit  
18 adjustments from a prior fiscal year may be included in subsequent certifications  
19 only to pay ~~counties~~ tribal governing bodies owed funds as a result of any audit  
20 adjustment. By September 30 annually, the department shall submit a report to the  
21 appropriate standing committees under s. 13.172 (3) on funds recovered and paid out  
22 during the previous calendar year as a result of audit adjustments.

23           **SECTION 1503.** 49.785 (1) (intro.) of the statutes is amended to read:

24           49.785 (1) (intro.) Except as provided in sub. (1m) ~~and subject to s. 49.825,~~ if  
25 any recipient specified in sub. (1c) dies and the estate of the deceased recipient is

**ASSEMBLY BILL 40****SECTION 1503**

1 insufficient to pay the funeral, burial, and cemetery expenses of the deceased  
2 recipient, the department or county or applicable tribal governing body or  
3 organization responsible for burial of the recipient shall pay, to the person  
4 designated by the department or county department under s. 46.215, 46.22, or 46.23  
5 or applicable tribal governing body or organization responsible for the burial of the  
6 recipient, all of the following:

7 **SECTION 1504.** 49.785 (1) (intro.) of the statutes, as affected by 2011 Wisconsin  
8 Act .... (this act), is amended to read:

9 49.785 (1) (intro.) Except as provided in sub. (1m), if any recipient specified in  
10 sub. (1c) dies and the estate of the deceased recipient is insufficient to pay the  
11 funeral, burial, and cemetery expenses of the deceased recipient, the department or  
12 county or applicable tribal governing body or organization responsible for burial of  
13 the recipient shall pay, to the person designated by the department or county  
14 department under s. 46.215, 46.22, or 46.23 or applicable tribal governing body or  
15 organization responsible for the burial of the recipient, all of the following:

16 **SECTION 1505.** 49.785 (1c) (a) of the statutes is amended to read:

17 49.785 (1c) (a) A recipient of benefits under s. 49.77, 2009 stats., or s. 49.148,  
18 49.39, or 49.46, or 49.77, or under 42 USC 1381 to 1385 in effect on May 8, 1980.

19 **SECTION 1506.** 49.785 (1m) (a) of the statutes is amended to read:

20 49.785 (1m) (a) If the total cemetery expenses for the recipient exceed \$3,500,  
21 the department or county or applicable tribal governing body or organization  
22 responsible for burial of the recipient is not required to make a payment for the  
23 cemetery expenses under sub. (1) (a).

24 **SECTION 1507.** 49.785 (1m) (b) of the statutes is amended to read:



**ASSEMBLY BILL 40****SECTION 1507**

1           49.785 **(1m)** (b) If the total funeral and burial expenses for the recipient exceed  
2           \$4,500, the department ~~or county~~ or applicable tribal governing body or organization  
3           responsible for burial of the recipient is not required to make a payment for funeral  
4           and burial expenses under sub. (1) (b).

5           **SECTION 1508.** 49.785 (1m) (c) of the statutes is amended to read:

6           49.785 **(1m)** (c) If a request for payment under sub. (1) is made more than 12  
7           months after the death of the recipient, the department ~~or county~~ or applicable tribal  
8           governing body or organization responsible for burial of the recipient is not required  
9           to make a payment for cemetery, funeral, or burial expenses.

10          **SECTION 1509.** 49.785 (2) of the statutes is amended to read:

11          49.785 **(2)** From the appropriation under s. 20.435 (4) ~~(bn)~~ (br), the department  
12          shall reimburse a county or applicable tribal governing body or organization for any  
13          amount that the county or applicable tribal governing body or organization is  
14          required to pay under sub. (1) if the county or applicable tribal governing body or  
15          organization complies with sub. (3). From the appropriation under s. 20.435 (4) ~~(bn)~~  
16          (br), the department shall reimburse a county or applicable tribal governing body or  
17          organization for cemetery expenses or for funeral and burial expenses for a person  
18          described under sub. (1) that the county or applicable tribal governing body or  
19          organization is not required to pay under subs. (1) and (1m) only if the department  
20          approves the reimbursement due to unusual circumstances and if the county or  
21          applicable tribal governing body or organization complies with sub. (3).

22          **SECTION 1510.** 49.785 (2) of the statutes, as affected by 2011 Wisconsin Act ...

23          (this act), is amended to read:

24          49.785 **(2)** From the appropriation under s. 20.435 (4) (br), the department  
25          shall reimburse ~~a county or~~ an applicable tribal governing body or organization for

**ASSEMBLY BILL 40****SECTION 1510**

1 any 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 the department shall reimburse ~~a county or~~ an 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 1511.** 49.785 (3) (intro.) of the statutes is amended to read:

11 49.785 (3) (intro.) As a condition for reimbursement under sub. (2) for amounts  
12 paid on behalf of a deceased recipient, ~~a county or~~ an applicable tribal governing  
13 body or organization shall provide to the department all of the following information  
14 with respect to the deceased recipient:

15 **SECTION 1512.** 49.785 (3) (c) of the statutes is amended to read:

16 49.785 (3) (c) The total amount of each of the expenses under pars. (a) and (b)  
17 that the ~~county or~~ tribal governing body or organization paid on behalf of the  
18 deceased recipient.

19 **SECTION 1513.** 49.79 (title) of the statutes is renumbered 49.37 (title) and  
20 amended to read:

21 **49.37 (title) ~~Food stamp~~ Supplemental nutrition assistance program**  
22 **administration.**

23 **SECTION 1514.** 49.79 (1) (intro.) of the statutes is renumbered 49.37 (1) (intro.).

24 **SECTION 1515.** 49.79 (1) (a) of the statutes is renumbered 49.37 (1) (a).

**ASSEMBLY BILL 40****SECTION 1516**

1           **SECTION 1516.** 49.79 (1) (c) of the statutes is renumbered 49.37 (1) (f) and  
2 amended to read:

3           49.37 (1) (f) “~~Food stamp program~~ Supplemental nutrition assistance program”  
4 means the federal ~~food stamp~~ supplemental nutrition assistance program under 7  
5 USC 2011 to 2036.

6           **SECTION 1517.** 49.79 (1) (f) of the statutes is renumbered 49.37 (1) (c).

7           **SECTION 1518.** 49.79 (1) (g) of the statutes is renumbered 49.37 (1) (g).

8           **SECTION 1519.** 49.79 (2) of the statutes is renumbered 49.37 (2) and amended  
9 to read:

10           49.37 (2) DENIAL OF ELIGIBILITY. An individual who fails to comply with the work  
11 requirements of the employment and training program under sub. (9) is ineligible to  
12 participate in the ~~food stamp~~ supplemental nutrition assistance program as  
13 specified under sub. (9) (b).

14           **SECTION 1520.** 49.79 (3) (title) of the statutes is renumbered 49.37 (3) (title) and  
15 amended to read:

16           49.37 (3) (title) LIABILITY FOR ~~LOST FOOD COUPONS~~ MISAPPROPRIATED BENEFITS.

17           **SECTION 1521.** 49.79 (3) (a) of the statutes is amended to read:

18           49.79 (3) (a) A ~~county or~~ federally recognized American Indian tribe is liable  
19 for all food stamp coupons lost, misappropriated, or destroyed while under the  
20 ~~county's or tribe's~~ direct control, except as provided in par. (b).

21           **SECTION 1522.** 49.79 (3) (a) of the statutes, as affected by 2011 Wisconsin Act  
22 .... (this act), is renumbered 49.37 (3) (a) and amended to read:

23           49.37 (3) (a) A federally recognized American Indian tribe is liable for all ~~food~~  
24 ~~stamp coupons lost,~~ supplemental nutrition assistance program benefits that are

**ASSEMBLY BILL 40****SECTION 1522**

1 misappropriated, ~~or destroyed~~ while under the tribe's direct control, except as  
2 provided in par. (b).

3 **SECTION 1523.** 49.79 (3) (b) of the statutes is amended to read:

4 49.79 (3) (b) A ~~county or~~ federally recognized American Indian tribe is not liable  
5 for food stamp coupons lost in natural disasters if it provides evidence acceptable to  
6 the department that the coupons were destroyed and not redeemed.

7 **SECTION 1524.** 49.79 (3) (b) of the statutes, as affected by 2011 Wisconsin Act  
8 .... (this act), is repealed.

9 **SECTION 1525.** 49.79 (3) (c) of the statutes is amended to read:

10 49.79 (3) (c) A ~~county or~~ federally recognized American Indian tribe is liable  
11 for food stamp coupons mailed to ~~residents of the county or~~ members of the tribe and  
12 lost in the mail due to incorrect information submitted to the department by the  
13 ~~county or~~ tribe.

14 **SECTION 1526.** 49.79 (3) (c) of the statutes, as affected by 2011 Wisconsin Act  
15 .... (this act), is renumbered 49.37 (3) (c) and amended to read:

16 49.37 (3) (c) A federally recognized American Indian tribe is liable for ~~food~~  
17 ~~stamp coupons mailed~~ supplemental nutrition assistance program benefits  
18 incorrectly transferred to members of the tribe and ~~lost in the mail~~ due to incorrect  
19 information submitted to the department by the tribe.

20 **SECTION 1527.** 49.79 (4) of the statutes is amended to read:

21 49.79 (4) DEDUCTIONS FROM ~~COUNTY~~ INCOME MAINTENANCE PAYMENTS. The  
22 department shall withhold the value of food stamp losses for which a ~~county or~~  
23 federally recognized American Indian tribe is liable under sub. (3) from the payment  
24 to the ~~county or~~ tribe under income maintenance contracts under s. 49.78 and  
25 reimburse the federal government from the funds withheld.

**ASSEMBLY BILL 40****SECTION 1528**

1           **SECTION 1528.** 49.79 (4) of the statutes, as affected by 2011 Wisconsin Act ...  
2 (this act), is renumbered 49.37 (4) and amended to read:

3           **49.37 (4) DEDUCTIONS FROM INCOME MAINTENANCE PAYMENTS.** The department  
4 shall withhold the value of ~~food stamp~~ any losses for which a federally recognized  
5 American Indian tribe is liable under sub. (3) from the payment to the tribe under  
6 ~~income maintenance contracts under s. 49.78~~ contracts for the administration of the  
7 supplemental nutrition assistance program and reimburse the federal government  
8 from the funds withheld.

9           **SECTION 1529.** 49.79 (5) (title) of the statutes is renumbered 49.37 (5) (title).

10           **SECTION 1530.** 49.79 (5) (a) of the statutes is renumbered 49.37 (5) (a) and  
11 amended to read:

12           **49.37 (5) (a)** The department shall require an applicant for, or recipient under,  
13 the ~~food stamp~~ supplemental nutrition assistance program to state in writing  
14 whether the applicant or recipient or any member of the applicant's or recipient's  
15 household has been convicted, in any state or federal court of a felony that has as an  
16 element possession, use or distribution of a controlled substance. The department  
17 shall require an applicant or recipient, or member of the applicant's or recipient's  
18 household to submit to a test for use of a controlled substance as a condition of  
19 continued eligibility if, after August 22, 1996, but not more than 5 years prior to the  
20 date the written statement is made, the applicant or recipient or the member of the  
21 applicant's or recipient's household was convicted in any state or federal court of a  
22 felony that had as an element possession, use or distribution of a controlled  
23 substance. If the test results are positive with respect to any individual, the  
24 department may not consider the needs of that individual in determining the  
25 household's eligibility for the ~~food stamp~~ supplemental nutrition assistance program

**ASSEMBLY BILL 40****SECTION 1530**

1 for at least 12 months from the date of the test. The department shall, however,  
2 consider the income and resources of that individual to be available to the household.

3 **SECTION 1531.** 49.79 (5) (b) of the statutes is renumbered 49.37 (5) (b).

4 **SECTION 1532.** 49.79 (6) of the statutes is renumbered 49.37 (6) and amended  
5 to read:

6 49.37 (6) INELIGIBILITY FOR FUGITIVE FELONS. No person is eligible for the food  
7 stamp supplemental nutrition assistance program in a month in which that person  
8 is a fugitive felon under 7 USC 2015 (k) (1) or is violating a condition of probation,  
9 extended supervision or parole imposed by a state or federal court.

10 **SECTION 1533.** 49.79 (7) of the statutes is renumbered 49.37 (7) and amended  
11 to read:

12 49.37 (7) SIMPLIFIED ~~FOOD-STAMP~~ SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

13 The department shall develop a simplified ~~food-stamp-program~~ supplemental  
14 nutrition assistance program that meets all of the requirements under P.L. 104-193,  
15 section 854, and shall submit the plan to the secretary of the federal department of  
16 agriculture for approval. If the secretary of the federal department of agriculture  
17 approves the plan, the department shall submit the plan to the secretary of  
18 administration for approval. If the secretary of administration approves the plan,  
19 the department may implement the plan.

20 **SECTION 1534.** 49.79 (8) of the statutes is amended to read:

21 49.79 (8) BENEFITS FOR QUALIFIED ALIENS. The department shall not provide  
22 benefits under this section to a qualified alien ~~who is ineligible for benefits under this~~  
23 ~~section solely because of the application of 9 USC 1612 or 1613 according to a plan~~  
24 ~~approved by the federal department of agriculture. This subsection does not apply.~~

**ASSEMBLY BILL 40****SECTION 1534**

1 except to the extent that federal food stamp benefits for qualified aliens are ~~restored~~  
2 required by the federal government.

3 **SECTION 1535.** 49.79 (8) of the statutes, as affected by 2011 Wisconsin Act ...  
4 (this act), is renumbered 49.37 (8) and amended to read:

5 49.37 **(8)** BENEFITS FOR QUALIFIED ALIENS. The department shall not provide  
6 benefits under this section to a qualified alien, except to the extent that federal ~~food~~  
7 ~~stamp~~ supplemental nutrition assistance program benefits for qualified aliens are  
8 required by the federal government.

9 **SECTION 1536.** 49.79 (8m) (title) of the statutes is renumbered 49.37 (8m)  
10 (title).

11 **SECTION 1537.** 49.79 (8m) (a) of the statutes is renumbered 49.37 (8m) (a) and  
12 amended to read:

13 49.37 **(8m)** (a) The department shall allow a prisoner who is applying for the  
14 ~~food-stamp~~ supplemental nutrition assistance program from a correctional  
15 institution in anticipation of being released from the institution to use the address  
16 of the correctional institution as his or her address on the application.

17 **SECTION 1538.** 49.79 (8m) (b) of the statutes is renumbered 49.37 (8m) (b) and  
18 amended to read:

19 49.37 **(8m)** (b) The department shall allow an employee of a correctional  
20 institution who has been authorized by a prisoner of the institution to act on his or  
21 her behalf in matters related to the ~~food-stamp~~ supplemental nutrition assistance  
22 program to receive and conduct telephone calls on behalf of the prisoner in matters  
23 related to the ~~food-stamp~~ supplemental nutrition assistance program.

24 **SECTION 1539.** 49.79 (9) (title) of the statutes is renumbered 49.37 (9) (title).

25 **SECTION 1540.** 49.79 (9) (a) 1. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1540**

1           49.79 (9) (a) 1. The department shall administer an employment and training  
2 program for recipients under the food stamp program and may contract under s.  
3 49.78 with ~~county departments under ss. 46.215, 46.22, and 46.23,~~ and with tribal  
4 governing bodies to carry out the administrative functions. The department may  
5 contract, or a ~~county department or~~ tribal governing body may subcontract, with a  
6 Wisconsin Works agency or another provider to administer the employment and  
7 training program under this subsection. Except as provided in subds. 2. and 3., the  
8 department may require able individuals who are 18 to 60 years of age who are not  
9 participants in a Wisconsin Works employment position to participate in the  
10 employment and training program under this subsection.

11           **SECTION 1541.** 49.79 (9) (a) 1. of the statutes, as affected by 2011 Wisconsin Act  
12 .... (this act), is renumbered 49.37 (9) (a) 1. and amended to read:

13           49.37 (9) (a) 1. The department shall administer an employment and training  
14 program for recipients under the ~~food stamp~~ supplemental nutrition assistance  
15 program and may contract ~~under s. 49.78~~ with tribal governing bodies to carry out  
16 the administrative functions. The department may contract, or a tribal governing  
17 body may subcontract, with a Wisconsin Works agency or another provider to  
18 administer the employment and training program under this subsection. Except as  
19 provided in subds. 2. and 3., the department may require able individuals who are  
20 18 to 60 years of age who are not participants in a Wisconsin Works employment  
21 position to participate in the employment and training program under this  
22 subsection.

23           **SECTION 1542.** 49.79 (9) (a) 2. of the statutes is renumbered 49.37 (9) (a) 2. and  
24 amended to read:



**ASSEMBLY BILL 40****SECTION 1542**

1           49.37 (9) (a) 2. The department may not require an individual who is a recipient  
2           under the ~~food stamp~~ supplemental nutrition assistance program and who is the  
3           caretaker of a child under the age of 12 weeks to participate in any employment and  
4           training program under this subsection.

5           **SECTION 1543.** 49.79 (9) (a) 3. of the statutes is renumbered 49.37 (9) (a) 3. and  
6           amended to read:

7           49.37 (9) (a) 3. The department may not require an individual who is a recipient  
8           under the ~~food stamp~~ supplemental nutrition assistance program to participate in  
9           any employment and training program under this subsection if that individual is  
10          enrolled at least half time in a school, as defined in s. 49.26 (1) (a) 2., a training  
11          program, or an institution of higher education.

12          **SECTION 1544.** 49.79 (9) (a) 4. of the statutes is renumbered 49.37 (9) (a) 4. and  
13          amended to read:

14          49.37 (9) (a) 4. The amount of ~~food stamp~~ supplemental nutrition assistance  
15          benefits paid to a recipient who is a participant in a Wisconsin works Works  
16          employment position under s. 49.147 (4) or (5) shall be calculated based on the  
17          pre-sanction benefit amount received s. 49.148.

18          **SECTION 1545.** 49.79 (9) (a) 5. of the statutes is renumbered 49.37 (9) (a) 5.

19          **SECTION 1546.** 49.79 (9) (b) (intro.) of the statutes is renumbered 49.37 (9) (b)  
20          (intro.) and amended to read:

21          49.37 (9) (b) (intro.) An individual who fails to comply with the work  
22          requirements under par. (a) without good cause is ineligible to participate in the ~~food~~  
23          ~~stamp~~ supplemental nutrition assistance program as follows:

24          **SECTION 1547.** 49.79 (9) (b) 1. of the statutes is renumbered 49.37 (9) (b) 1.

25          **SECTION 1548.** 49.79 (9) (b) 2. of the statutes is renumbered 49.37 (9) (b) 2.

**ASSEMBLY BILL 40****SECTION 1549**

1           **SECTION 1549.** 49.79 (9) (b) 3. of the statutes is renumbered 49.37 (9) (b) 3.

2           **SECTION 1550.** 49.793 (title) of the statutes is renumbered 49.373 (title) and  
3 amended to read:

4           **49.373** (title) **Recovery of food stamps supplemental nutrition**  
5 **assistance program overpayments.**

6           **SECTION 1551.** 49.793 (1) of the statutes is amended to read:

7           49.793 (1) The department ~~or a county~~ or an elected governing body of a  
8 federally recognized American Indian tribe or band acting on behalf of the  
9 department, may recover overpayments that arise from an overissuance of food  
10 coupons under the food stamp program administered under s. ~~46.215 (1) (k) or 46.22~~  
11 ~~(1) (b) 2. d~~ 49.78. Recovery shall be made in accordance with 7 USC 2022.

12           **SECTION 1552.** 49.793 (1) of the statutes, as affected by 2011 Wisconsin Act ...  
13 (this act), is renumbered 49.373 (1) and amended to read:

14           49.373 (1) The department or an elected governing body of a federally  
15 recognized American Indian tribe or band acting on behalf of the department, may  
16 recover overpayments that arise from an overissuance of ~~food coupons~~ benefits under  
17 the ~~food stamp~~ supplemental nutrition assistance program administered under s.  
18 49.78. Recovery shall be made in accordance with 7 USC 2022.

19           **SECTION 1553.** 49.793 (2) of the statutes, as affected by 2011 Wisconsin Act ...  
20 (this act), is renumbered 49.373 (2).

21           **SECTION 1554.** 49.793 (2) (a) of the statutes is renumbered 49.793 (2) and  
22 amended to read:

23           49.793 (2) ~~Except as provided in par. (b), a~~ A county or governing body of a  
24 federally recognized American Indian tribe may retain a portion of the amount of an  
25 overpayment the state is authorized to retain under 7 USC 2025 that is recovered

**ASSEMBLY BILL 40****SECTION 1554**

1 under sub. (1) due to the efforts of an employee or officer of the county or tribe. The  
2 department shall promulgate a rule establishing the portion of the amount of the  
3 overpayment that the county or governing body may retain. This ~~paragraph~~  
4 subsection does not apply to recovery of an overpayment that was made as a result  
5 of state, county, or tribal governing body error.

6 **SECTION 1555.** 49.793 (2) (b) of the statutes is repealed.

7 **SECTION 1556.** 49.795 (title) of the statutes is renumbered 49.375 (title) and  
8 amended to read:

9 **49.375 (title) ~~Food stamp~~ Supplemental nutrition assistance program**  
10 **offenses.**

11 **SECTION 1557.** 49.795 (1) (intro.) of the statutes is renumbered 49.375 (1)  
12 (intro.).

13 **SECTION 1558.** 49.795 (1) (a) of the statutes is renumbered 49.375 (1) (a) and  
14 amended to read:

15 49.375 (1) (a) “Eligible person” means a member of a household certified as  
16 eligible for the ~~food stamp~~ supplemental nutrition assistance program or a person  
17 authorized to represent a certified household under 7 USC 2020 (e) (7).

18 **SECTION 1559.** 49.795 (1) (b) of the statutes is renumbered 49.375 (1) (b) and  
19 amended to read:

20 49.375 (1) (b) “Food” means items ~~which~~ that may be purchased using ~~food~~  
21 ~~coupons~~ supplemental nutrition assistance program benefits under 7 USC 2012 (g)  
22 ~~and~~ 2016 (b).

23 **SECTION 1560.** 49.795 (1) (c) of the statutes is renumbered 49.375 (1) (c) and  
24 amended to read:

**ASSEMBLY BILL 40****SECTION 1560**

1           49.375 (1) (c) “~~Food stamp~~ Supplemental nutrition assistance program” means  
2 the federal ~~food stamp~~ supplemental nutrition assistance program under 7 USC  
3 2011 to ~~2029~~ 2036.

4           **SECTION 1561.** 49.795 (1) (d) of the statutes is renumbered 49.375 (1) (d) and  
5 amended to read:

6           49.375 (1) (d) “Supplier” means a retail grocery store or other person  
7 authorized by the federal department of agriculture to accept ~~food coupons~~  
8 supplemental nutrition assistance program benefits in exchange for food under the  
9 ~~food stamp~~ supplemental nutrition assistance program.

10           **SECTION 1562.** 49.795 (1) (e) (intro.) of the statutes is renumbered 49.375 (1)  
11 (e) (intro.).

12           **SECTION 1563.** 49.795 (1) (e) 1. of the statutes is amended to read:

13           49.795 (1) (e) 1. An employee or officer of the federal government, the state,  
14 ~~a county~~ or a federally recognized American Indian tribe acting in the course of  
15 official duties in connection with the food stamp program.

16           **SECTION 1564.** 49.795 (1) (e) 1. of the statutes, as affected by 2011 Wisconsin  
17 Act .... (this act), is renumbered 49.375 (1) (e) 1. and amended to read:

18           49.375 (1) (e) 1. An employee or officer of the federal government, the state, or  
19 a federally recognized American Indian tribe acting in the course of official duties in  
20 connection with the ~~food stamp~~ supplemental nutrition assistance program.

21           **SECTION 1565.** 49.795 (1) (e) 2. of the statutes is amended to read:

22           49.795 (1) (e) 2. A person acting in the course of duties under a contract with  
23 the federal government, the state, ~~a county~~ or a federally recognized American  
24 Indian tribe in connection with the food stamp program.

**ASSEMBLY BILL 40****SECTION 1566**

1           **SECTION 1566.** 49.795 (1) (e) 2. of the statutes, as affected by 2011 Wisconsin  
2 Act .... (this act), is renumbered 49.375 (1) (e) 2. and amended to read:

3           49.375 **(1)** (e) 2. A person acting in the course of duties under a contract with  
4 the federal government, the state, or a federally recognized American Indian tribe  
5 in connection with the ~~food-stamp~~ supplemental nutrition assistance program.

6           **SECTION 1567.** 49.795 (1) (e) 3. of the statutes is renumbered 49.375 (1) (e) 3.

7           **SECTION 1568.** 49.795 (1) (e) 4. of the statutes is renumbered 49.375 (1) (e) 4.

8           **SECTION 1569.** 49.795 (1) (e) 5. of the statutes is renumbered 49.375 (1) (e) 5.  
9 and amended to read:

10           49.375 **(1)** (e) 5. A person authorized to redeem ~~food-coupons~~ supplemental  
11 nutrition assistance program benefits under 7 USC 2019.

12           **SECTION 1570.** 49.795 (2) of the statutes is renumbered 49.375 (2) and amended  
13 to read:

14           49.375 **(2)** No person may misstate or conceal facts in a ~~food-stamp~~  
15 supplemental nutrition assistance program application or report of income, assets  
16 or household circumstances with intent to secure or continue to receive ~~food-stamp~~  
17 supplemental nutrition assistance program benefits.

18           **SECTION 1571.** 49.795 (2m) of the statutes is renumbered 49.375 (2m).

19           **SECTION 1572.** 49.795 (3) of the statutes is renumbered 49.375 (3) and amended  
20 to read:

21           49.375 **(3)** No person may knowingly issue ~~food-coupons~~ supplemental  
22 nutrition assistance program benefits to a person who is not an eligible person or  
23 knowingly issue ~~food-coupons~~ supplemental nutrition assistance program benefits  
24 to an eligible person in excess of the amount for which the person's household is  
25 eligible.

**ASSEMBLY BILL 40****SECTION 1573**

1           **SECTION 1573.** 49.795 (4) of the statutes is renumbered 49.375 (4) and amended  
2 to read:

3           49.375 (4) No eligible person may knowingly transfer ~~food-coupons~~  
4 supplemental nutrition assistance program benefits except to purchase food from a  
5 supplier or knowingly obtain or use ~~food-coupons~~ supplemental nutrition assistance  
6 program benefits for which the person's household is not eligible.

7           **SECTION 1574.** 49.795 (5) of the statutes is renumbered 49.375 (5) and amended  
8 to read:

9           49.375 (5) No supplier may knowingly obtain ~~food-coupons~~ supplemental  
10 nutrition assistance program benefits except as payment for food or knowingly  
11 obtain ~~food-coupons~~ supplemental nutrition assistance program benefits from a  
12 person who is not an eligible person.

13           **SECTION 1575.** 49.795 (6) of the statutes is renumbered 49.375 (6) and amended  
14 to read:

15           49.375 (6) No unauthorized person may knowingly obtain, possess, transfer,  
16 or use ~~food-coupons~~ supplemental nutrition assistance program benefits.

17           **SECTION 1576.** 49.795 (7) of the statutes is renumbered 49.375 (7) and amended  
18 to read:

19           49.375 (7) No person may knowingly alter ~~food-coupons~~ supplemental nutrition  
20 assistance program benefits.

21           **SECTION 1577.** 49.795 (8) (a) (intro.) of the statutes is renumbered 49.375 (8)  
22 (a) (intro.).

23           **SECTION 1578.** 49.795 (8) (a) 1. of the statutes is renumbered 49.375 (8) (a) 1.  
24 and amended to read:

**ASSEMBLY BILL 40****SECTION 1578**

1           49.375 (8) (a) 1. If the value of the ~~food-coupons~~ supplemental nutrition  
2 assistance program benefits does not exceed \$100, a person who violates this section  
3 may be fined not more than \$1,000 or imprisoned not more than one year in the  
4 county jail or both.

5           **SECTION 1579.** 49.795 (8) (a) 2. of the statutes is renumbered 49.375 (8) (a) 2.  
6 and amended to read:

7           49.375 (8) (a) 2. If the value of the ~~food-coupons~~ supplemental nutrition  
8 assistance program benefits exceeds \$100, but is less than \$5,000, a person who  
9 violates this section is guilty of a Class I felony.

10           **SECTION 1580.** 49.795 (8) (b) (intro.) of the statutes is renumbered 49.375 (8)  
11 (b) (intro.).

12           **SECTION 1581.** 49.795 (8) (b) 1. of the statutes is renumbered 49.375 (8) (b) 1.  
13 and amended to read:

14           49.375 (8) (b) 1. If the value of the ~~food-coupons~~ supplemental nutrition  
15 assistance program benefits does not exceed \$100, a person who violates this section  
16 may be fined not more than \$1,000 or imprisoned not more than one year in the  
17 county jail or both.

18           **SECTION 1582.** 49.795 (8) (b) 2. of the statutes is renumbered 49.375 (8) (b) 2.  
19 and amended to read:

20           49.375 (8) (b) 2. If the value of the ~~food-coupons~~ supplemental nutrition  
21 assistance program benefits exceeds \$100, but is less than \$5,000, a person who  
22 violates this section is guilty of a Class H felony.

23           **SECTION 1583.** 49.795 (8) (c) of the statutes is renumbered 49.375 (8) (c) and  
24 amended to read:

**ASSEMBLY BILL 40****SECTION 1583**

1           49.375 (8) (c) For any offense under this section, if the value of the ~~food coupons~~  
2 supplemental nutrition assistance program benefits is \$5,000 or more, a person who  
3 violates this section is guilty of a Class G felony.

4           **SECTION 1584.** 49.795 (8) (d) 1. (intro.) of the statutes is renumbered 49.375 (8)  
5 (d) 1. (intro.) and amended to read:

6           49.375 (8) (d) 1. (intro.) In addition to the penalties applicable under par. (a),  
7 (b), or (c), the court shall suspend a person who violates this section from  
8 participation in the ~~food stamp~~ supplemental nutrition assistance program as  
9 follows:

10          **SECTION 1585.** 49.795 (8) (d) 1. a. of the statutes is renumbered 49.375 (8) (d)

11 1. a.

12          **SECTION 1586.** 49.795 (8) (d) 1. b. of the statutes is renumbered 49.375 (8) (d)

13 1. b.

14          **SECTION 1587.** 49.795 (8) (d) 1. c. of the statutes is renumbered 49.375 (8) (d)

15 1. c.

16          **SECTION 1588.** 49.795 (8) (d) 1m. of the statutes is renumbered 49.375 (8) (d)

17 1m. and amended to read:

18           49.375 (8) (d) 1m. In addition to the penalties applicable under par. (a), (b), or  
19 (c), a court shall permanently suspend from the ~~food stamp~~ supplemental nutrition  
20 assistance program a person who has been convicted of an offense under 7 USC 2024  
21 (b) or (c) involving an item covered by 7 USC 2024 (b) or (c) having a value of \$500  
22 or more.

23          **SECTION 1589.** 49.795 (8) (d) 2. of the statutes is amended to read:

24           49.795 (8) (d) 2. The person may apply to the county department under s.  
25 ~~46.215, 46.22 or 46.23~~ or the federally recognized American Indian tribal governing



**ASSEMBLY BILL 40****SECTION 1589**

1 body or, if the person is a supplier, to the federal department of agriculture for  
2 reinstatement following the period of suspension, if the suspension is not permanent.

3 **SECTION 1590.** 49.795 (8) (d) 2. of the statutes, as affected by 2011 Wisconsin  
4 Act .... (this act), is renumbered 49.375 (8) (d) 2.

5 **SECTION 1591.** 49.795 (8) (e) 1. (intro.) of the statutes is renumbered 49.375 (8)  
6 (e) 1. (intro.) and amended to read:

7 49.375 (8) (e) 1. (intro.) If a court finds that a person traded a controlled  
8 substance, as defined in s. 961.01 (4), for ~~food coupons~~ supplemental nutrition  
9 assistance program benefits, the court shall suspend the person from participation  
10 in the ~~food stamp~~ supplemental nutrition assistance program as follows:

11 **SECTION 1592.** 49.795 (8) (e) 1. a. of the statutes is renumbered 49.375 (8) (e)  
12 1. a.

13 **SECTION 1593.** 49.795 (8) (e) 1. b. of the statutes is renumbered 49.375 (8) (e)  
14 1. b.

15 **SECTION 1594.** 49.795 (8) (e) 2. of the statutes is renumbered 49.375 (8) (e) 2.  
16 and amended to read:

17 49.375 (8) (e) 2. If a court finds that a person traded firearms, ammunition, or  
18 explosives for ~~food coupons~~ supplemental nutrition assistance program benefits, the  
19 court shall suspend the person permanently from participation in the ~~food stamp~~  
20 supplemental nutrition assistance program.

21 **SECTION 1595.** 49.795 (8) (f) of the statutes is renumbered 49.375 (8) (f) and  
22 amended to read:

23 49.375 (8) (f) Notwithstanding par. (d), in addition to the penalties applicable  
24 under par. (a), (b), or (c), the court shall suspend from the ~~food stamp~~ supplemental  
25 nutrition assistance program for a period of 10 years a person who fraudulently

**ASSEMBLY BILL 40****SECTION 1595**

1 misstates or misrepresents his or her identity or place of residence for the purpose  
2 of receiving multiple benefits simultaneously under the ~~food stamp~~ supplemental  
3 nutrition assistance program.

4 **SECTION 1596.** 49.797 (title) of the statutes is renumbered 49.377 (title).

5 **SECTION 1597.** 49.797 (1) of the statutes is renumbered 49.377 (1) and amended  
6 to read:

7 49.377 (1) DEFINITION. In this section, “~~food stamp program~~” “supplemental  
8 nutrition assistance program” means the federal ~~food stamp~~ supplemental nutrition  
9 assistance program under 7 USC 2011 to ~~2029~~ 2036 or, if the department determines  
10 that the ~~food stamp~~ supplemental nutrition assistance program no longer exists, a  
11 nutrition program that the department determines is a successor to the ~~food stamp~~  
12 supplemental nutrition assistance program.

13 **SECTION 1598.** 49.797 (2) (a) of the statutes is renumbered 49.377 (2) and  
14 amended to read:

15 49.377 (2) ~~Notwithstanding s. 46.028 and except as provided in par. (b) and sub.~~  
16 ~~(8), the~~ The department shall administer a statewide program to deliver ~~food stamp~~  
17 supplemental nutrition assistance program benefits to recipients of ~~food stamp~~  
18 supplemental nutrition assistance program benefits by an electronic benefit transfer  
19 system. All suppliers, as defined in s. ~~49.795 (1)~~ 49.375 (1) (d), may participate in the  
20 delivery of ~~food stamp~~ supplemental nutrition assistance program benefits under the  
21 electronic benefit transfer system. The department shall explore methods by which  
22 nontraditional retailers, such as farmers’ markets, may participate in the delivery  
23 of ~~food stamp~~ supplemental nutrition assistance program benefits under the  
24 electronic benefit transfer system.

25 **SECTION 1599.** 49.797 (2) (b) of the statutes is repealed.

**ASSEMBLY BILL 40****SECTION 1600**

1           **SECTION 1600.** 49.797 (4) of the statutes is renumbered 49.377 (4).

2           **SECTION 1601.** 49.797 (5) of the statutes is renumbered 49.377 (5).

3           **SECTION 1602.** 49.797 (6) of the statutes is renumbered 49.377 (6).

4           **SECTION 1603.** 49.797 (7) of the statutes is renumbered 49.377 (7).

5           **SECTION 1604.** 49.797 (8) of the statutes is amended to read:

6           49.797 **(8)** COUNTY TRIBAL GOVERNING BODY PARTICIPATION; EXCEPTION. The  
7 department may not require a ~~county or~~ tribal governing body to participate in an  
8 electronic benefit transfer system under this section if the costs to the ~~county or~~ tribal  
9 governing body would be greater than the costs that the ~~county or~~ tribal governing  
10 body would incur in delivering the benefits through a system that is not an electronic  
11 benefit transfer system.

12           **SECTION 1605.** 49.797 (8) of the statutes, as affected by 2011 Wisconsin Act ....  
13 (this act), is repealed.

14           **SECTION 1606.** 49.825 of the statutes, as affected by 2011 Wisconsin Act .... (this  
15 act), is repealed.

16           **SECTION 1607.** 49.825 (2) (a) 2. of the statutes is repealed.

17           **SECTION 1608.** 49.83 of the statutes is amended to read:

18           **49.83 Limitation on giving information.** Except as provided under ss.  
19 49.25 and 49.32 (9), (10), and (10m), no person may use or disclose information  
20 concerning applicants and recipients of relief funded by a relief block grant, aid to  
21 families with dependent children, Wisconsin Works under ss. 49.141 to 49.161, social  
22 services, child and spousal support and establishment of paternity and medical  
23 support liability services under s. 49.22, or supplemental payments under s. 49.77,  
24 2009 stats., or s. 49.39 for any purpose not connected with the administration of the  
25 programs, except that the department of children and families may disclose such

**ASSEMBLY BILL 40****SECTION 1608**

1 information to the department of revenue for the sole purpose of administering state  
2 taxes. Any person violating this section may be fined not less than \$25 nor more than  
3 \$500 or imprisoned in the county jail not less than 10 days nor more than one year  
4 or both.

5 **SECTION 1609.** 49.84 (5) of the statutes is amended to read:

6 49.84 (5) A person applying for Wisconsin works Works under ss. 49.141 to  
7 49.161, aid to families with dependent children under s. 49.19, medical assistance  
8 under subch. IV, or ~~food stamp~~ supplemental nutrition assistance program benefits  
9 under 7 USC 2011 to ~~2029~~ 2036 shall, as a condition of eligibility, provide a  
10 declaration and other verification of citizenship or satisfactory immigration status  
11 as required by the department by rule or as required in 42 USC 1320b-7 (d).

12 **SECTION 1610.** 49.845 (1) of the statutes is amended to read:

13 49.845 (1) FRAUD INVESTIGATION. From the appropriations under s. 20.435 (4)  
14 (bn), (kz), (L), and (nn), the department of health services shall establish a program  
15 to investigate suspected fraudulent activity on the part of recipients of medical  
16 assistance under subch. IV, food stamp benefits under the food stamp program under  
17 7 USC 2011 to 2036, ~~supplemental security income payments under s. 49.77,~~  
18 ~~payments for the support of children of supplemental security income recipients~~  
19 ~~under s. 49.775,~~ and health care benefits under the Badger Care health care program  
20 under s. 49.665 and, if the department of children and families contracts with the  
21 department of health services under sub. (4), on the part of recipients of aid to  
22 families with dependent children under s. 49.19, supplemental security income  
23 payments under s. 49.77, 2009 stats., or s. 49.39, payments for the support of children  
24 of supplemental security income recipients under s. 49.775, 2009 stats., or s. 49.395,  
25 and participants in the Wisconsin Works program under ss. 49.141 to 49.161. The

**ASSEMBLY BILL 40****SECTION 1610**

1 activities of the department of health services under this subsection may include  
2 comparisons of information provided to the department by an applicant and  
3 information provided by the applicant to other federal, state, and local agencies,  
4 development of an advisory welfare investigation prosecution standard, and  
5 provision of funds to county departments under ss. 46.215, 46.22, and 46.23 and to  
6 Wisconsin Works agencies to encourage activities to detect fraud. The department  
7 of health services shall cooperate with district attorneys regarding fraud  
8 prosecutions.

9 **SECTION 1611.** 49.845 (1) of the statutes, as affected by Wisconsin Act ... (this  
10 act), is amended to read:

11 49.845 (1) FRAUD INVESTIGATION. From the appropriations under s. 20.435 (4)  
12 (bn), (kz), (L), and (nn), the department of health services shall establish a program  
13 to investigate suspected fraudulent activity on the part of recipients of medical  
14 assistance under subch. IV, ~~food stamp benefits under the food stamp program under~~  
15 ~~7 USC 2011 to 2036~~, and health care benefits under the Badger Care health care  
16 program under s. 49.665 and, if the department of children and families contracts  
17 with the department of health services under sub. (4), on the part of recipients of aid  
18 to families with dependent children under s. 49.19, supplemental security income  
19 payments under s. 49.77, 2009 stats., or s. 49.39, payments for the support of children  
20 of supplemental security income recipients under s. 49.775, 2009 stats., or s. 49.395,  
21 recipients of benefits under the supplemental nutrition assistance program under 7  
22 USC 2011 to 2036, and participants in the Wisconsin Works program under ss.  
23 49.141 to 49.161. The activities of the department of health services under this  
24 subsection may include comparisons of information provided to the department by  
25 an applicant and information provided by the applicant to other federal, state, and

**ASSEMBLY BILL 40****SECTION 1611**

1 local agencies, development of an advisory welfare investigation prosecution  
2 standard, and provision of funds to county departments under ss. 46.215, 46.22, and  
3 46.23 and to Wisconsin Works agencies to encourage activities to detect fraud. The  
4 department of health services shall cooperate with district attorneys regarding fraud  
5 prosecutions.

6 **SECTION 1612.** 49.845 (2) of the statutes is amended to read:

7 49.845 (2) STATE ERROR REDUCTION ACTIVITIES. The department of health  
8 services shall conduct activities to reduce payment errors in the Medical Assistance  
9 program under subch. IV, the food stamp program under 7 USC 2011 to 2036, the  
10 ~~supplemental security income payments program under s. 49.77, the program~~  
11 ~~providing payments for the support of children of supplemental security income~~  
12 ~~recipients under s. 49.775, and the Badger Care health care program under s. 49.665~~  
13 and, if the department of children and families contracts with the department of  
14 health services under sub. (4), in the supplemental security income payments  
15 program under s. 49.39, the program providing payments for the support of children  
16 of supplemental security income recipients under s. 49.395, and Wisconsin Works  
17 under ss. 49.141 to 49.161.

18 **SECTION 1613.** 49.845 (2) of the statutes, as affected by 2011 Wisconsin Act ...  
19 (this act), is amended to read:

20 49.845 (2) STATE ERROR REDUCTION ACTIVITIES. The department of health  
21 services shall conduct activities to reduce payment errors in the Medical Assistance  
22 program under subch. IV, ~~the food stamp program under 7 USC 2011 to 2036, and~~  
23 the Badger Care health care program under s. 49.665 and, if the department of  
24 children and families contracts with the department of health services under sub. (4),  
25 in the supplemental security income payments program under s. 49.39, the program

**ASSEMBLY BILL 40****SECTION 1613**

1 providing payments for the support of children of supplemental security income  
2 recipients under s. 49.395, and Wisconsin Works under ss. 49.141 to 49.161, and the  
3 supplemental nutrition assistance program under 7 USC 2011 to 2036.

4 **SECTION 1614.** 49.845 (4) (title) of the statutes is amended to read:

5 49.845 (4) (title) CONTRACT FOR WISCONSIN WORKS, SUPPLEMENTAL SECURITY  
6 INCOME, AND CARETAKER SUPPLEMENT.

7 **SECTION 1615.** 49.845 (4) (title) of the statutes, as affected by 2011 Wisconsin  
8 Act .... (this act), is amended to read:

9 49.845 (4) (title) CONTRACT FOR WISCONSIN WORKS, SUPPLEMENTAL SECURITY  
10 INCOME, AND CARETAKER SUPPLEMENT, AND THE SUPPLEMENTAL NUTRITION ASSISTANCE  
11 PROGRAM.

12 **SECTION 1616.** 49.845 (4) (a) 1. of the statutes is amended to read:

13 49.845 (4) (a) 1. Notwithstanding s. 49.197 (1m) and (3), the department of  
14 children and families may contract with the department of health services to  
15 investigate suspected fraudulent activity on the part of recipients of aid to families  
16 with dependent children under s. 49.19, recipients of supplemental security income  
17 payments under s. 49.39, recipients of payments for the support of children of  
18 supplemental security income recipients under s. 49.395, and participants in  
19 Wisconsin Works under ss. 49.141 to 49.161 and to conduct activities to reduce  
20 payment errors in the supplemental security income payments program under s.  
21 49.39, the program providing payments for the support of children of supplemental  
22 security income recipients under s. 49.395, and Wisconsin Works under ss. 49.141 to  
23 49.161, as provided in this section. If any employee of the department of health  
24 services reasonably suspects that fraudulent activity as described in this subdivision  
25 has occurred or is occurring, the employee shall immediately report the facts and

**ASSEMBLY BILL 40****SECTION 1616**

1 circumstances contributing to that suspicion to the employee's immediate  
2 supervisor.

3 **SECTION 1617.** 49.845 (4) (a) 1. of the statutes, as affected by 2011 Wisconsin  
4 Act .... (this act), is amended to read:

5 49.845 (4) (a) 1. Notwithstanding s. 49.197 (1m) and (3), the department of  
6 children and families may contract with the department of health services to  
7 investigate suspected fraudulent activity on the part of recipients of aid to families  
8 with dependent children under s. 49.19, recipients of supplemental security income  
9 payments under s. 49.39, recipients of payments for the support of children of  
10 supplemental security income recipients under s. 49.395, recipients of benefits under  
11 the supplemental nutrition assistance program under 7 USC 2011 to 2036, and  
12 participants in Wisconsin Works under ss. 49.141 to 49.161 and to conduct activities  
13 to reduce payment errors in the supplemental security income payments program  
14 under s. 49.39, the program providing payments for the support of children of  
15 supplemental security income recipients under s. 49.395, the supplemental  
16 nutrition assistance program under 7 USC 2011 to 2036, and Wisconsin Works under  
17 ss. 49.141 to 49.161, as provided in this section. If any employee of the department  
18 of health services reasonably suspects that fraudulent activity as described in this  
19 subdivision has occurred or is occurring, the employee shall immediately report the  
20 facts and circumstances contributing to that suspicion to the employee's immediate  
21 supervisor.

22 **SECTION 1618.** 49.847 (1) of the statutes is amended to read:

23 49.847 (1) Subject to ~~ss. s.~~ s. 49.497 (1) and ~~49.793 (1)~~, the department of health  
24 services, or a county or elected governing body of a federally recognized American  
25 Indian tribe or band acting on behalf of the department, may recover benefits



**ASSEMBLY BILL 40****SECTION 1618**

1 incorrectly paid under any of the programs administered by the department under  
2 this chapter.

3 **SECTION 1619.** 49.847 (2) of the statutes is amended to read:

4 49.847 (2) The department, county, or elected governing body may recover an  
5 overpayment from a family or individual who continues to receive benefits under any  
6 program administered by the department under this chapter by reducing the  
7 family's or individual's benefit amount. ~~Subject to s. 49.793 (1), the~~ The department  
8 may by rule specify other methods for recovering incorrectly paid benefits.

9 **SECTION 1620.** 49.847 (3) of the statutes, as affected by 2011 Wisconsin Act ....  
10 (this act), is amended to read:

11 49.847 (3) (a) Subject to ~~ss. s.~~ s. 49.497 (2) and ~~49.793 (2)~~, a county or elected  
12 governing body may retain a portion of an amount recovered under this section due  
13 to the efforts of an employee or officer of the county, tribe, or band, as provided by the  
14 department by rule.

15 **SECTION 1621.** 49.847 (3) (a) of the statutes is renumbered 49.847 (3) and  
16 amended to read:

17 49.847 (3) Subject to ss. 49.497 (2) and 49.793 (2), ~~and except as provided in par.~~  
18 ~~(b)~~, a county or elected governing body may retain a portion of an amount recovered  
19 under this section due to the efforts of an employee or officer of the county, tribe, or  
20 band, as provided by the department by rule.

21 **SECTION 1622.** 49.847 (3) (b) of the statutes is repealed.

22 **SECTION 1623.** 49.85 (1) of the statutes is amended to read:

23 49.85 (1) DEPARTMENT NOTIFICATION REQUIREMENT. If a county department under  
24 s. 46.215, 46.22, or 46.23 or a governing body of a federally recognized American  
25 Indian tribe or band determines that the department of health services may recover

**ASSEMBLY BILL 40****SECTION 1623**

1 an amount under s. ~~49.497, 49.793, or 49.847~~, or that the department of children and  
2 families may recover an amount under s. ~~49.161 or 49.195 (3)~~, or 49.373 or collect  
3 an amount under s. 49.147 (6) (cm), the county department or governing body shall  
4 notify the affected department of the determination. If a Wisconsin Works agency  
5 determines that the department of children and families may recover an amount  
6 under s. ~~49.161 or 49.195 (3)~~, or 49.373 or collect an amount under s. 49.147 (6) (cm),  
7 the Wisconsin Works agency shall notify the department of children and families of  
8 the determination.

9 **SECTION 1624.** 49.85 (2) (a) (intro.) of the statutes is amended to read:

10 49.85 (2) (a) (intro.) At least annually, the department of health services shall  
11 certify to the department of revenue the amounts that, based on the notifications  
12 received under sub. (1) and on other information received by the department of  
13 health services, the department of health services has determined that it may  
14 recover under s. 49.45 (2) (a) 10., ~~49.497, 49.793, or 49.847~~, except that the  
15 department of health services may not certify an amount under this subsection  
16 unless all of the following apply:

17 **SECTION 1625.** 49.85 (2) (b) of the statutes is amended to read:

18 49.85 (2) (b) At least annually, the department of children and families shall  
19 certify to the department of revenue the amounts that, based on the notifications  
20 received under sub. (1) and on other information received by the department of  
21 children and families, the department of children and families has determined that  
22 it may recover under ~~ss. s. 49.161, and 49.195 (3) and~~, or 49.373 or collect under s.  
23 49.147 (6) (cm), except that the department of children and families may not certify  
24 an amount under this subsection unless it has met the notice requirements under

**ASSEMBLY BILL 40****SECTION 1625**

1 sub. (3) and unless its determination has either not been appealed or is no longer  
2 under appeal.

3 **SECTION 1626.** 49.85 (3) (a) 1. of the statutes is amended to read:

4 49.85 (3) (a) 1. Inform the person that the department of health services  
5 intends to certify to the department of revenue an amount that the department of  
6 health services has determined to be due under s. 49.45 (2) (a) 10., 49.497, 49.793,  
7 or 49.847, for setoff from any state tax refund that may be due the person.

8 **SECTION 1627.** 49.85 (3) (b) 1. of the statutes is amended to read:

9 49.85 (3) (b) 1. Inform the person that the department of children and families  
10 intends to certify to the department of revenue an amount that the department of  
11 children and families has determined to be due under s. 49.161 ~~or~~, 49.195 (3), or  
12 49.373, or to be delinquent under a repayment agreement for a loan under s. 49.147  
13 (6), for setoff from any state tax refund that may be due the person.

14 **SECTION 1628.** 49.857 (1) (c) of the statutes is amended to read:

15 49.857 (1) (c) “Credentialing board” means a board, examining board or  
16 affiliated credentialing board in the department of ~~regulation and licensing~~ safety  
17 and professional services that grants a credential.

18 **SECTION 1629.** 49.857 (2) (b) 1. of the statutes is amended to read:

19 49.857 (2) (b) 1. The circumstances under which the licensing authority or the  
20 licensing agency must restrict, limit, suspend, withhold, deny, refuse to grant or  
21 issue or refuse to renew or revalidate a license and guidelines for determining the  
22 appropriate action to take. The memorandum of understanding with the  
23 department of ~~regulation and licensing~~ safety and professional services shall include  
24 the circumstances under which the department of ~~regulation and licensing~~ safety  
25 and professional services shall direct a credentialing board to restrict, limit,

**ASSEMBLY BILL 40****SECTION 1629**

1 suspend, withhold, deny or refuse to grant a credential and guidelines for  
2 determining the appropriate action to take. The guidelines under this subdivision  
3 for determining the appropriate action to take shall require the consideration of  
4 whether the action is likely to have an adverse effect on public health, safety or  
5 welfare or on the environment, and of whether the action is likely to adversely affect  
6 individuals other than the individual holding or applying for the license, such as  
7 employees of that individual.

8 **SECTION 1630.** 49.857 (2) (b) 2. a. of the statutes is amended to read:

9 49.857 (2) (b) 2. a. Certifying to the licensing authority or licensing agency a  
10 delinquency in support or a failure to comply with 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 a certification of delinquency in support or failure to comply with a  
15 subpoena or warrant has been made by the department of children and families with  
16 respect to an individual who holds or applied for a credential granted by the  
17 credentialing board.

18 **SECTION 1631.** 49.857 (2) (b) 2. c. of the statutes is amended to read:

19 49.857 (2) (b) 2. c. Notifying the licensing authority or licensing agency that an  
20 individual has paid delinquent support or made satisfactory alternative payment  
21 arrangements or satisfied the requirements under a subpoena or warrant. The  
22 memorandum of understanding with the department of ~~regulation and licensing~~  
23 safety and professional services shall include procedures for the department of  
24 ~~regulation and licensing~~ safety and professional services to notify a credentialing  
25 board that an individual who holds or applied for a credential granted by the

**ASSEMBLY BILL 40****SECTION 1631**

1 credentialing board has paid delinquent support or made satisfactory alternative  
2 payment arrangements or satisfied the requirements under a subpoena or warrant.

3 **SECTION 1632.** 49.857 (2) (b) 3. a. of the statutes is amended to read:

4 49.857 (2) (b) 3. a. Restricting, limiting, suspending, withholding, denying,  
5 refusing to grant or issue or refusing to renew or revalidate a license. The  
6 memorandum of understanding with the department of ~~regulation and licensing~~  
7 safety and professional services shall include procedures for the department of  
8 ~~regulation and licensing~~ safety and professional services to direct a credentialing  
9 board to restrict, limit, suspend, withhold, deny or refuse to grant a credential.

10 **SECTION 1633.** 49.857 (2) (b) 3. c. of the statutes is amended to read:

11 49.857 (2) (b) 3. c. Issuing or reinstating a license if the department of children  
12 and families notifies the licensing authority or licensing agency that an individual  
13 who was delinquent in making court-ordered payments of support has paid the  
14 delinquent support or made satisfactory alternative payment arrangements or that  
15 an individual who failed to comply with a subpoena or warrant has satisfied the  
16 requirements under the subpoena or warrant. The memorandum of understanding  
17 with the department of ~~regulation and licensing~~ safety and professional services  
18 shall include procedures for the department of ~~regulation and licensing~~ safety and  
19 professional services to direct a credentialing board to grant or reinstate a credential  
20 if the department of children and families notifies the department of ~~regulation and~~  
21 ~~licensing~~ safety and professional services that an individual who holds or applied for  
22 a credential granted by the credentialing board has paid the delinquent support or  
23 made satisfactory alternative payment arrangements or that an individual who  
24 failed to comply with a subpoena or warrant has satisfied the requirements under  
25 the subpoena or warrant.

**ASSEMBLY BILL 40****SECTION 1634**

1           **SECTION 1634.** 49.857 (3) (a) 1. of the statutes is amended to read:

2           49.857 (3) (a) 1. That a certification of delinquency in paying support will be  
3 made to a licensing authority, a licensing agency or, with respect to a credential  
4 granted by a credentialing board, the department of ~~regulation and licensing~~ safety  
5 and professional services.

6           **SECTION 1635.** 49.857 (3) (am) 1. of the statutes is amended to read:

7           49.857 (3) (am) 1. That the individual's name has been placed on a certification  
8 list, which will be provided to a licensing authority, a licensing agency or, with respect  
9 to a credential granted by a credentialing board, the department of ~~regulation and~~  
10 ~~licensing~~ safety and professional services.

11           **SECTION 1636.** 49.857 (3) (b) 1. of the statutes is amended to read:

12           49.857 (3) (b) 1. That a certification of the failure to comply with a subpoena  
13 or warrant will be made to a licensing authority, a licensing agency or, with respect  
14 to a credential granted by a credentialing board, the department of ~~regulation and~~  
15 ~~licensing~~ safety and professional services.

16           **SECTION 1637.** 49.857 (3) (c) (intro.) of the statutes is amended to read:

17           49.857 (3) (c) (intro.) If the department of children and families provides a  
18 certification list to a licensing authority, a licensing agency or, with respect to a  
19 credential granted by a credentialing board, the department of ~~regulation and~~  
20 ~~licensing~~ safety and professional services, upon receipt of the list the licensing  
21 authority if the licensing authority agrees, the licensing agency or, with respect to  
22 a credential granted by a credentialing board, the department of ~~regulation and~~  
23 ~~licensing~~ safety and professional services shall do all of the following:

24           **SECTION 1638.** 49.857 (3) (d) 1. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1638**

1           49.857 (3) (d) 1. Subject to sub. (2) (d), if an individual who, on the basis of  
2 delinquent support, is denied a license or whose license, on the basis of delinquent  
3 support, is restricted, limited, suspended, or refused renewal or revalidation under  
4 a memorandum of understanding entered into under sub. (2) (b) pays the delinquent  
5 amount of support in full or makes satisfactory alternative payment arrangements,  
6 the department of children and families shall immediately notify the licensing  
7 authority or licensing agency to issue or reinstate the individual's license as provided  
8 in the memorandum of understanding. If the individual held or applied for a  
9 credential granted by a credentialing board, the department of ~~regulation and~~  
10 ~~licensing~~ safety and professional services shall, upon notice by the department of  
11 children and families, notify the credentialing board to grant or reinstate the  
12 individual's credential.

13           **SECTION 1639.** 49.857 (3) (d) 2. of the statutes is amended to read:

14           49.857 (3) (d) 2. Subject to sub. (2) (d), if an individual who, on the basis of a  
15 failure to comply with a subpoena or warrant, is denied a license or whose license,  
16 on the basis of a failure to comply with a subpoena or warrant, is restricted, limited,  
17 suspended, or refused renewal or revalidation under a memorandum of  
18 understanding entered into under sub. (2) (b) satisfies the requirements under the  
19 subpoena or warrant, the department of children and families shall immediately  
20 notify the licensing authority or licensing agency to issue or reinstate the individual's  
21 license as provided in the memorandum of understanding. If the individual held or  
22 applied for a credential granted by a credentialing board, the department of  
23 ~~regulation and licensing~~ safety and professional services shall, upon notice by the  
24 department of children and families, notify the credentialing board to grant or  
25 reinstate the individual's credential.

**ASSEMBLY BILL 40****SECTION 1640**

1           **SECTION 1640.** 49.857 (4) of the statutes is amended to read:

2           49.857 (4) Each licensing agency shall enter into a memorandum of  
3 understanding with the department of children and families under sub. (2) (b) and  
4 shall cooperate with the department of children and families in its administration  
5 of s. 49.22. The department of ~~regulation and licensing~~ safety and professional  
6 services shall enter into a memorandum of understanding with the department of  
7 children and families on behalf of a credentialing board with respect to a credential  
8 granted by the credentialing board.

9           **SECTION 1641.** 49.89 (7) (a) of the statutes is amended to read:

10           49.89 (7) (a) ~~Except as provided in par. (f), any~~ Any county or elected tribal  
11 governing body that has made a recovery under this section shall receive an incentive  
12 payment from the sum recovered as provided under this subsection.

13           **SECTION 1642.** 49.89 (7) (bm) of the statutes is amended to read:

14           49.89 (7) (bm) The incentive payment shall be an amount equal to 15% of the  
15 amount recovered because of benefits paid as state supplemental payments under  
16 s. 49.77, 2009 stats., or s. 49.39. The incentive payment shall be taken from the state  
17 share of the sum recovered.

18           **SECTION 1643.** 49.89 (7) (f) of the statutes is repealed.

19           **SECTION 1644.** 49.90 (1) (b) of the statutes is amended to read:

20           49.90 (1) (b) For purposes of this section those persons receiving benefits under  
21 federal Title XVI or under s. 49.77 49.39 shall not be deemed dependent persons.

22           **SECTION 1645.** 49.95 (4m) (a) of the statutes is amended to read:

23           49.95 (4m) (a) Without legal authority, sends or brings a person to a county,  
24 tribal governing body, or municipality or advises a person to go to a county, tribal  
25 governing body, or municipality for the purpose of obtaining relief funded by a relief



**ASSEMBLY BILL 40****SECTION 1645**

1 block grant, benefits under the Wisconsin ~~works~~ Works program under ss. 49.141 to  
2 49.161, aid to families with dependent children under s. 49.19, medical assistance  
3 under subch. IV, or ~~food stamps~~ benefits under the supplemental nutrition  
4 assistance program under 7 USC 2011 to ~~2029~~ 2036.

5 **SECTION 1646.** 49.96 of the statutes is amended to read:

6 **49.96 Assistance grants exempt from levy.** All grants of aid to families with  
7 dependent children, payments made under ss. 48.57 (3m) or (3n), 49.148 (1) (b) 1. or  
8 (c) or (1m) or 49.149 to 49.159, payments made for social services, cash benefits paid  
9 by counties under s. 59.53 (21), and benefits under s. ~~49.77~~ 49.39 or federal Title XVI,  
10 are exempt from every tax, and from execution, garnishment, attachment and every  
11 other process and shall be inalienable.

12 **SECTION 1647.** 50.01 (1) (c) of the statutes is repealed.

13 **SECTION 1648.** 50.01 (1g) (c) of the statutes is amended to read:

14 50.01 **(1g)** (c) A shelter facility as defined under s. ~~560.9808~~ 234.5608 (1) (d).

15 **SECTION 1649.** 50.02 (1) of the statutes is amended to read:

16 50.02 **(1) DEPARTMENTAL AUTHORITY.** The department may provide uniform,  
17 statewide licensing, inspection, and regulation of community-based residential  
18 facilities and nursing homes as provided in this subchapter. The department shall  
19 certify, inspect, and otherwise regulate adult family homes, as specified under ~~ss.~~  
20 ~~50.031 and s.~~ 50.032 and shall license adult family homes, as specified under s.  
21 50.033. Nothing in this subchapter may be construed to limit the authority of the  
22 department of ~~commerce~~ safety and professional services or of municipalities to set  
23 standards of building safety and hygiene, but any local orders of municipalities shall  
24 be consistent with uniform, statewide regulation of community-based residential  
25 facilities. The department may not prohibit any nursing home from distributing

**ASSEMBLY BILL 40****SECTION 1649**

1 over-the-counter drugs from bulk supply. The department may consult with  
2 nursing homes as needed and may provide specialized consultations when requested  
3 by any nursing home, separate from its inspection process, to scrutinize any  
4 particular questions the nursing home raises. The department shall, by rule, define  
5 “specialized consultation”.

6 **SECTION 1650.** 50.02 (2) (a) of the statutes is amended to read:

7 50.02 (2) (a) The department, by rule, shall develop, establish and enforce  
8 regulations and standards for the care, treatment, health, safety, rights, welfare and  
9 comfort of residents in community-based residential facilities and nursing homes  
10 and for the construction, general hygiene, maintenance and operation of those  
11 facilities which, in the light of advancing knowledge, will promote safe and adequate  
12 accommodation, care and treatment of residents in those facilities; and promulgate  
13 and enforce rules consistent with this section. Such standards and rules shall  
14 provide that intermediate care facilities, which have 16 or fewer beds may, if  
15 exempted from meeting certain physical plant, staffing and other requirements of  
16 the federal regulations, be exempted from meeting the corresponding provisions of  
17 the department’s standards and rules. The department shall consult with the  
18 department of commerce safety and professional services when developing  
19 exemptions relating to physical plant requirements.

20 **SECTION 1651.** 50.03 (14) (b) of the statutes is amended to read:

21 50.03 (14) (b) The county departments of the county in which the facility is  
22 located that are responsible for providing services under s. 46.215 (1) (L), ~~46.22 (1)~~  
23 ~~(b) 1. c. 46.22 (1) (b) 2. h.,~~ 51.42 or 51.437 shall participate in the development and  
24 implementation of individual relocation plans. Any county department of another  
25 county shall participate in the development and implementation of individual

**ASSEMBLY BILL 40****SECTION 1651**

1 relocation plans in place of the county departments of the county in which the facility  
2 is located, if the county department accepts responsibility for the resident or is  
3 delegated responsibility for the resident by the department or by a court.

4 **SECTION 1652.** 50.031 of the statutes is repealed.

5 **SECTION 1653.** 50.035 (2) (a) 3. of the statutes is amended to read:

6 50.035 (2) (a) 3. The department or the department of ~~commerce~~ safety and  
7 professional services may waive the requirement under subd. 1. or 2. for a  
8 community-based residential facility that has a smoke detection or sprinkler system  
9 in place that is at least as effective for fire protection as the type of system required  
10 under the relevant subdivision.

11 **SECTION 1654.** 50.035 (2) (b) (intro.) of the statutes is amended to read:

12 50.035 (2) (b) (intro.) No facility may install a smoke detection system that fails  
13 to receive the approval of the department or of the department of ~~commerce~~ safety  
14 and professional services. At least one smoke detector shall be located at each of the  
15 following locations:

16 **SECTION 1655.** 50.037 (3) of the statutes is amended to read:

17 50.037 (3) EXEMPTION. Community-based residential facilities where the total  
18 monthly charges for each resident do not exceed the monthly state supplemental  
19 payment rate under s. ~~49.77 (3s)~~ 49.39 (3s) that is in effect at the time the fee under  
20 sub. (2) is assessed are exempt from this section.

21 **SECTION 1656.** 50.065 (2) (am) 3. of the statutes is amended to read:

22 50.065 (2) (am) 3. Information maintained by the department of ~~regulation and~~  
23 licensing safety and professional services regarding the status of the person's  
24 credentials, if applicable.

25 **SECTION 1657.** 50.065 (2) (b) 3. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1657**

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

**ASSEMBLY BILL 40****SECTION 1660**

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 1662.** 50.38 (10) of the statutes is amended to read:

9 50.38 (10) In each state fiscal year, the secretary of administration shall  
10 transfer from the critical access hospital assessment fund to the Medical Assistance  
11 trust fund an amount equal to the amount collected under sub. (2) (b) minus the state  
12 share of the amount required to be expended under s. 49.45 (3) (e) 12., minus the  
13 amounts appropriated under ~~s. ss. 20.280 (1) (qe) and (qj) and 20.285 (1) (qe) and (qj)~~,  
14 and minus any refunds paid to critical access hospitals from the critical access  
15 hospital assessment fund under sub. (6m) (a) in that fiscal year.

16 **SECTION 1663.** 51.03 (6) of the statutes is repealed.

17 **SECTION 1664.** 51.35 (5) of the statutes is amended to read:

18 51.35 (5) RESIDENTIAL LIVING ARRANGEMENTS; TRANSITIONARY SERVICES. The  
19 department and any person, director, or board authorized to discharge or transfer  
20 patients under this section shall ensure that a proper residential living arrangement  
21 and the necessary transitional services are available and provided for the patient  
22 being discharged or transferred. Under this subsection, a proper residential living  
23 arrangement may not include a shelter facility, as defined under s. ~~560.9808~~  
24 234.5608 (1) (d), unless the discharge or transfer to the shelter facility is made on an  
25 emergency basis for a period not to exceed 10 days.

**ASSEMBLY BILL 40****SECTION 1665**

1           **SECTION 1665.** 51.42 (3) (a) of the statutes is amended to read:

2           51.42 **(3)** (a) *Creation.* Except as provided under s. 46.23 (3) (b), the county  
3 board of supervisors of any county, or the county boards of supervisors of 2 or more  
4 contiguous counties, shall establish a county department of community programs on  
5 a single-county or multicounty basis to administer a community mental health,  
6 developmental disabilities, alcoholism and drug abuse program, make  
7 appropriations to operate the program and authorize the county department of  
8 community programs to apply for grants-in-aid under s. 51.423. The county  
9 department of community programs shall consist of a county community programs  
10 board, a county community programs director and necessary personnel.

11           **SECTION 1666.** 51.42 (7) (a) 7. of the statutes is amended to read:

12           51.42 **(7)** (a) 7. Develop a program in consultation with the department of  
13 regulation and licensing safety and professional services to use voluntary,  
14 uncompensated services of licensed or certified professionals to assist the  
15 department of health services in evaluating community mental health programs in  
16 exchange for continuing education credits for the professionals under ss. 448.40 (2)  
17 (e) and 455.065 (5).

18           **SECTION 1667.** 51.437 (4g) (a) of the statutes is amended to read:

19           51.437 **(4g)** (a) Except as provided under par. (b) and ss. 46.21 (2m) (b) and  
20 46.23 (3) (b), every county board of supervisors shall establish a county department  
21 of developmental disabilities services on a single-county or multicounty basis to  
22 furnish services within its county. ~~Adjacent counties,~~ Counties lacking the financial  
23 resources and professional personnel needed to provide or secure such services on a  
24 single-county basis, ~~may and shall be encouraged to~~ combine their energies and  
25 financial resources to provide these joint services and facilities with the approval of

**ASSEMBLY BILL 40****SECTION 1667**

1 the department of health services. The county department of developmental  
2 disabilities services shall consist of a county developmental disabilities services  
3 board, a county developmental disabilities services director and necessary  
4 personnel.

5 **SECTION 1668.** 55.043 (4) (b) 5. of the statutes is amended to read:

6 55.043 **(4)** (b) 5. Refer the case to the department of ~~regulation and licensing~~  
7 safety and professional services if the financial exploitation, neglect, self–neglect, or  
8 abuse involves an individual who is required to hold a credential, as defined in s.  
9 440.01 (2) (a), under chs. 440 to 460.

10 **SECTION 1669.** 59.22 (2) (c) 2. of the statutes is amended to read:

11 59.22 **(2)** (c) 2. No action of the board may be contrary to or in derogation of the  
12 rules of the department of children and families under s. ~~49.78 (4) to (7)~~ 49.19 (19g)  
13 relating to employees administering old–age assistance, aid to families with  
14 dependent children, aid to the blind, or aid to totally and permanently disabled  
15 persons or ss. 63.01 to 63.17.

16 **SECTION 1670.** 59.27 (10) of the statutes is amended to read:

17 59.27 **(10)** To enforce in the county all general orders of the department of  
18 ~~commerce~~ safety and professional services relating to the sale, transportation and  
19 storage of explosives.

20 **SECTION 1671.** 59.40 (6) of the statutes is created to read:

21 59.40 **(6)** SELF-HELP CENTERS. (a) A board may direct its clerk of courts to  
22 operate a self–help center in the county courthouse to provide individuals with  
23 information regarding the court system, including all of the following:

- 24 1. How to represent oneself in circuit court.
- 25 2. How to obtain legal assistance or legal information.

**ASSEMBLY BILL 40****SECTION 1671**

1           3. Information regarding legal proceedings such as small claims actions, family  
2 law, and foreclosure.

3           4. How to file an appeal.

4           5. Information about people and offices in the courthouse.

5           6. Where to obtain, and how to fill out, legal forms.

6           7. Answers to frequently asked questions concerning the legal system.

7           (b) The clerk of courts may staff a self–help center with county employees or  
8 volunteers, although no one who works or volunteers at a self–help center may  
9 provide legal advice to a patron of the self–help center.

10          (c) The board may impose on, and collect a fee from, individuals who use the  
11 services of a self–help center described under par. (a).

12          **SECTION 1672.** 59.56 (3) (a) of the statutes is amended to read:

13          59.56 (3) (a) *Creation.* A board may establish and maintain an educational  
14 program in cooperation with the University of Wisconsin System, referred to in this  
15 subsection as “University Extension Program”.

16          **SECTION 1673.** 59.56 (3) (c) 2. of the statutes is amended to read:

17          59.56 (3) (c) 2. The committee on agriculture and extension education may  
18 enter into joint employment agreements with the university extension or with other  
19 counties and the university extension if the county funds that are committed in the  
20 agreements have been appropriated by the board. Persons so employed under  
21 cooperative agreements and approved by the board of regents shall be considered  
22 employees of both the county and the University of Wisconsin System.

23          **SECTION 1674.** 59.56 (3) (f) 1. (intro.) of the statutes is amended to read:

24          59.56 (3) (f) 1. (intro.) A university extension program is authorized, under the  
25 direction and supervision of the county committee on agriculture and extension



**ASSEMBLY BILL 40****SECTION 1674**

1 education, cooperating with the university extension of the University of Wisconsin  
2 System, and within the limits of funds provided by the board and cooperating state  
3 and federal agencies, to make available the necessary facilities and conduct  
4 programs in the following areas:

5 **SECTION 1675.** 59.56 (3) (g) of the statutes is amended to read:

6 59.56 (3) (g) *Department of government.* For the purposes of s. 59.22 (2) (d) the  
7 university extension program shall be a department of county government and the  
8 committee on agriculture and extension education shall be the committee which is  
9 delegated the authority to direct and supervise the department. In cooperation with  
10 the university extension of the University of Wisconsin System, the committee on  
11 agriculture and extension education shall have the responsibility to formulate and  
12 execute the university extension program. The university extension shall annually  
13 report to the board its activities and accomplishments.

14 **SECTION 1676.** 59.56 (4) of the statutes is amended to read:

15 59.56 (4) UNIVERSITY COLLEGE CAMPUSES. The board may appropriate money for  
16 the construction, remodeling, expansion, acquisition or equipping of land, buildings  
17 and facilities for a University of Wisconsin System college campus, as defined in s.  
18 36.05 (6m), if the operation of it has been approved by the board of regents.

19 **SECTION 1677.** 59.57 (1) (a) of the statutes is amended to read:

20 59.57 (1) (a) Subject to par. (b), the board may appropriate money for and create  
21 a county industrial development agency or to any nonprofit agency organized to  
22 engage or engaging in activities described in this paragraph, appoint an executive  
23 officer and provide a staff and facilities to promote and develop the resources of the  
24 county and of its component municipalities. To this end the agency may, without  
25 limitation because of enumeration, develop data regarding the industrial needs,

**ASSEMBLY BILL 40****SECTION 1677**

1 advantages and sites in the county, acquaint the purchaser with the products of the  
2 county by promotional activities, coordinate its work with that of the county  
3 planning commission, the ~~department of commerce~~ Wisconsin Economic  
4 Development Corporation, and private credit development corporations, and do all  
5 things necessary to provide for the continued improvement of the industrial climate  
6 of the county.

7 **SECTION 1678.** 59.57 (1) (b) of the statutes is amended to read:

8 59.57 (1) (b) If a county with a population of 500,000 or more appropriates  
9 money under par. (a) to fund nonprofit agencies, the county shall have a goal of  
10 expending 20% of the money appropriated for this purpose to fund a nonprofit agency  
11 that is actively managed by minority group members, as defined in s. ~~560.036~~ 490.04  
12 (1) (f), and that principally serves minority group members.

13 **SECTION 1679.** 59.58 (7) (e) (intro.) of the statutes is amended to read:

14 59.58 (7) (e) (intro.) The Subject to par. (em), the authority may impose the fees  
15 under subch. XIII of ch. 77. From the fees, the authority may do all of the following:

16 **SECTION 1680.** 59.58 (7) (em) of the statutes is created to read:

17 59.58 (7) (em) 1. The authority may not impose the fees specified in par. (e)  
18 unless a referendum is held in the counties of Kenosha, Racine, and Milwaukee on  
19 the question of whether the authority may impose these fees and, in each county, the  
20 referendum is decided in the affirmative. The authority's board of directors, in  
21 conjunction with the appropriate official in each county, shall be responsible for  
22 calling the referendum in each county.

23 2. If, on the effective date of this subdivision .... [LRB inserts date], the fees  
24 specified in par. (e) have already been imposed by the authority, those fees shall be  
25 suspended on the first day of the 13th month beginning after the effective date of this

**ASSEMBLY BILL 40****SECTION 1680**

1 subdivision .... [LRB inserts date], and shall remain suspended until the referendum  
2 requirement in subd. 1. is thereafter satisfied.

3 3. If a referendum is held under this paragraph, the authority shall promptly  
4 provide the department of revenue with the results of the referendum.

5 **SECTION 1681.** 59.69 (4c) of the statutes is amended to read:

6 59.69 (4c) CONSTRUCTION SITE ORDINANCE LIMITS. Except as provided in s. ~~281.33~~  
7 ~~(3m)~~ ~~(f)~~ 101.1206 (5m), an ordinance that is enacted under sub. (4) may only include  
8 provisions that are related to construction site erosion control if those provisions are  
9 limited to sites where the construction activities do not include the construction of  
10 a building.

11 **SECTION 1682.** 59.69 (15) (intro.) of the statutes is amended to read:

12 59.69 (15) COMMUNITY AND OTHER LIVING ARRANGEMENTS. (intro.) For purposes  
13 of this section, the location of a community living arrangement for adults, as defined  
14 in 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 municipality, shall be subject to the following criteria:

17 **SECTION 1683.** 59.691 (2) (b) 1. of the statutes is amended to read:

18 59.691 (2) (b) 1. A county is not required to give the notice under par. (a) at the  
19 time that it issues a building permit if the county issues the building permit on a  
20 standard building permit form prescribed by the department of ~~commerce~~ safety and  
21 professional services.

22 **SECTION 1684.** 59.70 (2) (L) of the statutes is amended to read:

23 59.70 (2) (L) Appropriate funds and levy taxes to provide funds for acquisition  
24 or lease of sites, easements, necessary facilities and equipment and for all other costs  
25 required for the solid waste management system except that no municipality which

**ASSEMBLY BILL 40****SECTION 1684**

1 operates its own solid waste management program ~~under s. 287.09 (2) (a)~~ or waste  
2 collection and disposal facility, or property therein, shall be subject to any tax levied  
3 hereunder to cover the capital and operating costs of these functions. Such  
4 appropriations may be treated as a revolving capital fund to be reimbursed from  
5 proceeds of the system.

6 **SECTION 1685.** 60.23 (4) (c) of the statutes is amended to read:

7 60.23 **(4)** (c) Coordinate its activities with the county planning commission, the  
8 ~~department of commerce~~ Wisconsin Economic Development Corporation, and  
9 private credit development organizations.

10 **SECTION 1686.** 60.55 (1) (a) 5. of the statutes is created to read:

11 60.55 **(1)** (a) 5. Creating a combined protective services department under s.  
12 60.553.

13 **SECTION 1687.** 60.553 of the statutes is created to read:

14 **60.553 Combined protective services. (1)** Any town may provide police and  
15 fire protection services by any of the following:

16 (a) A combined protective services department which is neither a police  
17 department under s. 60.56 (1) (a) nor a fire department under s. 60.55 (1) (a), and in  
18 which the same person may be required to perform police protection and fire  
19 protection duties without being required to perform police protection duties for more  
20 than 8 hours in each 24 hours except in emergency situations, as described under s.  
21 62.13 (7n).

22 (b) 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

**ASSEMBLY BILL 40****SECTION 1687**

1 required to perform police protection duties for more than 8 hours in each 24 hours  
2 except in emergency situations, as described under s. 62.13 (7n).

3 **(2)** The governing body of a town acting under sub. (1) may designate any  
4 person required to perform police protection and fire protection duties under sub. (1)  
5 as primarily a police officer or fire fighter for purposes described in ss. 62.13 (7m),  
6 (7n), (10m), and (11) 891.45, 891.453, and 891.455.

7 **SECTION 1688.** 60.56 (1) (a) 4. of the statutes is created to read:

8 60.56 **(1)** (a) 4. Creating a combined protective services department under s.  
9 60.553.

10 **SECTION 1689.** 60.56 (1) (am) (intro.) of the statutes is amended to read:

11 60.56 **(1)** (am) (intro.) If a town board establishes a town police department  
12 under par. (a) 1. or 2. and does not create a board of police commissioners singly or  
13 in combination with another town, village or city, or if a town board establishes a  
14 combined protective services department under s. 60.553 and does not create a board  
15 of police and fire commissioners, the town may not suspend, reduce, suspend and  
16 reduce, or remove any police chief, chief of a combined protective services  
17 department, or other law enforcement officer who is not probationary, and for whom  
18 there is no valid and enforceable contract of employment or collective bargaining  
19 agreement which provides for a fair review prior to that suspension, reduction,  
20 suspension and reduction or removal, unless the town board does one of the  
21 following:

22 **SECTION 1690.** 60.57 (1) (c) of the statutes is amended to read:

23 60.57 **(1)** (c) If the town has both a police and fire department, or a combined  
24 protective services department, establish a board of police and fire commissioners.

25 **SECTION 1691.** 60.625 (2) (b) 1. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1691**

1           60.625 (2) (b) 1. A town is not required to give the notice under par. (a) at the  
2 time that it issues a building permit if the town issues the building permit on a  
3 standard building permit form prescribed by the department of ~~commerce~~ safety and  
4 professional services.

5           **SECTION 1692.** 60.63 (intro.) of the statutes is amended to read:

6           **60.63 Community and other living arrangements.** (intro.) For purposes  
7 of s. 60.61, the location of a community living arrangement for adults, as defined in  
8 s. 46.03 (22), a community living arrangement for children, as defined in s. 48.743  
9 (1), a foster home, as defined in s. 48.02 (6), or an adult family home, as defined in  
10 s. 50.01 (1) ~~(a) or (b)~~, in any town shall be subject to the following criteria:

11           **SECTION 1693.** 60.71 (4) (b) of the statutes is amended to read:

12           60.71 (4) (b) The town board shall publish a class 2 notice, under ch. 985, of the  
13 hearing. The notice shall contain an announcement of the hearing and a description  
14 of the boundaries of the proposed town sanitary district. The town board shall mail  
15 the notice to the department of ~~commerce~~ safety and professional services and the  
16 department of natural resources at least 10 days prior to the hearing.

17           **SECTION 1694.** 60.71 (4) (c) of the statutes is amended to read:

18           60.71 (4) (c) Any person may file written comments on the formation of the  
19 district with the town clerk. Any owner of property within the boundary of the  
20 proposed district may appear at the hearing and offer objections, criticisms or  
21 suggestions as to the necessity of the proposed district and the question of whether  
22 his or her property will be benefited by the establishment of the district. A  
23 representative of the department of ~~commerce~~ safety and professional services and  
24 of the department of natural resources may attend the hearing and advise the town  
25 board.

**ASSEMBLY BILL 40****SECTION 1695**

1           **SECTION 1695.** 60.85 (14) of the statutes is repealed.

2           **SECTION 1696.** 61.352 (2) (b) 1. of the statutes is amended to read:

3           61.352 **(2)** (b) 1. A village is not required to give the notice under par. (a) at the  
4 time that it issues a building permit if the village issues the building permit on a  
5 standard building permit form prescribed by the department of ~~commerce~~ safety and  
6 professional services.

7           **SECTION 1697.** 61.65 (1) (am) (intro.) of the statutes is amended to read:

8           61.65 **(1)** (am) (intro.) If a village establishes a police department and does not  
9 create a board of police commissioners singly or in combination with another  
10 municipality, or if a village board establishes a combined protective services  
11 department under s. 61.66 and does not create a board of police and fire  
12 commissioners, the village may not suspend, reduce, suspend and reduce, or remove  
13 any police chief, chief of a combined protective services department, or other law  
14 enforcement officer who is not probationary, and for whom there is no valid and  
15 enforceable contract of employment or collective bargaining agreement which  
16 provides for a fair review prior to that suspension, reduction, suspension and  
17 reduction or removal, unless the village does one of the following:

18           **SECTION 1698.** 61.66 (1) (a) and (b) and (2) of the statutes are amended to read:

19           61.66 **(1)** (a) A combined protective services department which is neither a  
20 police department under s. 61.65 (1) (a) nor a fire department under s. 61.65 (2) (a),  
21 ~~which was created prior to January 1, 1987,~~ and in which the same person may be  
22 required to perform police protection and fire protection duties without being  
23 required to perform police protection duties for more than 8 hours in each 24 hours  
24 except in emergency situations, as ~~specified~~ described under s. 62.13 (7n).

**ASSEMBLY BILL 40****SECTION 1698**

1 (b) Persons in a police department or fire department who, alone or in  
2 combination with persons designated as police officers or fire fighters, may be  
3 required to perform police protection and fire protection duties without being  
4 required to perform police protection duties for more than 8 hours in each 24 hours  
5 except in emergency situations, as ~~specified~~ described under s. 62.13 (7n), ~~if those~~  
6 ~~persons were required to perform those duties prior to January 1, 1987.~~

7 (2) The governing body of a village acting under sub. (1) may designate any  
8 person required to perform police protection and fire protection duties under sub. (1)  
9 as primarily a police officer or fire fighter for purposes of ~~s. described in ss. 62.13~~  
10 ~~(7m), (7n), (10m), and (11), 891.45, 891.453, or and 891.455.~~

11 **SECTION 1699.** 62.09 (1) (a) of the statutes is amended to read:

12 62.09 (1) (a) The officers shall be a mayor, treasurer, clerk, comptroller,  
13 attorney, engineer, one or more assessors unless the city is assessed by a county  
14 assessor under s. 70.99, one or more constables as determined by the common  
15 council, a local health officer, as defined in s. 250.01 (5), or local board of health, as  
16 defined in s. 250.01 (3), street commissioner, board of police and fire commissioners  
17 except in cities where not applicable, chief of police except in a city ~~that has~~  
18 ~~contracted for all of its police protective services under s. 62.13 (2g) or has abolished~~  
19 ~~its police department under s. 62.13 (2s) where it is not applicable,~~ chief of the fire  
20 department except in a city ~~that contracted for all of its fire protective services under~~  
21 ~~s. 62.13 (8) (b) where it is not applicable,~~ chief of a combined protective services  
22 department except in a city where it is not applicable, board of public works, 2  
23 alderpersons from each aldermanic district, and such other officers or boards as are  
24 created by law or by the council. If one alderperson from each aldermanic district  
25 is provided under s. 66.0211 (1), the council may, by ordinance adopted by a



**ASSEMBLY BILL 40****SECTION 1699**

1 two-thirds vote of all its members and approved by the electors at a general or special  
2 election, provide that there shall be 2 alderpersons from each aldermanic district.  
3 If a city creates a combined protective services department under s. 62.13 (2e) (a) 1.,  
4 it shall create the office of chief of such a department and shall abolish the offices of  
5 chief of police and chief of the fire department.

6 **SECTION 1700.** 62.09 (13) (a) of the statutes is amended to read:

7 62.09 (13) (a) The chief of police shall have command of the police force of the  
8 city, or the chief of a combined protective services department created under s. 62.13  
9 (2e) (a) 1. shall have command of the combined protective services force, under the  
10 direction of the mayor. The chief shall obey all lawful written orders of the mayor  
11 or common council. The chief and each police officer or combined protective services  
12 officer shall possess the powers, enjoy the privileges and be subject to the liabilities  
13 conferred and imposed by law upon constables, and be taken as included in all writs  
14 and papers addressed to constables; shall arrest with or without process and with  
15 reasonable diligence take before the municipal judge or other proper court every  
16 person found in the city engaged in any disturbance of the peace or violating any law  
17 of the state or ordinance of the city and may command all persons present in that case  
18 to assist, and if any person, being so commanded, refuses or neglects to render  
19 assistance the person shall forfeit not exceeding \$10. They shall collect the same fees  
20 prescribed for sheriffs in s. 814.70 for similar services, unless a higher fee is  
21 applicable under s. 814.705 (1) (b).

22 **SECTION 1701.** 62.09 (13) (b) of the statutes is amended to read:

23 62.09 (13) (b) The chief of police, or the chief of a combined protective services  
24 department created under s. 62.13 (2e) (a) 1., shall have charge of all city jails,

**ASSEMBLY BILL 40****SECTION 1701**

1 including that portion of any jail which is used by the city in a joint city–county  
2 building.

3 **SECTION 1702.** 62.13 (2e) of the statutes is created to read:

4 62.13 **(2e)** COMBINED PROTECTIVE SERVICES. (a) A city may provide police and  
5 fire protection services by any of the following:

6 1. A combined protective services department which is neither a police  
7 department as otherwise constituted under this section nor a fire department as  
8 otherwise constituted under this section, in which the same person may be required  
9 to perform police protection and fire protection duties without being required to  
10 perform police protection duties for more than 8 hours in each 24 hours except in  
11 emergency situations, as described under sub. (7n).

12 2. 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 described under sub. (7n).

17 (b) The governing body of a city acting under par. (a) may designate any person  
18 required to perform police protection and fire protection duties under par. (a) as  
19 primarily a police officer or fire fighter for purposes described in subs. (7m), (7n),  
20 (10m), and (11) and ss. 891.45, 891.453, and 891.455.

21 **SECTION 1703.** 62.13 (2s) (a) of the statutes is amended to read:

22 62.13 **(2s)** (a) Subject to pars. (b) to (d), a city may abolish its police department  
23 or combined protective services department if it enters into a contract with a county  
24 under s. 59.03 (2) (e) for the county sheriff to provide law enforcement services in all  
25 parts of the city. If the city is located in more than one county, it may not abolish its

**ASSEMBLY BILL 40****SECTION 1703**

1 police department or combined protective services department under this paragraph  
2 unless the city enters into a contract under this paragraph with the county in which  
3 the greatest amount of the city's equalized value, population or territory is located.  
4 If a city that is located in more than one county enters into a contract with a county  
5 under this paragraph, the jurisdiction of the contracting county's sheriff and  
6 deputies includes the entire territory of the city.

7 **SECTION 1704.** 62.13 (3) of the statutes is amended to read:

8 62.13 (3) CHIEFS. The board shall appoint the chief of police and the chief of the  
9 fire department or, if applicable, the chief of a combined protective services  
10 department, who shall hold their offices during good behavior, subject to suspension  
11 or removal by the board for cause.

12 **SECTION 1705.** 62.13 (6) (a) 1. of the statutes is amended to read:

13 62.13 (6) (a) 1. To organize and supervise the fire and police, or combined  
14 protective services, departments and to prescribe rules and regulations for their  
15 control and management.

16 **SECTION 1706.** 62.13 (6) (a) 2. of the statutes is amended to read:

17 62.13 (6) (a) 2. To contract for and purchase all necessary apparatus and  
18 supplies for the use of the departments under their supervision, exclusive of the  
19 erection and control of the police ~~and~~ station, fire station, and combined protective  
20 services station buildings.

21 **SECTION 1707.** 62.13 (6) (a) 3. of the statutes is amended to read:

22 62.13 (6) (a) 3. To audit all bills, claims and expenses of the fire ~~and~~, police, and  
23 combined protective services departments before the same are paid by the city  
24 treasurer.

25 **SECTION 1708.** 62.13 (6m) (intro.) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1708**

1           62.13 **(6m)** (intro.) If a city of less than 4,000 population has not by ordinance  
2 applied subs. (1) to (6) to the city, the city may not suspend, reduce, suspend and  
3 reduce, or remove any police chief, combined protective services chief, or other law  
4 enforcement officer who is not probationary, and for whom there is no valid and  
5 enforceable contract of employment or collective bargaining agreement which  
6 provides for a fair review prior to that suspension, reduction, suspension and  
7 reduction or removal, unless the city does one of the following:

8           **SECTION 1709.** 62.13 (7m) of the statutes is amended to read:

9           62.13 **(7m)** REST DAY. (a) The council of every city of the fourth class shall  
10 provide for, and the chief of the police or fire department, or the chief of the combined  
11 protective services department, shall assign to, each subordinate police officer, or  
12 each subordinate designated as primarily a police officer under sub. (2e) (b), in the  
13 service of such city one full rest day of 24 consecutive hours during each 192 hours,  
14 except in cases of positive necessity by some sudden and serious emergency, which,  
15 in the judgment of the chief of police, the fire chief, or the chief of the combined  
16 protective services department, demands that such day of rest not be given at such  
17 time. Arrangements shall be made so that each full rest day may be had at such time  
18 or times as will not impair the efficiency of the department.

19           (b) The council of every city of the second or third class shall provide for, and  
20 the chief of the police or fire department, or the chief of the combined protective  
21 services department, shall assign to, each subordinate police officer, or each  
22 subordinate designated as primarily a police officer under sub. (2e) (b), in the service  
23 of such city 2 full rest days of 24 consecutive hours each during each 192 hours, except  
24 in cases of positive necessity by some sudden and serious emergency, which, in the  
25 judgment of the chief of police, the fire chief, or the chief of the combined protective

**ASSEMBLY BILL 40****SECTION 1709**

1 services department, demands that any such day of rest not be given at such time.  
2 Arrangements shall be made so that each full rest day may be had at such time or  
3 times as will not impair the efficiency of the department. This section shall not apply  
4 to villages to which s. 61.65 is applicable.

5 **SECTION 1710.** 62.13 (7n) of the statutes is amended to read:

6 62.13 (7n) HOURS OF LABOR. Except when a labor agreement under subch. IV  
7 of ch. 111 that governs hours of employment exists, the council of every 2nd, 3rd or  
8 4th class city shall provide for a working day of not more than 8 hours in each 24  
9 except in cases of positive necessity by some sudden and serious emergency, which,  
10 in the judgment of the chief of police, the fire chief, or the chief of the combined  
11 protective services department, demands that such workday shall be extended  
12 beyond the 8-hour period at such time; and, when such emergency ceases to exist,  
13 all overtime given during such emergency shall be placed to the credit of such  
14 subordinate police officer, or each subordinate designated as primarily a police  
15 officer under sub. (2e) (b), and compensatory time under s. 103.025 given therefor.

16 **SECTION 1711.** 62.13 (10m) of the statutes is amended to read:

17 62.13 (10m) RULES GOVERNING LEAVING CITY. Subject to approval of the common  
18 council the fire chief, police chief, or the chief of the combined protective services  
19 department, may establish rules requiring subordinate fire fighters, or each  
20 subordinate designated as primarily a fire fighter under sub. (2e) (b), to obtain  
21 permission before leaving the city.

22 **SECTION 1712.** 62.13 (11) of the statutes is amended to read:

23 62.13 (11) FIRE FIGHTERS, REST DAY. The common council of every 4th class city,  
24 having a population of 5,000 or more and a fire department, or a combined protective  
25 services department, shall provide for, and the chief of the fire department, police

**ASSEMBLY BILL 40****SECTION 1712**

1 department, or combined protective services department shall assign to each full  
2 paid subordinate member thereof of the fire department or subordinate designated  
3 as primarily a fire fighter under sub. (2e) (b), a period of 24 consecutive hours off duty  
4 during each 72 hours, except in cases of positive necessity by some sudden and  
5 serious fire, accident or other peril, which, in the judgment of the chief engineer or  
6 other officer in charge demands that the day of rest not be given at that time. The  
7 provisions of this section shall not apply to cities having a 2-platoon or double shift  
8 system. The provisions of this subsection apply to a person designated as primarily  
9 a fire fighter who is employed by a police department, as described in sub. (2e).

10 **SECTION 1713.** 62.13 (12) of the statutes is amended to read:

11 62.13 (12) LEGISLATIVE INTENT. Section 62.13 and chapter 589, laws of 1921,  
12 chapter 423, laws of 1923, and chapter 586, laws of 1911, shall be construed as an  
13 enactment of statewide concern for the purpose of providing a uniform regulation of  
14 police and, fire, and combined protective services departments.

15 **SECTION 1714.** 62.23 (7) (i) (intro.) of the statutes is amended to read:

16 62.23 (7) (i) *Community and other living arrangements.* (intro.) For purposes  
17 of this section, the location of a community living arrangement for adults, as defined  
18 in s. 46.03 (22), a community living arrangement for children, as defined in s. 48.743  
19 (1), a foster home, as defined in s. 48.02 (6), or an adult family home, as defined in  
20 s. 50.01 (1) ~~(a) or (b)~~, in any city shall be subject to the following criteria:

21 **SECTION 1715.** 62.232 (2) (b) 1. of the statutes is amended to read:

22 62.232 (2) (b) 1. A city is not required to give the notice under par. (a) at the time  
23 that it issues a building permit if the city issues the building permit on a standard  
24 building permit form prescribed by the department of ~~commerce~~ safety and  
25 professional services.

**ASSEMBLY BILL 40****SECTION 1716**

1           **SECTION 1716.** 63.03 (2) (r) of the statutes is amended to read:

2           63.03 (2) (r) All staff performing services for the Milwaukee County enrollment  
3           services unit under s. 49.825 or for the child care provider services unit under s.  
4           49.826.

5           **SECTION 1717.** 66.0101 (11) of the statutes is amended to read:

6           66.0101 (11) Sections 62.13 and 62.50 and chapter 589, laws of 1921, and  
7           chapter 423, laws of 1923, shall be construed as enactments of statewide concern for  
8           the purpose of providing uniform regulation of police and, fire, and combined  
9           protective services departments.

10          **SECTION 1718.** 66.0137 (4) of the statutes is amended to read:

11          66.0137 (4) SELF-INSURED HEALTH PLANS. If a city, including a 1st class city, or  
12          a village provides health care benefits under its home rule power, or if a town  
13          provides health care benefits, to its officers and employees on a self-insured basis,  
14          the self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),  
15          632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.798, 632.85, 632.853, 632.855, 632.87  
16          (4), (5), and (6), 632.885, 632.89, 632.895 (9) to (17) (16m), 632.896, and 767.513 (4).

17          **SECTION 1719.** 66.0211 (5) of the statutes is amended to read:

18          66.0211 (5) CERTIFICATION OF INCORPORATION. If a majority of the votes in an  
19          incorporation referendum are cast in favor of a village or city, the clerk of the circuit  
20          court shall certify the fact to the secretary of state and supply the secretary of state  
21          with a copy of a description of the legal boundaries of the village or city and the  
22          associated population and a copy of a plat of the village or city. Within 10 days of  
23          receipt of the description and plat, the secretary of state shall forward 2 copies to the  
24          department of transportation and one copy each to the department of  
25          administration, and the department of revenue ~~and the department of commerce.~~

**ASSEMBLY BILL 40****SECTION 1719**

1 The secretary of state shall issue a certificate of incorporation and record the  
2 certificate.

3 **SECTION 1720.** 66.0301 (1) (a) of the statutes is amended to read:

4 66.0301 (1) (a) Except as provided in pars. (b) and (c), in this section  
5 “municipality” means the state or any department or agency thereof, the University  
6 of Wisconsin–Madison, or any city, village, town, county, school district, public  
7 library system, public inland lake protection and rehabilitation district, sanitary  
8 district, farm drainage district, metropolitan sewerage district, sewer utility district,  
9 solid waste management system created under s. 59.70 (2), local exposition district  
10 created under subch. II of ch. 229, local professional baseball park district created  
11 under subch. III of ch. 229, local professional football stadium district created under  
12 subch. IV of ch. 229, local cultural arts district created under subch. V of ch. 229,  
13 transit authority created under s. 66.1039, long–term care district under s. 46.2895,  
14 water utility district, mosquito control district, municipal electric company, county  
15 or city transit commission, commission created by contract under this section,  
16 taxation district, regional planning commission, housing authority created under s.  
17 66.1201, redevelopment authority created under s. 66.1333, community  
18 development authority created under s. 66.1335, or city–county health department.

19 **SECTION 1721.** 66.0309 (3) (a) 3. of the statutes is repealed.

20 **SECTION 1722.** 66.0602 (1) (d) of the statutes is amended to read:

21 66.0602 (1) (d) “Valuation factor” means a percentage equal to the greater of  
22 either 3 zero percent or the percentage change in the political subdivision’s January  
23 1 equalized value due to new construction less improvements removed between the  
24 previous year and the current year.

25 **SECTION 1723.** 66.0602 (2) of the statutes is amended to read:



**ASSEMBLY BILL 40****SECTION 1723**

1           66.0602 (2) LEVY LIMIT. Except as provided in subs. (3), (4), and (5), no political  
2           subdivision may increase its levy in any year by a percentage that exceeds the  
3           political subdivision's valuation factor. The base amount in any year, to which the  
4           limit under this section applies, shall be the ~~maximum allowable~~ actual levy for the  
5           immediately preceding year. In determining its levy in any year, a city, village, or  
6           town shall subtract any tax increment that is calculated under s. 59.57 (3) (a), 60.85  
7           (1) (L), or 66.1105 (2) (i). The base amount in any year, to which the limit under this  
8           section applies, may not include any amount to which sub. (3) (e) 8. applies.

9           **SECTION 1724.** 66.0602 (2m) of the statutes is created to read:

10          66.0602 (2m) NEGATIVE ADJUSTMENT. If a political subdivision's levy for the  
11          payment of any general obligation debt service, including debt service on debt issued  
12          or reissued to fund or refund outstanding obligations of the political subdivision and  
13          interest on outstanding obligations of the political subdivision, on debt originally  
14          issued before July 1, 2005, is less in the current year than it was in the previous year,  
15          the political subdivision shall reduce its levy limit in the current year by an amount  
16          equal to the amount that its levy was reduced as described in this subsection.

17          **SECTION 1725.** 66.0602 (7) of the statutes is amended to read:

18          66.0602 (7) SUNSET. This section does not apply to a political subdivision's levy  
19          that is imposed after December ~~2010~~ 2012.

20          **SECTION 1726.** 66.0703 (6) of the statutes is amended to read:

21          66.0703 (6) A copy of the report when completed shall be filed with the  
22          municipal clerk for public inspection. If property of the state or the University of  
23          Wisconsin–Madison may be subject to assessment under s. 66.0705, the municipal  
24          clerk shall file a copy of the report with the state agency which manages the property  
25          or if the property is university property, with the University of Wisconsin–Madison.

**ASSEMBLY BILL 40****SECTION 1726**

1 If the assessment to the property of the state or the University of Wisconsin–Madison  
2 for a project, as defined under s. 66.0705 (2), is \$50,000 or more, the state agency or  
3 the University of Wisconsin–Madison shall submit a request for approval of the  
4 assessment, with its recommendation, to the building commission. The building  
5 commission shall review the assessment and shall determine within 90 days of the  
6 date on which the commission receives the report if the assessment is just and legal  
7 and if the proposed improvement is compatible with state or university plans for the  
8 facility which is the subject of the proposed improvement. If the building commission  
9 so determines, it shall approve the assessment. No project in which the property of  
10 the state or the University of Wisconsin–Madison is assessed at \$50,000 or more may  
11 be commenced and no contract on the project may be let without approval of the  
12 assessment by the building commission under this subsection. The building  
13 commission shall submit a copy of its determination under this subsection to the  
14 state agency that manages the property which is the subject of the determination or  
15 if the property is university property, to the University of Wisconsin–Madison.

16 **SECTION 1727.** 66.0705 of the statutes is amended to read:

17 **66.0705 Property of public and private entities subject to special**  
18 **assessments. (1)** (a) The property of this state and the University of  
19 Wisconsin–Madison, except that held for highway right-of-way purposes or  
20 acquired and held for purposes under s. 85.09, and the property of every county, city,  
21 village, town, school district, sewerage district or commission, sanitary or water  
22 district or commission, or any public board or commission within this state, and of  
23 every corporation, company or individual operating any railroad, telegraph,  
24 telecommunications, electric light or power system, or doing any of the business

**ASSEMBLY BILL 40****SECTION 1727**

1 mentioned in ch. 76, and of every other corporation or company is in all respects  
2 subject to all special assessments for local improvements.

3 (b) Certificates and improvement bonds for special assessments may be issued  
4 and the lien of the special assessments enforced against property described in par.  
5 (a), except property of the state and the University of Wisconsin–Madison, in the  
6 same manner and to the same extent as the property of individuals. Special  
7 assessments on property described in par. (a) may not extend to the right, easement  
8 or franchise to operate or maintain railroads, telegraph, telecommunications or  
9 electric light or power systems in streets, alleys, parks or highways. The amount  
10 represented by any certificate or improvement bond issued under this paragraph is  
11 a debt due personally from the corporation, company or individual, payable in the  
12 case of a certificate when the taxes for the year of its issue are payable, and in the  
13 case of a bond according to the terms of the bond.

14 (2) In this subsection, “assessment” means a special assessment on property  
15 of this state and the University of Wisconsin–Madison and “project” means any  
16 continuous improvement within overall project limits regardless of whether small  
17 exterior segments are left unimproved. If the assessment of a project is less than  
18 \$50,000, or if the assessment of a project is \$50,000 or more and the building  
19 commission approves the assessment under s. 66.0703 (6), the state agency which  
20 manages the property or the University of Wisconsin–Madison, if the university  
21 manages the property, shall pay the assessment from the revenue source which  
22 supports the general operating costs of the agency or program against which the  
23 assessment is made or, in the case of the University of Wisconsin–Madison, from any  
24 available revenue source.

25 **SECTION 1728.** 66.0925 (14) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1728**

1           66.0925 (14) CONSTRUCTION. Nothing in this section shall be construed as  
2 relieving, modifying, or interfering with the responsibilities for operating jails which  
3 are vested in sheriffs under s. 59.27 (1) and chiefs of police or chiefs of combined  
4 protective services departments under s. 62.09 (13) (b).

5           **SECTION 1729.** 66.1039 (4) (s) 1. of the statutes is amended to read:

6           66.1039 (4) (s) 1. ~~Impose~~ Subject to subd. 5., impose, by the adoption of a  
7 resolution by the board of directors, the taxes under subch. V of ch. 77 in the  
8 authority's jurisdictional area. If an authority adopts a resolution to impose the  
9 taxes, it shall deliver a certified copy of the resolution to the department of revenue  
10 at least 120 days before its effective date. The authority may, by adoption of a  
11 resolution by the board of directors, repeal the imposition of taxes under subch. V of  
12 ch. 77 and shall deliver a certified copy of the repeal resolution to the department of  
13 revenue at least 120 days before its effective date.

14           **SECTION 1730.** 66.1039 (4) (s) 5. of the statutes is created to read:

15           66.1039 (4) (s) 5. The authority may not impose the taxes specified in subd. 1.,  
16 and the department of revenue may not collect such taxes, unless after the adoption  
17 of the board of directors' resolution to impose these taxes a referendum is held in the  
18 authority's jurisdictional area on the question of whether the authority may impose  
19 these taxes and the referendum is decided in the affirmative. The authority's board  
20 of directors, in conjunction with the appropriate officials of the counties or  
21 municipalities in which the referendum will be held, shall be responsible for calling  
22 the referendum. If, on the effective date of this subdivision .... [LRB inserts date],  
23 the authority has already imposed the taxes specified in subd. 1., these taxes shall  
24 be suspended on the first day of the 13th month beginning after the effective date of  
25 this subdivision .... [LRB inserts date], and shall remain suspended until the

**ASSEMBLY BILL 40****SECTION 1730**

1 referendum requirement in this subdivision is thereafter satisfied. If a referendum  
2 is held under this subdivision, the authority shall promptly provide the department  
3 of revenue with the results of the referendum.

4 **SECTION 1731.** 66.1103 (4m) (a) 1. of the statutes is amended to read:

5 66.1103 (4m) (a) 1. The person, at least 30 days prior to entering into the  
6 revenue agreement, has given a notice of intent to enter into the agreement, on a  
7 form prescribed under s. ~~560.034~~ 238.11 (1), to the ~~department of commerce~~  
8 Wisconsin Economic Development Corporation and to any collective bargaining  
9 agent in this state with whom the person has a collective bargaining agreement.

10 **SECTION 1732.** 66.1103 (4m) (a) 2. of the statutes is amended to read:

11 66.1103 (4m) (a) 2. The municipality or county has received an estimate issued  
12 under s. ~~560.034~~ 238.11 (5) (a), and the ~~department of commerce~~ Wisconsin Economic  
13 Development Corporation has estimated whether the project which the municipality  
14 or county would finance under the revenue agreement is expected to eliminate,  
15 create, or maintain jobs on the project site and elsewhere in this state and the net  
16 number of jobs expected to be eliminated, created, or maintained as a result of the  
17 project.

18 **SECTION 1733.** 66.1103 (4m) (b) of the statutes is amended to read:

19 66.1103 (4m) (b) Any revenue agreement which an eligible participant enters  
20 into with a municipality or county to finance a project shall require the eligible  
21 participant to submit to the ~~department of commerce~~ Wisconsin Economic  
22 Development Corporation within 12 months after the project is completed or 2 years  
23 after a revenue bond is issued to finance the project, whichever is sooner, on a form  
24 prescribed under s. ~~560.034~~ 238.11 (1), the net number of jobs eliminated, created,  
25 or maintained on the project site and elsewhere in this state as a result of the project.

**ASSEMBLY BILL 40****SECTION 1734**

1           **SECTION 1734.** 66.1103 (4s) (a) 1. of the statutes is amended to read:

2           66.1103 (4s) (a) 1. “Department” “Corporation” means the department of  
3 commerce Wisconsin Economic Development Corporation.

4           **SECTION 1735.** 66.1103 (4s) (b) 3. of the statutes is amended to read:

5           66.1103 (4s) (b) 3. The employer shall certify compliance with this subsection  
6 to the ~~department~~ corporation, to the governing body of each municipality or county  
7 within which a lost job exists and to any collective bargaining agent in this state with  
8 which the employer has a collective bargaining agreement at the project site or at a  
9 site where a lost job exists.

10          **SECTION 1736.** 66.1103 (4s) (b) 4. of the statutes is amended to read:

11          66.1103 (4s) (b) 4. The employer shall submit a report to the ~~department~~  
12 corporation every 3 months during the first year after the construction of the project  
13 is completed. The reports shall provide information about new jobs, lost jobs, and  
14 offers of employment made to persons who were formerly employed at lost jobs. The  
15 4th report shall be the final report. The form and content of the reports shall be  
16 prescribed by the ~~department~~ corporation under par. (d).

17          **SECTION 1737.** 66.1103 (4s) (d) of the statutes is amended to read:

18          66.1103 (4s) (d) The ~~department~~ corporation shall administer this subsection  
19 and shall prescribe forms for certification and reports under par. (b).

20          **SECTION 1738.** 66.1103 (10) (c) of the statutes is amended to read:

21          66.1103 (10) (c) A copy of the initial resolution together with a statement  
22 indicating when the public notice required under par. (b) was published shall be filed  
23 with the ~~secretary of commerce~~ Wisconsin Economic Development Corporation  
24 within 20 days following publication of notice. Prior to the closing of the bond issue,  
25 the ~~secretary~~ corporation may require additional information from the eligible

**ASSEMBLY BILL 40****SECTION 1738**

1 participant or the municipality or county. After the closing of the bond issue, the  
2 secretary corporation shall be notified of the closing date, any substantive changes  
3 made to documents previously filed with the secretary corporation, and the principal  
4 amount of the financing.

5 **SECTION 1739.** 66.1103 (10) (g) of the statutes is amended to read:

6 66.1103 (10) (g) Bonds may not be issued unless prior to adoption of an initial  
7 resolution a document which provides a good faith estimate of attorney fees which  
8 will be paid from bond proceeds is filed with the clerk of the municipality or county  
9 and the ~~department of commerce~~ Wisconsin Economic Development Corporation.

10 **SECTION 1740.** 66.1104 of the statutes is repealed.

11 **SECTION 1741.** 66.1105 (13) of the statutes is repealed.

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 1746.** 67.05 (6a) (bg) 2. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1746**

1           67.05 **(6a)** (bg) 2. The department of ~~commerce~~ safety and professional services  
2 shall determine for each grade level in which pupils attended school in a building  
3 described in subd. 1., the average cost per square foot for, and the average number  
4 of square feet per pupil included in, 2 recently constructed school buildings that were  
5 designed to serve pupils of that grade level, as selected by that department.

6           **SECTION 1747.** 67.12 (12) (e) 2r. b. of the statutes is amended to read:

7           67.12 **(12)** (e) 2r. b. The department of ~~commerce~~ safety and professional  
8 services shall determine, for each grade level in which pupils attended school in a  
9 building described in subd. 2r. a., the average cost per square foot for, and the average  
10 number of square feet per pupil included in, 2 recently constructed school buildings  
11 that were designed to serve pupils of that grade level, as selected by that department.

12           **SECTION 1748.** 70.11 (3) (d) of the statutes is created to read:

13           70.11 **(3)** (d) Notwithstanding the provisions of s. 70.11 (intro.) that relate to  
14 leased property or that impose other limitations, all property owned or leased by the  
15 University of Wisconsin–Madison, provided that use of the property is primarily  
16 related to the purposes of the University of Wisconsin–Madison.

17           **SECTION 1749.** 70.114 (5) of the statutes is created to read:

18           70.114 **(5)** SUNSET. No aids shall be paid under this section for lands acquired  
19 after the effective date of this subsection .... [LRB inserts date].

20           **SECTION 1750.** 70.119 (3) (e) of the statutes is amended to read:

21           70.119 **(3)** (e) “State facilities” means all property owned and operated by the  
22 state for the purpose of carrying out usual state functions, including the campus of  
23 the University of Wisconsin–Madison and the branch campuses of the ~~university~~  
24 University of Wisconsin system but not including land held for highway  
25 right-of-way purposes.



**ASSEMBLY BILL 40****SECTION 1751**

1           **SECTION 1751.** 70.119 (4) of the statutes is amended to read:

2           70.119 (4) The department shall be responsible for negotiating with  
3 municipalities on payments for municipal services and may delegate certain  
4 responsibilities of negotiation to other state agencies or to the University of  
5 Wisconsin–Madison or the University of Wisconsin Hospitals and Clinics Authority.  
6 Prior to negotiating with municipalities the department shall submit guidelines for  
7 negotiation to the committee for approval.

8           **SECTION 1752.** 70.58 (1) of the statutes is amended to read:

9           70.58 (1) Except as provided in sub. (2), there is levied an annual tax of  
10 two–tenths of one mill for each dollar of the assessed valuation of the property of the  
11 state as determined by the department of revenue under s. 70.57, for the purpose of  
12 acquiring, preserving and developing the forests of the state and for the purpose of  
13 forest crop law and county forest law administration and aid payments, for grants  
14 to forestry cooperatives under s. ~~36.56~~ 37.56, and for the acquisition, purchase and  
15 development of forests described under s. 25.29 (7) (a) and (b), the proceeds of the tax  
16 to be paid into the conservation fund. The tax shall not be levied in any year in which  
17 general funds are appropriated for the purposes specified in this section, equal to or  
18 in excess of the amount which the tax would produce.

19           **SECTION 1753.** 71.01 (6) (um) of the statutes is amended to read:

20           71.01 (6) (um) For taxable years that begin after December 31, 2008, for  
21 natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust  
22 or reserve funds, “Internal Revenue Code” means the federal Internal Revenue Code  
23 as amended to December 31, 2008, excluding sections 103, 104, and 110 of P.L.  
24 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,  
25 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3,

**ASSEMBLY BILL 40****SECTION 1753**

1 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section  
2 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and  
3 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403  
4 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and  
5 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,  
6 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section  
7 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402  
8 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 209, 503, and 513  
9 of P.L. 109–222, ~~section 844 of P.L. 109–280~~, P.L. 109–432, P.L. 110–28, P.L. 110–140,  
10 P.L. 110–141, P.L. 110–142, P.L. 110–166, P.L. 110–172, P.L. 110–185, P.L. 110–234,  
11 sections 110, 113, and 301 of P.L. 110–245, P.L. 110–246, except section 15316 of P.L.  
12 110–246, P.L. 110–289, P.L. 110–317, P.L. 110–343, except section 301 of division B  
13 and section 313 of division C of P.L. 110–343, and P.L. 110–351, and as amended by  
14 sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L. 111–5, section 301 of  
15 P.L. 111–147, and sections 2111, 2112, and 2113 of P.L. 111–240, and as indirectly  
16 affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L.  
17 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, 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. 104–117, P.L.  
21 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
22 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L.  
23 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554,  
24 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding  
25 section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147,

**ASSEMBLY BILL 40****SECTION 1753**

1 excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L.  
2 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L.  
3 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L.  
4 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403  
5 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336,  
6 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7,  
7 P.L. 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,  
12 209, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, ~~excluding section 844~~  
13 ~~of P.L. 109–280, P.L. 110–245, excluding sections 110, 113, and 301 of P.L. 110–245,~~  
14 ~~and section 15316 of P.L. 110–246, section 301 of division B and section 313 of division~~  
15 ~~C of P.L. 110–343, P.L. 110–458, sections 1401, 1402, 1521, 1522, and 1531 of division~~  
16 ~~B of P.L. 111–5, section 301 of P.L. 111–147, and sections 2111, 2112, and 2113 of P.L.~~  
17 ~~111–240.~~ The Internal Revenue Code applies for Wisconsin purposes at the same  
18 time as for federal purposes. Amendments to the federal Internal Revenue Code  
19 enacted after December 31, 2008, do not apply to this paragraph with respect to  
20 taxable years beginning after December 31, 2008, ~~except that changes to the~~  
21 ~~Internal Revenue Code made by sections 1401, 1402, 1521, 1522, and 1531 of division~~  
22 ~~B of P.L. 111–5, section 301 of P.L. 111–147, and sections 2111, 2112, and 2113 of P.L.~~  
23 ~~111–240, and changes that indirectly affect the provisions applicable to this~~  
24 ~~subchapter made by sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L.~~

**ASSEMBLY BILL 40****SECTION 1753**

1 111–5, section 301 of P.L. 111–147, and sections 2111, 2112, and 2113 of P.L. 111–240,  
2 apply for Wisconsin purposes at the same time as for federal purposes.

3 **SECTION 1754.** 71.01 (13) of the statutes is amended to read:

4 71.01 **(13)** “Wisconsin adjusted gross income” means federal adjusted gross  
5 income, with the modifications prescribed in s. 71.05 (6) to (12), (19), (20), and (24),  
6 (25), and (26).

7 **SECTION 1755.** 71.05 (1) (c) 11. of the statutes is created to read:

8 71.05 **(1)** (c) 11. The Wisconsin Health and Educational Facilities Authority  
9 under s. 231.03 (6), if the bonds or notes are issued to a person who is eligible to  
10 receive bonds or notes from another issuer for the same purpose for which the person  
11 is issued bonds or notes under s. 231.03 (6) and the interest income received from the  
12 other bonds or notes is exempt from taxation under this subchapter.

13 **SECTION 1756.** 71.05 (6) (b) 23. of the statutes is amended to read:

14 71.05 **(6)** (b) 23. Any increase in value of a tuition unit that is purchased under  
15 a tuition contract under s. ~~14.63~~ 16.64, except that the subtraction under this  
16 subdivision may not be claimed by any individual who received a refund under s.  
17 ~~14.63~~ 16.64 (7) (a) 2., 3. or 4.

18 **SECTION 1757.** 71.05 (6) (b) 28. h. of the statutes is amended to read:

19 71.05 **(6)** (b) 28. h. No modification may be claimed under this subdivision for  
20 an amount paid for tuition expenses and mandatory student fees, as described under  
21 this subdivision, if the source of the payment is an amount withdrawn from a college  
22 savings account, as described in s. ~~14.64~~ 16.641 or from a college tuition and expenses  
23 program, as described in s. ~~14.63~~ 16.64, and if the owner of the account has claimed  
24 a deduction under subd. 32. or 33. that relates to such an amount.

25 **SECTION 1758.** 71.05 (6) (b) 31. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1758**

1           71.05 **(6)** (b) 31. Any increase in value of a college savings account, as described  
2 in s. ~~14.64~~ 16.641, except that the subtraction under this subdivision may not be  
3 claimed by any individual who has made a nonqualified withdrawal, as described in  
4 s. ~~14.64~~ 16.641 (2) (e).

5           **SECTION 1759.** 71.05 (6) (b) 32. (intro.) of the statutes is amended to read:

6           71.05 **(6)** (b) 32. (intro.) An amount paid into a college savings account, as  
7 described in s. ~~14.64~~ 16.641, if the beneficiary of the account is one of the following:  
8 the claimant; the claimant's child; the claimant's grandchild; the claimant's  
9 great-grandchild; or the claimant's niece or nephew; calculated as 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, if the beneficiary of the account is one of the  
13 following: the claimant; the claimant's child; the claimant's grandchild; the  
14 claimant's great-grandchild; or the claimant's niece or nephew; calculated as  
15 follows:

16          **SECTION 1761.** 71.05 (8) (b) of the statutes is amended to read:

17          71.05 **(8)** (b) A Wisconsin net operating loss may be carried forward against  
18 Wisconsin taxable incomes of the next 15 taxable years, if the taxpayer was subject  
19 to taxation under this chapter in the taxable year in which the loss was sustained,  
20 to the extent not offset against other income of the year of loss and to the extent not  
21 offset against Wisconsin modified taxable income of any year between the loss year  
22 and the taxable year for which the loss carry-forward is claimed. In this paragraph,  
23 "Wisconsin modified taxable income" means Wisconsin taxable income with the  
24 following exceptions: a net operating loss deduction or offset for the loss year or any  
25 taxable year thereafter is not allowed, the deduction for long-term capital gains

**ASSEMBLY BILL 40****SECTION 1761**

1 under ~~sub.~~ subs. (6) (b) 9. and 9m. and (25) is not allowed, the amount deductible for  
2 losses from sales or exchanges of capital assets may not exceed the amount  
3 includable in income for gains from sales or exchanges of capital assets and  
4 “Wisconsin modified taxable income” may not be less than zero.

5 **SECTION 1762.** 71.05 (24) (a) 4. of the statutes is amended to read:

6 71.05 (24) (a) 4. “Qualified new business venture” means a business certified  
7 by the department of commerce under s. 238.20 or s. 560.2085, 2009 stats.

8 **SECTION 1763.** 71.05 (25) of the statutes is created to read:

9 71.05 (25) CAPITAL GAINS EXCLUSION; WISCONSIN-SOURCE ASSETS. (a) In this  
10 subsection:

11 1. “Claimant” means an individual; an individual partner or member of a  
12 partnership, limited liability company, or limited liability partnership; or an  
13 individual shareholder of a tax-option corporation.

14 2. “Qualifying gain” means the gain realized from the sale of any asset which  
15 is a Wisconsin capital asset in the year it is purchased by the claimant and for at least  
16 2 of the subsequent 4 years; that is purchased after December 31, 2010; that is held  
17 for at least 5 uninterrupted years; and that is treated as a long-term gain under the  
18 Internal Revenue Code; except that a qualifying gain may not include any amount  
19 for which the claimant claimed a subtraction under sub. (24) (b).

20 3. “Wisconsin business” means a business certified by the Wisconsin Economic  
21 Development Corporation under s. 238.145.

22 4. “Wisconsin capital asset” means any of the following:

23 a. Real or tangible personal property that is located in this state and used in  
24 a Wisconsin business.

25 b. Stock or other ownership interest in a Wisconsin business.

**ASSEMBLY BILL 40****SECTION 1763**

1 (b) For taxable years beginning after December 31, 2015, for a Wisconsin  
2 capital asset that is purchased after December 31, 2010, and held for at least 5 years,  
3 a claimant may subtract from federal adjusted gross income the lesser of one of the  
4 following amounts, to the extent that it is not subtracted under sub. (6) (b) 9. or 9m.:

5 1. The amount of the claimant's federal net capital gain as reported on Schedule  
6 D of the claimant's federal income tax return for the taxable year to which the claim  
7 relates, but this subdivision applies only if, in that taxable year, the claimant has a  
8 qualifying gain.

9 2. The amount of the claimant's qualifying gain in the year to which the claim  
10 relates.

11 **SECTION 1764.** 71.05 (26) of the statutes is created to read:

12 71.05 (26) INCOME TAX DEFERRAL; LONG-TERM WISCONSIN CAPITAL ASSETS. (a) In  
13 this subsection:

14 1. "Claimant" means an individual; an individual partner or member of a  
15 partnership, limited liability company, or limited liability partnership; or an  
16 individual shareholder of a tax-option corporation.

17 2. "Financial institution" has the meaning given in s. 69.30 (1) (b).

18 3. "Long-term capital gain" means the gain realized from the sale of any capital  
19 asset held more than one year that is treated as a long-term gain under the Internal  
20 Revenue Code.

21 4. "Qualified Wisconsin business" means a business certified by the Wisconsin  
22 Economic Development Corporation under s. 238.146.

23 (b) For taxable years beginning after December 31, 2010, a claimant may  
24 subtract from federal adjusted gross income any amount of a long-term capital gain  
25 if the claimant does all of the following:

**ASSEMBLY BILL 40****SECTION 1764**

1           1. Deposits the gain into a segregated account in a financial institution.

2           2. Within 180 days after the sale of the asset that generated the gain, invests  
3 all of the proceeds in the account described under subd. 1. in a qualified Wisconsin  
4 business.

5           3. After making the investment as described under subd. 2., notifies the  
6 department, on a form prepared by the department, that the claimant will not  
7 declare on the claimant's income tax return the gain described under subd. 1. because  
8 the claimant has reinvested the capital gain as described under subd. 2. The form  
9 shall be sent to the department along with the claimant's income tax return for the  
10 year to which the claim relates.

11           (c) The basis of the investment described in par. (b) 2. shall be calculated by  
12 subtracting the gain described in par. (b) 1. from the amount of the investment  
13 described in par. (b) 2.

14           (d) If a claimant defers the payment of income taxes on a capital gain under this  
15 subsection, the claimant may not use the gain described under par. (b) 1. to net  
16 capital gains and losses, as described under sub. (10) (c).

17           (e) If a claimant claims the subtraction under this subsection, the claimant may  
18 not use the gain described under par. (b) 1. to claim a subtraction under sub. (24) or  
19 (25).

20           **SECTION 1765.** 71.07 (2dd) (b) of the statutes is amended to read:

21           71.07 (2dd) (b) Except as provided in s. 73.03 (35), for any taxable year for  
22 which that person is certified under s. 560.765 (3), 2009 stats., and begins business  
23 operations in a zone under s. 560.71, 2009 stats., after July 29, 1995, or certified  
24 under s. 560.797 (4) (a), 2009 stats., for each zone for which the person is certified



**ASSEMBLY BILL 40****SECTION 1765**

1 or entitled a person may credit against taxes otherwise due under this subchapter  
2 employment-related day care expenses, up to \$1,200 for each qualifying individual.

3 **SECTION 1766.** 71.07 (2de) (a) (intro.) of the statutes is amended to read:

4 71.07 **(2de)** (a) (intro.) Except as provided in s. 73.03 (35), for any taxable year  
5 for which a person is certified under s. 560.765 (3), 2009 stats., and begins business  
6 operations in a zone under s. 560.71, 2009 stats., after July 29, 1995, or certified  
7 under s. 560.797 (4) (a), 2009 stats., for each zone for which the person is certified  
8 or entitled the person may claim as a credit against taxes otherwise due under this  
9 subchapter an amount equal to 7.5% of the amount that the person expends to  
10 remove or contain environmental pollution, as defined in s. 299.01 (4), in the zone or  
11 to restore soil or groundwater that is affected by environmental pollution, as defined  
12 in s. 299.01 (4), in the zone if the person fulfills all of the following requirements:

13 **SECTION 1767.** 71.07 (2de) (a) 1. of the statutes is amended to read:

14 71.07 **(2de)** (a) 1. Begins the work, other than planning and investigating, for  
15 which the credit is claimed after the area that includes the site where the work is  
16 done is designated a development zone under s. 560.71, 2009 stats., or an enterprise  
17 development zone under s. 560.797, 2009 stats., and after the claimant is certified  
18 under s. 560.765 (3), 2009 stats., or certified under s. 560.797 (4) (a), 2009 stats.

19 **SECTION 1768.** 71.07 (2di) (a) (intro.) of the statutes is amended to read:

20 71.07 **(2di)** (a) (intro.) Except as provided in pars. (dm) and (f) and s. 73.03 (35),  
21 for any taxable year for which the person is entitled under s. 560.795 (3), 2009 stats.,  
22 to claim tax benefits, any person may claim as a credit against taxes otherwise due  
23 under this chapter 2.5% of the purchase price of depreciable, tangible personal  
24 property, or 1.75% of the purchase price of depreciable, tangible personal property

**ASSEMBLY BILL 40****SECTION 1768**

1 that is expensed under section 179 of the internal revenue code for purposes of the  
2 taxes under this chapter, except that:

3 **SECTION 1769.** 71.07 (2di) (a) 1. of the statutes is amended to read:

4 71.07 **(2di)** (a) 1. The investment must be in property that is purchased after  
5 the person is entitled under s. 560.795 (3), 2009 stats., to claim tax benefits and that  
6 is used for at least 50% of its use in the conduct of the person's business operations  
7 at a location in a development zone under subch. VI of ch. 560, 2009 stats., or, if the  
8 property is mobile, the base of operations of the property for at least 50% of its use  
9 must be a location in a development zone.

10 **SECTION 1770.** 71.07 (2di) (b) 2. of the statutes is amended to read:

11 71.07 **(2di)** (b) 2. If the claimant is located on an Indian reservation, as defined  
12 in s. 560.86 (5), 2009 stats. and is an American Indian, as defined in s. 560.86 (1),  
13 2009 stats. an Indian business, as defined in s. 560.86 (4), 2009 stats., or a tribal  
14 enterprise, and if the allowable amount of the credit under this subsection exceeds  
15 the taxes otherwise due under this chapter on or measured by the claimant's income,  
16 the amount of the credit not used as an offset against those taxes shall be certified  
17 to the department of administration for payment to the claimant by check, share  
18 draft or other draft. In this subdivision, "tribal enterprise" means a business that  
19 is at least 51% owned and controlled by the governing body of one or more Indian  
20 tribes, is actively managed by the governing body, or by the designee of the governing  
21 body, of one or more Indian tribes and is currently performing a useful business  
22 function.

23 **SECTION 1771.** 71.07 (2di) (b) 3. of the statutes is amended to read:

24 71.07 **(2di)** (b) 3. Partnerships, limited liability companies and tax-option  
25 corporations may not claim the credit under this subsection, but the eligibility for,

**ASSEMBLY BILL 40****SECTION 1771**

1 and amount of, that credit shall be determined on the basis of their economic activity,  
2 not that of their shareholders, partners or members. The corporation, partnership  
3 or company shall compute the amount of the credit that may be claimed by each of  
4 its shareholders, partners or members and shall provide that information to each of  
5 its shareholders, partners or members. Partners, members of limited liability  
6 companies and shareholders of tax-option corporations may claim the credit based  
7 on the partnership's, company's or corporation's activities in proportion to their  
8 ownership interest and may offset it against the tax attributable to their income from  
9 the partnership's, company's or corporation's business operations in the  
10 development zone; except that partners, members, and shareholders in a  
11 development zone under s. 560.795 (1) (e), 2009 stats., may offset the credit against  
12 the amount of the tax attributable to their income from all of the partnership's,  
13 company's, or corporation's business operations; and against the tax attributable to  
14 their income from the partnership's, company's or corporation's directly related  
15 business operations.

16 **SECTION 1772.** 71.07 (2di) (d) 1. of the statutes is amended to read:

17 71.07 (2di) (d) 1. A copy of a verification from the department of commerce that  
18 the claimant may claim tax benefits under s. 560.795 (3), 2009 stats.

19 **SECTION 1773.** 71.07 (2di) (f) of the statutes is amended to read:

20 71.07 (2di) (f) If a person who is entitled under s. 560.795 (3), 2009 stats., to  
21 claim tax benefits becomes ineligible for such tax benefits, that person may claim no  
22 credits under this subsection for the taxable year that includes the day on which the  
23 person becomes ineligible for tax benefits or succeeding taxable years and that  
24 person may carry over no unused credits from previous years to offset tax under this

**ASSEMBLY BILL 40****SECTION 1773**

1 chapter for the taxable year that includes the day on which the person becomes  
2 ineligible for tax benefits or succeeding taxable years.

3 **SECTION 1774.** 71.07 (2di) (g) of the statutes is amended to read:

4 71.07 **(2di)** (g) If a person who is entitled under s. 560.795 (3), 2009 stats., to  
5 claim tax benefits ceases business operations in the development zone during any of  
6 the taxable years that that zone exists, that person may not carry over to any taxable  
7 year following the year during which operations cease any unused credits from the  
8 taxable year during which operations cease or from previous taxable years.

9 **SECTION 1775.** 71.07 (2dj) (am) (intro.) of the statutes is amended to read:

10 71.07 **(2dj)** (am) (intro.) Except as provided under par. (f) or s. 73.03 (35), for  
11 any taxable year for which the person is certified under s. 560.765 (3), 2009 stats.,  
12 for tax benefits, any person may claim as a credit against taxes otherwise due under  
13 this chapter an amount calculated as follows:

14 **SECTION 1776.** 71.07 (2dj) (am) 4. a. of the statutes is amended to read:

15 71.07 **(2dj)** (am) 4. a. If certified under s. 560.765 (3), 2009 stats., for tax  
16 benefits before January 1, 1992, modify “qualified wages” as defined in section 51 (b)  
17 of the internal revenue code to exclude wages paid before the claimant is certified for  
18 tax benefits and to exclude wages that are paid to employees for work at any location  
19 that is not in a development zone under subch. VI of ch. 560, 2009 stats. For purposes  
20 of this subd. 4. a., mobile employees work at their base of operations and leased or  
21 rented employees work at the location where they perform services.

22 **SECTION 1777.** 71.07 (2dj) (am) 4. b. of the statutes is amended to read:

23 71.07 **(2dj)** (am) 4. b. If certified under s. 560.765 (3), 2009 stats., for tax  
24 benefits after December 31, 1991, modify “qualified wages” as defined in section 51  
25 (b) of the internal revenue code to exclude wages paid before the claimant is certified

**ASSEMBLY BILL 40****SECTION 1777**

1 for tax benefits and to exclude wages that are paid to employees for work at any  
2 location that is not in a development zone under subch. VI of ch. 560, 2009 stats. For  
3 purposes of this subd. 4. b., mobile employees and leased or rented employees work  
4 at their base of operations.

5 **SECTION 1778.** 71.07 (2dj) (am) 4c. of the statutes is amended to read:

6 71.07 (2dj) (am) 4c. Modify the rule for ineligible individuals under section 51  
7 (i) (1) of the internal revenue code to allow credit for the wages of related individuals  
8 paid by an Indian business, as defined in s. 560.86 (4), 2009 stats., or a tribal  
9 enterprise, as defined in sub. (2di) (b) 2., if the Indian business or tribal enterprise  
10 is located in a development zone designated under s. 560.71 (3) (c) 2., 2009 stats.

11 **SECTION 1779.** 71.07 (2dj) (am) 4t. of the statutes is amended to read:

12 71.07 (2dj) (am) 4t. If certified under s. 560.765 (3), 2009 stats., for tax benefits  
13 before January 1, 1992, modify section 51 (i) (3) of the internal revenue code so that  
14 for leased or rented employees, except employees of a leasing agency certified for tax  
15 benefits who perform services directly for the agency in a development zone, the  
16 minimum employment periods apply to the time that they perform services in a  
17 development zone for a single lessee or renter, not to their employment by the leasing  
18 agency.

19 **SECTION 1780.** 71.07 (2dj) (e) 1. of the statutes is amended to read:

20 71.07 (2dj) (e) 1. A copy of the claimant's certification for tax benefits under s.  
21 560.765 (3), 2009 stats.

22 **SECTION 1781.** 71.07 (2dj) (e) 3. a. of the statutes is amended to read:

23 71.07 (2dj) (e) 3. a. If certified under s. 560.765 (3), 2009 stats., for tax benefits  
24 before January 1, 1992, a statement from the department of commerce verifying the  
25 amount of qualifying wages and verifying that the employees were hired for work

**ASSEMBLY BILL 40****SECTION 1781**

1 only in a development zone or are mobile employees whose base of operations is in  
2 a development zone.

3 **SECTION 1782.** 71.07 (2dj) (e) 3. b. of the statutes is amended to read:

4 71.07 **(2dj)** (e) 3. b. If certified under s. 560.765 (3), 2009 stats., for tax benefits  
5 after December 31, 1991, a statement from the department of commerce verifying the  
6 amount of qualifying wages and verifying that the employees were hired for work  
7 only in a development zone or are mobile employees or leased or rented employees  
8 whose base of operations is in a development zone.

9 **SECTION 1783.** 71.07 (2dL) (a) of the statutes is amended to read:

10 71.07 **(2dL)** (a) Except as provided in pars. (ag), (ar), (bm) and (f) and s. 73.03  
11 (35), for any taxable year for which the person is certified under s. 560.765 (3), 2009  
12 stats., for tax benefits, any person may claim as a credit against taxes otherwise due  
13 under this subchapter an amount equal to 2.5% of the amount expended by that  
14 person to acquire, construct, rehabilitate or repair real property in a development  
15 zone under subch. VI of ch. 560, 2009 stats.

16 **SECTION 1784.** 71.07 (2dL) (ag) of the statutes is amended to read:

17 71.07 **(2dL)** (ag) If the credit under par. (a) is claimed for an amount expended  
18 to construct, rehabilitate, remodel or repair property, the claimant must have begun  
19 the physical work of construction, rehabilitation, remodeling or repair, or any  
20 demolition or destruction in preparation for the physical work, after the place where  
21 the property is located was designated a development zone under s. 560.71, 2009  
22 stats., and the completed project must be placed in service after the claimant is  
23 certified for tax benefits under s. 560.765 (3), 2009 stats. In this paragraph, “physical  
24 work” does not include preliminary activities such as planning, designing, securing

**ASSEMBLY BILL 40****SECTION 1784**

1 financing, researching, developing specifications or stabilizing the property to  
2 prevent deterioration.

3 **SECTION 1785.** 71.07 (2dL) (ar) of the statutes is amended to read:

4 71.07 (**2dL**) (ar) If the credit under par. (a) is claimed for an amount expended  
5 to acquire property, the property must have been acquired by the claimant after the  
6 place where the property is located was designated a development zone under s.  
7 560.71, 2009 stats., and the completed project must be placed in service after the  
8 claimant is certified for tax benefits under s. 560.765 (3), 2009 stats., and the  
9 property must not have been previously owned by the claimant or a related person  
10 during the 2 years prior to the designation of the development zone under s. 560.71,  
11 2009 stats. No credit is allowed for an amount expended to acquire property until  
12 the property, either in its original state as acquired by the claimant or as  
13 subsequently constructed, rehabilitated, remodeled or repaired, is placed in service.

14 **SECTION 1786.** 71.07 (2dL) (bm) of the statutes is amended to read:

15 71.07 (**2dL**) (bm) In calculating the credit under par. (a) a claimant shall reduce  
16 the amount expended to acquire property by a percentage equal to the percentage of  
17 the area of the real property not used for the purposes for which the claimant is  
18 certified to claim tax benefits under s. 560.765 (3), 2009 stats., and shall reduce the  
19 amount expended for other purposes by the amount expended on the part of the  
20 property not used for the purposes for which the claimant is certified to claim tax  
21 benefits under s. 560.765 (3), 2009 stats.

22 **SECTION 1787.** 71.07 (2dL) (c) of the statutes is amended to read:

23 71.07 (**2dL**) (c) 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

**ASSEMBLY BILL 40****SECTION 1787**

1 enterprise, as defined in sub. (2di) (b) 2., and if the allowable amount of the credit  
2 under par. (a) exceeds the taxes otherwise due under this chapter on or measured by  
3 the claimant's income, the amount of the credit not used as an offset against those  
4 taxes shall be certified to the department of administration for payment to the  
5 claimant by check, share draft or other draft.

6 **SECTION 1788.** 71.07 (2dm) (a) 1. of the statutes is amended to read:

7 71.07 (2dm) (a) 1. "Certified" means entitled under s. 238.395 (3) (a) 4. or s.  
8 560.795 (3) (a) 4., 2009 stats., to claim tax benefits or certified under s. 238.395 (5),  
9 238.398 (5), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats.,  
10 or s. 560.7995 (4), 2009 stats.

11 **SECTION 1789.** 71.07 (2dm) (a) 3. of the statutes is amended to read:

12 71.07 (2dm) (a) 3. "Development zone" means a development opportunity zone  
13 under s. 238.395 (1) (e) and (f) or 238.398 or s. 560.795 (1) (e) and (f), 2009 stats., or  
14 s. 560.798, 2009 stats., or an airport development zone under s. 238.3995 or s.  
15 560.7995, 2009 stats.

16 **SECTION 1790.** 71.07 (2dm) (a) 4. of the statutes is amended to read:

17 71.07 (2dm) (a) 4. "Previously owned property" means real property that the  
18 claimant or a related person owned during the 2 years prior to the department of  
19 commerce or the Wisconsin Economic Development Corporation designating the  
20 place where the property is located as a development zone and for which the claimant  
21 may not deduct a loss from the sale of the property to, or an exchange of the property  
22 with, the related person under section 267 of the Internal Revenue Code, except that  
23 section 267 (b) of the Internal Revenue Code is modified so that if the claimant owns  
24 any part of the property, rather than 50% ownership, the claimant is subject to  
25 section 267 (a) (1) of the Internal Revenue Code for purposes of this subsection.



**ASSEMBLY BILL 40****SECTION 1791**

1           **SECTION 1791.** 71.07 (2dm) (f) 1. of the statutes is amended to read:

2           71.07 **(2dm)** (f) 1. A copy of ~~a~~ the verification from the department of commerce  
3           that the claimant may claim tax benefits under s. 238.395 (3) (a) 4. or s. 560.795 (3)  
4           (a) 4., 2009 stats., or is certified under s. 238.395 (5), 238.398 (3), or 238.3995 (4) or  
5           s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats.

6           **SECTION 1792.** 71.07 (2dm) (f) 2. of the statutes is amended to read:

7           71.07 **(2dm)** (f) 2. A statement from the department of commerce or the  
8           Wisconsin Economic Development Corporation verifying the purchase price of the  
9           investment and verifying that the investment fulfills the requirements under par.  
10          (b).

11          **SECTION 1793.** 71.07 (2dm) (i) of the statutes is amended to read:

12          71.07 **(2dm)** (i) Partnerships, limited liability companies, and tax-option  
13          corporations may not claim the credit under this subsection, but the eligibility for,  
14          and the amount of, that credit shall be determined on the basis of their economic  
15          activity, not that of their shareholders, partners, or members. The corporation,  
16          partnership, or limited liability company shall compute the amount of credit that  
17          may be claimed by each of its shareholders, partners, or members and provide that  
18          information to its shareholders, partners, or members. Partners, members of limited  
19          liability companies, and shareholders of tax-option corporations may claim the  
20          credit based on the partnership's, company's, or corporation's activities in proportion  
21          to their ownership interest and may offset it against the tax attributable to their  
22          income from the partnership's, company's, or corporation's business operations in the  
23          development zone; except that partners, members, and shareholders in a  
24          development zone under s. 238.395 (1) (e) or s. 560.795 (1) (e), 2009 stats., may offset  
25          the credit against the amount of the tax attributable to their income.

**ASSEMBLY BILL 40****SECTION 1794**

1           **SECTION 1794.** 71.07 (2dm) (j) of the statutes is amended to read:

2           71.07 **(2dm)** (j) If a person who is entitled under s. 238.395 (3) (a) 4. or s. 560.795  
3           (3) (a) 4., 2009 stats., to claim tax benefits becomes ineligible for such tax benefits,  
4           or if a person's certification under s. 238.395 (5), 238.398 (3), or 238.3995 (4) or s.  
5           560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., is  
6           revoked, that person may claim no credits under this subsection for the taxable year  
7           that includes the day on which the person becomes ineligible for tax benefits, the  
8           taxable year that includes the day on which the certification is revoked, or succeeding  
9           taxable years, and that person may carry over no unused credits from previous years  
10          to offset tax under this chapter for the taxable year that includes the day on which  
11          the person becomes ineligible for tax benefits, the taxable year that includes the day  
12          on which the certification is revoked, or succeeding taxable years.

13          **SECTION 1795.** 71.07 (2dm) (k) of the statutes is amended to read:

14          71.07 **(2dm)** (k) If a person who is entitled under s. 238.395 (3) (a) 4. or s.  
15          560.795 (3) (a) 4., 2009 stats., to claim tax benefits or certified under s. 238.395 (5),  
16          238.398 (3), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats.,  
17          or s. 560.7995 (4), 2009 stats., ceases business operations in the development zone  
18          during any of the taxable years that that zone exists, that person may not carry over  
19          to any taxable year following the year during which operations cease any unused  
20          credits from the taxable year during which operations cease or from previous taxable  
21          years.

22          **SECTION 1796.** 71.07 (2dr) (a) of the statutes is amended to read:

23          71.07 **(2dr)** (a) *Credit.* Any person may credit against taxes otherwise due  
24          under this chapter an amount equal to 5% of the amount obtained by subtracting  
25          from the person's qualified research expenses, as defined in section 41 of the internal

**ASSEMBLY BILL 40****SECTION 1796**

1 revenue code, except that “qualified research expenses” include only expenses  
2 incurred by the claimant in a development zone under subch. VI of ch. 560, 2009  
3 stats., except that a taxpayer may elect the alternative computation under section  
4 41 (c) (4) of the Internal Revenue Code and that election applies until the department  
5 permits its revocation and except that “qualified research expenses” do not include  
6 compensation used in computing the credit under sub. (2dj) nor research expenses  
7 incurred before the claimant is certified for tax benefits under s. 560.765 (3), 2009  
8 stats., the person’s base amount, as defined in section 41 (c) of the internal revenue  
9 code, in a development zone, except that gross receipts used in calculating the base  
10 amount means gross receipts from sales attributable to Wisconsin under s. 71.04 (7)  
11 (b) 1. and 2., (df) 1. and 2., (dh) 1., 2., and 3., (dj) 1. and (dk) 1. and research expenses  
12 used in calculating the base amount include research expenses incurred before the  
13 claimant is certified for tax benefits under s. 560.765 (3), 2009 stats., in a  
14 development zone, if the claimant submits with the claimant’s return a copy of the  
15 claimant’s certification for tax benefits under s. 560.765 (3) 2009 stats., and a  
16 statement from the department of commerce verifying the claimant’s qualified  
17 research expenses for research conducted exclusively in a development zone. The  
18 rules under s. 73.03 (35) apply to the credit under this paragraph. The rules under  
19 sub. (2di) (f) and (g), as they apply to the credit under that subsection, apply to claims  
20 under this paragraph. Section 41 (h) of the internal revenue code does not apply to  
21 the credit under this paragraph.

22 **SECTION 1797.** 71.07 (2dr) (b) of the statutes is amended to read:

23 71.07 (2dr) (b) *Development opportunity zones.* The development zones  
24 research credit under par. (a), as it applies to a person certified under s. 560.765 (3),  
25 2009 stats., applies to a person that conducts economic activity in a development

**ASSEMBLY BILL 40****SECTION 1797**

1 opportunity zone under s. 560.795 (1), 2009 stats., and that is entitled to tax benefits  
2 under s. 560.795 (3), 2009 stats., subject to the limits under s. 560.795 (2), 2009 stats.  
3 A development opportunity zone credit under this paragraph may be calculated  
4 using expenses incurred by a claimant beginning on the effective date under s.  
5 560.795 (2) (a), 2009 stats., of the development opportunity zone designation of the  
6 area in which the claimant conducts economic activity.

7 **SECTION 1798.** 71.07 (2ds) (a) 1. of the statutes is amended to read:

8 71.07 (2ds) (a) 1. “Development zone” means a zone designated under s. 560.71,  
9 2009 stats.

10 **SECTION 1799.** 71.07 (2ds) (b) of the statutes is amended to read:

11 71.07 (2ds) (b) Except as provided in pars. (dm) and (e) and s. 73.03 (35), for  
12 any taxable year for which the person is certified under s. 560.765 (3), 2009 stats.,  
13 for tax benefits, any person may claim as a credit against taxes otherwise due under  
14 this chapter the taxes paid under subchs. III and V of ch. 77 on their purchases, leases  
15 and rentals of eligible property. Partnerships, limited liability companies and  
16 tax-option corporations may not claim the credit under this subsection, but the  
17 eligibility for, and the amount of, that credit shall be determined on the basis of their  
18 economic activity, not that of their partners, members or shareholders. The  
19 partnership, limited liability company or corporation shall compute the amount of  
20 credit that may be claimed by each of its partners, members or shareholders and  
21 shall provide that information to each of its partners, members or shareholders.  
22 Partners, members of a limited liability company and shareholders of tax-option  
23 corporations may claim the credit based on the partnership’s, company’s or  
24 corporation’s activities in proportion to their ownership interest.

25 **SECTION 1800.** 71.07 (2ds) (d) 1. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1800**

1           71.07 (2ds) (d) 1. A copy of the claimant’s certification for tax benefits under  
2 s. 560.765 (3), 2009 stats.

3           **SECTION 1801.** 71.07 (2dx) (a) 2. of the statutes is amended to read:

4           71.07 (2dx) (a) 2. “Development zone” means a development zone under s.  
5 238.30 or s. 560.70, 2009 stats., a development opportunity zone under s. 238.395 or  
6 s. 560.795, 2009 stats., an enterprise development zone under s. 238.397 or s.  
7 560.797, 2009 stats., an agricultural development zone under s. 238.398 or s.  
8 560.798, 2009 stats., or an airport development zone under s. 238.3995 or s.  
9 560.7995, 2009 stats.

10          **SECTION 1802.** 71.07 (2dx) (a) 5. of the statutes is amended to read:

11          71.07 (2dx) (a) 5. “Member of a targeted group” means a person who resides  
12 in an area designated by the federal government as an economic revitalization area,  
13 a person who is employed in an unsubsidized job but meets the eligibility  
14 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,  
15 a person who is employed in a trial job, as defined in s. 49.141 (1) (n), or in a real work,  
16 real pay project position under s. 49.147 (3m), a person who is eligible for child care  
17 assistance under s. 49.155, a person who is a vocational rehabilitation referral, an  
18 economically disadvantaged youth, an economically disadvantaged veteran, a  
19 supplemental security income recipient, a general assistance recipient, an  
20 economically disadvantaged ex-convict, a qualified summer youth employee, as  
21 defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or  
22 a ~~food stamp~~ recipient of benefits under the supplemental nutrition assistance  
23 program under 7 USC 2011 to 2036, if the person has been certified in the manner  
24 under sub. (2dj) (am) 3. by a designated local agency, as defined in sub. (2dj) (am) 2.

25          **SECTION 1803.** 71.07 (2dx) (b) (intro.) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1803**

1           71.07 **(2dx)** (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 1804.** 71.07 (2dx) (b) 2. of the statutes is amended to read:

9           71.07 **(2dx)** (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 1805.** 71.07 (2dx) (b) 3. of the statutes is amended to read:

15           71.07 **(2dx)** (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 1806.** 71.07 (2dx) (b) 4. of the statutes is amended to read:

21           71.07 **(2dx)** (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 (2dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats.,

**ASSEMBLY BILL 40****SECTION 1806**

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 1807.** 71.07 (2dx) (b) 5. of the statutes is amended to read:

5 71.07 **(2dx)** (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. (2dj), 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 1808.** 71.07 (2dx) (be) of the statutes is amended to read:

13 71.07 **(2dx)** (be) *Offset.* A claimant in a development zone under s. 238.395 (1)  
14 (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 1809.** 71.07 (2dx) (bg) of the statutes is amended to read:

20 71.07 **(2dx)** (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

**ASSEMBLY BILL 40****SECTION 1809**

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 1810.** 71.07 (2dx) (c) of the statutes is amended to read:

8 71.07 **(2dx)** (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 1811.** 71.07 (2dx) (d) of the statutes is amended to read:

21 71.07 **(2dx)** (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



**ASSEMBLY BILL 40****SECTION 1811**

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 1812.** 71.07 (2dy) (a) of the statutes is amended to read:

5 71.07 (2dy) (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 1813.** 71.07 (2dy) (b) of the statutes is amended to read:

10 71.07 (2dy) (b) *Filing claims.* Subject to the limitations under this subsection  
11 and ss. 238.301 to 238.306 or ss. 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. 71.02 or 71.08, up to the amount of the tax, the amount authorized  
14 for the claimant under s. 238.303 or s. 560.703, 2009 stats.

15 **SECTION 1814.** 71.07 (2dy) (c) 1. of the statutes is amended to read:

16 71.07 (2dy) (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 1815.** 71.07 (2dy) (c) 2. of the statutes is amended to read:

21 71.07 (2dy) (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

**ASSEMBLY BILL 40****SECTION 1815**

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 1816.** 71.07 (2dy) (d) 2. of the statutes is amended to read:

6 71.07 **(2dy)** (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. 71.02  
13 or 71.08 for the taxable year that includes the day on which certification is revoked;  
14 the taxable year that includes the day on which the claimant becomes ineligible for  
15 tax benefits; or succeeding taxable years.

16 **SECTION 1817.** 71.07 (3g) (a) (intro.) of the statutes is amended to read:

17 71.07 **(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. 71.02 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 1818.** 71.07 (3g) (b) of the statutes is amended to read:

23 71.07 **(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.

**ASSEMBLY BILL 40****SECTION 1819**

1           **SECTION 1819.** 71.07 (3g) (e) 2. of the statutes is amended to read:

2           71.07 **(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 1820.** 71.07 (3g) (f) 1. of the statutes is amended to read:

7           71.07 **(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 1821.** 71.07 (3g) (f) 2. of the statutes is amended to read:

12           71.07 **(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 1822.** 71.07 (3p) (b) of the statutes is amended to read:

17           71.07 **(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. 71.02 or 71.08, up  
21 to the amount of the tax, an amount equal to 10 percent of the amount the claimant  
22 paid in the taxable year for dairy manufacturing modernization or expansion related  
23 to the claimant's dairy manufacturing operation.

24           **SECTION 1823.** 71.07 (3p) (c) 2m. a. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1823**

1           71.07 (3p) (c) 2m. a. The maximum amount of the credits that may be claimed  
2 under this subsection and ss. 71.28 (3p) and 71.47 (3p) in fiscal year 2007–08 is  
3 \$600,000, as allocated under s. 560.207, 2009 stats.

4           **SECTION 1824.** 71.07 (3p) (c) 2m. b. of the statutes is amended to read:

5           71.07 (3p) (c) 2m. b. The maximum amount of the credits that may be claimed  
6 by all claimants, other than members of dairy cooperatives, under this subsection  
7 and ss. 71.28 (3p) and 71.47 (3p) in fiscal year 2008–09, and in each fiscal year  
8 thereafter, is \$700,000, as allocated under s. 93.535 or s. 560.207, 2009 stats.

9           **SECTION 1825.** 71.07 (3p) (c) 2m. bm. of the statutes is amended to read:

10           71.07 (3p) (c) 2m. bm. The maximum amount of the credits that may be claimed  
11 by members of dairy cooperatives under this subsection and ss. 71.28 (3p) and 71.47  
12 (3p) in fiscal year 2009–10 is \$600,000, as allocated under s. 560.207, 2009 stats., and  
13 the maximum amount of the credits that may be claimed by members of dairy  
14 cooperatives under this subsection and ss. 71.28 (3p) and 71.47 (3p) in fiscal year  
15 2010–11, and in each fiscal year thereafter, is \$700,000, as allocated under s. 93.535  
16 or s. 560.207, 2009 stats.

17           **SECTION 1826.** 71.07 (3p) (c) 3. of the statutes is amended to read:

18           71.07 (3p) (c) 3. Partnerships, limited liability companies, tax–option  
19 corporations, and dairy cooperatives may not claim the credit under this subsection,  
20 but the eligibility for, and the amount of, the credit are based on their payment of  
21 expenses under par. (b), except that the aggregate amount of credits that ~~the entity~~  
22 a dairy cooperative may compute shall not exceed \$200,000 for each of the entity's  
23 cooperative's dairy manufacturing facilities. A partnership, limited liability  
24 company, tax–option corporation, or dairy cooperative shall compute the amount of  
25 credit that each of its partners, members, or shareholders may claim and shall

**ASSEMBLY BILL 40****SECTION 1826**

1 provide that information to each of them. Partners, members of limited liability  
2 companies, and shareholders of tax-option corporations may claim the credit in  
3 proportion to their ownership interest. Members of a dairy cooperative may claim  
4 the credit in proportion to the amount of milk that each member delivers to the dairy  
5 cooperative, as determined by the dairy cooperative.

6 **SECTION 1827.** 71.07 (3p) (c) 6. of the statutes is amended to read:

7 71.07 **(3p)** (c) 6. No credit may be allowed under this subsection unless the  
8 claimant submits with the claimant's return a copy of the claimant's credit  
9 certification and allocation under s. 93.535 or s. 560.207, 2009 stats.

10 **SECTION 1828.** 71.07 (3q) (a) 1. of the statutes is amended to read:

11 71.07 **(3q)** (a) 1. "Claimant" means a person certified to receive tax benefits  
12 under s. 238.16 (2) or s. 560.2055 (2), 2009 stats.

13 **SECTION 1829.** 71.07 (3q) (a) 2. of the statutes is amended to read:

14 71.07 **(3q)** (a) 2. "Eligible employee" means, for taxable years beginning before  
15 January 1, 2011, an eligible employee under s. 560.2055 (1) (b), 2009 stats., who  
16 satisfies the wage requirements under s. 560.2055 (3) (a) or (b), 2009 stats., or, for  
17 taxable years beginning after December 31, 2010, an eligible employee under s.  
18 238.16 (1) (b).

19 **SECTION 1830.** 71.07 (3q) (b) (intro.) of the statutes is amended to read:

20 71.07 **(3q)** (b) *Filing claims.* (intro.) Subject to the limitations provided in this  
21 subsection and s. 238.16 or s. 560.2055, 2009 stats., for taxable years beginning after  
22 December 31, 2009, a claimant may claim as a credit against the taxes imposed under  
23 ss. 71.02 and 71.08 any of the following.

24 **SECTION 1831.** 71.07 (3q) (b) 1. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1831**

1           71.07 (3q) (b) 1. The amount of wages that the claimant paid to an eligible  
2 employee in the taxable year, not to exceed 10 percent of such wages, as determined  
3 by the Wisconsin Economic Development Corporation under s. 238.16 or the  
4 department of commerce under s. 560.2055, 2009 stats.

5           **SECTION 1832.** 71.07 (3q) (b) 2. of the statutes is amended to read:

6           71.07 (3q) (b) 2. The amount of the costs incurred by the claimant in the taxable  
7 year, as determined under s. 238.16 or s. 560.2055, 2009 stats., to undertake the  
8 training activities described under s. 238.16 (3) (c) or s. 560.2055 (3) (c), 2009 stats.

9           **SECTION 1833.** 71.07 (3q) (c) 2. of the statutes is amended to read:

10          71.07 (3q) (c) 2. No credit may be allowed under this subsection unless the  
11 claimant includes with the claimant's return a copy of the claimant's certification for  
12 tax benefits under s. 238.16 (2) or s. 560.2055 (2), 2009 stats.

13          **SECTION 1834.** 71.07 (3q) (c) 3. of the statutes is amended to read:

14          71.07 (3q) (c) 3. The maximum amount of credits that may be awarded under  
15 this subsection and ss. 71.28 (3q) and 71.47 (3q) for the period beginning on January  
16 1, 2010, and ending on June 30, 2013, is \$14,500,000, not including the amount of  
17 any credits reallocated under s. 238.15 (3) (d) or s. 560.205 (3) (d), 2009 stats.

18          **SECTION 1835.** 71.07 (3r) (b) of the statutes is amended to read:

19          71.07 (3r) (b) *Filing claims.* Subject to the limitations provided in this  
20 subsection and s. 238.19 or s. 560.208, 2009 stats., for taxable years beginning after  
21 December 31, 2008, and before January 1, 2017, a claimant may claim as a credit  
22 against the taxes imposed under s. 71.02 or 71.08, up to the amount of the tax, an  
23 amount equal to 10 percent of the amount the claimant paid in the taxable year for  
24 meat processing modernization or expansion related to the claimant's meat  
25 processing operation.

**ASSEMBLY BILL 40****SECTION 1836**

1           **SECTION 1836.** 71.07 (3r) (c) 3. a. of the statutes is amended to read:

2           71.07 **(3r)** (c) 3. a. The maximum amount of the credits that may be allocated  
3 under this subsection and ss. 71.28 (3r) and 71.47 (3r) in fiscal year 2009–10 is  
4 \$300,000, as allocated under s. 560.208, 2009 stats.

5           **SECTION 1837.** 71.07 (3r) (c) 3. b. of the statutes is amended to read:

6           71.07 **(3r)** (c) 3. b. The maximum amount of the credits that may be allocated  
7 under this subsection and ss. 71.28 (3r) and 71.47 (3r) in fiscal year 2010–11, and in  
8 each fiscal year thereafter, is \$700,000, as allocated under s. 238.19 or s. 560.208,  
9 2009 stats.

10          **SECTION 1838.** 71.07 (3r) (c) 6. of the statutes is amended to read:

11          71.07 **(3r)** (c) 6. No credit may be allowed under this subsection unless the  
12 claimant submits with the claimant's return a copy of the claimant's credit  
13 certification and allocation under s. 238.19 or s. 560.208, 2009 stats.

14          **SECTION 1839.** 71.07 (3rm) (b) of the statutes is amended to read:

15          71.07 **(3rm)** (b) *Filing claims.* Subject to the limitations provided in this  
16 subsection and s. 238.21 or s. 560.209, 2009 stats., for taxable years beginning after  
17 December 31, 2009, and before January 1, 2016, a claimant may claim as a credit  
18 against the taxes imposed under s. 71.02 or 71.08, up to the amount of the tax, an  
19 amount equal to 10 percent of the amount the claimant paid in the taxable year for  
20 equipment that is used primarily to harvest or process woody biomass that is used  
21 as fuel or as a component of fuel.

22          **SECTION 1840.** 71.07 (3rm) (c) 3. of the statutes is amended to read:

23          71.07 **(3rm)** (c) 3. The maximum amount of the credits that may be claimed  
24 under this subsection and ss. 71.28 (3rm) and 71.47 (3rm) is \$900,000, as allocated  
25 under s. 238.21 or s. 560.209, 2009 stats.

**ASSEMBLY BILL 40****SECTION 1841**

1           **SECTION 1841.** 71.07 (3rn) (b) of the statutes is amended to read:

2           71.07 **(3rn)** (b) *Filing claims.* Subject to the limitations provided in this  
3 subsection and s. ~~506.2056~~ 238.17 or s. ~~560.2056, 2009 stats.~~, for taxable years  
4 beginning after December 31, 2009, and before January 1, 2017, a claimant may  
5 claim as a credit against the tax imposed under ss. 71.02 and 71.08, up to the amount  
6 of the tax, an amount equal to 10 percent of the amount the claimant paid in the  
7 taxable year for food processing or food warehousing modernization or expansion  
8 related to the operation of the claimant's food processing plant or food warehouse.

9           **SECTION 1842.** 71.07 (3rn) (c) 3. a. of the statutes is amended to read:

10           71.07 **(3rn)** (c) 3. a. The maximum amount of the credits that may be allocated  
11 under this subsection and ss. 71.28 (3rn) and 71.47 (3rn) in fiscal year 2009–10 is  
12 \$1,000,000, as allocated under s. ~~560.2056, 2009 stats.~~

13           **SECTION 1843.** 71.07 (3rn) (c) 3. b. of the statutes is amended to read:

14           71.07 **(3rn)** (c) 3. b. The maximum amount of the credits that may be allocated  
15 under this subsection and ss. 71.28 (3rn) and 71.47 (3rn) in fiscal year 2010–11 is  
16 \$1,200,000, as allocated under s. ~~560.2056, 2009 stats.~~

17           **SECTION 1844.** 71.07 (3rn) (c) 3. c. of the statutes is amended to read:

18           71.07 **(3rn)** (c) 3. c. 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 2011–12, and  
20 in each year thereafter, is \$700,000, as allocated under s. ~~238.17 or s. 560.2056, 2009~~  
21 ~~stats.~~

22           **SECTION 1845.** 71.07 (3rn) (c) 6. of the statutes is amended to read:

23           71.07 **(3rn)** (c) 6. No credit may be allowed under this subsection unless the  
24 claimant submits with the claimant's return a copy of the claimant's credit  
25 certification and allocation under s. ~~238.17 or s. 560.2056, 2009 stats.~~



**ASSEMBLY BILL 40****SECTION 1846**

1           **SECTION 1846.** 71.07 (3t) (b) of the statutes is amended to read:

2           71.07 (3t) (b) *Credit.* Subject to the limitations provided in this subsection and  
3 in s. 560.28, 2009 stats., for taxable years beginning after December 31, 2007, a  
4 claimant may claim as a credit, amortized over 15 taxable years starting with the  
5 taxable year beginning after December 31, 2007, against the tax imposed under s.  
6 71.02 and 71.08, up to the amount of the tax, an amount equal to the claimant's  
7 unused credits under s. 71.07 (3s).

8           **SECTION 1847.** 71.07 (3t) (c) 1. of the statutes is amended to read:

9           71.07 (3t) (c) 1. No credit may be claimed under this subsection unless the  
10 claimant submits with the claimant's return a copy of the claimant's certification by  
11 the department of commerce under s. 560.28, 2009 stats., except that, with regard  
12 to credits claimed by partners of a partnership, members of a limited liability  
13 company, or shareholders of a tax-option corporation, the entity shall provide a copy  
14 of its certification under s. 560.28, 2009 stats., to the partner, member, or shareholder  
15 to submit with his or her return.

16           **SECTION 1848.** 71.07 (3w) (a) 2. of the statutes is amended to read:

17           71.07 (3w) (a) 2. "Claimant" means a person who is certified to claim tax  
18 benefits under s. 238.399 (5) or s. 560.799 (5), 2009 stats., and who files a claim under  
19 this subsection.

20           **SECTION 1849.** 71.07 (3w) (a) 3. of the statutes is amended to read:

21           71.07 (3w) (a) 3. "Full-time employee" means a full-time employee, as defined  
22 in s. 238.399 (1) (am) or s. 560.799 (1) (am), 2009 stats.

23           **SECTION 1850.** 71.07 (3w) (a) 4. of the statutes is amended to read:

24           71.07 (3w) (a) 4. "Enterprise zone" means a zone designated under s. 238.399  
25 or s. 560.799, 2009 stats.

**ASSEMBLY BILL 40****SECTION 1851**

1           **SECTION 1851.** 71.07 (3w) (a) 5d. of the statutes is amended to read:

2           71.07 **(3w)** (a) 5d. “Tier I county or municipality” means a tier I county or  
3 municipality, as determined by ~~the department of commerce~~ under s. 238.399 or s.  
4 560.799, 2009 stats.

5           **SECTION 1852.** 71.07 (3w) (a) 5e. of the statutes is amended to read:

6           71.07 **(3w)** (a) 5e. “Tier II county or municipality” means a tier II county or  
7 municipality, as determined by ~~the department of commerce~~ under s. 238.399 or s.  
8 560.799, 2009 stats.

9           **SECTION 1853.** 71.07 (3w) (b) (intro.) of the statutes is amended to read:

10          71.07 **(3w)** (b) *Filing claims; payroll.* (intro.) Subject to the limitations  
11 provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may  
12 claim as a credit against the tax imposed under s. 71.02 or 71.08 an amount  
13 calculated as follows:

14          **SECTION 1854.** 71.07 (3w) (b) 5. of the statutes is amended to read:

15          71.07 **(3w)** (b) 5. Multiply the amount determined under subd. 4. by the  
16 percentage determined by ~~the department of commerce~~ under s. 238.399 or s.  
17 560.799, 2009 stats., not to exceed 7 percent.

18          **SECTION 1855.** 71.07 (3w) (bm) 1. of the statutes is amended to read:

19          71.07 **(3w)** (bm) 1. In addition to the credits under par. (b) and subds. 2., 3., and  
20 4., and subject to the limitations provided in this subsection and s. 238.399 or s.  
21 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under  
22 s. 71.02 or 71.08 an amount equal to a percentage, as determined by ~~the department~~  
23 ~~of commerce~~ under s. 238.399 or s. 560.799, 2009 stats., not to exceed 100 percent,  
24 of the amount the claimant paid in the taxable year to upgrade or improve the  
25 job-related skills of any of the claimant’s full-time employees, to train any of the

**ASSEMBLY BILL 40****SECTION 1855**

1 claimant's full-time employees on the use of job-related new technologies, or to  
2 provide job-related training to any full-time employee whose employment with the  
3 claimant represents the employee's first full-time job. This subdivision does not  
4 apply to employees who do not work in an enterprise zone.

5 **SECTION 1856.** 71.07 (3w) (bm) 2. of the statutes is amended to read:

6 71.07 (3w) (bm) 2. In addition to the credits under par. (b) and subds. 1., 3., and  
7 4., and subject to the limitations provided in this subsection and s. 238.399 or s.  
8 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under  
9 s. 71.02 or 71.08 an amount equal to the percentage, as determined by the  
10 ~~department of commerce~~ under s. 238.399 or s. 560.799, 2009 stats., not to exceed 7  
11 percent, of the claimant's zone payroll paid in the taxable year to all of the claimant's  
12 full-time employees whose annual wages are greater than \$20,000 in a tier I county  
13 or municipality, not including the wages paid to the employees determined under  
14 par. (b) 1., or greater than \$30,000 in a tier II county or municipality, not including  
15 the wages paid to the employees determined under par. (b) 1., and who the claimant  
16 employed in the enterprise zone in the taxable year, if the total number of such  
17 employees is equal to or greater than the total number of such employees in the base  
18 year. A claimant may claim a credit under this subdivision for no more than 5  
19 consecutive taxable years.

20 **SECTION 1857.** 71.07 (3w) (bm) 3. of the statutes is amended to read:

21 71.07 (3w) (bm) 3. In addition to the credits under par. (b) and subds. 1., 2., and  
22 4., and subject to the limitations provided in this subsection and s. 238.399 or s.  
23 560.799, 2009 stats., for taxable years beginning after December 31, 2008, a claimant  
24 may claim as a credit against the tax imposed under s. 71.02 or 71.08 up to 10 percent

**ASSEMBLY BILL 40****SECTION 1857**

1 of the claimant's significant capital expenditures, as determined by the department  
2 of commerce under s. 238.399 (5m) or s. 560.799 (5m), 2009 stats.

3 **SECTION 1858.** 71.07 (3w) (bm) 4. of the statutes is amended to read:

4 71.07 (3w) (bm) 4. In addition to the credits under par. (b) and subs. 1., 2., and  
5 3., and subject to the limitations provided in this subsection and s. 238.399 or s.  
6 560.799, 2009 stats., for taxable years beginning after December 31, 2009, a claimant  
7 may claim as a credit against the tax imposed under s. 71.02 or 71.08, up to 1 percent  
8 of the amount that the claimant paid in the taxable year to purchase tangible  
9 personal property, items, property, or goods under s. 77.52 (1) (b), (c), or (d), or  
10 services from Wisconsin vendors, as determined by the department of commerce  
11 under s. 238.399 (5) (e) or s. 560.799 (5) (e), 2009 stats., except that the claimant may  
12 not claim the credit under this subdivision and subd. 3. for the same expenditures.

13 **SECTION 1859.** 71.07 (3w) (c) 3. of the statutes is amended to read:

14 71.07 (3w) (c) 3. No credit may be allowed under this subsection unless the  
15 claimant includes with the claimant's return a copy of the claimant's certification for  
16 tax benefits under s. 238.399 (5) or (5m) or s. 560.799 (5) or (5m), 2009 stats.

17 **SECTION 1860.** 71.07 (3w) (d) of the statutes is amended to read:

18 71.07 (3w) (d) *Administration.* Section 71.28 (4) (g) and (h), as it applies to the  
19 credit under s. 71.28 (4), applies to the credit under this subsection. Claimants shall  
20 include with their returns a copy of their certification for tax benefits, and a copy of  
21 the verification of their expenses, from the department of commerce or the Wisconsin  
22 Economic Development Corporation.

23 **SECTION 1861.** 71.07 (5b) (a) 2. of the statutes is amended to read:

24 71.07 (5b) (a) 2. "Fund manager" means an investment fund manager certified  
25 under s. 238.15 (2) or s. 560.205 (2), 2009 stats.

**ASSEMBLY BILL 40****SECTION 1862**

1           **SECTION 1862.** 71.07 (5b) (b) 1. of the statutes is amended to read:

2           71.07 **(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 ss. 71.02 and 71.08, up to the amount of those taxes, 25 percent  
6 of the claimant's investment paid to a fund manager that the fund manager invests  
7 in a business certified under s. 238.15 (1) or s. 560.205 (1), 2009 stats.

8           **SECTION 1863.** 71.07 (5b) (b) 2. of the statutes is amended to read:

9           71.07 **(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 1864.** 71.07 (5b) (d) 3. of the statutes is amended to read:

19           71.07 **(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 1865.** 71.07 (5d) (a) 1. (intro.) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1865**

1           71.07 (5d) (a) 1. (intro.) “Bona fide angel investment” means a purchase of an  
2 equity interest, or any other expenditure, as determined by rule under s. 238.15 or  
3 s. 560.205, 2009 stats., that is made by any of the following:

4           **SECTION 1866.** 71.07 (5d) (a) 2m. of the statutes is amended to read:

5           71.07 (5d) (a) 2m. “Person” means a partnership or a limited liability company,  
6 or tax-option corporation that is a nonoperating entity, as determined by the  
7 department of commerce or the Wisconsin Economic Development Corporation, a  
8 natural person, or fiduciary.

9           **SECTION 1867.** 71.07 (5d) (a) 3. of the statutes is amended to read:

10           71.07 (5d) (a) 3. “Qualified new business venture” means a business that is  
11 certified under s. 238.15 (1) or s. 560.205 (1), 2009 stats.

12           **SECTION 1868.** 71.07 (5d) (b) (intro.) of the statutes is amended to read:

13           71.07 (5d) (b) *Filing claims.* (intro.) Subject to the limitations provided in this  
14 subsection and in s. 238.15 or s. 560.205, 2009 stats., a claimant may claim as a credit  
15 against the tax imposed under s. 71.02 or 71.08, up to the amount of those taxes, the  
16 following:

17           **SECTION 1869.** 71.07 (5d) (b) 1. of the statutes is amended to read:

18           71.07 (5d) (b) 1. For taxable years beginning before January 1, 2008, in each  
19 taxable year for 2 consecutive years, beginning with the taxable year as certified by  
20 the department of commerce or the Wisconsin Economic Development Corporation,  
21 an amount equal to 12.5 percent of the claimant’s bona fide angel investment made  
22 directly in a qualified new business venture.

23           **SECTION 1870.** 71.07 (5d) (b) 2. of the statutes is amended to read:

24           71.07 (5d) (b) 2. For taxable years beginning after December 31, 2007, for the  
25 taxable year certified by the department of commerce or the Wisconsin Economic

**ASSEMBLY BILL 40****SECTION 1870**

1     Development Corporation, an amount equal to 25 percent of the claimant's bona fide  
2     angel investment made directly in a qualified new business venture.

3             **SECTION 1871.** 71.07 (5d) (c) 2. of the statutes is amended to read:

4             71.07 **(5d)** (c) 2. For taxable years beginning before January 1, 2008, the  
5     maximum amount of a claimant's investment that may be used as the basis for a  
6     credit under this subsection is \$2,000,000 for each investment made directly in a  
7     business certified under s. 238.15 (1) or s. 560.205 (1), 2009 stats.

8             **SECTION 1872.** 71.07 (5d) (c) 3m. of the statutes is amended to read:

9             71.07 **(5d)** (c) 3m. Partnerships and, limited liability companies, and  
10     tax-option corporations may not claim the credit under this subsection, but the  
11     eligibility for, and the amount of, the credit are based on their payment of amounts  
12     under par. (b). A partnership or, limited liability company, or tax-option corporation  
13     shall compute the amount of credit that each of its partners or, members, or  
14     shareholders may claim and shall provide that information to each of them. Partners  
15     and, members of limited liability companies, and shareholders of tax-option  
16     corporations may claim the credit in proportion to their ownership interest or as  
17     specially allocated in their organizational documents.

18             **SECTION 1873.** 71.07 (5d) (d) 1. of the statutes is amended to read:

19             71.07 **(5d)** (d) 1. 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 1874.** 71.07 (5f) (a) 1. (intro.) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1874**

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



**ASSEMBLY BILL 40****SECTION 1876**

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. 238.14 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

**ASSEMBLY BILL 40****SECTION 1880**

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 1882.** 71.07 (5r) (a) 6. a. of the statutes is amended to read:

11 71.07 **(5r)** (a) 6. a. A University of Wisconsin System institution, the University  
12 of Wisconsin-Madison, a technical college system institution, or a regionally  
13 accredited 4-year nonprofit college or university having its regional headquarters  
14 and principal place of business in this state.

15 **SECTION 1883.** 71.07 (9e) (af) (intro.) of the statutes is amended to read:

16 71.07 **(9e)** (af) (intro.) For taxable years beginning after December 31, 1995,  
17 and before January 1, 2011, any natural person may credit against the tax imposed  
18 under s. 71.02 an amount equal to one of the following percentages of the federal  
19 basic earned income credit for which the person is eligible for the taxable year under  
20 section 32 (b) (1) (A) to (C) of the ~~internal revenue code~~ Internal Revenue Code:

21 **SECTION 1884.** 71.07 (9e) (aj) of the statutes is created to read:

22 71.07 **(9e)** (aj) For taxable years beginning after December 31, 2010, an  
23 individual may credit against the tax imposed under s. 71.02 an amount equal to one  
24 of the following percentages of the federal basic earned income credit for which the

**ASSEMBLY BILL 40****SECTION 1884**

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, 5 percent.

5 2. If the person has 2 qualifying children who have the same principal place of  
6 abode as the person, 8 percent.

7 3. If the person has 3 or more qualifying children who have the same principal  
8 place of abode as the person, 40 percent.

9 **SECTION 1885.** 71.10 (3) (title) of the statutes is amended to read:

10 71.10 (3) (title) CAMPAIGN FUND FUNDS, BEFORE 2012.

11 **SECTION 1886.** 71.10 (3) (c) of the statutes is created to read:

12 71.10 (3) (c) This subsection does not apply to a taxable year that begins after  
13 December 31, 2011.

14 **SECTION 1887.** 71.10 (3e) of the statutes is created to read:

15 71.10 (3e) CAMPAIGN FUNDS, AFTER 2011. (a) *Definition.* In this subsection,  
16 “department” means the department of revenue.

17 (b) *Voluntary payments.* 1. ‘Designation on return.’ Every individual filing an  
18 income tax return who has a tax liability or is entitled to a tax refund may designate  
19 on the return \$3 of additional payment or \$3 of a refund due that individual for the  
20 Wisconsin election campaign fund and the democracy trust fund for the use of eligible  
21 candidates under ss. 11.50 to 11.522. If the individuals filing a joint return have a  
22 tax liability or are entitled to a tax refund, each individual may make a designation  
23 of \$3 under this subsection.

24 2. ‘Designation added to tax owed.’ If the individual owes any tax, the  
25 individual shall remit in full the tax due and the amount designated on the return

**ASSEMBLY BILL 40****SECTION 1887**

1 for the Wisconsin election campaign fund and the democracy trust fund when the  
2 individual files a tax return.

3 3. 'Designation deducted from refund.' Except as provided under par. (d), if the  
4 individual is owed a refund for that year after crediting under ss. 71.75 (9) and 71.80  
5 (3) and (3m), the department shall deduct the amount designated on the return for  
6 the Wisconsin election campaign fund and the democracy trust fund from the amount  
7 of the refund.

8 (c) *Errors; failure to remit correct amount.* If an individual who owes taxes fails  
9 to remit an amount equal to or in excess of the total of the actual tax due, after error  
10 corrections, and the amount designated on the return for the Wisconsin election  
11 campaign fund and the democracy trust fund:

12 1. The department shall reduce the designation for the Wisconsin election  
13 campaign fund and the democracy trust fund to reflect the amount remitted in excess  
14 of the actual tax due, after error corrections, if the individual remitted an amount  
15 in excess of the actual tax due, after error corrections, but less than the total of the  
16 actual tax due, after error corrections, and the amount originally designated on the  
17 return for the Wisconsin election campaign fund and the democracy trust fund.

18 2. The designation for the Wisconsin election campaign fund and the  
19 democracy trust fund is void if the individual remitted an amount equal to or less  
20 than the actual tax due, after error corrections.

21 (d) *Errors; insufficient refund.* If an individual who is owed a refund which does  
22 not equal or exceed the amount designated on the return for the Wisconsin election  
23 campaign fund and the democracy trust fund, after crediting under ss. 71.75 (9) and  
24 71.80 (3) and (3m) and after error corrections, the department shall reduce the  
25 designation for the Wisconsin election campaign fund and the democracy trust fund

**ASSEMBLY BILL 40****SECTION 1887**

1 to reflect the actual amount of the refund the individual is otherwise owed, after  
2 crediting under ss. 71.75 (9) and 71.80 (3) and (3m) and after error corrections.

3 (e) *Conditions.* If an individual places any conditions on a designation for the  
4 Wisconsin election campaign fund or the democracy trust fund, the designation is  
5 void.

6 (f) *Void designation.* If a designation for the Wisconsin election campaign fund  
7 and the democracy trust fund is void, the department shall disregard the designation  
8 and determine amounts due, owed, refunded, and received without regard to the void  
9 designation.

10 (g) *Tax return.* The secretary of revenue shall provide a place for the  
11 designations under this subsection on the individual income tax return and, on forms  
12 printed by the department, the secretary shall highlight that place on the return by  
13 a symbol chosen by the government accountability board that relates to the  
14 Wisconsin election campaign fund and the democracy trust fund.

15 (h) *Certification of amounts.* Annually, on or before August 15, the secretary  
16 of revenue shall certify to the government accountability board, the department of  
17 administration and the state treasurer all of the following:

18 1. The total amount of the administrative costs, including data processing  
19 costs, incurred by the department in administering this subsection during the  
20 previous fiscal year.

21 2. The total amount received from all designations for the Wisconsin election  
22 campaign fund and the democracy trust fund made by taxpayers during the previous  
23 fiscal year.

**ASSEMBLY BILL 40****SECTION 1887**

1           3. The net amount remaining after the administrative costs, including data  
2 processing costs, under subd. 1. are subtracted from the total received under subd.  
3 2.

4           (i) *Confidentiality.* The names of persons making designations under this  
5 subsection shall be strictly confidential.

6           (j) *Appropriations.* From the moneys received from designations for the  
7 Wisconsin election campaign fund and the democracy trust fund, an amount equal  
8 to the sum of administrative expenses, including data processing costs, certified  
9 under par. (h) 1. shall be deposited in the general fund and credited to the  
10 appropriation under s. 20.566 (1) (hp), and two-thirds of the net amount remaining  
11 certified under par. (h) 3. shall be deposited in the democracy trust fund and  
12 one-third of the net amount remaining certified under par. (h) 3. shall be deposited  
13 in the Wisconsin election campaign fund.

14           (k) *Amounts subject to refund.* Amounts designated for the Wisconsin election  
15 campaign fund and the democracy trust fund under this subsection are not subject  
16 to refund to the taxpayer unless the taxpayer submits information to the satisfaction  
17 of the department, within 18 months after the date taxes are due or the date the  
18 return is filed, whichever is later, that the amount designated is clearly in error. Any  
19 refund granted by the department under this paragraph shall be deducted from the  
20 moneys received under this subsection in the fiscal year that the refund is certified.

21           (L) *Initial applicability.* This subsection first applies to taxable years  
22 beginning after December 31, 2011.

23           **SECTION 1888.** 71.10 (5f) (i) of the statutes is amended to read:

24           71.10 (5f) (i) *Appropriations and payment.* From the moneys received from  
25 designations for the breast cancer research program, an amount equal to the sum of

**ASSEMBLY BILL 40****SECTION 1888**

1 administrative expenses, including data processing costs, certified under par. (h) 1.  
2 shall be deposited in the general fund and credited to the appropriation account  
3 under s. 20.566 (1) (hp), and, of the net amount remaining that is certified under par.  
4 (h) 3., an amount equal to 50 percent shall be credited to the appropriation account  
5 under s. 20.250 (2) (g) and an amount equal to 50 percent shall be credited to the  
6 appropriation account under s. 20.285 (1) (gm) paid to the University of  
7 Wisconsin-Madison for breast cancer research conducted by the University of  
8 Wisconsin Carbone Cancer Center.

9 **SECTION 1889.** 71.10 (5h) (i) of the statutes is amended to read:

10 71.10 (5h) (i) *Appropriations, disbursement of funds to the fund and payment.*  
11 From the moneys received from designations for the prostate cancer research  
12 program, an amount equal to the sum of administrative expenses, including data  
13 processing costs, certified under par. (h) 1. shall be deposited in the general fund and  
14 credited to the appropriation account under s. 20.566 (1) (hp), and of the net amount  
15 remaining that is certified under par. (h) 3. an amount equal to 50 percent shall be  
16 credited to the appropriation accounts account under ss. s. 20.250 (2) (h) and 20.285  
17 (1) (gm) and amount equal to 50 percent shall be paid to the University of  
18 Wisconsin-Madison, for the use specified under s. 255.054 (1).

19 **SECTION 1890.** 71.22 (4) (um) of the statutes is amended to read:

20 71.22 (4) (um) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34  
21 (1g), and 71.42 (2), “Internal Revenue Code,” for taxable years that begin after  
22 December 31, 2008, means the federal Internal Revenue Code as amended to  
23 December 31, 2008, 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.

**ASSEMBLY BILL 40****SECTION 1890**

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, 209, 503, and 513 of P.L.  
9 109–222, ~~section 844 of P.L. 109–280~~, P.L. 109–432, P.L. 110–28, P.L. 110–140, P.L.  
10 110–141, P.L. 110–142, P.L. 110–166, P.L. 110–172, P.L. 110–185, P.L. 110–234,  
11 sections 110, 113, and 301 of P.L. 110–245, P.L. 110–246, except section 15316 of P.L.  
12 110–246, P.L. 110–289, P.L. 110–317, P.L. 110–343, except section 301 of division B  
13 and section 313 of division C of P.L. 110–343, and P.L. 110–351, and as amended by  
14 sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L. 111–5, section 301 of  
15 P.L. 111–147, and sections 2111, 2112, and 2113 of P.L. 111–240, and as indirectly  
16 affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203,  
17 P.L. 100–647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and  
18 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L.  
19 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections  
20 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding  
21 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.  
22 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections  
23 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.  
24 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.  
25 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of



**ASSEMBLY BILL 40****SECTION 1890**

1 P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L.  
2 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a)  
3 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,  
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, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of  
8 P.L. 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, and 513 of P.L.  
14 109–222, P.L. 109–227, P.L. 109–280, ~~excluding section 844 of P.L. 109–280, P.L.~~  
15 ~~110–245, excluding sections 110, 113, and 301 of P.L. 110–245, and section 15316 of~~  
16 ~~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, sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L. 111–5,~~  
18 ~~section 301 of P.L. 111–147, and sections 2111, 2112, and 2113 of P.L. 111–240.~~ The  
19 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal  
20 purposes. Amendments to the federal Internal Revenue Code enacted after  
21 December 31, 2008, do not apply to this paragraph with respect to taxable years  
22 beginning after December 31, 2008, except that changes to the Internal Revenue  
23 Code made by sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L. 111–5,  
24 section 301 of P.L. 111–147, and sections 2111, 2112, and 2113 of P.L. 111–240, and  
25 changes that indirectly affect the provisions applicable to this subchapter made by

**ASSEMBLY BILL 40****SECTION 1890**

1 sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L. 111–5, section 301 of  
2 P.L. 111–147, and sections 2111, 2112, and 2113 of P.L. 111–240, apply for Wisconsin  
3 purposes at the same time as for federal purposes.

4 **SECTION 1891.** 71.22 (4m) (sm) of the statutes is amended to read:

5 71.22 **(4m)** (sm) For taxable years that begin after December 31, 2008,  
6 “Internal Revenue Code,” for corporations that are subject to a tax on unrelated  
7 business income under s. 71.26 (1) (a), means the federal Internal Revenue Code as  
8 amended to December 31, 2008, 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, 209, 503, and 513 of P.L.  
19 109–222, ~~section 844 of P.L. 109–280~~, P.L. 109–432, P.L. 110–28, P.L. 110–140, P.L.  
20 110–141, P.L. 110–142, P.L. 110–166, P.L. 110–172, P.L. 110–185, P.L. 110–234,  
21 sections 110, 113, and 301 of P.L. 110–245, P.L. 110–246, except section 15316 of P.L.  
22 110–246, P.L. 110–289, P.L. 110–317, P.L. 110–343, except section 301 of division B  
23 and section 313 of division C of P.L. 110–343, and P.L. 110–351, and as amended by  
24 sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L. 111–5, section 301 of  
25 P.L. 111–147, and sections 2111, 2112, and 2113 of P.L. 111–240, and as indirectly

**ASSEMBLY BILL 40****SECTION 1891**

1 affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203,  
2 P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508,  
3 P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.  
4 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
5 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.  
6 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
7 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L.  
8 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554,  
9 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding  
10 section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147,  
11 excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L.  
12 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L.  
13 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L.  
14 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403  
15 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336,  
16 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7,  
17 P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
18 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L.  
19 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding  
20 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and  
21 (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207,  
22 209, 503, and 513 of P.L. 109–222, P.L. 109–227, and P.L. 109–280, ~~excluding section~~  
23 ~~844 of P.L. 109–280~~, P.L. 110–245, excluding sections 110, 113, and 301 of P.L.  
24 110–245, and section 15316 of P.L. 110–246, section 301 of division B and section 313  
25 of division C of P.L. 110–343, P.L. 110–458, sections 1401, 1402, 1521, 1522, and 1531

**ASSEMBLY BILL 40****SECTION 1891**

1 of division B of P.L. 111–5, section 301 of P.L. 111–147, and sections 2111, 2112, and  
2 2113 of P.L. 111–240. The Internal Revenue Code applies for Wisconsin purposes at  
3 the same time as for federal purposes. Amendments to the Internal Revenue Code  
4 enacted after December 31, 2008, do not apply to this paragraph with respect to  
5 taxable years beginning after December 31, 2008, except that changes to the  
6 Internal Revenue Code made by sections 1401, 1402, 1521, 1522, and 1531 of division  
7 B of P.L. 111–5, section 301 of P.L. 111–147, and sections 2111, 2112, and 2113 of P.L.  
8 111–240, and changes that indirectly affect the provisions applicable to this  
9 subchapter made by sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L.  
10 111–5, section 301 of P.L. 111–147, and sections 2111, 2112, and 2113 of P.L. 111–240,  
11 apply for Wisconsin purposes at the same time as for federal purposes.

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) ~~and~~, (c), and (d), 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

**ASSEMBLY BILL 40****SECTION 1893**

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 1894.** 71.255 (6) (d) of the statutes is created to read:

4 71.255 (6) (d) 1. Starting with the first taxable year beginning after December  
5 31, 2011, and for each of the 20 subsequent taxable years, and subject to the  
6 limitations provided under s. 71.26 (3) (n), for each taxable year that a corporation  
7 that is a member of a combined group has net business loss carry-forward as  
8 computed under s. 71.26 (4) or 71.45 (4) from a taxable year beginning prior to  
9 January 1, 2009, the corporation may, after using such net business loss  
10 carry-forward to offset its own income for the taxable year, use up to 5 percent of the  
11 remaining net business loss carry-forward to offset the income of all other members  
12 of the combined group on a proportionate basis, to the extent such income is  
13 attributable to the unitary business. If the full 5 percent of such net business loss  
14 carry-forward cannot be fully used to offset the income of all other members of the  
15 combined group, the remainder may be added to the portion that may offset the  
16 income of all other members of the combined group in the subsequent year.

17 2. Unless otherwise provided by the department by rule, if the corporation may  
18 no longer be included in the combined group, as determined under this section, the  
19 corporation's net business loss carry-forward shall be available only to that  
20 corporation.

21 3. The department shall promulgate rules to administer this paragraph.

22 **SECTION 1895.** 71.26 (1) (be) of the statutes, as affected by 2011 Wisconsin Act  
23 7, is amended to read:

24 71.26 (1) (be) *Certain authorities.* Income of the University of Wisconsin  
25 Hospitals and Clinics Authority, of the University of Wisconsin-Madison, of the

**ASSEMBLY BILL 40****SECTION 1895**

1 Health Insurance Risk-Sharing Plan Authority, of the Wisconsin Quality Home  
2 Care Authority, of the Fox River Navigational System Authority, of the Wisconsin  
3 Economic Development Corporation, and of the Wisconsin Aerospace Authority.

4 **SECTION 1896.** 71.26 (1m) (L) of the statutes is created to read:

5 71.26 (1m) (L) Those issued under s. 231.03 (6), if the bonds or notes are issued  
6 to a person who is eligible to receive bonds or notes from another issuer for the same  
7 purpose for which the person is issued bonds or notes under s. 231.03 (6) and the  
8 interest income received from the other bonds or notes is exempt from taxation under  
9 this subchapter.

10 **SECTION 1897.** 71.26 (2) (b) 22. of the statutes is amended to read:

11 71.26 (2) (b) 22. For taxable years that begin after December 31, 2008, for a  
12 corporation, conduit, or common law trust which qualifies as a regulated investment  
13 company, real estate mortgage investment conduit, real estate investment trust, or  
14 financial asset securitization investment trust under the Internal Revenue Code as  
15 amended to December 31, 2008, excluding sections 103, 104, and 110 of P.L. 102-227,  
16 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections  
17 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3, 4, and  
18 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of  
19 P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201, and 202 of  
20 P.L. 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403 (a) of  
21 P.L. 108-311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910  
22 of P.L. 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326,  
23 1328, 1329, 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section 301  
24 of P.L. 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403  
25 (e), (j), and (q), and 405 of P.L. 109-135, sections 101, 207, 209, 503, and 513 of P.L.

**ASSEMBLY BILL 40****SECTION 1897**

1 109–222, ~~section 844 of P.L. 109–280~~, P.L. 109–432, P.L. 110–28, P.L. 110–140, P.L.  
2 110–141, P.L. 110–142, P.L. 110–166, P.L. 110–172, P.L. 110–185, P.L. 110–234,  
3 sections 110, 113, and 301 of P.L. 110–245, P.L. 110–246, except section 15316 of P.L.  
4 110–246, P.L. 110–289, P.L. 110–317, P.L. 110–343, except section 301 of division B  
5 and section 313 of division C of P.L. 110–343, and P.L. 110–351, and as amended by  
6 sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L. 111–5, section 301 of  
7 P.L. 111–147, and sections 2111, 2112, and 2113 of P.L. 111–240, and as indirectly  
8 affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203,  
9 P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508,  
10 P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.  
11 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
12 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.  
13 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
14 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L.  
15 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554,  
16 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding  
17 section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147,  
18 excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L.  
19 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L.  
20 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L.  
21 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403  
22 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336,  
23 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7,  
24 P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
25 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L.

**ASSEMBLY BILL 40****SECTION 1897**

1 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding  
2 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and  
3 (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207,  
4 209, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, ~~excluding section 844~~  
5 ~~of P.L. 109–280~~, P.L. 110–245, excluding sections 110, 113, and 301 of P.L. 110–245,  
6 and section 15316 of P.L. 110–246, section 301 of division B and section 313 of division  
7 C of P.L. 110–343, P.L. 110–458, sections 1401, 1402, 1521, 1522, and 1531 of division  
8 B of P.L. 111–5, section 301 of P.L. 111–147, and sections 2111, 2112, and 2113 of P.L.  
9 111–240, “net income” means the federal regulated investment company taxable  
10 income, federal real estate mortgage investment conduit taxable income, federal real  
11 estate investment trust or financial asset securitization investment trust taxable  
12 income of the corporation, conduit, or trust as determined under the Internal  
13 Revenue Code as amended to December 31, 2008, excluding sections 103, 104, and  
14 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
15 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188,  
16 sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L.  
17 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections  
18 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316,  
19 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422,  
20 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323,  
21 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L.  
22 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section  
23 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 209,  
24 503, and 513 of P.L. 109–222, ~~section 844 of P.L. 109–280~~, P.L. 109–432, P.L. 110–28,  
25 P.L. 110–140, P.L. 110–141, P.L. 110–142, P.L. 110–166, P.L. 110–172, P.L. 110–185,



**ASSEMBLY BILL 40****SECTION 1897**

1 P.L. 110–234, sections 110, 113, and 301 of P.L. 110–245, P.L. 110–246, except section  
2 15316 of P.L. 110–246, P.L. 110–289, P.L. 110–317, P.L. 110–343, except section 301  
3 of division B and section 313 of division C of P.L. 110–343, and P.L. 110–351, and as  
4 amended by sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L. 111–5,  
5 section 301 of P.L. 111–147, and sections 2111, 2112, and 2113 of P.L. 111–240, and  
6 as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514,  
7 P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239,  
8 P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.  
9 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),  
10 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.  
11 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
12 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.  
13 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L.  
14 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16,  
15 excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L.  
16 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L.  
17 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and  
18 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L.  
19 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316,  
20 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211,  
21 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476,  
22 P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,  
23 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146  
24 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135,  
25 excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),

**ASSEMBLY BILL 40****SECTION 1897**

1 (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections  
2 101, 207, 209, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, ~~excluding~~  
3 ~~section 844 of P.L. 109–280~~, P.L. 110–245, excluding sections 110, 113, and 301 of P.L.  
4 110–245, and section 15316 of P.L. 110–246, section 301 of division B and section 313  
5 of division C of P.L. 110–343, P.L. 110–458, sections 1401, 1402, 1521, 1522, and 1531  
6 of division B of P.L. 111–5, section 301 of P.L. 111–147, and sections 2111, 2112, and  
7 2113 of P.L. 111–240, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985  
8 stats., is required to be depreciated for taxable years 1983 to 1986 under the Internal  
9 Revenue Code as amended to December 31, 1980, shall continue to be depreciated  
10 under the Internal Revenue Code as amended to December 31, 1980, and except that  
11 the appropriate amount shall be added or subtracted to reflect differences between  
12 the depreciation or adjusted basis for federal income tax purposes and the  
13 depreciation or adjusted basis under this chapter of any property disposed of during  
14 the taxable year. The Internal Revenue Code as amended to December 31, 2008,  
15 excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171  
16 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
17 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165  
18 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of  
19 P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173,  
20 sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211,  
21 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305,  
22 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58,  
23 section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as  
24 it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135,  
25 sections 101, 207, 209, 503, and 513 of P.L. 109–222, ~~section 844 of P.L. 109–280~~, P.L.

**ASSEMBLY BILL 40****SECTION 1897**

1 109–432, P.L. 110–28, P.L. 110–140, P.L. 110–141, P.L. 110–142, P.L. 110–166, P.L.  
2 110–172, P.L. 110–185, P.L. 110–234, sections 110, 113, and 301 of P.L. 110–245, P.L.  
3 110–246, except section 15316 of P.L. 110–246, P.L. 110–289, P.L. 110–317, P.L.  
4 110–343, except section 301 of division B and section 313 of division C of P.L. 110–343,  
5 and P.L. 110–351, and as amended by sections 1401, 1402, 1521, 1522, and 1531 of  
6 division B of P.L. 111–5, section 301 of P.L. 111–147, and sections 2111, 2112, and 2113  
7 of P.L. 111–240, and as indirectly affected in the provisions applicable to this  
8 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140,  
9 P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104,  
10 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections  
11 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.  
12 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202  
13 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.  
14 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.  
15 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,  
16 P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L.  
17 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L.  
18 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27,  
19 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173,  
20 excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311,  
21 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,  
22 excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of  
23 P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections  
24 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.  
25 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding

**ASSEMBLY BILL 40****SECTION 1897**

1 section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it  
2 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L.  
3 109–151, P.L. 109–222, excluding sections 101, 207, 209, 503, and 513 of P.L.  
4 109–222, P.L. 109–227, P.L. 109–280, ~~excluding section 844 of P.L. 109–280, P.L.~~  
5 110–245, excluding sections 110, 113, and 301 of P.L. 110–245, and section 15316 of  
6 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, sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L. 111–5,  
8 section 301 of P.L. 111–147, and sections 2111, 2112, and 2113 of P.L. 111–240, applies  
9 for Wisconsin purposes at the same time as for federal purposes. Amendments to the  
10 Internal Revenue Code enacted after December 31, 2008, do not apply to this  
11 subdivision with respect to taxable years that begin after December 31, 2008, except  
12 that changes to the Internal Revenue Code made by sections 1401, 1402, 1521, 1522,  
13 and 1531 of division B of P.L. 111–5, section 301 of P.L. 111–147, and sections 2111,  
14 2112, and 2113 of P.L. 111–240, and changes that indirectly affect the provisions  
15 applicable to this subchapter made by sections 1401, 1402, 1521, 1522, and 1531 of  
16 division B of P.L. 111–5, section 301 of P.L. 111–147, and sections 2111, 2112, and 2113  
17 of P.L. 111–240, apply for Wisconsin purposes at the same time as for federal  
18 purposes.

19 **SECTION 1898.** 71.28 (1dd) (b) of the statutes is amended to read:

20 71.28 (1dd) (b) Except as provided in s. 73.03 (35), for any taxable year for  
21 which that person is certified under s. 560.765 (3), 2009 stats., and begins business  
22 operations in a zone under s. 560.71, 2009 stats., after July 29, 1995, entitled under  
23 s. 560.795 (3) (a), 2009 stats., and begins business operations in a zone under s.  
24 560.795, 2009 stats., after July 29, 1995, or certified under s. 560.797 (4) (a), 2009  
25 stats., for each zone for which the person is certified or entitled a person may credit

**ASSEMBLY BILL 40****SECTION 1898**

1 against taxes otherwise due under this subchapter employment-related day care  
2 expenses, up to \$1,200 for each qualifying individual.

3 **SECTION 1899.** 71.28 (1dd) (e) of the statutes is amended to read:

4 71.28 **(1dd)** (e) The credit under this subsection, as it applies to a person  
5 certified under s. 560.765 (3), 2009 stats., applies to a corporation that conducts  
6 economic activity in a zone under s. 560.795 (1), 2009 stats., and that is entitled to  
7 tax benefits under s. 560.795 (3), 2009 stats., subject to the limits under s. 560.795  
8 (2), 2009 stats. A credit under this subsection may be credited using expenses  
9 incurred by a claimant on July 29, 1995.

10 **SECTION 1900.** 71.28 (1de) (a) (intro.) of the statutes is amended to read:

11 71.28 **(1de)** (a) (intro.) Except as provided in s. 73.03 (35), for any taxable year  
12 for which a person is certified under s. 560.765 (3), 2009 stats., and begins business  
13 operations in a zone under s. 560.71, 2009 stats., after July 29, 1995, entitled under  
14 s. 560.795 (3) (a), 2009 stats., and begins business operations in a zone under s.  
15 560.795, 2009 stats., after July 29, 1995, or certified under s. 560.797 (4) (a), 2009  
16 stats., for each zone for which the person is certified or entitled the person may claim  
17 as a credit against taxes otherwise due under this subchapter an amount equal to  
18 7.5% of the amount that the person expends to remove or contain environmental  
19 pollution, as defined in s. 299.01 (4), in the zone or to restore soil or groundwater that  
20 is affected by environmental pollution, as defined in s. 299.01 (4), in the zone if the  
21 person fulfills all of the following requirements:

22 **SECTION 1901.** 71.28 (1de) (a) 1. of the statutes is amended to read:

23 71.28 **(1de)** (a) 1. Begins the work, other than planning and investigating, for  
24 which the credit is claimed after the area that includes the site where the work is  
25 done is designated a development zone under s. 560.71, 2009 stats., a development

**ASSEMBLY BILL 40****SECTION 1901**

1 opportunity zone under s. 560.795, 2009 stats., or an enterprise development zone  
2 under s. 560.797, 2009 stats., and after the claimant is certified under s. 560.765 (3),  
3 2009 stats., entitled under s. 560.795 (3) (a), 2009 stats., or certified under s. 560.797  
4 (4) (a), 2009 stats.

5 **SECTION 1902.** 71.28 (1de) (d) of the statutes is amended to read:

6 71.28 **(1de)** (d) The credit under this subsection, as it applies to a person  
7 certified under s. 560.765 (3), 2009 stats., applies to a corporation that conducts  
8 economic activity in a zone under s. 560.795 (1), 2009 stats., and that is entitled to  
9 tax benefits under s. 560.795 (3), 2009 stats., subject to the limits under s. 560.795  
10 (2), 2009 stats. A credit under this subsection may be credited using expenses  
11 incurred by a claimant on July 29, 1995.

12 **SECTION 1903.** 71.28 (1di) (a) (intro.) of the statutes is amended to read:

13 71.28 **(1di)** (a) (intro.) Except as provided in pars. (dm) and (f) and s. 73.03 (35),  
14 for any taxable year for which the person is entitled under s. 560.795 (3), 2009 stats.,  
15 to claim tax benefits, any person may claim as a credit against taxes otherwise due  
16 under this chapter 2.5% of the purchase price of depreciable, tangible personal  
17 property, or 1.75% of the purchase price of depreciable, tangible personal property  
18 that is expensed under section 179 of the internal revenue code for purposes of the  
19 taxes under this chapter, except that:

20 **SECTION 1904.** 71.28 (1di) (a) 1. of the statutes is amended to read:

21 71.28 **(1di)** (a) 1. The investment must be in property that is purchased after  
22 the person is entitled under s. 560.795 (3), 2009 stats., to claim tax benefits and that  
23 is used for at least 50% of its use in the conduct of the person's business operations  
24 at a location in a development zone under subch. VI of ch. 560, 2009 stats., or, if the

**ASSEMBLY BILL 40****SECTION 1904**

1 property is mobile, the base of operations of the property for at least 50% of its use  
2 must be a location in a development zone.

3 **SECTION 1905.** 71.28 (1di) (b) 2. of the statutes is amended to read:

4 71.28 **(1di)** (b) 2. If the claimant is located on an Indian reservation, as defined  
5 in s. 560.86 (5), 2009 stats., and is an American Indian, as defined in s. 560.86 (1),  
6 2009 stats., 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., and if the allowable amount of the credit  
8 under this subsection exceeds the taxes otherwise due under this chapter on or  
9 measured by the claimant's income, the amount of the credit not used as an offset  
10 against those taxes shall be certified to the department of administration for  
11 payment to the claimant by check, share draft or other draft.

12 **SECTION 1906.** 71.28 (1di) (b) 3. of the statutes is amended to read:

13 71.28 **(1di)** (b) 3. Partnerships, limited liability companies and tax-option  
14 corporations may not claim the credit under this subsection, but the eligibility for,  
15 and amount of, that credit shall be determined on the basis of their economic activity,  
16 not that of their shareholders, partners or members. The corporation, partnership  
17 or limited liability company shall compute the amount of the credit that may be  
18 claimed by each of its shareholders, partners or members and shall provide that  
19 information to each of its shareholders, partners or members. Partners, members  
20 of limited liability companies and shareholders of tax-option corporations may claim  
21 the credit based on the partnership's, company's or corporation's activities in  
22 proportion to their ownership interest and may offset it against the tax attributable  
23 to their income from the partnership's, company's or corporation's business  
24 operations in the development zone; except that partners, members, and  
25 shareholders in a development zone under s. 560.795 (1) (e), 2009 stats., may offset

**ASSEMBLY BILL 40****SECTION 1906**

1 the credit against the amount of the tax attributable to their income from all of the  
2 partnership's, company's, or corporation's business operations; and against the tax  
3 attributable to their income from the partnership's, company's or corporation's  
4 directly related business operations.

5 **SECTION 1907.** 71.28 (1di) (d) 1. of the statutes is amended to read:

6 71.28 (1di) (d) 1. A copy of a verification from the department of commerce that  
7 the claimant may claim tax benefits under s. 560.795 (3), 2009 stats.

8 **SECTION 1908.** 71.28 (1di) (f) of the statutes is amended to read:

9 71.28 (1di) (f) If a person who is entitled under s. 560.795 (3), 2009 stats., to  
10 claim tax benefits becomes ineligible for such tax benefits, that person may claim no  
11 credits under this subsection for the taxable year that includes the day on which the  
12 person becomes ineligible for tax benefits or succeeding taxable years and that  
13 person may carry over no unused credits from previous years to offset tax under this  
14 chapter for the taxable year that includes the day on which the person becomes  
15 ineligible for tax benefits or succeeding taxable years.

16 **SECTION 1909.** 71.28 (1di) (g) of the statutes is amended to read:

17 71.28 (1di) (g) If a person who is entitled under s. 560.795 (3), 2009 stats., to  
18 claim tax benefits ceases business operations in the development zone during any of  
19 the taxable years that that zone exists, that person may not carry over to any taxable  
20 year following the year during which operations cease any unused credits from the  
21 taxable year during which operations cease or from previous taxable years.

22 **SECTION 1910.** 71.28 (1di) (i) of the statutes is amended to read:

23 71.28 (1di) (i) The development zones credit under this subsection, as it applies  
24 to a person certified under s. 560.765 (3), 2009 stats., applies to a corporation that  
25 conducts economic activity in a development opportunity zone under s. 560.795 (1),



**ASSEMBLY BILL 40****SECTION 1910**

1 2009 stats., and that is entitled to tax benefits under s. 560.795 (3), 2009 stats.,  
2 subject to the limits under s. 560.795 (2), 2009 stats. A development opportunity  
3 zone credit under this paragraph may be calculated using expenses incurred by a  
4 claimant beginning on the effective date under s. 560.795 (2) (a), 2009 stats., of the  
5 development opportunity zone designation of the area in which the claimant  
6 conducts economic activity.

7 **SECTION 1911.** 71.28 (1dj) (am) (intro.) of the statutes is amended to read:

8 71.28 **(1dj)** (am) (intro.) Except as provided under par. (f) or s. 73.03 (35), for  
9 any taxable year for which the person is certified under s. 560.765 (3), 2009 stats.,  
10 for tax benefits, any person may claim as a credit against taxes otherwise due under  
11 this chapter an amount calculated as follows:

12 **SECTION 1912.** 71.28 (1dj) (am) 4. a. of the statutes is amended to read:

13 71.28 **(1dj)** (am) 4. a. If certified under s. 560.765 (3), 2009 stats., for tax  
14 benefits before January 1, 1992, modify “qualified wages” as defined in section 51 (b)  
15 of the internal revenue code to exclude wages paid before the claimant is certified for  
16 tax benefits and to exclude wages that are paid to employees for work at any location  
17 that is not in a development zone under subch. VI of ch. 560, 2009 stats. For purposes  
18 of this subd. 4. a., mobile employees work at their base of operations and leased or  
19 rented employees work at the location where they perform services.

20 **SECTION 1913.** 71.28 (1dj) (am) 4. b. of the statutes is amended to read:

21 71.28 **(1dj)** (am) 4. b. If certified under s. 560.765 (3), 2009 stats., for tax  
22 benefits after December 31, 1991, modify “qualified wages” as defined in section 51  
23 (b) of the internal revenue code to exclude wages paid before the claimant is certified  
24 for tax benefits and to exclude wages that are paid to employees for work at any  
25 location that is not in a development zone under subch. VI of ch. 560, 2009 stats. For

**ASSEMBLY BILL 40****SECTION 1913**

1 purposes of this subd. 4. b., mobile employees and leased or rented employees work  
2 at their base of operations.

3 **SECTION 1914.** 71.28 (1dj) (am) 4c. of the statutes is amended to read:

4 71.28 **(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 1915.** 71.28 (1dj) (am) 4t. of the statutes is amended to read:

10 71.28 **(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 1916.** 71.28 (1dj) (e) 1. of the statutes is amended to read:

18 71.28 **(1dj)** (e) 1. A copy of the claimant's certification for tax benefits under s.  
19 560.765 (3), 2009 stats.

20 **SECTION 1917.** 71.28 (1dj) (e) 3. a. of the statutes is amended to read:

21 71.28 **(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.

**ASSEMBLY BILL 40****SECTION 1918**

1           **SECTION 1918.** 71.28 (1dj) (e) 3. b. of the statutes is amended to read:

2           71.28 (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 1919.** 71.28 (1dj) (i) of the statutes is amended to read:

8           71.28 (1dj) (i) The development zones credit under this subsection, as it applies  
9 to a person certified under s. 560.765 (3), 2009 stats., applies to a corporation that  
10 conducts economic activity in a development opportunity zone under s. 560.795 (1),  
11 2009 stats., and that is entitled to tax benefits under s. 560.795 (3), 2009 stats.,  
12 subject to the limits under s. 560.795 (2), 2009 stats. A development opportunity  
13 zone credit under this paragraph may be calculated using expenses incurred by a  
14 claimant beginning on the effective date under s. 560.795 (2) (a), 2009 stats., of the  
15 development opportunity zone designation of the area in which the claimant  
16 conducts economic activity.

17           **SECTION 1920.** 71.28 (1dL) (a) of the statutes is amended to read:

18           71.28 (1dL) (a) Except as provided in pars. (ag), (ar), (bm) and (f) and s. 73.03  
19 (35), for any taxable year for which the person is certified under s. 560.765 (3), 2009  
20 stats., for tax benefits, any person may claim as a credit against taxes otherwise due  
21 under this subchapter an amount equal to 2.5% of the amount expended by that  
22 person to acquire, construct, rehabilitate or repair real property in a development  
23 zone under subch. VI of ch. 560, 2009 stats.

24           **SECTION 1921.** 71.28 (1dL) (ag) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1921**

1           71.28 (1dL) (ag) If the credit under par. (a) is claimed for an amount expended  
2 to construct, rehabilitate, remodel or repair property, the claimant must have begun  
3 the physical work of construction, rehabilitation, remodeling or repair, or any  
4 demolition or destruction in preparation for the physical work, after the place where  
5 the property is located was designated a development zone under s. 560.71, 2009  
6 stats., and the completed project must be placed in service after the claimant is  
7 certified for tax benefits under s. 560.765 (3), 2009 stats. In this paragraph, “physical  
8 work” does not include preliminary activities such as planning, designing, securing  
9 financing, researching, developing specifications or stabilizing the property to  
10 prevent deterioration.

11           **SECTION 1922.** 71.28 (1dL) (ar) of the statutes is amended to read:

12           71.28 (1dL) (ar) If the credit under par. (a) is claimed for an amount expended  
13 to acquire property, the property must have been acquired by the claimant after the  
14 place where the property is located was designated a development zone under s.  
15 560.71, 2009 stats., and the completed project must be placed in service after the  
16 claimant is certified for tax benefits under s. 560.765 (3), 2009 stats., and the  
17 property must not have been previously owned by the claimant or a related person  
18 during the 2 years prior to the designation of the development zone under s. 560.71,  
19 2009 stats. No credit is allowed for an amount expended to acquire property until  
20 the property, either in its original state as acquired by the claimant or as  
21 subsequently constructed, rehabilitated, remodeled or repaired, is placed in service.

22           **SECTION 1923.** 71.28 (1dL) (bm) of the statutes is amended to read:

23           71.28 (1dL) (bm) In calculating the credit under par. (a) a claimant shall reduce  
24 the amount expended to acquire property by a percentage equal to the percentage of  
25 the area of the real property not used for the purposes for which the claimant is

**ASSEMBLY BILL 40****SECTION 1923**

1 certified to claim tax benefits under s. 560.765 (3), 2009 stats., and shall reduce the  
2 amount expended for other purposes by the amount expended on the part of the  
3 property not used for the purposes for which the claimant is certified to claim tax  
4 benefits under s. 560.765 (3), 2009 stats.

5 **SECTION 1924.** 71.28 (1dL) (c) of the statutes is amended to read:

6 71.28 (1dL) (c) If the claimant is located on an Indian reservation, as defined  
7 in s. 560.86 (5), 2009 stats., and is an American Indian, as defined in s. 560.86 (1),  
8 2009 stats., an Indian business, as defined in s. 560.86 (4), 2009 stats., or a tribal  
9 enterprise, as defined in s. 71.07 (2di) (b) 2., and if the allowable amount of the credit  
10 under par. (a) exceeds the taxes otherwise due under this chapter on or measured by  
11 the claimant's income, the amount of the credit not used as an offset against those  
12 taxes shall be certified to the department of administration for payment to the  
13 claimant by check, share draft or other draft.

14 **SECTION 1925.** 71.28 (1dL) (i) of the statutes is amended to read:

15 71.28 (1dL) (i) The development zones credit under this subsection, as it  
16 applies to a person certified under s. 560.765 (3), 2009 stats., applies to a corporation  
17 that conducts economic activity in a development opportunity zone under s. 560.795  
18 (1), 2009 stats., and that is entitled to tax benefits under s. 560.795 (3), 2009 stats.,  
19 subject to the limits under s. 560.795 (2), 2009 stats. A development opportunity  
20 zone credit under this paragraph may be calculated using expenses incurred by a  
21 claimant beginning on the effective date under s. 560.795 (2) (a), 2009 stats., of the  
22 development opportunity zone designation of the area in which the claimant  
23 conducts economic activity.

24 **SECTION 1926.** 71.28 (1dm) (a) 1. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1926**

1           71.28 (1dm) (a) 1. “Certified” means entitled under s. 238.395 (3) (a) 4. or s.  
2           560.795 (3) (a) 4., 2009 stats., to claim tax benefits or certified under s. 238.395 (5),  
3           238.398 (3), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats.,  
4           s. or 560.7995 (4), 2009 stats.

5           **SECTION 1927.** 71.28 (1dm) (a) 3. of the statutes is amended to read:

6           71.28 (1dm) (a) 3. “Development zone” means a development opportunity zone  
7           under s. 238.395 (1) (e) and (f) or 238.398 or s. 560.795 (1) (e) and (f), 2009 stats., or  
8           s. 560.798, 2009 stats., or an airport development zone under s. 238.3995 or s.  
9           560.7995, 2009 stats.

10          **SECTION 1928.** 71.28 (1dm) (a) 4. of the statutes is amended to read:

11          71.28 (1dm) (a) 4. “Previously owned property” means real property that the  
12          claimant or a related person owned during the 2 years prior to the department of  
13          commerce or the Wisconsin Economic Development Corporation designating the  
14          place where the property is located as a development zone and for which the claimant  
15          may not deduct a loss from the sale of the property to, or an exchange of the property  
16          with, the related person under section 267 of the Internal Revenue Code, except that  
17          section 267 (b) of the Internal Revenue Code is modified so that if the claimant owns  
18          any part of the property, rather than 50% ownership, the claimant is subject to  
19          section 267 (a) (1) of the Internal Revenue Code for purposes of this subsection.

20          **SECTION 1929.** 71.28 (1dm) (f) 1. of the statutes is amended to read:

21          71.28 (1dm) (f) 1. A copy of ~~a~~ the verification ~~from the department of commerce~~  
22          that the claimant may claim tax benefits under s. 238.395 (3) (a) 4. or s. 560.795 (3)  
23          (a) 4., 2009 stats., or is certified under s. 238.395 (5), 238.398 (3), or 238.3995 (4) or  
24          s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats.

25          **SECTION 1930.** 71.28 (1dm) (f) 2. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1930**

1           71.28 (1dm) (f) 2. A statement from the department of commerce or the  
2           Wisconsin Economic Development Corporation verifying the purchase price of the  
3           investment and verifying that the investment fulfills the requirements under par.  
4           (b).

5           **SECTION 1931.** 71.28 (1dm) (i) of the statutes is amended to read:

6           71.28 (1dm) (i) 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, that credit shall be determined on the basis of their economic  
9           activity, not that of their shareholders, partners, or members. The corporation,  
10          partnership, or limited liability company shall compute the amount of credit that  
11          may be claimed by each of its shareholders, partners, or members and provide that  
12          information to its shareholders, partners, or members. Partners, members of limited  
13          liability companies, and shareholders of tax-option corporations may claim the  
14          credit based on the partnership's, company's, or corporation's activities in proportion  
15          to their ownership interest and may offset it against the tax attributable to their  
16          income from the partnership's, company's, or corporation's business operations in the  
17          development zone; except that partners, members, and shareholders in a  
18          development zone under s. 238.395 (1) (e) or s. 560.795 (1) (e), 2009 stats., may offset  
19          the credit against the amount of the tax attributable to their income.

20          **SECTION 1932.** 71.28 (1dm) (j) of the statutes is amended to read:

21          71.28 (1dm) (j) If a person who is entitled under s. 238.395 (3) (a) 4. or s. 560.795  
22          (3) (a) 4., 2009 stats. to claim tax benefits becomes ineligible for such tax benefits,  
23          or if a person's certification under s. 238.395 (5), 238.398 (3), or 238.3995 (4) or s.  
24          560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., is  
25          revoked, that person may claim no credits under this subsection for the taxable year

**ASSEMBLY BILL 40****SECTION 1932**

1 that includes the day on which the person becomes ineligible for tax benefits, the  
2 taxable year that includes the day on which the certification is revoked, or succeeding  
3 taxable years, and that person may carry over no unused credits from previous years  
4 to offset tax under this chapter for the taxable year that includes the day on which  
5 the person becomes ineligible for tax benefits, the taxable year that includes the day  
6 on which the certification is revoked, or succeeding taxable years.

7 **SECTION 1933.** 71.28 (1dm) (k) of the statutes is amended to read:

8 71.28 **(1dm)** (k) If a person who is entitled under s. 238.395 (3) (a) 4. or s.  
9 560.795 (3) (a) 4., 2009 stats., to claim tax benefits or certified under s. 238.395 (5),  
10 239.398 (3), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats.,  
11 or s. 560.7995 (4), 2009 stats., ceases business operations in the development zone  
12 during any of the taxable years that that zone exists, that person may not carry over  
13 to any taxable year following the year during which operations cease any unused  
14 credits from the taxable year during which operations cease or from previous taxable  
15 years.

16 **SECTION 1934.** 71.28 (1ds) (a) 1. of the statutes is amended to read:

17 71.28 **(1ds)** (a) 1. “Development zone” means a zone designated under s. 560.71,  
18 2009 stats.

19 **SECTION 1935.** 71.28 (1ds) (b) of the statutes is amended to read:

20 71.28 **(1ds)** (b) Except as provided in pars. (dm) and (e) and s. 73.03 (35), for  
21 any taxable year for which the person is certified under s. 560.765 (3), 2009 stats.,  
22 for tax benefits, any person may claim as a credit against taxes otherwise due under  
23 this chapter the taxes paid under subchs. III and V of ch. 77 on their purchases, leases  
24 and rentals of eligible property. Partnerships, limited liability companies and  
25 tax-option corporations may not claim the credit under this subsection, but the



**ASSEMBLY BILL 40****SECTION 1935**

1 eligibility for, and the amount of, that credit shall be determined on the basis of their  
2 economic activity, not that of their partners, members or shareholders. The  
3 partnership, limited liability company or corporation shall compute the amount of  
4 credit that may be claimed by each of its partners, members or shareholders and  
5 shall provide that information to its partners, members or shareholders. Partners,  
6 members of limited liability companies and shareholders of tax-option corporations  
7 may claim the credit based on the partnership's, company's or corporation's activities  
8 in proportion to their ownership interest.

9 **SECTION 1936.** 71.28 (1ds) (d) 1. of the statutes is amended to read:

10 71.28 (1ds) (d) 1. A copy of the claimant's certification for tax benefits under  
11 s. 560.765 (3), 2009 stats.

12 **SECTION 1937.** 71.28 (1ds) (i) of the statutes is amended to read:

13 71.28 (1ds) (i) The development zones credit under this subsection, as it applies  
14 to a person certified under s. 560.765 (3), 2009 stats., applies to a corporation that  
15 conducts economic activity in a development opportunity zone under s. 560.795 (1),  
16 2009 stats. and that is entitled to tax benefits under s. 560.795 (3), 2009 stats.  
17 subject to the limits under s. 560.795 (2), 2009 stats. A development opportunity  
18 zone credit under this paragraph may be calculated using expenses incurred by a  
19 claimant beginning on the effective date under s. 560.795 (2) (a), 2009 stats. of the  
20 development opportunity zone designation of the area in which the claimant  
21 conducts economic activity.

22 **SECTION 1938.** 71.28 (1dx) (a) 2. of the statutes is amended to read:

23 71.28 (1dx) (a) 2. "Development zone" means a development zone under s.  
24 238.30 or s. 560.70, 2009 stats., a development opportunity zone under s. 238.395 or  
25 s. 560.795, 2009 stats., an enterprise development zone under s. 238.397 or s.

**ASSEMBLY BILL 40****SECTION 1938**

1 560.797, 2009 stats., an agricultural development zone under s. 238.398 or s.  
2 560.798, 2009 stats., or an airport development zone under s. 238.3995 or s.  
3 560.7995, 2009 stats.

4 **SECTION 1939.** 71.28 (1dx) (a) 5. of the statutes is amended to read:

5 71.28 (1dx) (a) 5. “Member of a targeted group” means a person who resides  
6 in an area designated by the federal government as an economic revitalization area,  
7 a person who is employed in an unsubsidized job but meets the eligibility  
8 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,  
9 a person who is employed in a trial job, as defined in s. 49.141 (1) (n), or in a real work,  
10 real pay project position under s. 49.147 (3m), a person who is eligible for child care  
11 assistance under s. 49.155, a person who is a vocational rehabilitation referral, an  
12 economically disadvantaged youth, an economically disadvantaged veteran, a  
13 supplemental security income recipient, a general assistance recipient, an  
14 economically disadvantaged ex-convict, a qualified summer youth employee, as  
15 defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or  
16 a ~~food stamp~~ recipient of benefits under the supplemental nutrition assistance  
17 program under 7 USC 2011 to 2036, if the person has been certified in the manner  
18 under sub. (1dj) (am) 3. by a designated local agency, as defined in sub. (1dj) (am) 2.

19 **SECTION 1940.** 71.28 (1dx) (b) (intro.) of the statutes is amended to read:

20 71.28 (1dx) (b) *Credit.* (intro.) Except as provided in pars. (be) and (bg) and  
21 in s. 73.03 (35), and subject to s. 238.385 or s. 560.785, 2009 stats., for any taxable  
22 year for which the person is entitled under s. 238.395 (3) or s. 560.795 (3), 2009 stats.,  
23 to claim tax benefits or certified under s. 238.365 (3), 238.397 (4), 238.398 (3), or  
24 238.3995 (4) or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3),

**ASSEMBLY BILL 40****SECTION 1940**

1     2009 stats., or s. 560.7995 (4), 2009 stats., any person may claim as a credit against  
2     the taxes otherwise due under this chapter the following amounts:

3             **SECTION 1941.** 71.28 (1dx) (b) 2. of the statutes is amended to read:

4             71.28 (1dx) (b) 2. The amount determined by multiplying the amount  
5     determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number  
6     of full-time jobs created in a development zone and filled by a member of a targeted  
7     group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the  
8     subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

9             **SECTION 1942.** 71.28 (1dx) (b) 3. of the statutes is amended to read:

10            71.28 (1dx) (b) 3. The amount determined by multiplying the amount  
11     determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number  
12     of full-time jobs created in a development zone and not filled by a member of a  
13     targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or  
14     the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

15            **SECTION 1943.** 71.28 (1dx) (b) 4. of the statutes is amended to read:

16            71.28 (1dx) (b) 4. The amount determined by multiplying the amount  
17     determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the  
18     number of full-time jobs retained, as provided in the rules under s. 238.385 or s.  
19     560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub.  
20     (1dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats.,  
21     and for which significant capital investment was made and by then subtracting the  
22     subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid  
23     under s. 49.147 (3m) (c) for those jobs.

24            **SECTION 1944.** 71.28 (1dx) (b) 5. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1944**

1           71.28 (1dx) (b) 5. The amount determined by multiplying the amount  
2 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number  
3 of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785,  
4 2009 stats., excluding jobs for which a credit has been claimed under sub. (1dj), in  
5 a development zone and not filled by a member of a targeted group and by then  
6 subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and  
7 reimbursements paid under s. 49.147 (3m) (c) for those jobs.

8           **SECTION 1945.** 71.28 (1dx) (be) of the statutes is amended to read:

9           71.28 (1dx) (be) *Offset.* A claimant in a development zone under s. 238.395  
10 (1) (e) or s. 560.795 (1) (e), 2009 stats., may offset any credits claimed under this  
11 subsection, including any credits carried over, against the amount of the tax  
12 otherwise due under this subchapter attributable to all of the claimant's income and  
13 against the tax attributable to income from directly related business operations of  
14 the claimant.

15           **SECTION 1946.** 71.28 (1dx) (bg) of the statutes is amended to read:

16           71.28 (1dx) (bg) *Other entities.* For claimants in a development zone under s.  
17 238.395 (1) (e) or s. 560.795 (1) (e), 2009 stats., partnerships, limited liability  
18 companies, and tax-option corporations may not claim the credit under this  
19 subsection, but the eligibility for, and amount of, that credit shall be determined on  
20 the basis of their economic activity, not that of their shareholders, partners, or  
21 members. The corporation, partnership, or company shall compute the amount of  
22 the credit that may be claimed by each of its shareholders, partners, or members and  
23 shall provide that information to each of its shareholders, partners, or members.  
24 Partners, members of limited liability companies, and shareholders of tax-option  
25 corporations may claim the credit based on the partnership's, company's, or

**ASSEMBLY BILL 40****SECTION 1946**

1 corporation's activities in proportion to their ownership interest and may offset it  
2 against the tax attributable to their income.

3 **SECTION 1947.** 71.28 (1dx) (c) of the statutes is amended to read:

4 71.28 (1dx) (c) *Credit precluded.* If the certification of a person for tax benefits  
5 under s. 238.365 (3), 238.397 (4), 238.398 (3), or 238.3995 (4) or s. 560.765 (3), 2009  
6 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009  
7 stats., is revoked, or if the person becomes ineligible for tax benefits under s. 238.395  
8 (3) or s. 560.795 (3), 2009 stats., that person 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 person becomes  
11 ineligible for tax benefits; or succeeding taxable years and that person may not carry  
12 over unused credits from previous years to offset tax under this chapter for the  
13 taxable year that includes the day on which certification is revoked; the taxable year  
14 that includes the day on which the person becomes ineligible for tax benefits; or  
15 succeeding taxable years.

16 **SECTION 1948.** 71.28 (1dx) (d) of the statutes is amended to read:

17 71.28 (1dx) (d) *Carry-over precluded.* If a person who is entitled under s.  
18 238.395 (3) or s. 560.795 (3), 2009 stats., to claim tax benefits or certified under s.  
19 238.365 (3), 238.397 (4), 238.398 (3), or 238.3995 (4) or s. 560.765 (3), 2009 stats., s.  
20 560.797 (4), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., for  
21 tax benefits ceases business operations in the development zone during any of the  
22 taxable years that that zone exists, that person may not carry over to any taxable  
23 year following the year during which operations cease any unused credits from the  
24 taxable year during which operations cease or from previous taxable years.

25 **SECTION 1949.** 71.28 (1dy) (a) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 1949**

1           71.28 (1dy) (a) *Definition.* In this subsection, “claimant” means a person who  
2 files a claim under this subsection and is certified under s. 238.301 (2) or s. 560.701  
3 (2), 2009 stats., and authorized to claim tax benefits under s. 238.303 or s. 560.703,  
4 2009 stats.

5           **SECTION 1950.** 71.28 (1dy) (b) of the statutes is amended to read:

6           71.28 (1dy) (b) *Filing claims.* Subject to the limitations under this subsection  
7 and ss. 238.301 to 238.306 or s. 560.701 to 560.706, 2009 stats., for taxable years  
8 beginning after December 31, 2008, a claimant may claim as a credit against the tax  
9 imposed under s. 71.23, up to the amount of the tax, the amount authorized for the  
10 claimant under s. 238.303 or s. 560.703, 2009 stats.

11           **SECTION 1951.** 71.28 (1dy) (c) 1. of the statutes is amended to read:

12           71.28 (1dy) (c) 1. No credit may be allowed under this subsection unless the  
13 claimant includes with the claimant’s return a copy of the claimant’s certification  
14 under s. 238.301 (2) or s. 560.701 (2), 2009 stats., and a copy of the claimant’s notice  
15 of eligibility to receive tax benefits under s. 238.303 (3) or s. 560.703 (3), 2009 stats.

16           **SECTION 1952.** 71.28 (1dy) (c) 2. of the statutes is amended to read:

17           71.28 (1dy) (c) 2. Partnerships, limited liability companies, and tax–option  
18 corporations may not claim the credit under this subsection, but the eligibility for,  
19 and the amount of, the credit are based on their authorization to claim tax benefits  
20 under s. 238.303 or s. 560.703, 2009 stats. A partnership, limited liability company,  
21 or tax–option corporation shall compute the amount of credit that each of its  
22 partners, members, or shareholders may claim and shall provide that information  
23 to each of them. Partners, members of limited liability companies, and shareholders  
24 of tax–option corporations may claim the credit in proportion to their ownership  
25 interests.

**ASSEMBLY BILL 40****SECTION 1953**

1           **SECTION 1953.** 71.28 (1dy) (d) 2. of the statutes is amended to read:

2           71.28 **(1dy)** (d) 2. If a claimant's certification is revoked under s. 238.305 or s.  
3           560.705, 2009 stats., or if a claimant becomes ineligible for tax benefits under s.  
4           238.302 or s. 560.702, 2009 stats., the claimant may not claim credits under this  
5           subsection for the taxable year that includes the day on which the certification is  
6           revoked; the taxable year that includes the day on which the claimant becomes  
7           ineligible for tax benefits; or succeeding taxable years and the claimant may not  
8           carry over unused credits from previous years to offset the tax imposed under s. 71.23  
9           for the taxable year that includes the day on which certification is revoked; the  
10          taxable year that includes the day on which the claimant becomes ineligible for tax  
11          benefits; or succeeding taxable years.

12          **SECTION 1954.** 71.28 (3g) (a) (intro.) of the statutes is amended to read:

13          71.28 **(3g)** (a) (intro.) Subject to the limitations under this subsection and ss.  
14          73.03 (35m) and 238.23 and s. 560.96, 2009 stats., a business that is certified under  
15          s. 238.23 (3) or s. 560.96 (3), 2009 stats., may claim as a credit against the taxes  
16          imposed under s. 71.23 an amount equal to the sum of the following, as established  
17          under s. 238.23 (3) (c) or s. 560.96 (3) (c), 2009 stats.:

18          **SECTION 1955.** 71.28 (3g) (b) of the statutes is amended to read:

19          71.28 **(3g)** (b) The department of revenue shall notify the department of  
20          commerce or the Wisconsin Economic Development Corporation of all claims under  
21          this subsection.

22          **SECTION 1956.** 71.28 (3g) (e) 2. of the statutes is amended to read:

23          71.28 **(3g)** (e) 2. The investments that relate to the amount described under par.  
24          (a) 2. for which a claimant makes a claim under this subsection must be retained for

**ASSEMBLY BILL 40****SECTION 1956**

1 use in the technology zone for the period during which the claimant's business is  
2 certified under s. 238.23 (3) or s. 560.96 (3), 2009 stats.

3 **SECTION 1957.** 71.28 (3g) (f) 1. of the statutes is amended to read:

4 71.28 (3g) (f) 1. A copy of ~~a the verification from the department of commerce~~  
5 that the claimant's business is certified under s. 238.23 (3) or s. 560.96 (3), 2009  
6 stats., and that the business and the department of commerce have has entered into  
7 an agreement under s. 238.23 (3) (d) or s. 560.96 (3) (d), 2009 stats.

8 **SECTION 1958.** 71.28 (3g) (f) 2. of the statutes is amended to read:

9 71.28 (3g) (f) 2. A statement from the department of commerce or the Wisconsin  
10 Economic Development Corporation verifying the purchase price of the investment  
11 described under par. (a) 2. and verifying that the investment fulfills the requirement  
12 under par. (e) 2.

13 **SECTION 1959.** 71.28 (3p) (b) of the statutes is amended to read:

14 71.28 (3p) (b) *Filing claims.* Subject to the limitations provided in this  
15 subsection and s. 93.535 or s. 560.207, 2009 stats., except as provided in par. (c) 5.,  
16 for taxable years beginning after December 31, 2006, and before January 1, 2015, a  
17 claimant may claim as a credit against the taxes imposed under s. 71.23, up to the  
18 amount of the tax, an amount equal to 10 percent of the amount the claimant paid  
19 in the taxable year for dairy manufacturing modernization or expansion related to  
20 the claimant's dairy manufacturing operation.

21 **SECTION 1960.** 71.28 (3p) (c) 2m. a. of the statutes is amended to read:

22 71.28 (3p) (c) 2m. a. The maximum amount of the credits that may be claimed  
23 under this subsection and ss. 71.07 (3p) and 71.47 (3p) in fiscal year 2007–08 is  
24 \$600,000, as allocated under s. 560.207, 2009 stats.

25 **SECTION 1961.** 71.28 (3p) (c) 2m. b. of the statutes is amended to read:



**ASSEMBLY BILL 40****SECTION 1961**

1           71.28 (3p) (c) 2m. b. The maximum amount of the credits that may be claimed  
2 by all claimants, other than members of dairy cooperatives, under this subsection  
3 and ss. 71.07 (3p) and 71.47 (3p) in fiscal year 2008–09, and in each fiscal year  
4 thereafter, is \$700,000, as allocated under s. 93.535 or s. 560.207, 2009 stats.

5           **SECTION 1962.** 71.28 (3p) (c) 2m. bm. of the statutes is amended to read:

6           71.28 (3p) (c) 2m. bm. The maximum amount of the credits that may be claimed  
7 by members of dairy cooperatives under this subsection and ss. 71.07 (3p) and 71.47  
8 (3p) in fiscal year 2009–10 is \$600,000, as allocated under s. 560.207, 2009 stats., and  
9 the maximum amount of the credits that may be claimed by members of dairy  
10 cooperatives under this subsection and ss. 71.07 (3p) and 71.47 (3p) in fiscal year  
11 2010–11, and in each fiscal year thereafter, is \$700,000, as allocated under s. 93.535  
12 or s. 560.207, 2009 stats.

13           **SECTION 1963.** 71.28 (3p) (c) 3. of the statutes is amended to read:

14           71.28 (3p) (c) 3. Partnerships, limited liability companies, tax–option  
15 corporations, and dairy cooperatives may not claim the credit under this subsection,  
16 but the eligibility for, and the amount of, the credit are based on their payment of  
17 expenses under par. (b), except that the aggregate amount of credits that ~~the entity~~  
18 a dairy cooperative may compute shall not exceed \$200,000 for each of the ~~entity's~~  
19 cooperative's dairy manufacturing facilities. A partnership, limited liability  
20 company, tax–option corporation, or dairy cooperative shall compute the amount of  
21 credit that each of its partners, members, or shareholders may claim and shall  
22 provide that information to each of them. Partners, members of limited liability  
23 companies, and shareholders of tax–option corporations may claim the credit in  
24 proportion to their ownership interest. Members of a dairy cooperative may claim

**ASSEMBLY BILL 40****SECTION 1963**

1 the credit in proportion to the amount of milk that each member delivers to the dairy  
2 cooperative, as determined by the dairy cooperative.

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).

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:

**ASSEMBLY BILL 40****SECTION 1969**

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. 238.19 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:

**ASSEMBLY BILL 40****SECTION 1974**

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. 238.19 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. 238.19 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. 238.21 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. 238.21 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~~ 238.17 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,

**ASSEMBLY BILL 40****SECTION 1978**

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. 238.17 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. 238.17 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.

**ASSEMBLY BILL 40****SECTION 1983**

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:

**ASSEMBLY BILL 40****SECTION 1989**

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:

**ASSEMBLY BILL 40****SECTION 1993**

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



**ASSEMBLY BILL 40****SECTION 1995**

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

**ASSEMBLY BILL 40****SECTION 1998**

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

**ASSEMBLY BILL 40****SECTION 1999**

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:

**ASSEMBLY BILL 40****SECTION 2003**

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

**ASSEMBLY BILL 40****SECTION 2005**

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. 238.14 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

**ASSEMBLY BILL 40****SECTION 2009**

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 2012.** 71.28 (5r) (a) 6. a. of the statutes is amended to read:

17 71.28 (5r) (a) 6. a. A University of Wisconsin System institution, the University  
18 of Wisconsin–Madison, a technical college system institution, or a regionally  
19 accredited 4–year nonprofit college or university having its regional headquarters  
20 and principal place of business in this state.

21 **SECTION 2013.** 71.34 (1g) (um) of the statutes is amended to read:

22 71.34 (1g) (um) “Internal Revenue Code” for tax–option corporations, for  
23 taxable years that begin after December 31, 2008, means the federal Internal  
24 Revenue Code as amended to December 31, 2008, excluding sections 103, 104, and  
25 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.

**ASSEMBLY BILL 40****SECTION 2013**

1 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188,  
2 sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L.  
3 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections  
4 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316,  
5 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422,  
6 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323,  
7 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L.  
8 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section  
9 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 209,  
10 503, and 513 of P.L. 109–222, ~~section 844 of P.L. 109–280~~, P.L. 109–432, P.L. 110–28,  
11 P.L. 110–140, P.L. 110–141, P.L. 110–142, P.L. 110–166, P.L. 110–172, P.L. 110–185,  
12 P.L. 110–234, sections 110, 113, and 301 of P.L. 110–245, P.L. 110–246, except section  
13 15316 of P.L. 110–246, P.L. 110–289, P.L. 110–317, P.L. 110–343, except section 301  
14 of division B and section 313 of division C of P.L. 110–343, and P.L. 110–351, and as  
15 amended by sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L. 111–5,  
16 section 301 of P.L. 111–147, and sections 2111, 2112, and 2113 of P.L. 111–240, and  
17 as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514,  
18 P.L. 100–203, P.L. 100–647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2),  
19 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L.  
20 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,  
21 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.  
22 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
23 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,  
24 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
25 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.

**ASSEMBLY BILL 40****SECTION 2013**

1 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections  
2 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.  
3 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections  
4 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L.  
5 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L.  
6 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L.  
7 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L.  
8 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422,  
9 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L.  
10 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
11 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L.  
12 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding  
13 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and  
14 (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207,  
15 209, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, ~~excluding section 844~~  
16 ~~of P.L. 109–280~~, P.L. 110–245, excluding sections 110, 113, and 301 of P.L. 110–245,  
17 and section 15316 of P.L. 110–246, section 301 of division B and section 313 of division  
18 C of P.L. 110–343, P.L. 110–458, sections 1401, 1402, 1521, 1522, and 1531 of division  
19 B of P.L. 111–5, section 301 of P.L. 111–147, and sections 2111, 2112, and 2113 of P.L.  
20 111–240, except that section 1366 (f) (relating to pass-through of items to  
21 shareholders) is modified by substituting the tax under s. 71.35 for the taxes under  
22 sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes  
23 at the same time as for federal purposes. Amendments to the federal Internal  
24 Revenue Code enacted after December 31, 2008, do not apply to this paragraph with  
25 respect to taxable years beginning after December 31, 2008, except that changes to



**ASSEMBLY BILL 40****SECTION 2013**

1 the Internal Revenue Code made by sections 1401, 1402, 1521, 1522, and 1531 of  
2 division B of P.L. 111–5, section 301 of P.L. 111–147, and sections 2111, 2112, and 2113  
3 of P.L. 111–240, and changes that indirectly affect the provisions applicable to this  
4 subchapter made by sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L.  
5 111–5, section 301 of P.L. 111–147, and sections 2111, 2112, and 2113 of P.L. 111–240,  
6 apply for Wisconsin purposes at the same time as for federal purposes.

7 **SECTION 2014.** 71.42 (2) (tm) of the statutes is amended to read:

8 71.42 (2) (tm) For taxable years that begin after December 31, 2008, “Internal  
9 Revenue Code” means the federal Internal Revenue Code as amended to  
10 December 31, 2008, excluding sections 103, 104, and 110 of P.L. 102–227, sections  
11 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b),  
12 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L.  
13 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L.  
14 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L.  
15 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L.  
16 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.  
17 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
18 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L.  
19 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),  
20 (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 209, 503, and 513 of P.L.  
21 109–222, ~~section 844 of P.L. 109–280, P.L. 109–432, P.L. 110–28, P.L. 110–140, P.L.~~  
22 ~~110–141, P.L. 110–142, P.L. 110–166, P.L. 110–172, P.L. 110–185, P.L. 110–234,~~  
23 ~~sections 110, 113, and 301 of P.L. 110–245, P.L. 110–246, except section 15316 of P.L.~~  
24 ~~110–246, P.L. 110–289, P.L. 110–317, P.L. 110–343, except section 301 of division B~~  
25 ~~and section 313 of division C of P.L. 110–343, and P.L. 110–351, and as amended by~~

**ASSEMBLY BILL 40****SECTION 2014**

1 sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L. 111–5, section 301 of  
2 P.L. 111–147, and sections 2111, 2112, and 2113 of P.L. 111–240, and as indirectly  
3 affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L.  
4 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and  
5 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections  
6 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.  
7 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202  
8 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.  
9 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.  
10 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,  
11 P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L.  
12 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L.  
13 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27,  
14 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173,  
15 excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311,  
16 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,  
17 excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of  
18 P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections  
19 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.  
20 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding  
21 section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it  
22 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L.  
23 109–151, P.L. 109–222, excluding sections 101, 207, 209, 503, and 513 of P.L.  
24 109–222, P.L. 109–227, P.L. 109–280, ~~excluding section 844 of P.L. 109–280, P.L.~~  
25 110–245, excluding sections 110, 113, and 301 of P.L. 110–245, and section 15316 of

**ASSEMBLY BILL 40****SECTION 2014**

1 P.L. 110–246, section 301 of division B and section 313 of division C of P.L. 110–343,  
2 P.L. 110–458, sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L. 111–5,  
3 section 301 of P.L. 111–147, and sections 2111, 2112, and 2113 of P.L. 111–240, except  
4 that “Internal Revenue Code” does not include section 847 of the federal Internal  
5 Revenue Code. The Internal Revenue Code applies for Wisconsin purposes at the  
6 same time as for federal purposes. Amendments to the federal Internal Revenue  
7 Code enacted after December 31, 2008, do not apply to this paragraph with respect  
8 to taxable years beginning after December 31, 2008, except that changes to the  
9 Internal Revenue Code made sections 1401, 1402, 1521, 1522, and 1531 of division  
10 B of P.L. 111–5, section 301 of P.L. 111–147, and sections 2111, 2112, and 2113 of P.L.  
11 111–240, and changes that indirectly affect the provisions applicable to this  
12 subchapter made by sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L.  
13 111–5, section 301 of P.L. 111–147, and sections 2111, 2112, and 2113 of P.L. 111–240,  
14 apply for Wisconsin purposes at the same time as for federal purposes.

15 **SECTION 2015.** 71.45 (1t) (L) of the statutes is created to read:

16 71.45 (1t) (L) Those issued under s. 231.03 (6), if the bonds or notes are issued  
17 to a person who is eligible to receive bonds or notes from another issuer for the same  
18 purpose for which the person is issued bonds or notes under s. 231.03 (6) and the  
19 interest income received from the other bonds or notes is exempt from taxation under  
20 this subchapter.

21 **SECTION 2016.** 71.47 (1dd) (b) of the statutes is amended to read:

22 71.47 (1dd) (b) Except as provided in s. 73.03 (35), for any taxable year for  
23 which that person is certified under s. 560.765 (3), 2009 stats., and begins business  
24 operations in a zone under s. 560.71, 2009 stats., after July 29, 1995, or certified  
25 under s. 560.797 (4) (a), 2009 stats., for each zone for which the person is certified

**ASSEMBLY BILL 40****SECTION 2016**

1 or entitled a person may credit against taxes otherwise due under this subchapter  
2 employment-related day care expenses, up to \$1,200 for each qualifying individual.

3 **SECTION 2017.** 71.47 (1de) (a) (intro.) of the statutes is amended to read:

4 71.47 **(1de)** (a) (intro.) Except as provided in s. 73.03 (35), for any taxable year  
5 for which a person is certified under s. 560.765 (3), 2009 stats., and begins business  
6 operations in a zone under s. 560.71, 2009 stats., after July 29, 1995, or certified  
7 under s. 560.797 (4) (a), 2009 stats., for each zone for which the person is certified  
8 or entitled the person may claim as a credit against taxes otherwise due under this  
9 subchapter an amount equal to 7.5% of the amount that the person expends to  
10 remove or contain environmental pollution, as defined in s. 299.01 (4), in the zone or  
11 to restore soil or groundwater that is affected by environmental pollution, as defined  
12 in s. 299.01 (4), in the zone if the person fulfills all of the following requirements:

13 **SECTION 2018.** 71.47 (1de) (a) 1. of the statutes is amended to read:

14 71.47 **(1de)** (a) 1. Begins the work, other than planning and investigating, for  
15 which the credit is claimed after the area that includes the site where the work is  
16 done is designated a development zone under s. 560.71, 2009 stats., or an enterprise  
17 development zone under s. 560.797, 2009 stats., and after the claimant is certified  
18 under s. 560.765 (3), 2009 stats., or certified under s. 560.797 (4) (a), 2009 stats.

19 **SECTION 2019.** 71.47 (1di) (a) (intro.) of the statutes is amended to read:

20 71.47 **(1di)** (a) (intro.) Except as provided in pars. (dm) and (f) and s. 73.03 (35),  
21 for any taxable year for which the person is entitled under s. 560.795 (3), 2009 stats.,  
22 to claim tax benefits, any person may claim as a credit against taxes otherwise due  
23 under this chapter 2.5% of the purchase price of depreciable, tangible personal  
24 property, or 1.75% of the purchase price of depreciable, tangible personal property

**ASSEMBLY BILL 40****SECTION 2019**

1 that is expensed under section 179 of the internal revenue code for purposes of the  
2 taxes under this chapter, except that:

3 **SECTION 2020.** 71.47 (1di) (a) 1. of the statutes is amended to read:

4 71.47 **(1di)** (a) 1. The investment must be in property that is purchased after  
5 the person is entitled under s. 560.795 (3), 2009 stats., to claim tax benefits and that  
6 is used for at least 50% of its use in the conduct of the person's business operations  
7 at a location in a development zone under subch. VI of ch. 560, 2009 stats., or, if the  
8 property is mobile, the base of operations of the property for at least 50% of its use  
9 must be a location in a development zone.

10 **SECTION 2021.** 71.47 (1di) (b) 2. of the statutes is amended to read:

11 71.47 **(1di)** (b) 2. If the claimant is located on an Indian reservation, as defined  
12 in s. 560.86 (5), 2009 stats. and is an American Indian, as defined in s. 560.86 (1),  
13 2009 stats. an Indian business, as defined in s. 560.86 (4), 2009 stats., or a tribal  
14 enterprise, as defined in s. 71.07 (2di) (b) 2., and if the allowable amount of the credit  
15 under this subsection exceeds the taxes otherwise due under this chapter on or  
16 measured by the claimant's income, the amount of the credit not used as an offset  
17 against those taxes shall be certified to the department of administration for  
18 payment to the claimant by check, share draft or other draft.

19 **SECTION 2022.** 71.47 (1di) (b) 3. of the statutes is amended to read:

20 71.47 **(1di)** (b) 3. Partnerships, limited liability companies and tax-option  
21 corporations may not claim the credit under this subsection, but the eligibility for,  
22 and amount of, that credit shall be determined on the basis of their economic activity,  
23 not that of their shareholders, partners or members. The corporation, partnership  
24 or limited liability company shall compute the amount of the credit that may be  
25 claimed by each of its shareholders, partners or members and shall provide that

**ASSEMBLY BILL 40****SECTION 2022**

1 information to each of its shareholders, partners or members. Partners, members  
2 of limited liability companies and shareholders of tax-option corporations may claim  
3 the credit based on the partnership's, company's or corporation's activities in  
4 proportion to their ownership interest and may offset it against the tax attributable  
5 to their income from the partnership's, company's or corporation's business  
6 operations in the development zone; except that a claimant in a development zone  
7 under s. 560.795 (1) (e), 2009 stats., may offset the credit, including any credits  
8 carried over, against the amount of the tax otherwise due under this chapter  
9 attributable to all of the claimant's income; and against the tax attributable to their  
10 income from the partnership's, company's or corporation's directly related business  
11 operations.

12 **SECTION 2023.** 71.47 (1di) (d) 1. of the statutes is amended to read:

13 71.47 **(1di)** (d) 1. A copy of a verification from the department of commerce that  
14 the claimant may claim tax benefits under s. 560.795 (3), 2009 stats.

15 **SECTION 2024.** 71.47 (1di) (f) of the statutes is amended to read:

16 71.47 **(1di)** (f) If a person who is entitled under s. 560.795 (3), 2009 stats., to  
17 claim tax benefits becomes ineligible for such tax benefits, that person may claim no  
18 credits under this subsection for the taxable year that includes the day on which the  
19 person becomes ineligible for tax benefits or succeeding taxable years and that  
20 person may carry over no unused credits from previous years to offset tax under this  
21 chapter for the taxable year that includes the day on which the person becomes  
22 ineligible for tax benefits or succeeding taxable years.

23 **SECTION 2025.** 71.47 (1di) (g) of the statutes is amended to read:

24 71.47 **(1di)** (g) If a person who is entitled under s. 560.795 (3), 2009 stats., to  
25 claim tax benefits ceases business operations in the development zone during any of

**ASSEMBLY BILL 40****SECTION 2025**

1 the 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 2026.** 71.47 (1dj) (am) (intro.) of the statutes is amended to read:

5 71.47 **(1dj)** (am) (intro.) Except as provided under par. (f) or s. 73.03 (35), for  
6 any taxable year for which the person is certified under s. 560.765 (3), 2009 stats.,  
7 for tax benefits, any person may claim as a credit against taxes otherwise due under  
8 this chapter an amount calculated as follows:

9 **SECTION 2027.** 71.47 (1dj) (am) 4. a. of the statutes is amended to read:

10 71.47 **(1dj)** (am) 4. a. If certified under s. 560.765 (3), 2009 stats., for tax  
11 benefits before January 1, 1992, modify “qualified wages” as defined in section 51 (b)  
12 of the internal revenue code to exclude wages paid before the claimant is certified for  
13 tax benefits and to exclude wages that are paid to employees for work at any location  
14 that is not in a development zone under subch. VI of ch. 560, 2009 stats. For purposes  
15 of this subd. 4. a., mobile employees work at their base of operations and leased or  
16 rented employees work at the location where they perform services.

17 **SECTION 2028.** 71.47 (1dj) (am) 4. b. of the statutes is amended to read:

18 71.47 **(1dj)** (am) 4. b. If certified under s. 560.765 (3), 2009 stats., for tax  
19 benefits after December 31, 1991, modify “qualified wages” as defined in section 51  
20 (b) of the internal revenue code to exclude wages paid before the claimant is certified  
21 for tax benefits and to exclude wages that are paid to employees for work at any  
22 location that is not in a development zone under subch. VI of ch. 560, 2009 stats. For  
23 purposes of this subd. 4. b., mobile employees and leased or rented employees work  
24 at their base of operations.

25 **SECTION 2029.** 71.47 (1dj) (am) 4c. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2029**

1           71.47 **(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 2030.** 71.47 (1dj) (am) 4t. of the statutes is amended to read:

7           71.47 **(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 2031.** 71.47 (1dj) (e) 1. of the statutes is amended to read:

15           71.47 **(1dj)** (e) 1. A copy of the claimant's certification for tax benefits under s.  
16 560.765 (3), 2009 stats.

17           **SECTION 2032.** 71.47 (1dj) (e) 3. a. of the statutes is amended to read:

18           71.47 **(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 2033.** 71.47 (1dj) (e) 3. b. of the statutes is amended to read:

24           71.47 **(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



**ASSEMBLY BILL 40****SECTION 2033**

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 2034.** 71.47 (1dL) (a) of the statutes is amended to read:

5 71.47 (1dL) (a) Except as provided in pars. (ag), (ar), (bm) and (f) and s. 73.03  
6 (35), for any taxable year for which the person is certified under s. 560.765 (3), 2009  
7 stats., for tax benefits, any person may claim as a credit against taxes otherwise due  
8 under this subchapter an amount equal to 2.5% of the amount expended by that  
9 person to acquire, construct, rehabilitate or repair real property in a development  
10 zone under subch. VI of ch. 560, 2009 stats.

11 **SECTION 2035.** 71.47 (1dL) (ag) of the statutes is amended to read:

12 71.47 (1dL) (ag) If the credit under par. (a) is claimed for an amount expended  
13 to construct, rehabilitate, remodel or repair property, the claimant must have begun  
14 the physical work of construction, rehabilitation, remodeling or repair, or any  
15 demolition or destruction in preparation for the physical work, after the place where  
16 the property is located was designated a development zone under s. 560.71, 2009  
17 stats., and the completed project must be placed in service after the claimant is  
18 certified for tax benefits under s. 560.765 (3), 2009 stats. In this paragraph, “physical  
19 work” does not include preliminary activities such as planning, designing, securing  
20 financing, researching, developing specifications or stabilizing the property to  
21 prevent deterioration.

22 **SECTION 2036.** 71.47 (1dL) (ar) of the statutes is amended to read:

23 71.47 (1dL) (ar) If the credit under par. (a) is claimed for an amount expended  
24 to acquire property, the property must have been acquired by the claimant after the  
25 place where the property is located was designated a development zone under s.

**ASSEMBLY BILL 40****SECTION 2036**

1 560.71, 2009 stats., and the completed project must be placed in service after the  
2 claimant is certified for tax benefits under s. 560.765 (3), 2009 stats., and the  
3 property must not have been previously owned by the claimant or a related person  
4 during the 2 years prior to the designation of the development zone under s. 560.71,  
5 2009 stats. No credit is allowed for an amount expended to acquire property until  
6 the property, either in its original state as acquired by the claimant or as  
7 subsequently constructed, rehabilitated, remodeled or repaired, is placed in service.

8 **SECTION 2037.** 71.47 (1dL) (bm) of the statutes is amended to read:

9 71.47 (1dL) (bm) In calculating the credit under par. (a) a claimant shall reduce  
10 the amount expended to acquire property by a percentage equal to the percentage of  
11 the area of the real property not used for the purposes for which the claimant is  
12 certified to claim tax benefits under s. 560.765 (3), 2009 stats., and shall reduce the  
13 amount expended for other purposes by the amount expended on the part of the  
14 property not used for the purposes for which the claimant is certified to claim tax  
15 benefits under s. 560.765 (3), 2009 stats.

16 **SECTION 2038.** 71.47 (1dL) (c) of the statutes is amended to read:

17 71.47 (1dL) (c) If the claimant is located on an Indian reservation, as defined  
18 in s. 560.86 (5), 2009 stats., and is an American Indian, as defined in s. 560.86 (1),  
19 2009 stats., an Indian business, as defined in s. 560.86 (4), 2009 stats., or a tribal  
20 enterprise, as defined in s. 71.07 (2di) (b) 2., and if the allowable amount of the credit  
21 under par. (a) exceeds the taxes otherwise due under this chapter on or measured by  
22 the claimant's income, the amount of the credit not used as an offset against those  
23 taxes shall be certified to the department of administration for payment to the  
24 claimant by check, share draft or other draft.

25 **SECTION 2039.** 71.47 (1dm) (a) 1. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2039**

1           71.47 (1dm) (a) 1. “Certified” means entitled under s. 238.395 (3) (a) 4. or s.  
2           560.795 (3) (a) 4., 2009 stats., to claim tax benefits or certified under s. 238.395 (5),  
3           238.398 (3), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats.,  
4           or s. 560.7995 (4), 2009 stats.

5           **SECTION 2040.** 71.47 (1dm) (a) 3. of the statutes is amended to read:

6           71.47 (1dm) (a) 3. “Development zone” means a development opportunity zone  
7           under s. 238.395 (1) (e) and (f) or 238.398 or s. 560.795 (1) (e) and (f), 2009 stats., or  
8           s. 560.798, 2009 stats., or an airport development zone under s. 238.3995 or s.  
9           560.7995, 2009 stats.

10          **SECTION 2041.** 71.47 (1dm) (a) 4. of the statutes is amended to read:

11          71.47 (1dm) (a) 4. “Previously owned property” means real property that the  
12          claimant or a related person owned during the 2 years prior to the department of  
13          commerce or the Wisconsin Economic Development Corporation designating the  
14          place where the property is located as a development zone and for which the claimant  
15          may not deduct a loss from the sale of the property to, or an exchange of the property  
16          with, the related person under section 267 of the Internal Revenue Code, except that  
17          section 267 (b) of the Internal Revenue Code is modified so that if the claimant owns  
18          any part of the property, rather than 50% ownership, the claimant is subject to  
19          section 267 (a) (1) of the Internal Revenue Code for purposes of this subsection.

20          **SECTION 2042.** 71.47 (1dm) (f) 1. of the statutes is amended to read:

21          71.47 (1dm) (f) 1. A copy of ~~a~~ the verification from the department of commerce  
22          that the claimant may claim tax benefits under s. 238.395 (3) (a) 4. or s. 560.795 (3)  
23          (a) 4., 2009 stats., or is certified under s. 238.395 (5), 238.398 (3), or 238.3995 (4) or  
24          s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats.

25          **SECTION 2043.** 71.47 (1dm) (f) 2. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2043**

1           71.47 **(1dm)** (f) 2. A statement from the department of commerce or the  
2 Wisconsin Economic Development Corporation verifying the purchase price of the  
3 investment and verifying that the investment fulfills the requirements under par.  
4 (b).

5           **SECTION 2044.** 71.47 (1dm) (i) of the statutes is amended to read:

6           71.47 **(1dm)** (i) 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, that credit shall be determined on the basis of their economic  
9 activity, not that of their shareholders, partners, or members. The corporation,  
10 partnership, or limited liability company shall compute the amount of credit that  
11 may be claimed by each of its shareholders, partners, or members and provide that  
12 information to its shareholders, partners, or members. Partners, members of limited  
13 liability companies, and shareholders of tax-option corporations may claim the  
14 credit based on the partnership's, company's, or corporation's activities in proportion  
15 to their ownership interest and may offset it against the tax attributable to their  
16 income from the partnership's, company's, or corporation's business operations in the  
17 development zone; except that partners, members, and shareholders in a  
18 development zone under s. 238.395 (1) (e) or s. 560.795 (1) (e), 2009 stats., may offset  
19 the credit against the amount of the tax attributable to their income.

20           **SECTION 2045.** 71.47 (1dm) (j) of the statutes is amended to read:

21           71.47 **(1dm)** (j) If a person who is entitled under s. 238.395 (3) (a) 4. or s. 560.795  
22 (3) (a) 4., 2009 stats. to claim tax benefits becomes ineligible for such tax benefits,  
23 or if a person's certification under s. 238.395 (5), 238.398 (3), or 238.3995 (4) or s.  
24 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., is  
25 revoked, that person may claim no credits under this subsection for the taxable year

**ASSEMBLY BILL 40****SECTION 2045**

1 that includes the day on which the person becomes ineligible for tax benefits, the  
2 taxable year that includes the day on which the certification is revoked, or succeeding  
3 taxable years, and that person may carry over no unused credits from previous years  
4 to offset tax under this chapter for the taxable year that includes the day on which  
5 the person becomes ineligible for tax benefits, the taxable year that includes the day  
6 on which the certification is revoked, or succeeding taxable years.

7 **SECTION 2046.** 71.47 (1dm) (k) of the statutes is amended to read:

8 71.47 **(1dm)** (k) If a person who is entitled under s. 238.395 (3) (a) 4. or s.  
9 560.795 (3) (a) 4., 2009 stats., to claim tax benefits or certified under s. 238.395 (5),  
10 238.398 (3), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats.,  
11 or s. 560.7995 (4), 2009 stats., ceases business operations in the development zone  
12 during any of the taxable years that that zone exists, that person may not carry over  
13 to any taxable year following the year during which operations cease any unused  
14 credits from the taxable year during which operations cease or from previous taxable  
15 years.

16 **SECTION 2047.** 71.47 (1ds) (a) 1. of the statutes is amended to read:

17 71.47 **(1ds)** (a) 1. “Development zone” means a zone designated under s. 560.71,  
18 2009 stats.

19 **SECTION 2048.** 71.47 (1ds) (b) of the statutes is amended to read:

20 71.47 **(1ds)** (b) Except as provided in pars. (dm) and (e) and s. 73.03 (35), for  
21 any taxable year for which the person is certified under s. 560.765 (3), 2009 stats.,  
22 for tax benefits, any person may claim as a credit against taxes otherwise due under  
23 this chapter the taxes paid under subchs. III and V of ch. 77 on their purchases, leases  
24 and rentals of eligible property. Partnerships, limited liability companies and  
25 tax-option corporations may not claim the credit under this subsection but the

**ASSEMBLY BILL 40****SECTION 2048**

1 eligibility for, and the amount of, that credit shall be determined on the basis of their  
2 economic activity, not that of their partners, members or shareholders. The  
3 partnership, limited liability company or corporation shall compute the amount of  
4 the credit that may be claimed by each of its partners, members or shareholders and  
5 shall provide that information to each of its partners, members or shareholders.  
6 Partners, members of limited liability companies and shareholders of tax-option  
7 corporations may claim the credit based on the partnership's, company's or  
8 corporation's activities in proportion to their ownership interest.

9 **SECTION 2049.** 71.47 (1ds) (d) 1. of the statutes is amended to read:

10 71.47 **(1ds)** (d) 1. A copy of the claimant's certification for tax benefits under  
11 s. 560.765 (3), 2009 stats.

12 **SECTION 2050.** 71.47 (1dx) (a) 2. of the statutes is amended to read:

13 71.47 **(1dx)** (a) 2. "Development zone" means a development zone under s.  
14 238.30 or s. 560.70, 2009 stats., a development opportunity zone under s. 238.395 or  
15 s. 560.795, 2009 stats., or an enterprise development zone under s. 238.397 or s.  
16 560.797, 2009 stats., an agricultural development zone under s. 238.398 or s.  
17 560.798, 2009 stats., or an airport development zone under s. 238.3995 or s.  
18 560.7995, 2009 stats.

19 **SECTION 2051.** 71.47 (1dx) (a) 5. of the statutes is amended to read:

20 71.47 **(1dx)** (a) 5. "Member of a targeted group" means a person who resides  
21 in an area designated by the federal government as an economic revitalization area,  
22 a person who is employed in an unsubsidized job but meets the eligibility  
23 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,  
24 a person who is employed in a trial job, as defined in s. 49.141 (1) (n), or in a real work,  
25 real pay project position under s. 49.147 (3m), a person who is eligible for child care

**ASSEMBLY BILL 40****SECTION 2051**

1 assistance under s. 49.155, a person who is a vocational rehabilitation referral, an  
2 economically disadvantaged youth, an economically disadvantaged veteran, a  
3 supplemental security income recipient, a general assistance recipient, an  
4 economically disadvantaged ex-convict, a qualified summer youth employee, as  
5 defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or  
6 a ~~food-stamp~~ recipient of supplemental nutrition assistance program benefits under  
7 7 USC 2011 to 2036, if the person has been certified in the manner under sub. (1dj)  
8 (am) 3. by a designated local agency, as defined in sub. (1dj) (am) 2.

9 **SECTION 2052.** 71.47 (1dx) (b) (intro.) of the statutes is amended to read:

10 71.47 (1dx) (b) *Credit.* (intro.) Except as provided in pars. (be) and (bg) and  
11 in s. 73.03 (35), and subject to s. 238.385 or s. 560.785, 2009 stats., for any taxable  
12 year for which the person is entitled under s. 238.395 (3) or s. 560.795 (3), 2009 stats.,  
13 to claim tax benefits or certified under s. 238.365 (3), 238.397 (4), 238.398 (3), or  
14 238.3995 (4) or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3),  
15 2009 stats., or s. 560.7995 (4), 2009 stats., any person may claim as a credit against  
16 the taxes otherwise due under this chapter the following amounts:

17 **SECTION 2053.** 71.47 (1dx) (b) 2. of the statutes is amended to read:

18 71.47 (1dx) (b) 2. The amount determined by multiplying the amount  
19 determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number  
20 of full-time jobs created in a development zone and filled by a member of a targeted  
21 group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the  
22 subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

23 **SECTION 2054.** 71.47 (1dx) (b) 3. of the statutes is amended to read:

24 71.47 (1dx) (b) 3. The amount determined by multiplying the amount  
25 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number

**ASSEMBLY BILL 40****SECTION 2054**

1 of full-time jobs created in a development zone and not filled by a member of a  
2 targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or  
3 the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

4 **SECTION 2055.** 71.47 (1dx) (b) 4. of the statutes is amended to read:

5 71.47 (1dx) (b) 4. The amount determined by multiplying the amount  
6 determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the  
7 number of full-time jobs retained, as provided in the rules under s. 238.385 or s.  
8 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub.  
9 (1dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats.,  
10 and for which significant capital investment was made and by then subtracting the  
11 subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid  
12 under s. 49.147 (3m) (c) for those jobs.

13 **SECTION 2056.** 71.47 (1dx) (b) 5. of the statutes is amended to read:

14 71.47 (1dx) (b) 5. The amount determined by multiplying the amount  
15 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number  
16 of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785,  
17 2009 stats., excluding jobs for which a credit has been claimed under sub. (1dj), in  
18 a development zone and not filled by a member of a targeted group and by then  
19 subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and  
20 reimbursements paid under s. 49.147 (3m) (c) for those jobs.

21 **SECTION 2057.** 71.47 (1dx) (be) of the statutes is amended to read:

22 71.47 (1dx) (be) *Offset.* A claimant in a development zone under s. 238.395 (1)  
23 (e) or s. 560.795 (1) (e), 2009 stats., may offset any credits claimed under this  
24 subsection, including any credits carried over, against the amount of the tax  
25 otherwise due under this subchapter attributable to all of the claimant's income and



**ASSEMBLY BILL 40****SECTION 2057**

1 against the tax attributable to income from directly related business operations of  
2 the claimant.

3 **SECTION 2058.** 71.47 (1dx) (bg) of the statutes is amended to read:

4 71.47 (1dx) (bg) *Other entities.* For claimants in a development zone under s.  
5 238.395 (1) (e) or s. 560.795 (1) (e), 2009 stats., partnerships, limited liability  
6 companies, and tax-option corporations may not claim the credit under this  
7 subsection, but the eligibility for, and amount of, that credit shall be determined on  
8 the basis of their economic activity, not that of their shareholders, partners, or  
9 members. The corporation, partnership, or company shall compute the amount of  
10 the credit that may be claimed by each of its shareholders, partners, or members and  
11 shall provide that information to each of its shareholders, partners, or members.  
12 Partners, members of limited liability companies, and shareholders of tax-option  
13 corporations may claim the credit based on the partnership's, company's, or  
14 corporation's activities in proportion to their ownership interest and may offset it  
15 against the tax attributable to their income.

16 **SECTION 2059.** 71.47 (1dx) (c) of the statutes is amended to read:

17 71.47 (1dx) (c) *Credit precluded.* If the certification of a person for tax benefits  
18 under s. 238.365 (3), 238.397 (4), 238.398 (3), or 238.3995 (4) or s. 560.765 (3), 2009  
19 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009  
20 stats., is revoked, or if the person becomes ineligible for tax benefits under s. 238.395  
21 (3) or s. 560.795 (3), 2009 stats., that person may not claim credits under this  
22 subsection for the taxable year that includes the day on which the certification is  
23 revoked; the taxable year that includes the day on which the person becomes  
24 ineligible for tax benefits; or succeeding taxable years and that person may not carry  
25 over unused credits from previous years to offset tax under this chapter for the

**ASSEMBLY BILL 40****SECTION 2059**

1 taxable year that includes the day on which certification is revoked; the taxable year  
2 that includes the day on which the person becomes ineligible for tax benefits; or  
3 succeeding taxable years.

4 **SECTION 2060.** 71.47 (1dx) (d) of the statutes is amended to read:

5 71.47 (1dx) (d) *Carry-over precluded.* If a person who is entitled under s.  
6 238.395 (3) or s. 560.795 (3), 2009 stats., to claim tax benefits or certified under s.  
7 238.365 (3), 238.397 (4), 238.398 (3), or 238.3995 (4) or s. 560.765 (3), 2009 stats., s.  
8 560.797 (4), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., for  
9 tax benefits ceases business operations in the development zone during any of the  
10 taxable years that that zone exists, that person may not carry over to any taxable  
11 year following the year during which operations cease any unused credits from the  
12 taxable year during which operations cease or from previous taxable years.

13 **SECTION 2061.** 71.47 (1dy) (a) of the statutes is amended to read:

14 71.47 (1dy) (a) *Definition.* In this subsection, “claimant” means a person who  
15 files a claim under this subsection and is certified under s. 238.301 (2) or s. 560.701  
16 (2), 2009 stats., and authorized to claim tax benefits under s. 238.303 or s. 560.703,  
17 2009 stats.

18 **SECTION 2062.** 71.47 (1dy) (b) of the statutes is amended to read:

19 71.47 (1dy) (b) *Filing claims.* Subject to the limitations under this subsection  
20 and ss. 238.301 to 238.306 or s. 560.701 to 560.706, 2009 stats., for taxable years  
21 beginning after December 31, 2008, a claimant may claim as a credit against the tax  
22 imposed under s. 71.43, up to the amount of the tax, the amount authorized for the  
23 claimant under s. 238.303 or s. 560.703, 2009 stats.

24 **SECTION 2063.** 71.47 (1dy) (c) 1. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2063**

1           71.47 (1dy) (c) 1. 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  
3 under s. 238.301 (2) or s. 560.701 (2), 2009 stats., and a copy of the claimant's notice  
4 of eligibility to receive tax benefits under s. 238.303 (3) or s. 560.703 (3), 2009 stats.

5           **SECTION 2064.** 71.47 (1dy) (c) 2. of the statutes is amended to read:

6           71.47 (1dy) (c) 2. 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 authorization to claim tax benefits  
9 under s. 238.303 or s. 560.703, 2009 stats. A partnership, limited liability company,  
10 or tax-option corporation shall compute the amount of credit that each of its  
11 partners, members, or shareholders may claim and shall provide that information  
12 to each of them. Partners, members of limited liability companies, and shareholders  
13 of tax-option corporations may claim the credit in proportion to their ownership  
14 interests.

15           **SECTION 2065.** 71.47 (1dy) (d) 2. of the statutes is amended to read:

16           71.47 (1dy) (d) 2. If a claimant's certification is revoked under s. 238.305 or s.  
17 560.705, 2009 stats., or if a claimant becomes ineligible for tax benefits under s.  
18 238.302 or s. 560.702, 2009 stats., the claimant may not claim credits under this  
19 subsection for the taxable year that includes the day on which the certification is  
20 revoked; the taxable year that includes the day on which the claimant becomes  
21 ineligible for tax benefits; or succeeding taxable years and the claimant may not  
22 carry over unused credits from previous years to offset the tax imposed under s. 71.43  
23 for the taxable year that includes the day on which certification is revoked; the  
24 taxable year that includes the day on which the claimant becomes ineligible for tax  
25 benefits; or succeeding taxable years.

**ASSEMBLY BILL 40****SECTION 2066**

1           **SECTION 2066.** 71.47 (3g) (a) (intro.) of the statutes is amended to read:

2           71.47 **(3g)** (a) (intro.) Subject to the limitations under this subsection and ss.  
3           73.03 (35m), and 238.23 and s. 560.96, 2009 stats., a business that is certified under  
4           s. 238.23 (3) or s. 560.96 (3), 2009 stats., may claim as a credit against the taxes  
5           imposed under s. 71.43 an amount equal to the sum of the following, as established  
6           under s. 238.23 (3) (c) or s. 560.96 (3) (c), 2009 stats.:

7           **SECTION 2067.** 71.47 (3g) (b) of the statutes is amended to read:

8           71.47 **(3g)** (b) The department of revenue shall notify the department of  
9           commerce or the Wisconsin Economic Development Corporation of all claims under  
10          this subsection.

11          **SECTION 2068.** 71.47 (3g) (e) 2. of the statutes is amended to read:

12          71.47 **(3g)** (e) 2. The investments that relate to the amount described under par.  
13          (a) 2. for which a claimant makes a claim under this subsection must be retained for  
14          use in the technology zone for the period during which the claimant's business is  
15          certified under s. 238.23 (3) or s. 560.96 (3), 2009 stats.

16          **SECTION 2069.** 71.47 (3g) (f) 1. of the statutes is amended to read:

17          71.47 **(3g)** (f) 1. A copy of ~~a~~ the verification from the department of commerce  
18          that the claimant's business is certified under s. 238.23 (3) or s. 560.96 (3), 2009  
19          stats., and that the business ~~and the department of commerce have~~ has entered into  
20          an agreement under s. 238.23 (3) (d) or s. 560.96 (3) (d), 2009 stats.

21          **SECTION 2070.** 71.47 (3g) (f) 2. of the statutes is amended to read:

22          71.47 **(3g)** (f) 2. A statement from the department of commerce or the Wisconsin  
23          Economic Development Corporation verifying the purchase price of the investment  
24          described under par. (a) 2. and verifying that the investment fulfills the requirement  
25          under par. (e) 2.

**ASSEMBLY BILL 40****SECTION 2071**

1           **SECTION 2071.** 71.47 (3p) (b) of the statutes is amended to read:

2           71.47 **(3p)** (b) *Filing claims.* Subject to the limitations provided in this  
3 subsection and s. 93.535 or s. 560.207, 2009 stats., except as provided in par. (c) 5.,  
4 for taxable years beginning after December 31, 2006, and before January 1, 2015, a  
5 claimant may claim as a credit against the taxes imposed under s. 71.43, up to the  
6 amount of the tax, an amount equal to 10 percent of the amount the claimant paid  
7 in the taxable year for dairy manufacturing modernization or expansion related to  
8 the claimant's dairy manufacturing operation.

9           **SECTION 2072.** 71.47 (3p) (c) 2m. a. of the statutes is amended to read:

10           71.47 **(3p)** (c) 2m. a. The maximum amount of the credits that may be claimed  
11 under this subsection and ss. 71.07 (3p) and 71.28 (3p) in fiscal year 2007–08 is  
12 \$600,000, as allocated under s. 560.207, 2009 stats.

13           **SECTION 2073.** 71.47 (3p) (c) 2m. b. of the statutes is amended to read:

14           71.47 **(3p)** (c) 2m. b. The maximum amount of the credits that may be claimed  
15 by all claimants, other than members of dairy cooperatives, under this subsection  
16 and ss. 71.07 (3p) and 71.28 (3p) in fiscal year 2008–09, and in each fiscal year  
17 thereafter, is \$700,000, as allocated under s. 93.535 or s. 560.207, 2009 stats.

18           **SECTION 2074.** 71.47 (3p) (c) 2m. bm. of the statutes is amended to read:

19           71.47 **(3p)** (c) 2m. bm. The maximum amount of the credits that may be claimed  
20 by members of dairy cooperatives under this subsection and ss. 71.07 (3p) and 71.28  
21 (3p) in fiscal year 2009–10 is \$600,000, as allocated under s. 560.207, 2009 stats., and  
22 the maximum amount of the credits that may be claimed by members of dairy  
23 cooperatives under this subsection and ss. 71.07 (3p) and 71.28 (3p) in fiscal year  
24 2010–11, and in each fiscal year thereafter, is \$700,000, as allocated under s. 93.535  
25 or s. 560.207, 2009 stats.

**ASSEMBLY BILL 40****SECTION 2075**

1           **SECTION 2075.** 71.47 (3p) (c) 3. of the statutes is amended to read:

2           71.47 **(3p)** (c) 3. Partnerships, limited liability companies, tax-option  
3 corporations, and dairy cooperatives may not claim the credit under this subsection,  
4 but the eligibility for, and the amount of, the credit are based on their payment of  
5 expenses under par. (b), except that the aggregate amount of credits that ~~the entity~~  
6 a dairy cooperative may compute shall not exceed \$200,000 for each of the entity's  
7 cooperative's dairy manufacturing facilities. A partnership, limited liability  
8 company, tax-option corporation, or dairy cooperative shall compute the amount of  
9 credit that each of its partners, members, or shareholders may claim and shall  
10 provide that information to each of them. Partners, members of limited liability  
11 companies, and shareholders of tax-option corporations may claim the credit in  
12 proportion to their ownership interest. Members of a dairy cooperative may claim  
13 the credit in proportion to the amount of milk that each member delivers to the dairy  
14 cooperative, as determined by the dairy cooperative.

15           **SECTION 2076.** 71.47 (3p) (c) 6. of the statutes is amended to read:

16           71.47 **(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 2077.** 71.47 (3q) (a) 1. of the statutes is amended to read:

20           71.47 **(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 2078.** 71.47 (3q) (a) 2. of the statutes is amended to read:

23           71.47 **(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

**ASSEMBLY BILL 40****SECTION 2078**

1 taxable years beginning after December 31, 2010, and eligible employee under s.  
2 238.16 (1) (b).

3 **SECTION 2079.** 71.47 (3q) (b) (intro.) of the statutes is amended to read:

4 71.47 **(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 s. 71.43 any of the following:

8 **SECTION 2080.** 71.47 (3q) (b) 1. of the statutes is amended to read:

9 71.47 **(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 department of commerce under s. 238.16 or s. 560.2055, 2009 stats.

12 **SECTION 2081.** 71.47 (3q) (b) 2. of the statutes is amended to read:

13 71.47 **(3q)** (b) 2. The amount of the costs incurred by the claimant in the taxable  
14 year, as determined under s. 238.16 or s. 560.2055, 2009 stats., to undertake the  
15 training activities described under s. 238.16 (3) (c) or s. 560.2055 (3) (c), 2009 stats.

16 **SECTION 2082.** 71.47 (3q) (c) 2. of the statutes is amended to read:

17 71.47 **(3q)** (c) 2. No credit may be allowed under this subsection unless the  
18 claimant includes with the claimant's return a copy of the claimant's certification for  
19 tax benefits under s. 238.16 (2) or s. 560.2055 (2), 2009 stats.

20 **SECTION 2083.** 71.47 (3q) (c) 3. of the statutes is amended to read:

21 71.47 **(3q)** (c) 3. The maximum amount of credits that may be awarded under  
22 this subsection and ss. 71.07 (3q) and 71.28 (3q) for the period beginning on January  
23 1, 2010, and ending on June 30, 2013, is \$14,500,000, not including the amount of  
24 any credits reallocated under s. 238.15 (3) (d) or s. 560.205 (3) (d), 2009 stats.

25 **SECTION 2084.** 71.47 (3r) (b) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2084**

1           71.47 **(3r)** (b) *Filing claims.* Subject to the limitations provided in this  
2 subsection and s. 238.19 or s. 560.208, 2009 stats., for taxable years beginning after  
3 December 31, 2008, and before January 1, 2017, a claimant may claim as a credit  
4 against the taxes imposed under s. 71.43, up to the amount of the tax, an amount  
5 equal to 10 percent of the amount the claimant paid in the taxable year for meat  
6 processing modernization or expansion related to the claimant's meat processing  
7 operation.

8           **SECTION 2085.** 71.47 (3r) (c) 3. a. of the statutes is amended to read:

9           71.47 **(3r)** (c) 3. a. The maximum amount of the credits that may be allocated  
10 under this subsection and ss. 71.07 (3r) and 71.28 (3r) in fiscal year 2009–10 is  
11 \$300,000, as allocated under s. 560.208, 2009 stats.

12           **SECTION 2086.** 71.47 (3r) (c) 3. b. of the statutes is amended to read:

13           71.47 **(3r)** (c) 3. b. The maximum amount of the credits that may be allocated  
14 under this subsection and ss. 71.07 (3r) and 71.28 (3r) in fiscal year 2010–11, and in  
15 each fiscal year thereafter, is \$700,000, as allocated under s. 238.19 or s. 560.208,  
16 2009 stats.

17           **SECTION 2087.** 71.47 (3r) (c) 6. of the statutes is amended to read:

18           71.47 **(3r)** (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. 238.19 or s. 560.208, 2009 stats.

21           **SECTION 2088.** 71.47 (3rm) (b) of the statutes is amended to read:

22           71.47 **(3rm)** (b) *Filing claims.* Subject to the limitations provided in this  
23 subsection and s. 238.21 or s. 560.209, 2009 stats., for taxable years beginning after  
24 December 31, 2009, and before January 1, 2016, a claimant may claim as a credit  
25 against the taxes imposed under s. 71.43, up to the amount of the tax, an amount



**ASSEMBLY BILL 40****SECTION 2088**

1 equal to 10 percent of the amount the claimant paid in the taxable year for equipment  
2 that is used primarily to harvest or process woody biomass that is used as fuel or as  
3 a component of fuel.

4 **SECTION 2089.** 71.47 (3rm) (c) 3. of the statutes is amended to read:

5 71.47 (3rm) (c) 3. The maximum amount of the credits that may be claimed  
6 under this subsection and ss. 71.07 (3rm) and 71.28 (3rm) is \$900,000, as allocated  
7 under s. 238.21 or s. 560.209, 2009 stats.

8 **SECTION 2090.** 71.47 (3rn) (b) of the statutes is amended to read:

9 71.47 (3rn) (b) *Filing claims.* Subject to the limitations provided in this  
10 subsection and s. 238.17 or s. 506.2056 560.2056, 2009 stats., for taxable years  
11 beginning after December 31, 2009, and before January 1, 2017, a claimant may  
12 claim as a credit against the tax imposed under s. 71.43, up to the amount of the tax,  
13 an amount equal to 10 percent of the amount the claimant paid in the taxable year  
14 for food processing or food warehousing modernization or expansion related to the  
15 operation of the claimant's food processing plant or food warehouse.

16 **SECTION 2091.** 71.47 (3rn) (c) 3. a. of the statutes is amended to read:

17 71.47 (3rn) (c) 3. a. The maximum amount of the credits that may be allocated  
18 under this subsection and ss. 71.07 (3rn) and 71.28 (3rn) in fiscal year 2009–10 is  
19 \$1,000,000, as allocated under s. 560.2056, 2009 stats.

20 **SECTION 2092.** 71.47 (3rn) (c) 3. b. of the statutes is amended to read:

21 71.47 (3rn) (c) 3. b. The maximum amount of the credits that may be allocated  
22 under this subsection and ss. 71.07 (3rn) and 71.28 (3rn) in fiscal year 2010–11 is  
23 \$1,200,000, as allocated under s. 560.2056, 2009 stats.

24 **SECTION 2093.** 71.47 (3rn) (c) 3. c. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2093**

1           71.47 **(3rn)** (c) 3. c. The maximum amount of the credits that may be allocated  
2 under this subsection and ss. 71.07 (3rn) and 71.28 (3rn) in fiscal year 2011–12, and  
3 in each year thereafter, is \$700,000, as allocated under s. 238.17 or s. 560.2056, 2009  
4 stats.

5           **SECTION 2094.** 71.47 (3rn) (c) 6. of the statutes is amended to read:

6           71.47 **(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. 238.17 or s. 560.2056, 2009 stats.

9           **SECTION 2095.** 71.47 (3t) (b) of the statutes is amended to read:

10           71.47 **(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 71.43, up to the amount of the tax, an amount equal to the claimant’s unused credits  
15 under s. 71.47 (3).

16           **SECTION 2096.** 71.47 (3t) (c) 1. of the statutes is amended to read:

17           71.47 **(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 2097.** 71.47 (3w) (a) 2. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2097**

1           71.47 (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 2098.** 71.47 (3w) (a) 3. of the statutes is amended to read:

5           71.47 (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 2099.** 71.47 (3w) (a) 4. of the statutes is amended to read:

8           71.47 (3w) (a) 4. “Enterprise zone” means a zone designated under s. 238.399  
9 or s. 560.799, 2009 stats.

10          **SECTION 2100.** 71.47 (3w) (a) 5d. of the statutes is amended to read:

11          71.47 (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 2101.** 71.47 (3w) (a) 5e. of the statutes is amended to read:

15          71.47 (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 2102.** 71.47 (3w) (b) (intro.) of the statutes is amended to read:

19          71.47 (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. 71.43 an amount calculated as  
22 follows:

23          **SECTION 2103.** 71.47 (3w) (b) 5. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2103**

1           71.47 (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 2104.** 71.47 (3w) (bm) 1. of the statutes is amended to read:

5           71.47 (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. 71.43 an amount equal to a percentage, as determined by the department of  
9 commerce under s. 238.399 or s. 560.799, 2009 stats., not to exceed 100 percent, of  
10 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 2105.** 71.47 (3w) (bm) 2. of the statutes is amended to read:

17           71.47 (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. 71.43 an amount equal to the percentage, as determined by the department of  
21 commerce under s. 238.399 or s. 560.799, 2009 stats., not to exceed 7 percent, of the  
22 claimant's zone payroll paid in the taxable year to all of the claimant's full-time  
23 employees whose annual wages are greater than \$20,000 in a tier I county or  
24 municipality, not including the wages paid to the employees determined under par.  
25 (b) 1., or greater than \$30,000 in a tier II county or municipality, not including the

**ASSEMBLY BILL 40****SECTION 2105**

1 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 2106.** 71.47 (3w) (bm) 3. of the statutes is amended to read:

7 71.47 (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. 71.43 up to 10 percent of the  
11 claimant's significant capital expenditures, as determined ~~by the department of~~  
12 ~~commerce~~ under s. 238.399 (5m) or s. 560.799 (5m), 2009 stats.

13 **SECTION 2107.** 71.47 (3w) (bm) 4. of the statutes is amended to read:

14 71.47 (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. 71.43, up to 1 percent of the  
18 amount that the claimant paid in the taxable year to purchase tangible personal  
19 property, items, property, or goods under s. 77.52 (1) (b), (c), or (d), or services from  
20 Wisconsin vendors, as determined ~~by the department of commerce~~ under s. 238.399  
21 (5) (e) or s. 560.799 (5) (e), 2009 stats., except that the claimant may not claim the  
22 credit under this subdivision and subd. 3. for the same expenditures.

23 **SECTION 2108.** 71.47 (3w) (c) 3. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2108**

1           71.47 (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 2109.** 71.47 (3w) (d) of the statutes is amended to read:

5           71.47 (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 2110.** 71.47 (4) (am) of the statutes is amended to read:

11          71.47 (4) (am) *Development zone additional research credit.* In addition to the  
12 credit under par. (ad), any corporation may credit against taxes otherwise due under  
13 this chapter an amount equal to 5 percent of the amount obtained by subtracting  
14 from the corporation's qualified research expenses, as defined in section 41 of the  
15 Internal Revenue Code, except that "qualified research expenses" include only  
16 expenses incurred by the claimant in a development zone under subch. II of ch. 238  
17 or subch. VI of ch. 560, 2009 stats., except that a taxpayer may elect the alternative  
18 computation under section 41 (c) (4) of the Internal Revenue Code and that election  
19 applies until the department permits its revocation and except that "qualified  
20 research expenses" do not include compensation used in computing the credit under  
21 sub. (1dj) nor research expenses incurred before the claimant is certified for tax  
22 benefits under s. 238.365 (3) or s. 560.765 (3), 2009 stats., the corporation's base  
23 amount, as defined in section 41 (c) of the Internal Revenue Code, in a development  
24 zone, except that gross receipts used in calculating the base amount means gross  
25 receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2., (df) 1.

**ASSEMBLY BILL 40****SECTION 2110**

1 and 2., (dh) 1., 2., and 3., (dj), and (dk) and research expenses used in calculating the  
2 base amount include research expenses incurred before the claimant is certified for  
3 tax benefits under s. 238.365 (3) or s. 560.765 (3), 2009 stats., in a development zone,  
4 if the claimant submits with the claimant's return a copy of the claimant's  
5 certification for tax benefits under s. 238.365 (3) or s. 560.765 (3), 2009 stats., and  
6 a statement from the department of commerce or the Wisconsin Economic  
7 Development Corporation verifying the claimant's qualified research expenses for  
8 research conducted exclusively in a development zone. The rules under s. 73.03 (35)  
9 apply to the credit under this paragraph. The rules under sub. (1di) (f) and (g) as they  
10 apply to the credit under that subsection apply to claims under this paragraph.  
11 Section 41 (h) of the Internal Revenue Code does not apply to the credit under this  
12 paragraph. No credit may be claimed under this paragraph for taxable years that  
13 begin on January 1, 1998, or thereafter. Credits under this paragraph for taxable  
14 years that begin before January 1, 1998, may be carried forward to taxable years that  
15 begin on January 1, 1998, or thereafter.

16 **SECTION 2111.** 71.47 (5b) (a) 2. of the statutes is amended to read:

17 71.47 (5b) (a) 2. "Fund manager" means an investment fund manager certified  
18 under s. 238.15 (2) or s. 560.205 (2), 2009 stats.

19 **SECTION 2112.** 71.47 (5b) (b) 1. of the statutes is amended to read:

20 71.47 (5b) (b) 1. For taxable years beginning after December 31, 2004, subject  
21 to the limitations provided under this subsection and s. 238.15 or s. 560.205, 2009  
22 stats., and except as provided in subd. 2., a claimant may claim as a credit against  
23 the tax imposed under s. 71.43, up to the amount of those taxes, 25 percent of the  
24 claimant's investment paid to a fund manager that the fund manager invests in a  
25 business certified under s. 238.15 (1) or s. 560.205 (1), 2009 stats.

**ASSEMBLY BILL 40****SECTION 2113**

1           **SECTION 2113.** 71.47 (5b) (b) 2. of the statutes is amended to read:

2           71.47 **(5b)** (b) 2. In the case of a partnership, limited liability company, or  
3 tax-option corporation, the computation of the 25 percent limitation under subd. 1.  
4 shall be determined at the entity level rather than the claimant level and may be  
5 allocated among the claimants who make investments in the manner set forth in the  
6 entity's organizational documents. The entity shall provide to the department of  
7 revenue and to the department of commerce or the Wisconsin Economic  
8 Development Corporation the names and tax identification numbers of the  
9 claimants, the amounts of the credits allocated to the claimants, and the  
10 computation of the allocations.

11           **SECTION 2114.** 71.47 (5b) (d) 3. of the statutes is amended to read:

12           71.47 **(5b)** (d) 3. For ~~calendar years beginning~~ investments made after  
13 December 31, 2007, if an investment for which a claimant claims a credit under par.  
14 (b) is held by the claimant for less than 3 years, the claimant shall pay to the  
15 department, in the manner prescribed by the department, the amount of the credit  
16 that the claimant received related to the investment.

17           **SECTION 2115.** 71.47 (5f) (a) 1. (intro.) of the statutes is amended to read:

18           71.47 **(5f)** (a) 1. (intro.) "Accredited production" means a film, video, broadcast  
19 advertisement, or television production, as approved by the department of commerce  
20 or the department of tourism, for which the aggregate salary and wages included in  
21 the cost of the production for the period ending 12 months after the month in which  
22 the principal filming or taping of the production begins exceeds \$50,000. "Accredited  
23 production" also means an electronic game, as approved by the department of  
24 commerce or the department of tourism, for which the aggregate salary and wages  
25 included in the cost of the production for the period ending 36 months after the month



**ASSEMBLY BILL 40****SECTION 2115**

1 in which the principal programming, filming, or taping of the production begins  
2 exceeds \$100,000. “Accredited production” does not include any of the following,  
3 regardless of the production costs:

4 **SECTION 2116.** 71.47 (5f) (a) 3. of the statutes is amended to read:

5 71.47 (5f) (a) 3. “Production expenditures” means any expenditures that are  
6 incurred in this state and directly used to produce an accredited production,  
7 including expenditures for set construction and operation, wardrobes, make-up,  
8 clothing accessories, photography, sound recording, sound synchronization, sound  
9 mixing, lighting, editing, film processing, film transferring, special effects, visual  
10 effects, renting or leasing facilities or equipment, renting or leasing motor vehicles,  
11 food, lodging, and any other similar expenditure as determined by the department  
12 of commerce or the department of tourism. “Production expenditures” do not include  
13 salary, wages, or labor-related contract payments.

14 **SECTION 2117.** 71.47 (5f) (c) 6. of the statutes is amended to read:

15 71.47 (5f) (c) 6. No credit may be allowed under this subsection unless the  
16 claimant files an application with the department of commerce or the department of  
17 tourism, at the time and in the manner prescribed by the department of commerce  
18 or the department of tourism, and the department of commerce or the department  
19 of tourism approves the application. The claimant shall submit a fee with the  
20 application in an amount equal to 2 percent of the claimant’s budgeted production  
21 expenditures or to \$5,000, whichever is less. The claimant shall submit a copy of the  
22 approved application with the claimant’s return.

23 **SECTION 2118.** 71.47 (5h) (c) 4. of the statutes is amended to read:

24 71.47 (5h) (c) 4. No claim may be allowed under this subsection unless the  
25 department of commerce or the department of tourism certifies, in writing, that the

**ASSEMBLY BILL 40****SECTION 2118**

1 credits claimed under this subsection are for expenses related to establishing or  
2 operating a film production company in this state and the claimant submits a copy  
3 of the certification with the claimant's return.

4 **SECTION 2119.** 71.47 (5i) (c) 1. of the statutes is amended to read:

5 71.47 (5i) (c) 1. The maximum amount of the credits that may be claimed under  
6 this subsection and ss. 71.07 (5i) and 71.28 (5i) in a taxable year is \$10,000,000, as  
7 allocated under s. 238.14 or s. 560.204, 2009 stats.

8 **SECTION 2120.** 71.47 (5j) (a) 2d. of the statutes is amended to read:

9 71.47 (5j) (a) 2d. "Diesel replacement renewable fuel" includes biodiesel and  
10 any other fuel derived from a renewable resource that meets all of the applicable  
11 requirements of the American Society for Testing and Materials for that fuel and that  
12 the department of commerce safety and professional services designates by rule as  
13 a diesel replacement renewable fuel.

14 **SECTION 2121.** 71.47 (5j) (a) 2m. of the statutes is amended to read:

15 71.47 (5j) (a) 2m. "Gasoline replacement renewable fuel" includes ethanol and  
16 any other fuel derived from a renewable resource that meets all of the applicable  
17 requirements of the American Society for Testing and Materials for that fuel and that  
18 the department of commerce safety and professional services designates by rule as  
19 a gasoline replacement renewable fuel.

20 **SECTION 2122.** 71.47 (5j) (c) 3. of the statutes is amended to read:

21 71.47 (5j) (c) 3. The department of commerce safety and professional services  
22 shall establish standards to adequately prevent, in the distribution of conventional  
23 fuel to an end user, the inadvertent distribution of fuel containing a higher  
24 percentage of renewable fuel than the maximum percentage established by the  
25 federal environmental protection agency for use in conventionally-fueled engines.

**ASSEMBLY BILL 40****SECTION 2123**

1           **SECTION 2123.** 71.47 (5r) (a) 6. a. of the statutes is amended to read:

2           71.47 (5r) (a) 6. a. A University of Wisconsin System institution, the University  
3 of Wisconsin–Madison, a technical college system institution, or a regionally  
4 accredited 4–year nonprofit college or university having its regional headquarters  
5 and principal place of business in this state.

6           **SECTION 2124.** 71.54 (1) (f) (intro.) of the statutes is amended to read:

7           71.54 (1) (f) *2001 and thereafter to 2011.* (intro.) Subject to sub. (2m), the  
8 amount of any claim filed in 2001 ~~and thereafter~~ to 2011 and based on property taxes  
9 accrued or rent constituting property taxes accrued during the previous year is  
10 limited as follows:

11           **SECTION 2125.** 71.54 (1) (g) of the statutes is created to read:

12           71.54 (1) (g) *2012 and thereafter.* The amount of any claim filed in 2012 and  
13 thereafter and based on property taxes accrued or rent constituting property taxes  
14 accrued during the previous year is limited as follows:

15           1. If the household income was \$8,060 or less in the year to which the claim  
16 relates, the claim is limited to 80 percent of the property taxes accrued or rent  
17 constituting property taxes accrued or both in that year on the claimant's homestead.

18           2. If the household income was more than \$8,060 in the year to which the claim  
19 relates, the claim is limited to 80 percent of the amount by which the property taxes  
20 accrued or rent constituting property taxes accrued or both in that year on the  
21 claimant's homestead exceeds 8.785 percent of the household income exceeding  
22 \$8,060.

23           3. No credit may be allowed if the household income of a claimant exceeds  
24 \$24,680.

25           **SECTION 2126.** 71.54 (2) (b) 3. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2126**

1           71.54 (2) (b) 3. Subject to sub. (2m), in calendar year ~~1990 or any subsequent~~  
2 ~~calendar year~~ years 1990 to 2010, \$1,450.

3           **SECTION 2127.** 71.54 (2) (b) 4. of the statutes is created to read:

4           71.54 (2) (b) 4. In calendar years 2011 or any subsequent calendar year, \$1,460.

5           **SECTION 2128.** 71.54 (2m) of the statutes is amended to read:

6           71.54 (2m) INDEXING FOR INFLATION; 2010 ~~AND THEREAFTER~~. (a) For calendar years  
7 beginning after December 31, 2009, and before January 1, 2011, the dollar amounts  
8 of the threshold income under sub. (1) (f) 1. and 2., the maximum household income  
9 under sub. (1) (f) 3. and the maximum property taxes under sub. (2) (b) 3. shall be  
10 increased each year by a percentage equal to the percentage change between the U.S.  
11 consumer price index for all urban consumers, U.S. city average, for the 12-month  
12 average of the U.S. consumer price index for the month of August of the year before  
13 the previous year through the month of July of the previous year and the U.S.  
14 consumer price index for all urban consumers, U.S. city average, for the 12-month  
15 average of the U.S. consumer price index for August 2007 through July 2008, as  
16 determined by the federal department of labor, except that the adjustment may occur  
17 only if the percentage is a positive number. Each amount that is revised under this  
18 paragraph shall be rounded to the nearest multiple of \$10 if the revised amount is  
19 not a multiple of \$10 or, if the revised amount is a multiple of \$5, such an amount  
20 shall be increased to the next higher multiple of \$10. The department of revenue  
21 shall annually adjust the changes in dollar amounts required under this paragraph  
22 and incorporate the changes into the income tax forms and instructions.

23           (b) The department of revenue shall ~~annually~~ adjust the slope under sub. (1)  
24 (f) 2. such that, as a claimant's income increases from the threshold income as  
25 calculated under par. (a), to an amount that exceeds the maximum household income

**ASSEMBLY BILL 40****SECTION 2128**

1 as calculated under par. (a), the credit that may be claimed is reduced to \$0 and the  
2 department of revenue shall incorporate the changes into the income tax forms and  
3 instructions.

4 **SECTION 2129.** 71.78 (4) (m) of the statutes is amended to read:

5 71.78 (4) (m) ~~The secretary of commerce~~ chief executive officer of the Wisconsin  
6 Economic Development Corporation and employees of that ~~department~~ the  
7 corporation to the extent necessary to administer the development zone program  
8 under subch. ~~VI of ch. 560~~ II of ch. 238.

9 **SECTION 2130.** 71.93 (1) (a) 3. of the statutes is amended to read:

10 71.93 (1) (a) 3. An amount that the department of health services may recover  
11 under s. 49.45 (2) (a) 10., 49.497, ~~49.793~~, or 49.847, if the department of health  
12 services has certified the amount under s. 49.85.

13 **SECTION 2131.** 71.93 (1) (a) 4. of the statutes is amended to read:

14 71.93 (1) (a) 4. An amount that the department of children and families may  
15 recover under s. 49.161 ~~or~~, 49.195 (3), or 49.373 or collect under s. 49.147 (6) (cm), if  
16 the department of children and families has certified the amount under s. 49.85.

17 **SECTION 2132.** 73.03 (27) of the statutes is amended to read:

18 73.03 (27) To write off from the records of the department income, franchise,  
19 sales, use, withholding, motor fuel, gift, beverage and cigarette tax and ~~recycling~~  
20 economic development surcharge liabilities, following a determination by the  
21 secretary of revenue that they are not collectible. Taxes written off under this  
22 subsection remain legal obligations.

23 **SECTION 2133.** 73.03 (35) of the statutes is amended to read:

24 73.03 (35) To deny a portion of a credit claimed under s. 71.07 (2dd), (2de), (2di),  
25 (2dj), (2dL), (2dm), (2dr), (2ds), or (2dx), 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1dm),

**ASSEMBLY BILL 40****SECTION 2133**

1 (1ds), (1dx), or (4) (am), 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1dm), (1ds), (1dx), or  
2 (4) (am), or 76.636 if granting the full amount claimed would violate a requirement  
3 under s. 238.385 or s. 560.785, 2009 stats., or would bring the total of the credits  
4 granted to that claimant under all of those subsections over the limit for that  
5 claimant under s. 238.368, 238.395 (2) (b), or 238.397 (5) (b) or s. 560.768, 2009 stats.,  
6 s. 560.795 (2) (b), 2009 stats., or s. 560.797 (5) (b), 2009 stats.

7 **SECTION 2134.** 73.03 (35m) of the statutes is amended to read:

8 73.03 **(35m)** To deny a portion of a credit claimed under s. 71.07 (3g), 71.28 (3g),  
9 or 71.47 (3g), if granting the full amount claimed would violate a requirement under  
10 s. 238.23 or s. 560.96, 2009 stats., or would bring the total of the credits claimed under  
11 ss. 71.07 (3g), 71.28 (3g), and 71.47 (3g) over the limit for all claimants under s.  
12 238.23 (2) or s. 560.96 (2), 2009 stats.

13 **SECTION 2135.** 73.03 (63) of the statutes is amended to read:

14 73.03 **(63)** Notwithstanding the amount limitations specified under ~~ss.~~ s. 71.07  
15 (5d) (c) 1. and s. 238.15 (3) (d) or s. 560.205 (3) (d), 2009 stats., in consultation with  
16 the department of commerce or the Wisconsin Economic Development Corporation,  
17 to carry forward to subsequent taxable years unclaimed credit amounts of the early  
18 stage seed investment credits under ss. 71.07 (5b), 71.28 (5b), 71.47 (5b), and 76.638  
19 and the angel investment credit under s. 71.07 (5d). Annually, no later than July 1,  
20 the department of commerce or the Wisconsin Economic Development Corporation  
21 shall submit to the department of revenue its recommendations for the carry forward  
22 of credit amounts as provided under this subsection.

23 **SECTION 2136.** 73.0301 (1) (b) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2136**

1           73.0301 (1) (b) “Credentialing board” means a board, examining board or  
2 affiliated credentialing board in the department of ~~regulation and licensing~~ safety  
3 and professional services that grants a credential.

4           **SECTION 2137.** 73.0301 (1) (e) of the statutes is amended to read:

5           73.0301 (1) (e) “Licensing department” means the department of  
6 administration; the board of commissioners of public lands; ~~the department of~~  
7 ~~commerce~~; the department of children and families; the government accountability  
8 board; the department of financial institutions; the department of health services;  
9 the department of natural resources; the department of public instruction; ~~the~~  
10 ~~department of regulation and licensing~~; the department of safety and professional  
11 services; the department of workforce development; the office of the commissioner  
12 of insurance; or the department of transportation.

13           **SECTION 2138.** 73.0301 (2) (a) 1. of the statutes is amended to read:

14           73.0301 (2) (a) 1. Request the department of revenue to certify whether an  
15 applicant for a license or license renewal or continuation is liable for delinquent  
16 taxes. With respect to an applicant for a license granted by a credentialing board,  
17 the department of ~~regulation and licensing~~ safety and professional services shall  
18 make a request under this subdivision. This subdivision does not apply to the  
19 department of transportation with respect to licenses described in sub. (1) (d) 7.

20           **SECTION 2139.** 73.0301 (2) (a) 2. of the statutes is amended to read:

21           73.0301 (2) (a) 2. Request the department of revenue to certify whether a  
22 license holder is liable for delinquent taxes. With respect to a holder of a license  
23 granted by a credentialing board, the department of ~~regulation and licensing~~ safety  
24 and professional services shall make a request under this subdivision.

25           **SECTION 2140.** 73.0301 (2) (b) 1. a. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2140**

1           73.0301 (2) (b) 1. a. If, after a request is made under par. (a) 1. or 2., the  
2 department of revenue certifies that the license holder or applicant for a license or  
3 license renewal or continuation is liable for delinquent taxes, revoke the license or  
4 deny the application for the license or license renewal or continuation. The  
5 department of transportation may suspend licenses described in sub. (1) (d) 7. in lieu  
6 of revoking those licenses. A suspension, revocation or denial under this subd. 1. a.  
7 is not subject to administrative review or, except as provided in subd. 2. and sub. (5)  
8 (am), judicial review. With respect to a license granted by a credentialing board, the  
9 department of ~~regulation and licensing~~ safety and professional services shall make  
10 a revocation or denial under this subd. 1. a. With respect to a license to practice law,  
11 the department of revenue shall not submit a certification under this subd. 1. a. to  
12 the supreme court until after the license holder or applicant has exhausted his or her  
13 remedies under sub. (5) (a) and (am) or has failed to make use of such remedies.

14           **SECTION 2141.** 73.0301 (2) (b) 1. b. of the statutes is amended to read:

15           73.0301 (2) (b) 1. b. Mail a notice of suspension, revocation or denial under  
16 subd. 1. a. to the license holder or applicant. The notice shall include a statement  
17 of the facts that warrant the suspension, revocation or denial and a statement that  
18 the license holder or applicant may, within 30 days after the date on which the notice  
19 of denial, suspension or revocation is mailed, file a written request with the  
20 department of revenue to have the certification of tax delinquency on which the  
21 suspension, revocation or denial is based reviewed at a hearing under sub. (5) (a).  
22 With respect to a license granted by a credentialing board, the department of  
23 ~~regulation and licensing~~ safety and professional services shall mail a notice under  
24 this subd. 1. b. With respect to a license to practice law, the department of revenue  
25 shall mail a notice under this subd. 1. b. and the notice shall indicate that the license



**ASSEMBLY BILL 40****SECTION 2141**

1 holder or applicant may request a hearing under sub. (5) (a) and (am) and that the  
2 department of revenue shall submit a certificate of delinquency to suspend, revoke,  
3 or deny a license to practice law to the supreme court after the license holder or  
4 applicant has exhausted his or her remedies under sub. (5) (a) and (am) or has failed  
5 to make use of such remedies. A notice sent to a person who holds a license to practice  
6 law or who is an applicant for a license to practice law shall also indicate that the  
7 department of revenue may not submit a certificate of delinquency to the supreme  
8 court if the license holder or applicant pays the delinquent tax in full or enters into  
9 an agreement with the department of revenue to satisfy the delinquency.

10 **SECTION 2142.** 73.0301 (2) (b) 2. of the statutes is amended to read:

11 73.0301 (2) (b) 2. Except as provided in subd. 2m., if notified by the department  
12 of revenue that the department of revenue has affirmed a certification of tax  
13 delinquency after a hearing under sub. (5) (a), affirm a suspension, revocation or  
14 denial under subd. 1. a. A license holder or applicant may seek judicial review under  
15 ss. 227.52 to 227.60, except that the review shall be in the circuit court for Dane  
16 County, of an affirmation of a revocation or denial under this subdivision. With  
17 respect to a license granted by a credentialing board, the department of ~~regulation~~  
18 ~~and licensing~~ safety and professional services shall make an affirmation under this  
19 subdivision.

20 **SECTION 2143.** 73.0301 (2) (b) 3. of the statutes is amended to read:

21 73.0301 (2) (b) 3. If a person submits a nondelinquency certificate issued under  
22 sub. (5) (b) 1., reinstate the license or grant the application for the license or license  
23 renewal or continuation, unless there are other grounds for suspending or revoking  
24 the license or for denying the application for the license or license renewal or  
25 continuation. If reinstatement is required under this subdivision, a person is not

**ASSEMBLY BILL 40****SECTION 2143**

1 required to submit a new application or other material or to take a new test. No  
2 separate fee may be charged for reinstatement of a license under this subdivision.  
3 With respect to a license granted by a credentialing board, the department of  
4 ~~regulation and licensing~~ safety and professional services shall reinstate a license or  
5 grant an application under this subdivision.

6 **SECTION 2144.** 73.0301 (2) (b) 4. of the statutes is amended to read:

7 73.0301 (2) (b) 4. If a person whose license has been suspended or revoked or  
8 whose application for a license or license renewal or continuation has been denied  
9 under subd. 1. a. submits a nondelinquency certificate issued under sub. (3) (a) 2.,  
10 reinstate the license or grant the person's application for the license or license  
11 renewal or continuation, unless there are other grounds for not reinstating the  
12 license or for denying the application for the license or license renewal or  
13 continuation. With respect to a license granted by a credentialing board, the  
14 department of ~~regulation and licensing~~ safety and professional services shall  
15 reinstate a license or grant an application under this subdivision.

16 **SECTION 2145.** 73.12 (1) (b) of the statutes is amended to read:

17 73.12 (1) (b) "Vendor" means a person providing goods or services to this state  
18 or the University of Wisconsin–Madison under subch. IV or V of ch. 16 or under ch.  
19 84.

20 **SECTION 2146.** 73.12 (2) of the statutes is amended to read:

21 73.12 (2) REQUEST FOR SETOFF. The department of revenue may request the  
22 department of administration to proceed under sub. (3) against any vendor who owes  
23 a tax. A request under this subsection consists of identification of the vendor and of  
24 the vendor's contracts with this state or the University of Wisconsin–Madison and  
25 notice to the vendor of the request for a setoff.

**ASSEMBLY BILL 40****SECTION 2147**

1           **SECTION 2147.** 73.12 (3) of the statutes is amended to read:

2           73.12 (3) SETOFF. Upon receipt of a request under sub. (2), the department of  
3 administration shall begin to set off against amounts owed by this state or the  
4 University of Wisconsin–Madison to a vendor taxes owed to this state by that vendor  
5 until those taxes are paid in full. If the secretary of administration determines,  
6 within 30 days after receipt of a request for setoff, that the vendor against whom  
7 setoff is requested is either an essential supplier of critical commodities or the only  
8 vendor from whom a necessary good or service can be obtained and notifies the  
9 secretary of revenue of that determination, the department of administration shall  
10 waive the right of setoff and the department of administration shall pay to the vendor  
11 the amounts set off. The department of administration or the University of  
12 Wisconsin–Madison shall, within 30 days after the end of each calendar quarter,  
13 transfer to the department of revenue the taxes set off during the previous calendar  
14 quarter for deposit in the general fund, or in the transportation fund in respect to  
15 taxes owed under ch. 78, and shall notify the department of revenue of the amounts  
16 set off against each vendor.

17           **SECTION 2148.** 73.12 (5) of the statutes is amended to read:

18           73.12 (5) LIABILITY PRECLUDED. Exchange of information required to administer  
19 this section does not result in liability under s. 71.78, 72.06, 77.61 (5), 78.80 (3) or  
20 139.38 (6). The department of administration or the University of  
21 Wisconsin–Madison is not liable to any vendor because of setoffs under this section.

22           **SECTION 2149.** 73.12 (7) of the statutes is amended to read:

23           73.12 (7) TAX IDENTIFICATION INFORMATION. The department of administration  
24 and the University of Wisconsin–Madison may collect from vendors and provide to

**ASSEMBLY BILL 40****SECTION 2149**

1 the department of revenue any tax identification information that the department  
2 of revenue requires to administer the program under this section.

3 **SECTION 2150.** 74.01 (5) of the statutes is amended to read:

4 74.01 (5) “Special tax” means any amount entered in the tax roll which is not  
5 a general property tax, special assessment or special charge. “Special tax” includes  
6 any interest and penalties assessed for nonpayment of the tax before it is placed in  
7 the tax roll and any charge under s. 287.093 (1) (a) 2. that is placed on the tax roll  
8 under s. 287.093 (2).

9 **SECTION 2151.** 75.106 (1) (a) of the statutes is amended to read:

10 75.106 (1) (a) “Brownfield” has the meaning given in s. 560.13 238.13 (1) (a),  
11 except that, for purposes of this section, “brownfield” also means abandoned, idle, or  
12 underused residential facilities or sites, the expansion or redevelopment of which is  
13 adversely affected by actual or perceived environmental contamination.

14 **SECTION 2152.** 76.24 (2) (a) of the statutes is amended to read:

15 76.24 (2) (a) All taxes paid by any railroad company derived from or  
16 apportionable to repair facilities, docks, ore yards, piers, wharves, grain elevators,  
17 and their approaches, or car ferries on the basis of the separate valuation provided  
18 for in s. 76.16, shall be distributed annually from the transportation fund to the  
19 towns, villages, and cities in which they are located, pursuant to certification made  
20 by the department of revenue on or before August 15. Beginning with amounts  
21 distributed in 2011, the amount distributed to any town, village, or city under this  
22 paragraph may not be less than the amount distributed to it in 2010 under this  
23 paragraph.

24 **SECTION 2153.** 76.635 (1) (a) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2153**

1           76.635 (1) (a) “Certified capital company” has the meaning given in s. 560.29

2           (1) (a), 2009 stats.

3           **SECTION 2154.** 76.635 (1) (b) of the statutes is amended to read:

4           76.635 (1) (b) “Certified capital investment” has the meaning given in s. 560.29

5           (1) (b), 2009 stats.

6           **SECTION 2155.** 76.635 (1) (c) of the statutes is amended to read:

7           76.635 (1) (c) “Investment date” has the meaning given in s. 560.29 (1) (d), 2009

8           stats.

9           **SECTION 2156.** 76.635 (1) (d) of the statutes is amended to read:

10          76.635 (1) (d) “Investment pool” has the meaning given in s. 560.29 (1) (e), 2009

11          stats.

12          **SECTION 2157.** 76.635 (1) (e) of the statutes is amended to read:

13          76.635 (1) (e) “Qualified investment” has the meaning given in s. 560.29 (1) (g),

14          2009 stats.

15          **SECTION 2158.** 76.636 (1) (b) 1. of the statutes is amended to read:

16          76.636 (1) (b) 1. A development zone under s. 238.30 or s. 560.70, 2009 stats.

17          **SECTION 2159.** 76.636 (1) (b) 2. of the statutes is amended to read:

18          76.636 (1) (b) 2. A development opportunity zone under s. 238.395 or s. 560.795,

19          2009 stats.

20          **SECTION 2160.** 76.636 (1) (b) 3. of the statutes is amended to read:

21          76.636 (1) (b) 3. An enterprise development zone under s. 238.397 or s. 560.797,

22          2009 stats.

23          **SECTION 2161.** 76.636 (1) (b) 4. of the statutes is amended to read:

24          76.636 (1) (b) 4. An agricultural development zone under s. 238.398 or s.

25          560.798, 2009 stats.

**ASSEMBLY BILL 40****SECTION 2162**

1           **SECTION 2162.** 76.636 (1) (e) 13. of the statutes is amended to read:

2           76.636 (1) (e) 13. A food stamp recipient of benefits under the supplemental  
3 nutrition assistance program under 7 USC 2011 to 2036.

4           **SECTION 2163.** 76.636 (2) (intro.) of the statutes is amended to read:

5           76.636 (2) CREDITS. (intro.) Except as provided in s. 73.03 (35), and subject to  
6 s. 238.385 or s. 560.785, 2009 stats., for any taxable year for which an insurer is  
7 entitled under s. 238.395 or s. 560.795 (3), 2009 stats., to claim tax benefits or  
8 certified under s. 238.365 (3), 238.397 (4), or 238.398 (3) or s. 560.765 (3), 2009 stats.,  
9 s. 560.797 (4), 2009 stats., or s. 560.798 (3), 2009 stats., the insurer may claim as a  
10 credit against the fees due under s. 76.60, 76.63, 76.65, 76.66, or 76.67 the following  
11 amounts:

12           **SECTION 2164.** 76.636 (2) (b) of the statutes is amended to read:

13           76.636 (2) (b) The amount determined by multiplying the amount determined  
14 under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number of full-time  
15 jobs created in a development zone and filled by a member of a targeted group and  
16 by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and  
17 reimbursements paid under s. 49.147 (3m) (c) for those jobs.

18           **SECTION 2165.** 76.636 (2) (c) of the statutes is amended to read:

19           76.636 (2) (c) The amount determined by multiplying the amount determined  
20 under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time  
21 jobs created in a development zone and not filled by a member of a targeted group  
22 and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and  
23 reimbursements paid under s. 49.147 (3m) (c) for those jobs.

24           **SECTION 2166.** 76.636 (2) (d) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2166**

1           76.636 (2) (d) The amount determined by multiplying the amount determined  
2           under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the number of  
3           full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009  
4           stats., excluding jobs for which a credit has been claimed under s. 71.47 (1dj), in an  
5           enterprise development zone under s. 238.397 or s. 560.797, 2009 stats., and for  
6           which significant capital investment was made and by then subtracting the  
7           subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid  
8           under s. 49.147 (3m) (c) for those jobs.

9           **SECTION 2167.** 76.636 (2) (e) of the statutes is amended to read:

10           76.636 (2) (e) The amount determined by multiplying the amount determined  
11           under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time  
12           jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats.,  
13           excluding jobs for which a credit has been claimed under s. 71.47 (1dj), in a  
14           development zone and not filled by a member of a targeted group and by then  
15           subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and  
16           reimbursements paid under s. 49.147 (3m) (c) for those jobs.

17           **SECTION 2168.** 76.636 (4) (intro.) of the statutes is amended to read:

18           76.636 (4) CREDIT PRECLUDED. (intro.) If the certification of a person for tax  
19           benefits under s. 238.365 (3), 238.397 (4), or 238.398 (3) or s. 560.765 (3), 2009 stats.,  
20           s. 560.797 (4), 2009 stats., or s. 560.798 (3), 2009 stats., is revoked, or if the person  
21           becomes ineligible for tax benefits under s. 238.395 (3) or s. 560.795 (3), 2009 stats.,  
22           that person may not do any of the following:

23           **SECTION 2169.** 76.636 (5) of the statutes is amended to read:

24           76.636 (5) CARRY-OVER PRECLUDED. If a person who is entitled under s. 238.395  
25           (3) or s. 560.795 (3), 2009 stats., to claim tax benefits or certified under s. 238.365 (3),

**ASSEMBLY BILL 40****SECTION 2169**

1 238.397 (4), or 238.398 (3) or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats.,  
2 or s. 560.798 (3), 2009 stats., for tax benefits ceases business operations in the  
3 development zone during any of the taxable years that that zone exists, that person  
4 may not carry over to any taxable year following the year during which operations  
5 cease any unused credits from the taxable year during which operations cease or  
6 from previous taxable years.

7 **SECTION 2170.** 76.636 (6) of the statutes is amended to read:

8 76.636 **(6)** ADMINISTRATION. Any insurer who claims a credit under sub. (2) shall  
9 include with the insurer's annual return under s. 76.64 a copy of its certification for  
10 tax benefits and a copy of its verification of expenses from the department of  
11 commerce or the Wisconsin Economic Development Corporation.

12 **SECTION 2171.** 76.637 (1) of the statutes is amended to read:

13 76.637 **(1)** DEFINITION. In this section, "claimant" means an insurer who files  
14 a claim under this section and is certified under s. 238.301 (2) or s. 560.701 (2), 2009  
15 stats., and authorized to claim tax benefits under s. 238.303 or s. 560.703, 2009 stats.

16 **SECTION 2172.** 76.637 (2) of the statutes is amended to read:

17 76.637 **(2)** FILING CLAIMS. Subject to the limitations under this section, ss.  
18 238.301 to 238.306, and ss. 560.701 to 560.706, 2009 stats., for taxable years  
19 beginning after December 31, 2008, a claimant may claim as a credit against the fees  
20 due under s. 76.60, 76.63, 76.65, 76.66, or 76.67 the amount authorized for the  
21 claimant under s. 238.303 or s. 560.703, 2009 stats.

22 **SECTION 2173.** 76.637 (3) of the statutes is amended to read:

23 76.637 **(3)** LIMITATIONS. No credit may be allowed under this section unless the  
24 insurer includes with the insurer's annual return under s. 76.64 a copy of the  
25 claimant's certification under s. 238.301 (2) or s. 560.701 (2), 2009 stats., and a copy



**ASSEMBLY BILL 40****SECTION 2173**

1 of the claimant's notice of eligibility to receive tax benefits under s. 238.303 (3) or s.  
2 560.703 (3), 2009 stats.

3 **SECTION 2174.** 76.637 (4) of the statutes is amended to read:

4 76.637 (4) ADMINISTRATION. If an insurer's certification is revoked under s.  
5 238.305 or s. 560.705, 2009 stats., or if an insurer becomes ineligible for tax benefits  
6 under s. 238.302 or s. 560.702, 2009 stats., the insurer may not claim credits under  
7 this section 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 insurer becomes  
9 ineligible for tax benefits; or succeeding taxable years and the insurer may not carry  
10 over unused credits from previous years to offset the fees imposed under ss. 76.60,  
11 76.63, 76.65, 76.66, or 76.67 for the taxable year that includes the day on which  
12 certification is revoked; the taxable year that includes the day on which the insurer  
13 becomes ineligible for tax benefits; or succeeding taxable years.

14 **SECTION 2175.** 76.638 (1) of the statutes is amended to read:

15 76.638 (1) DEFINITIONS. In this section, "fund manager" means an investment  
16 fund manager certified under s. 238.15 (2) or s. 560.205 (2), 2009 stats.

17 **SECTION 2176.** 76.638 (2) of the statutes is amended to read:

18 76.638 (2) FILING CLAIMS. For taxable years beginning after December 31, 2008,  
19 subject to the limitations provided under this subsection and s. 238.15 or s. 560.205,  
20 2009 stats., an insurer may claim as a credit against the fees imposed under s. 76.60,  
21 76.63, 76.65, 76.66, or 76.67, 25 percent of the insurer's investment paid to a fund  
22 manager that the fund manager invests in a business certified under s. 238.15 or s.  
23 560.205 (1), 2009 stats.

24 **SECTION 2177.** Chapter 77 (title) of the statutes is amended to read:

25

**CHAPTER 77**

**ASSEMBLY BILL 40**

**SECTION 2177**

1                           **TAXATION OF FOREST CROPLANDS;**  
2                           **REAL ESTATE TRANSFER FEES;**  
3                           **SALES AND USE TAXES; COUNTY,**  
4                           **TRANSIT AUTHORITY, AND**  
5                           **SPECIAL DISTRICT SALES AND USE**  
6                           **TAXES; MANAGED FOREST LAND;**  
7                           **RECYCLING ECONOMIC DEVELOPMENT**  
8                           **SURCHARGE; LOCAL FOOD**  
9                           **AND BEVERAGE TAX;**  
10                           **LOCAL RENTAL CAR TAX; PREMIER**  
11                           **RESORT AREA TAXES;**  
12                           **STATE RENTAL VEHICLE FEE;**  
13                           **DRY CLEANING FEES;**  
14                           **SOUTHEASTERN REGIONAL**  
15                           **TRANSIT AUTHORITY FEE**

16           **SECTION 2178.** 77.22 (2) (d) of the statutes is amended to read:

17           77.22 (2) (d) If the real estate transferred is not subject to certification under  
18 s. 101.122 (4) (a), waiver under s. 101.122 (4) (b) or stipulation under s. 101.122 (4)  
19 (c), the reason why it is not so subject or the form prescribed by the department of  
20 commerce safety and professional services under s. 101.122 (6).

21           **SECTION 2179.** 77.54 (5) (am) of the statutes is created to read:

22           77.54 (5) (am) Modular homes, as defined in s. 101.71 (6), and manufactured  
23 homes, as defined in s. 101.91 (2), that are used in real property construction  
24 activities outside this state.

**ASSEMBLY BILL 40****SECTION 2180**

1           **SECTION 2180.** 77.54 (9a) (a) of the statutes, as affected by 2011 Wisconsin Act  
2 7, is amended to read:

3           77.54 **(9a)** (a) This state or any agency thereof, the University of Wisconsin  
4 Hospitals and Clinics Authority, the University of Wisconsin–Madison, the  
5 Wisconsin Aerospace Authority, the Health Insurance Risk–Sharing Plan Authority,  
6 the Wisconsin Quality Home Care Authority, the Wisconsin Economic Development  
7 Corporation, and the Fox River Navigational System Authority.

8           **SECTION 2181.** 77.54 (11m) of the statutes is created to read:

9           77.54 **(11m)** The sales price from the sales of and the storage, use, or other  
10 consumption of vegetable oil or animal fat that is converted into motor vehicle fuel  
11 that is exempt under s. 78.01 (2n) from the taxes imposed under s. 78.01 (1).

12           **SECTION 2182.** 77.61 (21) of the statutes is created to read:

13           77.61 **(21)** Beginning with the taxes that the department receives on July 1,  
14 2012, the department shall annually estimate the amount of, and deposit into the  
15 transportation fund, the following percentages of the taxes collected under ss. 77.52  
16 and 77.53 on the sale, lease, or use of motor vehicles and motor vehicle parts and  
17 accessories:

18           (a) For fiscal year 2012–13, 7.5 percent, except that the amount deposited  
19 under this paragraph may not exceed \$35,127,000.

20           (b) For fiscal year 2013–14, 10 percent.

21           (c) For fiscal year 2014–15, 15 percent.

22           (d) For fiscal year 2015–16, 20 percent.

23           (e) For fiscal year 2016–17, 25 percent.

24           (f) For fiscal year 2017–18, 30 percent.

25           (g) For fiscal year 2018–19, 35 percent.

**ASSEMBLY BILL 40**

**SECTION 2182**

1 (h) For fiscal year 2019–20, 40 percent.

2 (i) For fiscal year 2020–21, 45 percent.

3 (j) For fiscal year 2021–22, and for each fiscal year thereafter, 50 percent.

4 **SECTION 2183.** 77.708 (1) of the statutes is amended to read:

5 77.708 (1) A transit authority created under s. 66.1039, by resolution and  
6 referendum under s. 66.1039 (4) (s), may impose a sales tax and a use tax under this  
7 subchapter at a rate not to exceed 0.5 percent of the sales price or purchase price.  
8 Those taxes may be imposed only in their entirety. The resolution and referendum  
9 shall be effective on the first day of the first calendar quarter that begins at least 120  
10 days after the adoption of the resolution and affirmative result of the referendum.

11 **SECTION 2184.** Subchapter VII (title) of chapter 77 [precedes 77.92] of the  
12 statutes is amended to read:

13 **CHAPTER 77**

14 **SUBCHAPTER VII**

15 **RECYCLING ECONOMIC DEVELOPMENT SURCHARGE**

16 **SECTION 2185.** 77.93 (intro.) of the statutes is amended to read:

17 **77.93 Applicability.** (intro.) For the privilege of doing business in this state,  
18 there is imposed ~~a recycling~~ an economic development surcharge on the following  
19 entities:

20 **SECTION 2186.** 77.96 (6) of the statutes is amended to read:

21 77.96 (6) The department of revenue shall refer to the surcharge under this  
22 subchapter as the recycling economic development surcharge.

23 **SECTION 2187.** 77.97 of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2187**

1           **77.97 Use of revenue.** The department of revenue shall deposit the  
2 surcharge, interest and penalties collected under this subchapter in the recycling  
3 ~~and renewable energy~~ economic development fund under s. 25.49.

4           **SECTION 2188.** 79.01 (2d) of the statutes is amended to read:

5           79.01 **(2d)** There is established an account in the general fund entitled the  
6 “County and Municipal Aid Account.” ~~Beginning with the distributions in 2011, the~~  
7 The total amount to be distributed each year in 2011 to counties and municipalities  
8 from the county and municipal aid account is \$824,825,715 and the total amount to  
9 be distributed to counties and municipalities in 2012, and in each year thereafter,  
10 from the county and municipal aid account is \$728,825,715.

11           **SECTION 2189.** 79.02 (3) (e) of the statutes is amended to read:

12           79.02 **(3)** (e) For the distribution in 2004 and subsequent years, the total  
13 amount of the November payments to each county and municipality under s. 79.035  
14 shall be reduced by an amount equal to the amount of supplements paid from the  
15 appropriation accounts under s. 20.435 (4) (b) and (gm) that the county or  
16 municipality received for the fiscal year in which a payment is made under this  
17 section, as determined under s. 49.45 (51).

18           **SECTION 2190.** 79.02 (5) of the statutes is created to read:

19           79.02 **(5)** (a) For the distribution in 2012, the total amount of the payments to  
20 all municipalities from the county and municipal aid account shall be reduced by  
21 \$59,500,000 and the total amount of the payments to all counties from the county and  
22 municipal aid account shall be reduced by \$36,500,000.

23           (b) 1. To calculate the reduction under this subsection for each municipality, the  
24 department of revenue shall first divide \$59,500,000 by the total population of all  
25 municipalities. The department shall then adjust the result of the calculation to

**ASSEMBLY BILL 40****SECTION 2190**

1 establish a per capita amount applied to all municipalities so that the reduction for  
2 each municipality is no more than the maximum allowable reduction under this  
3 subsection for that municipality and so that the total reductions to county and  
4 municipal aid payments for municipalities under this subsection is \$59,500,000.

5 2. To calculate the reduction under this subsection for each county, the  
6 department of revenue shall first divide \$36,500,000 by the total population of all  
7 counties. The department shall then adjust the result of the calculation to establish  
8 a per capita amount applied to all counties so that the reduction for each county is  
9 no more than the maximum allowable reduction under this subsection for that  
10 county and so that the total reductions to county and municipal aid payments for  
11 counties under this subsection is \$36,500,000.

12 (c) The reduction for a municipality that has a population of less than 2,500 is  
13 the amount calculated by multiplying the amount determined under par. (b) 1. by the  
14 municipality's population, multiplied by the quotient of the municipality's  
15 population divided by 2,500, except that the reduction determined under this  
16 paragraph may not exceed the lesser of an amount equal to 50 percent of the  
17 municipality's payment from the county and municipal aid account in 2011 or 10  
18 cents for each \$1,000 of the municipality's equalized value, as determined under s.  
19 70.57.

20 (d) 1. The reduction for a municipality that has a population of at least 2,500,  
21 but no greater than 10,000, is the amount equal to 10 cents for each \$1,000 of the  
22 municipality's equalized value, as determined under s. 70.57, plus the amount  
23 determined as follows:

24 a. Multiply the amount determined under par. (b) 1. by the municipality's  
25 population.

**ASSEMBLY BILL 40****SECTION 2190**

- 1           b. Subtract 2,500 from the municipality's population.
- 2           c. Divide the number determined under subd. 1. b. by 7,500.
- 3           d. Multiply the number determined under subd. 1. a. by the number  
4 determined under subd. 1. c.
- 5           2. The reduction determined under this paragraph may not exceed the lesser  
6 of an amount equal to 50 percent of the municipality's payment from the county and  
7 municipal aid account in 2011 or 15 cents for each \$1,000 of the municipality's  
8 equalized value, as determined under s. 70.57.
- 9           (e) 1. The reduction for a municipality that has a population greater than  
10 10,000, but no greater than 50,000, is the amount equal to 15 cents for each \$1,000  
11 of the municipality's equalized value, as determined under s. 70.57, plus the amount  
12 determined as follows:
- 13           a. Multiply the amount determined under par. (b) 1. by the municipality's  
14 population.
- 15           b. Subtract 10,000 from the municipality's population.
- 16           c. Divide the number determined under subd. 1. b. by 40,000.
- 17           d. Multiply the number determined under subd. 1. a. by the number  
18 determined under subd. 1. c.
- 19           2. The reduction determined under this paragraph may not exceed the lesser  
20 of an amount equal to 50 percent of the municipality's payment from the county and  
21 municipal aid account in 2011 or 25 cents for each \$1,000 of the municipality's  
22 equalized value, as determined under s. 70.57.
- 23           (f) 1. The reduction for a municipality that has a population greater than  
24 50,000, but no greater than 110,000, is the amount equal to 25 cents for each \$1,000

**ASSEMBLY BILL 40****SECTION 2190**

1 of the municipality's equalized value, as determined under s. 70.57, plus the amount  
2 determined as follows:

3 a. Multiply the amount determined under par. (b) 1. by the municipality's  
4 population.

5 b. Subtract 50,000 from the municipality's population.

6 c. Divide the number determined under subd. 1. b. by 60,000.

7 d. Multiply the number determined under subd. 1. a. by the number  
8 determined under subd. 1. c.

9 2. The reduction determined under this paragraph may not exceed the lesser  
10 of an amount equal to 50 percent of the municipality's payment from the county and  
11 municipal aid account in 2011 or 30 cents for each \$1,000 of the municipality's  
12 equalized value, as determined under s. 70.57.

13 (g) The reduction for a municipality that has a population greater than 110,000  
14 is the lesser of an amount equal to 50 percent of the municipality's payment from the  
15 county and municipal aid account in 2011 or 30 cents for each \$1,000 of the  
16 municipality's equalized value, as determined under s. 70.57, plus an amount equal  
17 to the municipality's population multiplied by the amount determined under par. (b)  
18 1., except that the reduction determined under this paragraph may not exceed an  
19 amount equal to 35 cents for each \$1,000 in equalized value, as determined under  
20 s. 70.57.

21 (h) The reduction for a county is the amount determined under par. (b) 2.  
22 multiplied by the county's population, except that the reduction determined under  
23 this paragraph may not exceed the lesser of an amount equal to 50 percent of the  
24 county's payment from the county and municipal aid account in 2011 or \$0.15 for  
25 each \$1,000 of the county's equalized value, as determined under s. 70.57.



**ASSEMBLY BILL 40****SECTION 2191**

1           **SECTION 2191.** 79.035 (1) of the statutes is amended to read:

2           79.035 (1) In 2004 and subsequent years, except as provided under s. 79.02 (4)  
3           and (5), each county and municipality shall receive a payment from the county and  
4           municipal aid account and, beginning with payments in November 2009, from the  
5           appropriation accounts under s. 20.835 (1) (q) and (r) in an amount determined under  
6           sub. (2).

7           **SECTION 2192.** 79.04 (7) (a) of the statutes is amended to read:

8           79.04 (7) (a) Beginning with payments in 2005, if a production plant, as  
9           described in sub. (6) (a), other than a nuclear-powered production plant, is built on  
10          the site of, or on a site adjacent to, an existing or decommissioned production plant;  
11          or is built on a site purchased by a public utility before January 1, 1980, that was  
12          identified in an advance plan as a proposed site for a production plant; or is built on,  
13          or on a site adjacent to, brownfields, as defined in s. 238.13 (1) (a) or s. 560.13 (1) (a),  
14          2009 stats., after December 31, 2003, and has a name-plate capacity of at least one  
15          megawatt, each municipality and county in which such a production plant is located  
16          shall receive annually from the public utility account a payment in an amount that  
17          is equal to the number of megawatts that represents the production plant's  
18          name-plate capacity, multiplied by \$600.

19          **SECTION 2193.** 79.043 (6) of the statutes is amended to read:

20          79.043 (6) For the distribution in 2011 ~~and subsequent years~~, each county and  
21          municipality shall receive a payment under this section and s. 79.035 that is equal  
22          to the amount of the payment determined for the county or municipality under s.  
23          79.02 (4) in 2010.

24          **SECTION 2194.** 79.043 (7) of the statutes is created to read:

**ASSEMBLY BILL 40****SECTION 2194**

1           79.043 (7) For the distribution in 2012 and subsequent years, each county and  
2 municipality shall receive a payment under this section and s. 79.035 that is equal  
3 to the amount of the payment determined for the county or municipality under s.  
4 79.02 (5) for 2012.

5           **SECTION 2195.** 79.05 (1) (am) of the statutes is amended to read:

6           79.05 (1) (am) “Inflation factor” means a percentage equal to the average  
7 annual percentage change in the U.S. consumer price index for all urban consumers,  
8 U.S. city average, as determined by the U.S. department of labor, for the 12 months  
9 ending on September 30 of the year before the statement under s. 79.015, except that  
10 the percentage under this paragraph shall not be less than ~~3 percent~~ zero.

11           **SECTION 2196.** 84.01 (6m) (b) (intro.) of the statutes is amended to read:

12           84.01 (6m) (b) (intro.) The department, in consultation with the department  
13 ~~of commerce~~ Wisconsin Economic Development Corporation, shall do all of the  
14 following for each economic development program administered by the department:

15           **SECTION 2197.** 84.01 (11m) (title) of the statutes is amended to read:

16           84.01 (11m) (title) ECONOMIC DEVELOPMENT ASSISTANCE COORDINATION AND  
17 REPORTING.

18           **SECTION 2198.** 84.01 (11m) of the statutes is renumbered 84.01 (11m) (b) and  
19 amended to read:

20           84.01 (11m) (b) Annually, no later than October 1, the department shall submit  
21 to the joint legislative audit committee and to the appropriate standing committees  
22 of the legislature under s. 13.172 (3) a comprehensive report assessing economic  
23 development programs, as defined in sub. (6m) (a), administered by the department.  
24 The report shall include all of the information required under s. ~~560.01 (2) (am)~~  
25 238.07 (2). The department shall collaborate with the ~~department of commerce~~

**ASSEMBLY BILL 40****SECTION 2198**

1 Wisconsin Economic Development Corporation to make readily accessible to the  
2 public on an Internet-based system the information required under this subsection.

3 **SECTION 2199.** 84.01 (11m) (a) of the statutes is created to read:

4 84.01 (11m) (a) The department shall coordinate any economic development  
5 assistance with the Wisconsin Economic Development Corporation.

6 **SECTION 2200.** 84.01 (13) of the statutes is renumbered 84.01 (13) (b) and  
7 amended to read:

8 84.01 (13) (b) The department may engage such engineering, consulting,  
9 surveying, or other specialized services as it deems advisable. Any engagement of  
10 services under this subsection is exempt from ss. 16.70 to 16.75, 16.755 to 16.82, and  
11 16.85 to 16.89, but ss. 16.528, 16.752, 16.753, and 16.754 apply to such engagement.  
12 Any engagement involving an expenditure of \$3,000 or more shall be by formal  
13 contract approved by the governor. The department shall conduct a uniform  
14 cost-benefit analysis, ~~as defined in s. 16.70 (3g),~~ of each proposed engagement under  
15 this subsection that involves an estimated expenditure of more than \$25,000 in  
16 accordance with standards prescribed by rule of the department. The department  
17 shall review periodically, and before any renewal, the continued appropriateness of  
18 contracting pursuant to each engagement under this subsection that involves an  
19 estimated expenditure of more than \$25,000.

20 **SECTION 2201.** 84.01 (33) (c) of the statutes is repealed.

21 **SECTION 2202.** 84.013 (1) (a) (intro.) of the statutes is amended to read:

22 84.013 (1) (a) (intro.) “Major highway project” means a project, except a project  
23 providing an approach to a bridge over a river that forms a boundary of the state or  
24 a southeast Wisconsin freeway rehabilitation project under s. 84.014, which  
25 megaproject under s. 84.0145, that satisfies any of the following:

**ASSEMBLY BILL 40****SECTION 2202**

1           1m. The project has a total cost of more than \$5,000,000 \$30,000,000, subject  
2 to adjustment under sub. (2m), and which involves any of the following:

3           **SECTION 2203.** 84.013 (1) (a) 1. of the statutes is renumbered 84.013 (1) (a) 1m.

4 a.

5           **SECTION 2204.** 84.013 (1) (a) 2. (intro.), a. and b. of the statutes are  
6 consolidated, renumbered 84.013 (1) (a) 1m. b. and amended to read:

7           84.013 (1) (a) 1m. b. Reconstructing or reconditioning an existing highway by  
8 either of the following: ~~a. Relocating~~ relocating 2.5 miles or more of the existing  
9 highway. ~~b. Adding or adding~~ one or more lanes 5 miles or more in length to the  
10 existing highway.

11           **SECTION 2205.** 84.013 (1) (a) 2m. of the statutes is created to read:

12           84.013 (1) (a) 2m. The project has a total cost of more than \$75,000,000, subject  
13 to adjustment under sub. (2m).

14           **SECTION 2206.** 84.013 (1) (a) 3. of the statutes is renumbered 84.013 (1) (a) 1m.

15 c.

16           **SECTION 2207.** 84.013 (2) (a) of the statutes is amended to read:

17           84.013 (2) (a) Subject to ss. 84.014 (6) (b), 84.555, and 86.255, major highway  
18 projects shall be funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and  
19 (ct) and (4) (jq) and 20.866 (2) (ur) to (uum) and (uus).

20           **SECTION 2208.** 84.013 (2) (b) of the statutes is amended to read:

21           84.013 (2) (b) Except as provided in ss. ~~84.014~~, 84.03 (3), and 84.555, and  
22 subject to ~~s. ss. 84.014 (6) (c) and~~ ss. 84.014 (6) (c) and 86.255, reconditioning, reconstruction and  
23 resurfacing of highways shall be funded from the appropriations under ss. 20.395 (3)  
24 (cq) to (cx) and 20.866 (2) (uur) and (uut).

25           **SECTION 2209.** 84.013 (2m) of the statutes is created to read:

**ASSEMBLY BILL 40****SECTION 2209**

1           **84.013 (2m)** The department shall annually adjust the amounts specified in  
2 sub. (1) (a) 1m. and 2m. to reflect the annual change in the Wisconsin Department  
3 of Transportation Price Index, Yearly Moving Average, as maintained by the  
4 department or, if at any time the department no longer maintains this index, another  
5 suitable index as determined by the department. Beginning in 2012, prior to October  
6 1 of each year, the department shall compute the annual adjustment required under  
7 this subsection and shall publish the new adjusted amount applicable under sub. (1)  
8 (a) 1m. and 2m., which amount shall become effective on October 1 of that year. The  
9 department may not adjust the amounts specified in sub. (1) (a) 1m. and 2m. to an  
10 amount less than that specified in sub. (1) (a) 1m. and 2m.

11           **SECTION 2210.** 84.013 (3) (ad) of the statutes is created to read:

12           **84.013 (3) (ad)** Notwithstanding s. 13.489 (4) (c), any project approved by the  
13 transportation projects commission under s. 13.489 (4m) (b).

14           **SECTION 2211.** 84.013 (3) (bd) of the statutes is created to read:

15           **84.013 (3) (bd)** I 39/90 extending approximately 45 miles from USH 12/18 in  
16 Dane County to the Illinois–Wisconsin state line in Rock County.

17           **SECTION 2212.** 84.013 (3) (bh) of the statutes is created to read:

18           **84.013 (3) (bh)** STH 38 extending approximately 9 miles from CTH “K” in  
19 Racine County to Oakwood Road in Milwaukee County.

20           **SECTION 2213.** 84.013 (3) (bp) of the statutes is created to read:

21           **84.013 (3) (bp)** USH 10 and USH 10/STH 441 extending approximately 5 miles  
22 from CTH “CB” in Winnebago County to Oneida Street in Calumet County.

23           **SECTION 2214.** 84.013 (3) (bt) of the statutes is created to read:

24           **84.013 (3) (bt)** STH 15 extending approximately 11 miles from STH 76 to USH  
25 45, near New London, in Outagamie County.

**ASSEMBLY BILL 40****SECTION 2215**

1           **SECTION 2215.** 84.013 (4) (a) of the statutes is amended to read:

2           84.013 **(4)** (a) Subject to s. 13.489 (1m), in preparation for future major highway  
3 projects, the department may perform preliminary engineering and design work and  
4 studies for possible major highway projects not listed under sub. (3), but no major  
5 highway may be constructed unless the project is listed under sub. (3) or approved  
6 under sub. (6).

7           **SECTION 2216.** 84.013 (9) of the statutes is amended to read:

8           84.013 **(9)** If the department, ~~in consultation with the department of commerce,~~  
9 determines that a business development having a payroll exceeding \$10,000,000 in  
10 a calendar year is being located within a 3-mile radius of the intersection of I 90 and  
11 Town Line Road in Rock County, the department shall construct an interchange  
12 funded from the appropriations under s. 20.395 (3) (cq) to (cx) off of I 90 to Town Line  
13 Road.

14           **SECTION 2217.** 84.014 (2) of the statutes is amended to read:

15           84.014 **(2)** Subject to ss. 84.555 and 86.255, any southeast Wisconsin freeway  
16 rehabilitation projects, including the Marquette interchange reconstruction project  
17 and projects that involve adding one or more lanes 5 miles or more in length to the  
18 existing freeway, may be funded only from the appropriations under ss. 20.395 (3)  
19 (cr), (ct), (cw), and (cy) and 20.866 (2) (uum) and (uup).

20           **SECTION 2218.** 84.014 (6) of the statutes is created to read:

21           84.014 **(6)** (a) A southeast Wisconsin freeway rehabilitation project under this  
22 section may not simultaneously be considered a southeast Wisconsin freeway  
23 megaproject under s. 84.0145.

24           (b) Notwithstanding sub. (5m), a southeast Wisconsin freeway rehabilitation  
25 project under this section may also be considered a major highway project, eligible

**ASSEMBLY BILL 40****SECTION 2218**

1 for funding under s. 84.013 (2) (a), if the project meets the criteria for a major  
2 highway project under s. 84.013 (1) (a) and satisfies all applicable requirements  
3 under ss. 13.489 and 84.013.

4 (c) Notwithstanding sub. (5m), a southeast Wisconsin freeway rehabilitation  
5 project under this section may also be eligible for funding under s. 84.013 (2) (b) if  
6 the project is not considered a southeast Wisconsin freeway megaproject under s.  
7 84.0145 or a major highway project under s. 84.013.

8 **SECTION 2219.** 84.0145 of the statutes is created to read:

9 **84.0145 Southeast Wisconsin freeway megaprojects. (1)** In this section:

10 (a) “I 94 north–south corridor” has the meaning given in s. 84.014 (5m) (ag) 1.

11 (b) “Southeast Wisconsin freeway” has the meaning given in s. 84.014 (1) (e).

12 (c) “Southeast Wisconsin freeway megaproject” means any project on a  
13 southeast Wisconsin freeway having a total cost of more than \$500 million, subject  
14 to adjustment under sub. (4).

15 (d) “Zoo interchange” has the meaning given in s. 84.014 (5m) (ag) 2.

16 **(2)** Subject to sub. (3) and s. 86.255, any southeast Wisconsin freeway  
17 megaproject may be funded only from the appropriations under ss. 20.395 (3) (aq),  
18 (av), (ax), and (ct) and 20.866 (2) (uup).

19 **(3)** (a) The department may not encumber or expend any moneys for  
20 construction of a southeast Wisconsin freeway megaproject unless the project is  
21 specifically enumerated in a list under par. (b).

22 (b) The department may provide funding for the following southeast Wisconsin  
23 freeway megaprojects:

24 1. The I 94 north–south corridor project.

25 2. The Zoo interchange project.

**ASSEMBLY BILL 40****SECTION 2219**

1           **(4)** The department shall annually adjust the amount specified in sub. (1) (c)  
2 to reflect the annual change in the Wisconsin Department of Transportation Price  
3 Index, Yearly Moving Average, as maintained by the department or, if at any time  
4 the department no longer maintains this index, another suitable index as  
5 determined by the department. Beginning in 2012, prior to October 1 of each year,  
6 the department shall compute the annual adjustment required under this subsection  
7 and shall publish the new adjusted amount applicable under sub. (1) (c), which  
8 amount shall become effective on October 1 of that year. The department may not  
9 adjust the amount specified in sub. (1) (c) to an amount less than that specified in sub.  
10 (1) (c).

11           **SECTION 2220.** 84.016 (2) of the statutes is amended to read:

12           84.016 **(2)** Notwithstanding ss. 84.013, 84.51, 84.52, 84.53, 84.555, and 84.95,  
13 but subject to ~~sub. (3) and s. 86.255~~, this state's share of costs for any major interstate  
14 bridge project, including preliminary design work for the project, may be funded only  
15 from the appropriations under ss. 20.395 (3) (dq), (dv), and (dx) and 20.866 (2) (ugm).

16           **SECTION 2221.** 84.016 (3) of the statutes is repealed.

17           **SECTION 2222.** 84.075 (1c) (a) of the statutes is amended to read:

18           84.075 **(1c)** (a) "Disabled veteran-owned business" means a business certified  
19 by the department of ~~commerce~~ safety and professional services under s. ~~560.0335~~  
20 490.02 (3).

21           **SECTION 2223.** 84.075 (1c) (b) of the statutes is amended to read:

22           84.075 **(1c)** (b) "Minority business" means a business certified by the  
23 department of ~~commerce~~ safety and professional services under s. ~~560.036~~ 490.04 (2).

24           **SECTION 2224.** 84.075 (3) of the statutes is amended to read:



**ASSEMBLY BILL 40****SECTION 2224**

1           84.075 (3) The department shall at least semiannually, or more often if  
2 required by the department of administration, report to the department of  
3 administration the total amount of money it has paid to contractors, subcontractors,  
4 and vendors that are minority businesses and that are disabled veteran-owned  
5 businesses under ss. 84.01 (13), 84.06, and 84.07 and the number of contacts with  
6 minority businesses and disabled veteran-owned businesses in connection with  
7 proposed purchases and contracts. In its reports, the department shall include only  
8 amounts paid to businesses certified by the department of ~~commerce~~ safety and  
9 professional services as minority businesses or disabled veteran-owned businesses.

10           **SECTION 2225.** 84.076 (1) (c) of the statutes is amended to read:

11           84.076 (1) (c) “Minority business” has the meaning given under s. ~~560.036~~  
12 490.04 (1) (e) 1.

13           **SECTION 2226.** 84.076 (1) (d) of the statutes is amended to read:

14           84.076 (1) (d) “Minority group member” has the meaning given under s.  
15 ~~560.036~~ 490.04 (1) (f).

16           **SECTION 2227.** 84.09 (5) (a) of the statutes is amended to read:

17           84.09 (5) (a) Subject to pars. (b) and (c) and to the approval of the governor, the  
18 department may sell at public or private sale property of whatever nature owned by  
19 the state and under the jurisdiction of the department when the department  
20 determines that the property is no longer necessary for the state’s use for  
21 transportation purposes and, if real property, ~~the real property is not the subject of~~  
22 ~~a petition under s. 560.9810 (2).~~ The department shall present to the governor a full  
23 and complete report of the property to be sold, the reason for the sale, and the  
24 minimum price for which the same should be sold, together with an application for  
25 the governor’s approval of the sale. The governor shall thereupon make such

**ASSEMBLY BILL 40****SECTION 2227**

1 investigation as he or she may deem necessary and approve or disapprove the  
2 application. Upon such approval and receipt of the full purchase price, the  
3 department shall by appropriate deed or other instrument transfer the property to  
4 the purchaser. The approval of the governor is not required for public or private sale  
5 of property having an appraised value at the time of sale of not more than \$15,000,  
6 ~~for the transfer of surplus state real property to the department of administration~~  
7 ~~under s. 560.9810~~, or for the transfer of surplus state personal property to the  
8 department of tourism under sub. (5s). The funds derived from sales under this  
9 subsection shall be deposited in the transportation fund, and the expense incurred  
10 by the department in connection with the sale shall be paid from such fund.

11 **SECTION 2228.** 84.09 (5) (b) of the statutes is amended to read:

12 84.09 (5) (b) Subject to the approval of the governor in the manner, scope, and  
13 form specified in par. (a), with respect to the sale of property acquired by the  
14 department for a project that is completed after May 25, 2006, the department shall,  
15 and with respect to the sale of property acquired by the department for a project that  
16 is completed before May 25, 2006, the department may offer for sale or transfer  
17 ownership of the property that the department determines is no longer necessary for  
18 the state's use for transportation purposes, ~~if the property is not the subject of a~~  
19 ~~petition under s. 560.9810 (2)~~. This disposition process shall take place within 24  
20 months of the completion of the transportation project for which the property was  
21 acquired. Except as provided in par. (c) 3., the department shall offer limited and  
22 general marketable properties at appraised value, as determined by a state-certified  
23 or licensed appraiser, for not less than 12 months. If the department does not sell  
24 the property at or above its appraised value, the department shall offer the property

**ASSEMBLY BILL 40****SECTION 2228**

1 for sale by means of sealed bids or public auction. For the purposes of this paragraph,  
2 a project is completed when final payment is made under the contract for the project.

3 **SECTION 2229.** 84.09 (5r) of the statutes is amended to read:

4 **84.09 (5r)** In lieu of the sale or conveyance of property under sub. (5) or (5m),  
5 the department may, subject to the approval of the governor, donate real property  
6 that is adjacent to the veterans memorial site located at The Highground in Clark  
7 County and owned by the state and under the jurisdiction of the department to the  
8 Wisconsin Vietnam Veterans Memorial Project, Inc., for the purpose of the veterans  
9 memorial site located at The Highground in Clark County for the purpose of a  
10 memorial hall specified in s. 70.11 (9). The department may donate property under  
11 this subsection only when the department determines that the property is no longer  
12 necessary for the state's use for transportation purposes ~~and is not the subject of a~~  
13 ~~petition under s. 560.9810 (2)~~ and is transferred with a restriction that the donee may  
14 not subsequently transfer the real property to any person except to this state, which  
15 shall not be charged for any improvements thereon. Such restriction shall be  
16 recorded in the office of the register of deeds in the county in which the property is  
17 located. The department shall present to the governor a full and complete report of  
18 the property to be donated, the reason for the donation, and the minimum price for  
19 which the property could likely be sold under sub. (5), together with an application  
20 for the governor's approval of the donation. The governor shall thereupon make such  
21 investigation as he or she considers necessary and approve or disapprove the  
22 application. Upon such approval, the department shall by appropriate deed or other  
23 instrument transfer the property to the donee. The approval of the governor is not  
24 required for donation of property having an appraised value at the time of donation

**ASSEMBLY BILL 40****SECTION 2229**

1 of not more than \$15,000. Any expense incurred by the department in connection  
2 with the donation shall be paid from the transportation fund.

3 **SECTION 2230.** 84.185 (1) (a) of the statutes is amended to read:

4 84.185 (1) (a) “Business” ~~has the meaning given in s. 560.60 (2)~~ means a  
5 company located in this state, a company that has made a firm commitment to locate  
6 a facility in this state, or a group of companies at least 80 percent of which are located  
7 in this state.

8 **SECTION 2231.** 84.185 (1) (b) of the statutes is amended to read:

9 84.185 (1) (b) “Governing body” ~~has the meaning specified in s. 560.60 (6)~~  
10 means a county board, city council, village board, town board, regional planning  
11 commission or transit commission under s. 59.58 (2) or 66.1021.

12 **SECTION 2232.** 84.185 (1) (ce) of the statutes is amended to read:

13 84.185 (1) (ce) “Job” ~~has the meaning specified in s. 560.17 (1) (bm)~~ means a  
14 position providing full-time equivalent employment. “Job” does not include initial  
15 training before an employment position begins.

16 **SECTION 2233.** 84.27 of the statutes is amended to read:

17 **84.27 Institution roads.** The department may administer a program to  
18 improve highways forming convenient connections between the University of  
19 Wisconsin System, the University of Wisconsin–Madison, and state charitable or  
20 penal institutions, and the state trunk highway system, or to construct roadways  
21 under or over state trunk highways that pass through the grounds thereof, or to  
22 construct and maintain all drives and roadways on such grounds or the grounds of  
23 the state capitol. Within the limitations and for the purposes of this section, work  
24 may be performed by or under the supervision or authority of the department, upon  
25 the request for such work filed by the ~~board of regents~~ Board of Regents of the

**ASSEMBLY BILL 40****SECTION 2233**

1 University of Wisconsin System, the Board of Trustees of the University of  
2 Wisconsin–Madison, or the state boards, commissions, departments or officers,  
3 respectively, as to such work in connection with the institution controlled by them.  
4 The cost of any work under this section shall be the responsibility of the ~~board of~~  
5 ~~regents~~ Board of Regents of the University of Wisconsin System, the Board of  
6 Trustees of the University of Wisconsin–Madison, or the state boards, commissions,  
7 departments or officers involved.

8 **SECTION 2234.** 84.555 (1m) of the statutes is amended to read:

9 84.555 (1m) Notwithstanding sub. (1) and ss. 84.51 and 84.59, the proceeds of  
10 general obligation bonds issued under s. 20.866 (2) (uum) are allocated for  
11 expenditure obligations under s. 84.95 and s. 84.014 and the proceeds of general  
12 obligation bonds issued under s. 20.866 (2) (uup) may be used to fund expenditure  
13 obligations for the Marquette interchange reconstruction project under s. 84.014  
14 and, for the reconstruction of the I 94 north–south corridor, as defined in s. 84.014  
15 (5m) (ag) 1., for the reconstruction of the Zoo interchange, as defined in s. 84.014 (5m)  
16 (ag) 2., and southeast Wisconsin freeway megaprojects under s. 84.0145.

17 **SECTION 2235.** 84.59 (2) (b) of the statutes is amended to read:

18 84.59 (2) (b) The department may, under s. 18.562, deposit in a separate and  
19 distinct special fund outside the state treasury, in an account maintained by a  
20 trustee, revenues derived under ss. 341.09 (2) (d), (2m) (a) 1., (4), and (7), 341.14 (2),  
21 (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1) (a) and (b), (2),  
22 and (2m), 341.17 (8), 341.19 (1) (a), 341.25, 341.255 (1), (2) (a), (b), and (c), and (5),  
23 341.26 (1), (2), (2m) (am) and (b), (3), (3m), (4), (5), and (7), 341.264 (1), 341.265 (1),  
24 341.266 (2) (b) and (3), 341.268 (2) (b) and (3), 341.269 (2) (b), 341.30 (3), 341.305 (3),  
25 341.307 (4) (a), 341.308 (3), 341.36 (1) and (1m), 341.51 (2), and 342.14, ~~except s.~~

**ASSEMBLY BILL 40****SECTION 2235**

1 342.14 (1r), and from any payments received with respect to agreements or ancillary  
2 arrangements entered into under s. 18.55 (6) with respect to revenue obligations  
3 issued under this section. The revenues deposited are the trustee's revenues in  
4 accordance with the agreement between this state and the trustee or in accordance  
5 with the resolution pledging the revenues to the repayment of revenue obligations  
6 issued under this section. Revenue obligations issued for the purposes specified in  
7 sub. (1) and for the repayment of which revenues are deposited under this paragraph  
8 are special fund obligations, as defined in s. 18.52 (7), issued for special fund  
9 programs, as defined in s. 18.52 (8).

10 **SECTION 2236.** 84.59 (6) of the statutes is amended to read:

11 84.59 (6) The building commission may contract revenue obligations when it  
12 reasonably appears to the building commission that all obligations incurred under  
13 this section can be fully paid from moneys received or anticipated and pledged to be  
14 received on a timely basis. Except as provided in this subsection, the principal  
15 amount of revenue obligations issued under this section may not exceed  
16 ~~\$3,009,784,200~~ \$3,351,547,300, excluding any obligations that have been defeased  
17 under a cash optimization program administered by the building commission, to be  
18 used for transportation facilities under s. 84.01 (28) and major highway projects for  
19 the purposes under ss. 84.06 and 84.09. In addition to the foregoing limit on principal  
20 amount, the building commission may contract revenue obligations under this  
21 section as the building commission determines is desirable to refund outstanding  
22 revenue obligations contracted under this section, to make payments under  
23 agreements or ancillary arrangements entered into under s. 18.55 (6) with respect  
24 to revenue obligations issued under this section, and to pay expenses associated with  
25 revenue obligations contracted under this section.

**ASSEMBLY BILL 40****SECTION 2237**

1           **SECTION 2237.** 85.05 of the statutes is amended to read:

2           **85.05 Evaluation of proposed major highway projects.** The department  
3 by rule shall establish a procedure for numerically evaluating projects considered for  
4 enumeration under s. 84.013 (3) as a major highway project. The evaluation  
5 procedure may include any criteria that the department considers relevant. The  
6 rules shall establish a minimum score that a project shall meet or exceed when  
7 evaluated under the procedure established under this section before the department  
8 may recommend the project to the transportation projects commission for  
9 consideration under s. 13.489 (4). This section does not apply to major highway  
10 projects identified in s. 84.013 (3) (ad).

11           **SECTION 2238.** 85.09 (4i) of the statutes is amended to read:

12           **85.09 (4i) DISPOSAL OF RAIL PROPERTY.** The department shall sell at public or  
13 private sale rail property acquired under sub. (4) when the department determines  
14 that the rail property is not necessary for a public purpose and, ~~if real property, the~~  
15 ~~real property is not the subject of a petition under s. 560.9810 (2).~~ Upon receipt of  
16 the full purchase price, the department shall, by appropriate deed or other  
17 instrument, transfer the rail property to the purchaser. The funds derived from sales  
18 under this subsection shall be deposited in the transportation fund, and the expense  
19 incurred by the department in connection with the sale shall be paid from the  
20 appropriation under s. 20.395 (2) (bq). This subsection does not apply to real  
21 property that is sold under s. 16.848.

22           **SECTION 2239.** 85.09 (4m) of the statutes is amended to read:

23           **85.09 (4m) RELOCATION PLAN.** The department is exempt from s. 32.25 (1) if the  
24 department determines that acquiring rail property under this section will not result  
25 in any displaced persons as defined in s. 32.19 (2) (e). The department shall file a

**ASSEMBLY BILL 40****SECTION 2239**

1 statement of its determinations with the department of commerce Wisconsin  
2 Housing and Economic Development Authority.

3 **SECTION 2240.** 85.095 (2) (b) of the statutes is repealed.

4 **SECTION 2241.** 85.11 of the statutes is repealed.

5 **SECTION 2242.** 85.14 (title) of the statutes is amended to read:

6 **85.14 (title) Payments of fees and deposits by credit card, debit card,**  
7 **or other electronic payment mechanism; electronic transactions.**

8 **SECTION 2243.** 85.14 (1) (a) of the statutes is amended to read:

9 85.14 (1) (a) The department may accept payment by credit card, debit card,  
10 or any other electronic payment mechanism of ~~a~~ any fee that is required to be paid  
11 to the department ~~under ch. 194, 218, 341, 342, 343 or 348.~~ The department shall  
12 determine which fees may be paid by credit card, debit card, or any other electronic  
13 payment mechanism and the manner in which the payments may be made. If the  
14 department permits the payment of a fee by credit card, debit card, or any other  
15 electronic payment mechanism, the department may charge a convenience fee for  
16 each transaction in an amount to be established by rule. The convenience fee shall  
17 approximate the cost to the department for providing this service to persons who  
18 request it. If the department permits the payment of a fee by credit card, debit card,  
19 or any other electronic payment mechanism, the department may charge a service  
20 fee of \$2.50 for each transaction until a rule is promulgated under this paragraph.

21 **SECTION 2244.** 85.14 (3) of the statutes is created to read:

22 85.14 (3) The department may establish procedures for conducting any  
23 transaction in an electronic format or using an electronic process. Any form  
24 prescribed by the department may be prescribed in an automated format to facilitate  
25 the department's authority under this subsection.



**ASSEMBLY BILL 40****SECTION 2245**

1           **SECTION 2245.** 85.14 (4) of the statutes is created to read:

2           85.14 **(4)** The department may promulgate rules requiring a person to pay an  
3 additional fee for conducting an in-person, telephone, or paper transaction in lieu  
4 of using an electronic filing or submission option when the department has made an  
5 electronic filing or submission option available. These rules may provide for  
6 exemptions from the additional fee for designated categories of persons or  
7 transactions. The fee authorized under this subsection is in addition to any other fee  
8 that may be imposed by the department.

9           **SECTION 2246.** 85.20 (4m) (a) 6. cm. of the statutes is amended to read:

10           85.20 **(4m)** (a) 6. cm. From the appropriation under s. 20.395 (1) (ht), the  
11 department shall pay ~~\$63,784,700 for aid payable for calendar year 2008,~~  
12 ~~\$65,299,200 for aid payable for calendar year 2009,~~ \$66,585,600 for aid payable for  
13 calendar year 2010, ~~and~~ \$68,583,200 for aid payable for calendar year 2011, and  
14 \$61,724,900 for aid payable for calendar year 2012 and thereafter, to the eligible  
15 applicant that pays the local contribution required under par. (b) 1. for an urban  
16 mass transit system that has annual operating expenses of \$80,000,000 or more. If  
17 the eligible applicant that receives aid under this subd. 6. cm. is served by more than  
18 one urban mass transit system, the eligible applicant may allocate the aid between  
19 the urban mass transit systems in any manner the eligible applicant considers  
20 desirable.

21           **SECTION 2247.** 85.20 (4m) (a) 6. cm. of the statutes, as affected by 2011  
22 Wisconsin Act .... (this act), is amended to read:

23           85.20 **(4m)** (a) 6. cm. From the appropriation under s. 20.395 (1) ~~(ht)~~ (hc), the  
24 department shall pay \$66,585,600 for aid payable for calendar year 2010,  
25 \$68,583,200 for aid payable for calendar year 2011, and \$61,724,900 for aid payable

**ASSEMBLY BILL 40****SECTION 2247**

1 for calendar year 2012 and thereafter, to the eligible applicant that pays the local  
2 contribution required under par. (b) 1. for an urban mass transit system that has  
3 annual operating expenses of \$80,000,000 or more. If the eligible applicant that  
4 receives aid under this subd. 6. cm. is served by more than one urban mass transit  
5 system, the eligible applicant may allocate the aid between the urban mass transit  
6 systems in any manner the eligible applicant considers desirable.

7 **SECTION 2248.** 85.20 (4m) (a) 6. d. of the statutes is amended to read:

8 85.20 **(4m)** (a) 6. d. From the appropriation under s. 20.395 (1) (hu), the  
9 department shall pay ~~\$16,754,000 for aid payable for calendar year 2008,~~  
10 ~~\$17,158,400 for aid payable for calendar year 2009,~~ \$17,496,400 for aid payable for  
11 calendar year 2010, ~~and~~ \$18,021,300 for aid payable for calendar year 2011, ~~and~~  
12 \$16,219,200 for aid payable for calendar year 2012 and thereafter, to the eligible  
13 applicant that pays the local contribution required under par. (b) 1. for an urban  
14 mass transit system that has annual operating expenses in excess of \$20,000,000 but  
15 less than \$80,000,000. If the eligible applicant that receives aid under this subd. 6.  
16 d. is served by more than one urban mass transit system, the eligible applicant may  
17 allocate the aid between the urban mass transit systems in any manner the eligible  
18 applicant considers desirable.

19 **SECTION 2249.** 85.20 (4m) (a) 6. d. of the statutes, as affected by 2011 Wisconsin  
20 Act .... (this act), is amended to read:

21 85.20 **(4m)** (a) 6. d. From the appropriation under s. 20.395 (1) ~~(hu)~~ (hd), the  
22 department shall pay \$17,496,400 for aid payable for calendar year 2010,  
23 \$18,021,300 for aid payable for calendar year 2011, and \$16,219,200 for aid payable  
24 for calendar year 2012 and thereafter, to the eligible applicant that pays the local  
25 contribution required under par. (b) 1. for an urban mass transit system that has

**ASSEMBLY BILL 40****SECTION 2249**

1 annual operating expenses in excess of \$20,000,000 but less than \$80,000,000. If the  
2 eligible applicant that receives aid under this subd. 6. d. is served by more than one  
3 urban mass transit system, the eligible applicant may allocate the aid between the  
4 urban mass transit systems in any manner the eligible applicant considers desirable.

5 **SECTION 2250.** 85.20 (4m) (a) 6. e. of the statutes is amended to read:

6 85.20 **(4m)** (a) 6. e. From the appropriation under s. 20.395 (1) ~~(hw)~~ (he), the  
7 department may pay the uniform percentage for each eligible applicant for a  
8 commuter or light rail system that has been enumerated under s. 85.062 (3). An  
9 eligible applicant may not receive aid under subd. 6. cm. or d., 7., or 8. for a commuter  
10 rail or light rail transit system.

11 **SECTION 2251.** 85.20 (4m) (a) 7. a. of the statutes is amended to read:

12 85.20 **(4m)** (a) 7. a. From the appropriation under s. 20.395 (1) ~~(hr)~~ (ha),  
13 beginning with aid payable for calendar year 2002 and for each calendar year  
14 thereafter, the uniform percentage for each eligible applicant served by an urban  
15 mass transit system operating within an urbanized area having a population as  
16 shown in the 2000 federal decennial census of at least 50,000 or receiving federal  
17 mass transit aid for such area, and not specified in subd. 6.

18 **SECTION 2252.** 85.20 (4m) (a) 7. b. of the statutes is amended to read:

19 85.20 **(4m)** (a) 7. b. For the purpose of making allocations under subd. 7. a., the  
20 amounts for aids are ~~\$24,034,400 in calendar year 2008, \$24,614,500 in calendar~~  
21 ~~year 2009, \$25,099,500 in calendar year 2010, and \$25,852,500 in calendar year~~  
22 2011, and \$23,267,200 in calendar year 2012 and thereafter. These amounts, to the  
23 extent practicable, shall be used to determine the uniform percentage in the  
24 particular calendar year.

25 **SECTION 2253.** 85.20 (4m) (a) 8. a. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2253**

1           85.20 **(4m)** (a) 8. a. From the appropriation under s. 20.395 (1) ~~(hs)~~ (hb),  
2 beginning with aid payable for calendar year 2002 and for each calendar year  
3 thereafter, the uniform percentage for each eligible applicant served by an urban  
4 mass transit system operating within an area having a population as shown in the  
5 2000 federal decennial census of less than 50,000 or receiving federal mass transit  
6 aid for such area.

7           **SECTION 2254.** 85.20 (4m) (a) 8. b. of the statutes is amended to read:

8           85.20 **(4m)** (a) 8. b. For the purpose of making allocations under subd. 8. a., the  
9 amounts for aids are ~~\$5,440,500 in calendar year 2008, \$5,571,800 in calendar year~~  
10 ~~2009, \$5,681,600 in calendar year 2010, and \$5,852,200 in calendar year 2011, and~~  
11 \$5,267,000 in calendar year 2012 and thereafter. These amounts, to the extent  
12 practicable, shall be used to determine the uniform percentage in the particular  
13 calendar year.

14           **SECTION 2255.** 85.20 (4s) of the statutes is amended to read:

15           85.20 **(4s)** PAYMENT OF AIDS UNDER THE CONTRACT. The contracts executed  
16 between the department and eligible applicants under this section shall provide that  
17 the payment of the state aid allocation under sub. (4m) (a) for the last quarter of the  
18 state's fiscal year shall be provided from the following fiscal year's appropriation  
19 under s. 20.395 (1) ~~(hr), (hs), (ht), (hu), or (hw)~~ (ha), (hb), (hc), (hd), or (he).

20           **SECTION 2256.** 85.25 (2) (c) 1m. b. of the statutes is amended to read:

21           85.25 **(2)** (c) 1m. b. It is currently performing a useful business function as  
22 defined in s. ~~560.036~~ 490.04 (1) (h).

23           **SECTION 2257.** 85.26 (1) (title) of the statutes is repealed.

24           **SECTION 2258.** 85.26 (1) (intro.) and (a) of the statutes are consolidated,  
25 renumbered 85.26 (1) and amended to read:

**ASSEMBLY BILL 40****SECTION 2258**

1           85.26 (1) In this section: ~~(a)~~ “Intercity, “intercity bus service” means regularly  
2 scheduled bus service for the general public that operates with limited stops over  
3 fixed routes connecting 2 or more urban areas not in close proximity, that has the  
4 capacity for transporting baggage carried by passengers, and that makes meaningful  
5 connections with scheduled intercity bus service to more distant points if service to  
6 more distant points is available.

7           **SECTION 2259.** 85.26 (1) (b) of the statutes is repealed.

8           **SECTION 2260.** 85.26 (1) (c) of the statutes is repealed.

9           **SECTION 2261.** 85.26 (2) (title) of the statutes is repealed.

10          **SECTION 2262.** 85.26 (2) (a) (intro.) and 1. of the statutes are consolidated,  
11 renumbered 85.26 (2) (a) and amended to read:

12          85.26 (2) (a) The department ~~shall develop and administer an intercity bus~~  
13 ~~assistance program to increase the availability of intercity bus service in this state.~~  
14 Under this program, the department may do any of the following: 1. Contract may  
15 contract with private providers of intercity bus service to support intercity bus  
16 service routes of the provider.

17          **SECTION 2263.** 85.26 (2) (a) 2. of the statutes is repealed.

18          **SECTION 2264.** 85.26 (2) (b) (intro.) of the statutes is amended to read:

19          85.26 (2) (b) (intro.) All expenditures ~~under the program for contracts under~~  
20 par. (a) shall be made from the ~~appropriations~~ appropriation under s. 20.395 (1) ~~(bq),~~  
21 ~~(bv), and (bx).~~ The department may not enter into any contract under par. (a) 1., or  
22 award any grant under par. (a) 2., that provides funds to support any intercity bus  
23 service route in an amount exceeding the lesser of the following:

24          **SECTION 2265.** 85.26 (2) (b) 1. of the statutes is repealed.

25          **SECTION 2266.** 85.26 (2) (b) 2. of the statutes is repealed.

**ASSEMBLY BILL 40****SECTION 2267**

1           **SECTION 2267.** 85.26 (2) (c) of the statutes is repealed.

2           **SECTION 2268.** 86.30 (2) (a) 3. of the statutes is amended to read:

3           86.30 (2) (a) 3. For each mile of road or street under the jurisdiction of a  
4           municipality as determined under s. 86.302, the mileage aid payment shall be ~~\$1,956~~  
5           ~~in calendar year 2008, \$2,015 in calendar year 2009, \$2,055 in calendar year 2010,~~  
6           ~~and \$2,117 in calendar year 2011, and \$2,053 in calendar year 2012~~ and thereafter.

7           **SECTION 2269.** 86.30 (2) (b) 1. of the statutes is amended to read:

8           86.30 (2) (b) 1. Except as provided under par. (d) and s. 86.303 (5), no  
9           municipality whose aid is determined under par. (a) 2. may receive an increase in its  
10          annual transportation aid payment in excess of 15% of its last previous calendar year  
11          aid payment or a decrease in its annual transportation aid payment in excess of 5%  
12          15 percent of its last previous calendar year transportation aid payment.

13          **SECTION 2270.** 86.30 (2) (b) 1g. of the statutes is amended to read:

14          86.30 (2) (b) 1g. Except as provided under par. (d) and s. 86.303 (5), no  
15          municipality whose aid is determined under par. (a) 3. may receive a decrease in its  
16          annual transportation aid payment in excess of 5% 15 percent of its last previous  
17          calendar year transportation aid payment.

18          **SECTION 2271.** 86.30 (2) (b) 1r. of the statutes is amended to read:

19          86.30 (2) (b) 1r. Except as provided under s. 86.303, no county may receive an  
20          increase in its annual transportation aid payment in excess of 15% of its last previous  
21          calendar year aid payment. Except as provided under par. (dm) and s. 86.303, no  
22          county may receive a decrease in its annual transportation aid payment in excess of  
23          ~~2%~~ 15 percent of its last previous calendar year transportation aid payment.

24          **SECTION 2272.** 86.30 (9) (b) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2272**

1           86.30 (9) (b) For the purpose of calculating and distributing aids under sub. (2),  
2           the amounts for aids to counties are ~~\$96,492,900 in calendar year 2008, \$99,387,700~~  
3           ~~in calendar year 2009, \$101,375,500 in calendar year 2010, and \$104,416,800 in~~  
4           ~~calendar year 2011, and \$93,975,100 in calendar year 2012~~ and thereafter. These  
5           amounts, to the extent practicable, shall be used to determine the statewide county  
6           average cost-sharing percentage in the particular calendar year.

7           **SECTION 2273.** 86.30 (9) (c) of the statutes is amended to read:

8           86.30 (9) (c) For the purpose of calculating and distributing aids under sub. (2),  
9           the amounts for aids to municipalities are ~~\$303,578,100 in calendar year 2008,~~  
10          ~~\$312,685,400 in calendar year 2009, \$318,939,100 in calendar year 2010, and~~  
11          ~~\$328,507,300 in calendar year 2011, and \$295,656,600 in calendar year 2012~~ and  
12          thereafter. These amounts, to the extent practicable, shall be used to determine the  
13          statewide municipal average cost-sharing percentage in the particular calendar  
14          year.

15          **SECTION 2274.** 86.303 (5) (e) of the statutes is amended to read:

16          86.303 (5) (e) Except as provided in par. (f), if a county or municipality fails to  
17          submit a substantially complete and accurate financial report form by the applicable  
18          date under par. (c) or (d) each year, the aids payable to the county or municipality  
19          during the following year shall be equal to ~~90%~~ 85 percent of the aids actually paid  
20          to the county or municipality under s. 86.30 (2) during the preceding year.

21          **SECTION 2275.** 86.303 (5) (f) 2. of the statutes is amended to read:

22          86.303 (5) (f) 2. The amount of aids payable to the county or municipality under  
23          s. 86.30 (2) during the following year may not be reduced to less than ~~90%~~ 85 percent  
24          of the aids actually paid to the county or municipality under s. 86.30 (2) during the  
25          preceding year.

**ASSEMBLY BILL 40****SECTION 2276**

1           **SECTION 2276.** 86.303 (5) (h) of the statutes is amended to read:

2           86.303 (5) (h) Except as provided in par. (i), if a county or municipality under  
3 par. (g) fails to submit the financial reports required under par. (g) by July 31 each  
4 year, the aids payable to the county or municipality during the following year shall  
5 be equal to 90% 85 percent of the aids actually paid to the county or municipality  
6 under s. 86.30 (2) during the preceding year.

7           **SECTION 2277.** 86.303 (5) (i) 2. of the statutes is amended to read:

8           86.303 (5) (i) 2. The amount of aids payable to the county or municipality under  
9 s. 86.30 (2) during the following year may not be reduced to less than 90% 85 percent  
10 of the aids actually paid to the county or municipality under s. 86.30 (2) during the  
11 preceding year.

12           **SECTION 2278.** 86.303 (7) (b) of the statutes is amended to read:

13           86.303 (7) (b) If the county or municipality fails to conduct an independent  
14 audit when ordered to do so by the department, the aids payable during the following  
15 year shall be equal to 90% 85 percent of the aids actually paid during the preceding  
16 year. If the department has reason to believe that the 90% 85 percent payment will  
17 be greater than the actual payment should be, the department may itself order an  
18 independent audit and deduct the audit costs from the transportation aids paid to  
19 the county or municipality under s. 86.30 (2). Any underpayment or overpayment  
20 of aids resulting from financial reporting errors shall be rectified by adjusting aids  
21 paid in the following year.

22           **SECTION 2279.** 91.04 (2) (j) of the statutes is amended to read:

23           91.04 (2) (j) Rezoning of land out of farmland preservation zoning districts  
24 under s. 91.48, including the amounts of conversion fees paid to political subdivisions  
25 under s. 91.48 (1) (b).



**ASSEMBLY BILL 40****SECTION 2280**

1           **SECTION 2280.** 91.48 (1) (intro.) of the statutes is amended to read:

2           91.48 (1) (intro.) A political subdivision with a certified farmland preservation  
3 zoning ordinance may rezone land out of a farmland preservation zoning district  
4 without having the rezoning certified under s. 91.36, if all of the following apply the  
5 political subdivision finds all of the following, after public hearing:

6           **SECTION 2281.** 91.48 (1) (a) (intro.) of the statutes is repealed.

7           **SECTION 2282.** 91.48 (1) (a) 1. to 4. of the statutes are renumbered 91.48 (1) (a)  
8 to (d).

9           **SECTION 2283.** 91.48 (1) (b) of the statutes is repealed.

10          **SECTION 2284.** 91.48 (2) (intro.) and (a) of the statutes are consolidated,  
11 renumbered 91.48 (2) and amended to read:

12          91.48 (2) A political subdivision shall by March of 1 of each year provide ~~all of~~  
13 ~~the following~~ to the department: ~~(a) A~~ a report of the number of acres that the  
14 political subdivision has rezoned out of a farmland preservation zoning district  
15 under sub. (1) during the previous year and a map that clearly shows the location of  
16 those acres.

17          **SECTION 2285.** 91.48 (2) (b) and (c) of the statutes are repealed.

18          **SECTION 2286.** 91.48 (3) of the statutes is amended to read:

19          91.48 (3) A political subdivision that is not a county shall by March 1 of each  
20 year submit a copy of the information that it reports to the department under sub.  
21 (2) ~~(a) and (b)~~ to the county in which the political subdivision is located.

22          **SECTION 2287.** 91.49 of the statutes is repealed.

23          **SECTION 2288.** 92.025 (4) of the statutes is amended to read:

24          92.025 (4) INTERIM GOAL; STATE-RUN FARMS. The soil erosion rate on individual  
25 cropland fields of farms owned by the University of Wisconsin System, the University

**ASSEMBLY BILL 40****SECTION 2288**

1 of Wisconsin–Madison, or any other department or agency of state government does  
2 not exceed the tolerable soil erosion level on or after July 1, 1990.

3 **SECTION 2289.** 92.04 (2) (g) of the statutes is amended to read:

4 92.04 **(2)** (g) *Advise the University of Wisconsin System and University of*  
5 *Wisconsin–Madison*. The board shall advise the University of Wisconsin System and  
6 University of Wisconsin–Madison annually on needed research and educational  
7 programs relating to soil and water conservation.

8 **SECTION 2290.** 92.05 (3) (d) of the statutes is amended to read:

9 92.05 **(3)** (d) *Advise University of Wisconsin System and University of*  
10 *Wisconsin–Madison*. The department shall advise the University of Wisconsin  
11 System and University of Wisconsin–Madison annually on developing research and  
12 educational programs relating to soil and water conservation.

13 **SECTION 2291.** 92.07 (5) of the statutes is amended to read:

14 92.07 **(5)** EDUCATIONAL AND OTHER PROGRAMS. Each land conservation  
15 committee may encourage research and educational, informational and public  
16 service programs, advise the University of Wisconsin–Madison and University of  
17 Wisconsin System on educational needs and assist the University of  
18 Wisconsin–Madison and University of Wisconsin System and the department in  
19 implementing educational programs under ss. ~~36.25~~ 37.25 (7), 59.56 (3) and 92.05.

20 **SECTION 2292.** 92.07 (15) of the statutes is amended to read:

21 92.07 **(15)** ADMINISTRATION AND ENFORCEMENT OF ORDINANCES. A land  
22 conservation committee may, if authorized by the county board, administer and  
23 enforce those provisions of an ordinance enacted under s. 101.65 (1) (a) related to  
24 construction site erosion, a zoning ordinance enacted under s. 59.693 or an ordinance  
25 enacted under authority granted under s. ~~281.33 (3m)~~ 101.1206.

**ASSEMBLY BILL 40****SECTION 2293**

1           **SECTION 2293.** 93.07 (3) of the statutes is amended to read:

2           93.07 **(3)** PROMOTION OF AGRICULTURE. To promote the interests of agriculture,  
3           dairying, horticulture, manufacturing, commercial fishing and the domestic arts and  
4           to advertise Wisconsin and its dairy, food, and agricultural products by conducting  
5           campaigns of education throughout the United States and in foreign markets. Such  
6           campaigns shall include the distribution of educational and advertising material  
7           concerning Wisconsin and its plant, animal, food, and dairy products. The  
8           department shall coordinate efforts by the state to advertise and promote  
9           agricultural products of this state, with the ~~department of commerce~~ Wisconsin  
10          Economic Development Corporation where appropriate. The department shall  
11          submit its request and plan for market development program expenditures for each  
12          biennium with its biennial budget request. The plan shall include the identification  
13          and priority of expenditures for each market development program activity.

14          **SECTION 2294.** 93.07 (18) (b) (intro.) of the statutes is amended to read:

15          93.07 **(18)** (b) (intro.) In consultation with the ~~department of commerce~~  
16          Wisconsin Economic Development Corporation, to do all of the following for each  
17          economic development program administered by the department of agriculture,  
18          trade and consumer protection:

19          **SECTION 2295.** 93.07 (20) (title) of the statutes is amended to read:

20          93.07 **(20)** (title) ECONOMIC DEVELOPMENT ASSISTANCE COORDINATION AND  
21          REPORTING.

22          **SECTION 2296.** 93.07 (20) of the statutes is renumbered 93.07 (20) (b) and  
23          amended to read:

24          93.07 **(20)** (b) Annually, no later than October 1, to submit to the joint  
25          legislative audit committee and to the appropriate standing committees of the

**ASSEMBLY BILL 40****SECTION 2296**

1 legislature under s. 13.172 (3) a comprehensive report assessing economic  
2 development programs, as defined in sub. (18) (a), administered by the department.  
3 The report shall include all of the information required under s. ~~560.01 (2) (am)~~  
4 238.07 (2). The department shall collaborate with the ~~department of commerce~~  
5 Wisconsin Economic Development Corporation to make readily accessible to the  
6 public on an Internet-based system the information required under this subsection.

7 **SECTION 2297.** 93.07 (20) (a) of the statutes is created to read:

8 93.07 **(20)** (a) The department shall coordinate any economic development  
9 assistance with the Wisconsin Economic Development Corporation.

10 **SECTION 2298.** 93.07 (26) of the statutes is amended to read:

11 93.07 **(26)** ALTERNATIVE FUEL REFUELING FACILITIES. To pursue ~~in cooperation~~  
12 ~~with the office of energy independence~~, the establishment and maintenance of  
13 sufficient alternative fuel refueling facilities at public retail outlets to meet the  
14 traveling needs of the public.

15 **SECTION 2299.** 93.33 (5) (intro.) of the statutes is amended to read:

16 93.33 **(5)** ANNUAL REPORT. (intro.) In September of each year, the council shall  
17 submit a report to the appropriate standing committees of the legislature as  
18 determined by the speaker of the assembly and the president of the senate, under s.  
19 13.172 (3), the governor, the secretary of agriculture, trade and consumer protection,  
20 the state superintendent of public instruction, the secretary of workforce  
21 development, the secretary of natural resources, the ~~secretary of commerce~~ chief  
22 executive officer of the Wisconsin Economic Development Corporation, the president  
23 of the University of Wisconsin System, the director of the technical college system,  
24 the chancellor of the University of Wisconsin-Extension, the chancellor of the  
25 University of Wisconsin-Madison, the chancellor of the University of

**ASSEMBLY BILL 40****SECTION 2299**

1 Wisconsin–Platteville, the chancellor of the University of Wisconsin–River Falls,  
2 and the chancellor of the University of Wisconsin–Stevens Point. The council shall  
3 include all of the following in the report:

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 2302.** 93.45 of the statutes is repealed.

10 **SECTION 2303.** 93.46 (1) (am) of the statutes is repealed.

11 **SECTION 2304.** 93.46 (2) (c) of the statutes is amended to read:

12 93.46 (2) (c) The department may not fund any project under this subsection  
13 if the proposed length of the project exceeds 3 years. The total funding to a single  
14 project under this subsection may not exceed \$50,000 \$100,000.

15 **SECTION 2305.** 93.46 (2) (d) of the statutes is repealed.

16 **SECTION 2306.** 93.48 of the statutes is repealed.

17 **SECTION 2307.** 93.73 of the statutes is repealed.

18 **SECTION 2308.** 93.80 of the statutes is amended to read:

19 **93.80 Arsenic in wood.** The department, jointly with the department of  
20 ~~commerce~~ safety and professional services, shall review scientific evidence to  
21 determine whether there is a substantial likelihood that wood treated with copper,  
22 chromium, and arsenic is harmful to the environment or to human health.

23 **SECTION 2309.** 96.01 (4m) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2309**

1           96.01 **(4m)** “Bioenergy feedstock” ~~has the meaning given in s. 16.954 (1) (b)~~  
2 means biomass used to produce energy, including transportation fuel, heat, or  
3 electricity.

4           **SECTION 2310.** 100.14 (2) of the statutes is amended to read:

5           100.14 **(2)** The ~~secretary of state~~ department of financial institutions shall,  
6 upon application of the department of agriculture, trade and consumer protection,  
7 record any such label or trademark under ss. 132.01 to 132.11. The department of  
8 agriculture, trade and consumer protection shall be entitled to protect such label or  
9 trademark under said sections and in any other manner authorized by law.

10          **SECTION 2311.** 100.20 (2) (c) of the statutes is created to read:

11          100.20 **(2)** (c) 1. Notwithstanding par. (a), beginning on the effective date of this  
12 subdivision .... [LRB inserts date], the department may not issue any order or  
13 promulgate any rule, or enforce any order or rule, that regulates unfair methods of  
14 competition or unfair trade practices relating to any of the following activities:

- 15           a. Remodeling or otherwise improving residential or noncommercial property.  
16           b. Basement waterproofing.  
17           c. Real estate advertising.  
18           d. Renting of mobile home sites and sales of mobile homes.  
19           e. Renting of residential dwelling units and mobile homes.

20          2. Beginning of the effective date of this subdivision .... [LRB inserts date], the  
21 department of safety and professional services may promulgate rules and issue  
22 orders regulating the unfair methods and practices described in subd. 1.

23          3. All rules promulgated by the department of agriculture, trade and consumer  
24 protection regulating the unfair methods or practices as described in subd. 1. that  
25 are in effect on the effective date of this subdivision .... [LRB inserts date], remain

**ASSEMBLY BILL 40****SECTION 2311**

1 in effect until their specified expiration date or until amended or repealed by the  
2 department of safety and professional services. All orders issued by the department  
3 of agriculture, trade and consumer protection regulating the unfair methods or  
4 practices as described in subd. 1. that are in effect on the effective date of this  
5 subdivision .... [LRB inserts date], remain in effect until their specified expiration  
6 date or until modified or rescinded by the department of safety and professional  
7 services and shall be enforced by the department of safety and professional services.

8 **SECTION 2312.** 100.60 (1) (b) 2. of the statutes is amended to read:

9 100.60 (1) (b) 2. Any other fuel that can substitute for petroleum-based diesel  
10 fuel, that is derived from a renewable resource, that meets all of the applicable  
11 requirements of the American Society for Testing and Materials for that fuel, and  
12 that the department of ~~commerce~~ safety and professional services designates as a  
13 diesel-replacement renewable fuel under sub. (7) (a).

14 **SECTION 2313.** 100.60 (1) (c) 2. of the statutes is amended to read:

15 100.60 (1) (c) 2. Any other fuel that can substitute for gasoline, that is derived  
16 from a renewable resource, that meets all of the applicable requirements of the  
17 American Society for Testing and Materials for that fuel, and that the department  
18 of ~~commerce~~ safety and professional services designates as a gasoline-replacement  
19 renewable fuel under sub. (7) (b).

20 **SECTION 2314.** 100.60 (3) (a) of the statutes is amended to read:

21 100.60 (3) (a) Annually, beginning in 2011, the department, in cooperation with  
22 and with assistance from the department of ~~commerce~~, safety and professional  
23 services and the department of revenue, and the office of energy independence, shall  
24 determine whether the annual goals for sales of renewable fuels in sub. (2) (b) and  
25 (c), for the previous year, were met in the state in that year.

**ASSEMBLY BILL 40****SECTION 2315**

1           **SECTION 2315.** 100.60 (6) (a) of the statutes is amended to read:

2           100.60 **(6)** (a) The department shall consult with the department of ~~commerce,~~  
3 safety and professional services and the department of revenue, ~~and the office of~~  
4 ~~energy independence~~ to determine if information necessary to make a determination  
5 under sub. (3) (a) or an assessment under sub. (4) is being collected by these agencies  
6 under laws in effect on June 2, 2010. If the information is not being collected, the  
7 department may request the department of ~~commerce,~~ safety and professional  
8 services and the department of revenue, ~~or the office of energy independence~~ to  
9 collect the information if collection by one of these agencies is more cost-effective for  
10 state government and less burdensome for the persons subject to the reporting  
11 requirements than collection of the information by the department.

12           **SECTION 2316.** 100.60 (7) (title) of the statutes is amended to read:

13           100.60 **(7)** (title) DEPARTMENT OF ~~COMMERCE~~ SAFETY AND PROFESSIONAL SERVICES  
14 AUTHORITY.

15           **SECTION 2317.** 100.60 (7) (a) of the statutes is amended to read:

16           100.60 **(7)** (a) The department of ~~commerce~~ safety and professional services  
17 may promulgate a rule designating a fuel that can substitute for petroleum-based  
18 diesel fuel, that is derived from a renewable resource, and that meets all of the  
19 applicable requirements of the American Society for Testing and Materials for that  
20 fuel as a diesel-replacement renewable fuel for the purposes of this section.

21           **SECTION 2318.** 100.60 (7) (b) of the statutes is amended to read:

22           100.60 **(7)** (b) The department of ~~commerce~~ safety and professional services  
23 may promulgate a rule designating a fuel that can substitute for gasoline, that is  
24 derived from a renewable resource, and that meets all of the applicable requirements



**ASSEMBLY BILL 40****SECTION 2318**

1 of the American Society for Testing and Materials for that fuel as a  
2 gasoline-replacement renewable fuel for the purposes of this section.

3 **SECTION 2319.** Chapter 101 (title) of the statutes is amended to read:

4

**CHAPTER 101**

5

**DEPARTMENT OF COMMERCE SAFETY AND**

6

**PROFESSIONAL SERVICES — REGULATION OF**

7

**INDUSTRY, BUILDINGS AND SAFETY**

8

**SECTION 2320.** 101.01 (1m) of the statutes is amended to read:

9

101.01 **(1m)** “Department” means the department of commerce safety and  
10 professional services.

11

**SECTION 2321.** 101.01 (14) of the statutes is amended to read:

12

101.01 **(14)** “Secretary” means the secretary of commerce safety and  
13 professional services.

14

**SECTION 2322.** 101.02 (18m) of the statutes is amended to read:

15

101.02 **(18m)** The department may perform, or contract for the performance  
16 of, testing of petroleum products other than testing provided under ch. 168. The  
17 department may establish a schedule of fees for such petroleum product testing  
18 services. The department shall credit all revenues received from fees established  
19 under this subsection to the appropriation account under s. ~~20.143 (3)~~ 20.165 (2) (ga).  
20 Revenues from fees established under this subsection may be used by the  
21 department to pay for testing costs, including laboratory supplies and equipment  
22 amortization, for such products.

23

**SECTION 2323.** 101.02 (20) (a) of the statutes is amended to read:

24

101.02 **(20)** (a) For purposes of this subsection, “license” means a license,  
25 permit, or certificate of certification or registration issued by the department under

**ASSEMBLY BILL 40****SECTION 2323**

1 ss. 101.09 (3) (c), 101.122 (2) (c), ~~101.136~~, 101.143 (2) (g), 101.147, 101.15 (2) (e),  
2 101.16 (3g), 101.17, 101.177 (4) (a), 101.178 (2) or (3) (a), 101.63 (2) or (2m), 101.653,  
3 101.73 (5) or (6), 101.82 (1m), (1v), and (2), 101.935, 101.95, 101.951, 101.952,  
4 101.985 (1) to (3), 145.02 (4), 145.035, 145.045, 145.15, 145.16, 145.165, 145.17,  
5 145.175, 145.18, or 167.10 (6m).

6 **SECTION 2324.** 101.02 (20) (b) of the statutes is amended to read:

7 101.02 (20) (b) Except as provided in par. (e), the department of ~~commerce~~  
8 safety and professional services may not issue or renew a license unless each  
9 applicant who is an individual provides the department of ~~commerce~~ safety and  
10 professional services with his or her social security number and each applicant that  
11 is not an individual provides the department of ~~commerce~~ safety and professional  
12 services with its federal employer identification number. The department of  
13 ~~commerce~~ safety and professional services may not disclose the social security  
14 number or the federal employer identification number of an applicant for a license  
15 or license renewal except to the department of revenue for the sole purpose of  
16 requesting certifications under s. 73.0301.

17 **SECTION 2325.** 101.02 (20) (c) of the statutes is amended to read:

18 101.02 (20) (c) The department of ~~commerce~~ safety and professional services  
19 may not issue or renew a license if the department of revenue certifies under s.  
20 73.0301 that the applicant or licensee is liable for delinquent taxes.

21 **SECTION 2326.** 101.02 (20) (d) of the statutes is amended to read:

22 101.02 (20) (d) The department of ~~commerce~~ safety and professional services  
23 shall revoke a license if the department of revenue certifies under s. 73.0301 that the  
24 licensee is liable for delinquent taxes.

25 **SECTION 2327.** 101.02 (20) (e) 1. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2327**

1           101.02 **(20)** (e) 1. If an applicant who is an individual does not have a social  
2 security number, the applicant, as a condition of applying for or applying to renew  
3 a license shall submit a statement made or subscribed under oath or affirmation to  
4 the department of ~~commerce~~ safety and professional services that the applicant does  
5 not have a social security number. The form of the statement shall be prescribed by  
6 the department of children and families.

7           **SECTION 2328.** 101.02 (21) (a) of the statutes is amended to read:

8           101.02 **(21)** (a) In this subsection, “license” means a license, permit, or  
9 certificate of certification or registration issued by the department under s. 101.09  
10 (3) (c), 101.122 (2) (c), ~~101.136~~, 101.143 (2) (g), 101.147, 101.15 (2) (e), 101.16 (3g),  
11 101.17, 101.177 (4) (a), 101.178 (2) or (3) (a), 101.63 (2), 101.653, 101.73 (5) or (6),  
12 101.82 (1m), (1v), and (2), 101.935, 101.95, 101.951, 101.952, 101.985 (1) to (3),  
13 145.02 (4), 145.035, 145.045, 145.15, 145.16, 145.165, 145.17, 145.175, 145.18, or  
14 167.10 (6m).

15           **SECTION 2329.** 101.02 (21) (b) of the statutes is amended to read:

16           101.02 **(21)** (b) As provided in the memorandum of understanding under s.  
17 49.857 and except as provided in par. (e), the department of ~~commerce~~ safety and  
18 professional services may not issue or renew a license unless the applicant provides  
19 the department of ~~commerce~~ safety and professional services with his or her social  
20 security number. The department of ~~commerce~~ safety and professional services may  
21 not disclose the social security number except that the department of ~~commerce~~  
22 safety and professional services may disclose the social security number of an  
23 applicant for a license under par. (a) or a renewal of a license under par. (a) to the  
24 department of children and families for the sole purpose of administering s. 49.22.

25           **SECTION 2330.** 101.02 (21) (e) 1. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2330**

1           101.02 (21) (e) 1. If an applicant who is an individual does not have a social  
2 security number, the applicant, as a condition of applying for or applying to renew  
3 a license shall submit a statement made or subscribed under oath or affirmation to  
4 the department of ~~commerce~~ safety and professional services that the applicant does  
5 not have a social security number. The form of the statement shall be prescribed by  
6 the department of children and families.

7           **SECTION 2331.** 101.1206 (title) of the statutes is created to read:

8           **101.1206** (title) **Erosion control; construction of public buildings and**  
9 **buildings that are places of employment.**

10          **SECTION 2332.** 101.123 (2) (d) 4. of the statutes is amended to read:

11          101.123 (2) (d) 4. A location that is 25 feet or less from a residence hall or  
12 dormitory that is owned or operated by the Board of Regents of the University of  
13 Wisconsin System or Board of Trustees of the University of Wisconsin–Madison.

14          **SECTION 2333.** 101.136 of the statutes is repealed.

15          **SECTION 2334.** 101.14 (4) (b) 3. a. of the statutes is amended to read:

16          101.14 (4) (b) 3. a. Every residence hall and dormitory over 60 feet in height,  
17 the initial construction of which was begun before April 26, 2000, that is owned or  
18 operated by the ~~board of regents~~ Board of Regents of the University of Wisconsin  
19 System or the Board of Trustees of the University of Wisconsin–Madison to contain  
20 an automatic fire sprinkler system on each floor by January 1, 2006, except that  
21 those rules shall not apply to Ogg Residence Hall at the University of  
22 Wisconsin–Madison until January 1, 2008.

23          **SECTION 2335.** 101.14 (4) (b) 3. b. of the statutes is amended to read:

24          101.14 (4) (b) 3. b. Every residence hall and dormitory, the initial construction  
25 of which is begun on or after April 26, 2000, that is owned or operated by the ~~board~~

**ASSEMBLY BILL 40****SECTION 2335**

1 of regents Board of Regents of the University of Wisconsin System or the Board of  
2 Trustees of the University of Wisconsin–Madison to have an automatic fire sprinkler  
3 system installed on each floor at the time the residence hall or dormitory is  
4 constructed.

5 **SECTION 2336.** 101.14 (4) (b) 3. c. of the statutes is amended to read:

6 101.14 (4) (b) 3. c. Every residence hall and dormitory over 60 feet in height,  
7 the initial construction of which was begun before January 7, 2006, that is owned or  
8 operated by an institution of higher education, other than a residence hall or  
9 dormitory that is owned or operated by the Board of Regents of the University of  
10 Wisconsin System or the Board of Trustees of the University of Wisconsin–Madison,  
11 to contain an automatic fire sprinkler system on each floor by January 1, 2014.

12 **SECTION 2337.** 101.14 (4) (b) 3. d. of the statutes is amended to read:

13 101.14 (4) (b) 3. d. Every residence hall and dormitory, the initial construction  
14 of which is begun on or after January 7, 2006, that is owned or operated by an  
15 institution of higher education, other than a residence hall or dormitory that is  
16 owned or operated by the Board of Regents of the University of Wisconsin System or  
17 the Board of Trustees of the University of Wisconsin–Madison, to have an automatic  
18 fire sprinkler system installed on each floor at the time the residence hall or  
19 dormitory is constructed.

20 **SECTION 2338.** 101.143 (2) (d) of the statutes is amended to read:

21 101.143 (2) (d) The department shall reserve a portion, not to exceed 20%, of  
22 the amount annually appropriated under s. ~~20.143 (3)~~ 20.165 (2) (v) for awards under  
23 this section to be used to fund emergency remedial action and claims that exceed the  
24 amount initially anticipated.

25 **SECTION 2339.** 101.143 (2) (h) (intro.) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2339**

1           101.143 (2) (h) (intro.) The department of ~~commerce~~ safety and professional  
2 services and the department of natural resources, jointly, shall promulgate rules  
3 designed to facilitate effective and cost-efficient administration of the program  
4 under this section that specify all of the following:

5           **SECTION 2340.** 101.143 (2) (i) (intro.) of the statutes is amended to read:

6           101.143 (2) (i) (intro.) The department of ~~commerce~~ safety and professional  
7 services and the department of natural resources, jointly, shall promulgate rules  
8 specifying procedures for evaluating remedial action plans and procedures to be used  
9 by employees of the department of ~~commerce~~ safety and professional services and the  
10 department of natural resources while remedial actions are being conducted. The  
11 departments shall specify procedures that include all of the following:

12           **SECTION 2341.** 101.143 (2) (j) (intro.) of the statutes is amended to read:

13           101.143 (2) (j) (intro.) The department of ~~commerce~~ safety and professional  
14 services and the department of natural resources, jointly, shall promulgate rules  
15 specifying all of the following:

16           **SECTION 2342.** 101.143 (2) (k) of the statutes is amended to read:

17           101.143 (2) (k) In promulgating rules under pars. (h) to (j), the department of  
18 ~~commerce~~ safety and professional services and the department of natural resources  
19 shall attempt to reach an agreement that is consistent with those provisions. If the  
20 department of ~~commerce~~ safety and professional services and the department of  
21 natural resources are unable to reach an agreement, they shall refer the matters on  
22 which they are unable to agree to the secretary of administration for resolution. The  
23 secretary of administration shall resolve any matters on which the departments  
24 disagree in a manner that is consistent with pars. (h) to (j). The department of  
25 ~~commerce~~ safety and professional services and the department of natural resources,

**ASSEMBLY BILL 40****SECTION 2342**

1 jointly, shall promulgate rules incorporating any agreement between the  
2 department of ~~commerce~~ safety and professional services and the department of  
3 natural resources under this paragraph and any resolution of disagreements  
4 between the departments by the secretary of administration under this paragraph.

5 **SECTION 2343.** 101.143 (2) (L) of the statutes is amended to read:

6 101.143 (2) (L) The department may promulgate rules for the assessment and  
7 collection of fees to recover its costs for providing approval under sub. (3) (c) 4. and  
8 for providing other assistance requested by applicants under this section. Any  
9 moneys collected under this paragraph shall be credited to the appropriation account  
10 under s. ~~20.143 (3)~~ 20.165 (2) (Lm).

11 **SECTION 2344.** 101.143 (2e) (a) of the statutes is amended to read:

12 101.143 (2e) (a) The department of ~~commerce~~ safety and professional services  
13 and the department of natural resources shall attempt to agree on a method, which  
14 shall include individualized consideration of the routes for migration of petroleum  
15 product contamination at each site, for determining the risk to public health, safety  
16 and welfare and to the environment posed by discharges for which the department  
17 of ~~commerce~~ safety and professional services receives notification under sub. (3) (a)  
18 3.

19 **SECTION 2345.** 101.143 (2e) (b) of the statutes is amended to read:

20 101.143 (2e) (b) If the department of ~~commerce~~ safety and professional services  
21 and the department of natural resources are unable to reach an agreement under  
22 par. (a), they shall refer the matters on which they are unable to agree to the  
23 secretary of administration for resolution. The secretary of administration shall  
24 resolve any matters on which the departments disagree in a manner that is  
25 consistent with par. (a). The department of ~~commerce~~ safety and professional

**ASSEMBLY BILL 40****SECTION 2345**

1 services and the department of natural resources, jointly, shall promulgate rules  
2 incorporating any agreement between the department of ~~commerce~~ safety and  
3 professional services and the department of natural resources under par. (a) and any  
4 resolution of disagreements between the departments by the secretary of  
5 administration under this paragraph.

6 **SECTION 2346.** 101.143 (2e) (c) of the statutes is amended to read:

7 101.143 **(2e)** (c) The department of natural resources or, if the discharge is  
8 covered under s. 101.144 (2) (b), the department of ~~commerce~~ safety and professional  
9 services shall apply the method in the rules promulgated under par. (b) to determine  
10 the risk posed by a discharge for which the department of ~~commerce~~ safety and  
11 professional services receives notification under sub. (3) (a) 3.

12 **SECTION 2347.** 101.143 (2m) of the statutes is amended to read:

13 101.143 **(2m)** INTERDEPARTMENTAL COORDINATION. Whenever the department of  
14 ~~commerce~~ safety and professional services receives a notification under sub. (3) (a)  
15 3. or the department of natural resources receives a notification of a petroleum  
16 product discharge under s. 292.11, the department receiving the notification shall  
17 contact the other department and shall schedule a meeting of the owner or operator  
18 or person owning a home oil tank system and representatives of both departments.

19 **SECTION 2348.** 101.143 (3) (c) 4. of the statutes is amended to read:

20 101.143 **(3)** (c) 4. Receive written approval from the department of natural  
21 resources or, if the discharge is covered under s. 101.144 (2) (b), from the department  
22 of ~~commerce~~ safety and professional services that the remedial action activities  
23 performed under subd. 3. meet the requirements of s. 292.11.

24 **SECTION 2349.** 101.143 (3) (cm) of the statutes is amended to read:



**ASSEMBLY BILL 40****SECTION 2349**

1           101.143 (3) (cm) *Monitoring as remedial action.* An owner or operator or person  
2           owning a home oil tank system may, with the approval of the department of natural  
3           resources or, if the discharge is covered under s. 101.144 (2) (b), the department of  
4           commerce safety and professional services, satisfy the requirements of par. (c) 2. and  
5           3. by proposing and implementing monitoring to ensure the effectiveness of natural  
6           attenuation of petroleum product contamination.

7           **SECTION 2350.** 101.143 (3) (cp) 1. of the statutes is amended to read:

8           101.143 (3) (cp) 1. Except as provided in subds. 2. to 5., if the department of  
9           natural resources or, if the site is covered under s. 101.144 (2) (b), the department of  
10          commerce safety and professional services estimates that the cost to complete a site  
11          investigation, remedial action plan and remedial action for an occurrence exceeds  
12          \$60,000, the department of commerce safety and professional services shall  
13          implement a competitive public bidding process to obtain information to assist in  
14          making the determination under par. (cs).

15          **SECTION 2351.** 101.143 (3) (cp) 2. of the statutes is amended to read:

16          101.143 (3) (cp) 2. The department of commerce safety and professional  
17          services or the department of natural resources may waive the requirement under  
18          subd. 1. if an enforcement standard is exceeded in groundwater within 1,000 feet of  
19          a well operated by a public utility, as defined in s. 196.01 (5), or within 100 feet of any  
20          other well used to provide water for human consumption.

21          **SECTION 2352.** 101.143 (3) (cp) 5. of the statutes is amended to read:

22          101.143 (3) (cp) 5. The department of commerce safety and professional  
23          services or the department of natural resources may waive the requirement under  
24          subd. 1. after providing notice to the other department.

25          **SECTION 2353.** 101.143 (3) (cp) 6. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2353**

1           101.143 (3) (cp) 6. The department of ~~commerce~~ safety and professional  
2 services may disqualify a bid received under subd. 1. if, based on information  
3 available to the department and experience with remedial action at other sites, the  
4 bid is unlikely to establish an amount to sufficiently fund remedial action that will  
5 comply with par. (c) 3. and with enforcement standards.

6           **SECTION 2354.** 101.143 (3) (cp) 7. of the statutes is amended to read:

7           101.143 (3) (cp) 7. The department of ~~commerce~~ safety and professional  
8 services may disqualify a person from submitting bids under subd. 1. if, based on past  
9 performance of the bidder, the department determines that the person has  
10 demonstrated an inability to complete remedial action within established cost limits.

11           **SECTION 2355.** 101.143 (3) (cs) 1. of the statutes is amended to read:

12           101.143 (3) (cs) 1. The department of ~~commerce~~ safety and professional  
13 services shall review the remedial action plan for a site that is classified as low or  
14 medium risk under s. 101.144 and shall determine the least costly method of  
15 complying with par. (c) 3. and with enforcement standards. The department shall  
16 notify the owner or operator of its determination of the least costly method and shall  
17 notify the owner or operator that reimbursement for remedial action under this  
18 section is limited to the amount necessary to implement that method.

19           **SECTION 2356.** 101.143 (3) (cs) 2. of the statutes is amended to read:

20           101.143 (3) (cs) 2. The department of natural resources and the department of  
21 ~~commerce~~ safety and professional services shall review the remedial action plan for  
22 a site that is classified as high risk under s. 101.144 and shall jointly determine the  
23 least costly method of complying with par. (c) 3. and with enforcement standards.  
24 The departments shall notify the owner or operator of their determination of the  
25 least costly method and shall notify the owner or operator that reimbursement for

**ASSEMBLY BILL 40****SECTION 2356**

1 remedial action under this section is limited to the amount necessary to implement  
2 that method.

3 **SECTION 2357.** 101.143 (3) (cs) 3. of the statutes is amended to read:

4 101.143 (3) (cs) 3. In making determinations under subs. 1. and 2., the  
5 department of natural resources and the department of ~~commerce~~ safety and  
6 professional services shall determine whether natural attenuation will achieve  
7 compliance with par. (c) 3. and with enforcement standards.

8 **SECTION 2358.** 101.143 (3) (cs) 4. of the statutes is amended to read:

9 101.143 (3) (cs) 4. The department of ~~commerce~~ safety and professional  
10 services may review and modify an amount established under subd. 1. if the  
11 department determines that new circumstances, including newly discovered  
12 contamination at a site, warrant those actions. The department of ~~commerce~~ safety  
13 and professional services and the department of natural resources may review and  
14 modify an amount established under subd. 2. if the departments determine that new  
15 circumstances, including newly discovered contamination at a site, warrant those  
16 actions.

17 **SECTION 2359.** 101.143 (3) (cw) 1. of the statutes is amended to read:

18 101.143 (3) (cw) 1. The department of ~~commerce~~ safety and professional  
19 services shall conduct the annual review required under sub. (2) (i) 1. for a site that  
20 is classified as low or medium risk under s. 101.144 and shall determine the least  
21 costly method of completing remedial action at the site in order to comply with par.  
22 (c) 3. and with enforcement standards. The department shall notify the owner or  
23 operator of its determination of the least costly method and shall notify the owner  
24 or operator that reimbursement under this section for any remedial action conducted

**ASSEMBLY BILL 40****SECTION 2359**

1 after the date of the notice is limited to the amount necessary to implement that  
2 method.

3 **SECTION 2360.** 101.143 (3) (cw) 2. of the statutes is amended to read:

4 101.143 (3) (cw) 2. The department of natural resources and the department  
5 of ~~commerce~~ safety and professional services shall conduct the annual review  
6 required under sub. (2) (i) 1. for a site that is classified as high risk under s. 101.144  
7 and shall jointly determine the least costly method of completing remedial action at  
8 the site in order to comply with par. (c) 3. and with enforcement standards. The  
9 departments shall notify the owner or operator of their determination of the least  
10 costly method and shall notify the owner or operator that reimbursement under this  
11 section for remedial action conducted after the date of the notice is limited to the  
12 amount necessary to implement that method.

13 **SECTION 2361.** 101.143 (3) (cw) 3. of the statutes is amended to read:

14 101.143 (3) (cw) 3. In making determinations under subds. 1. and 2., the  
15 department of natural resources and the department of ~~commerce~~ safety and  
16 professional services shall determine whether natural attenuation will achieve  
17 compliance with par. (c) 3. and with enforcement standards.

18 **SECTION 2362.** 101.143 (3) (cw) 4. of the statutes is amended to read:

19 101.143 (3) (cw) 4. The department of ~~commerce~~ safety and professional  
20 services may review and modify an amount established under subd. 1. if the  
21 department determines that new circumstances, including newly discovered  
22 contamination at a site, warrant those actions. The department of ~~commerce~~ safety  
23 and professional services and the department of natural resources may review and  
24 modify an amount established under subd. 2. if the departments determine that new

**ASSEMBLY BILL 40****SECTION 2362**

1 circumstances, including newly discovered contamination at a site, warrant those  
2 actions.

3 **SECTION 2363.** 101.143 (3) (d) of the statutes is amended to read:

4 101.143 (3) (d) *Final review of remedial action activities.* The department of  
5 natural resources or, if the discharge is covered under s. 101.144 (2) (b), the  
6 department of ~~commerce~~ safety and professional services shall complete a final  
7 review of the remedial action activities within 60 days after the claimant notifies the  
8 appropriate department that the remedial action activities are completed.

9 **SECTION 2364.** 101.143 (3) (f) 5. of the statutes is amended to read:

10 101.143 (3) (f) 5. The written approval of the department of natural resources  
11 or the department of ~~commerce~~ safety and professional services under par. (c) 4.

12 **SECTION 2365.** 101.143 (3) (g) of the statutes is amended to read:

13 101.143 (3) (g) *Emergency situations.* Notwithstanding pars. (a) 3. and (c) 1.  
14 and 2., an owner or operator or the person may submit a claim for an award under  
15 sub. (4) after notifying the department under par. (a) 3., without completing an  
16 investigation under par. (c) 1. and without preparing a remedial action plan under  
17 par. (c) 2. if an emergency existed which made the investigation under par. (c) 1. and  
18 the remedial action plan under par. (c) 2. inappropriate and, before conducting  
19 remedial action, the owner or operator or person notified the department of  
20 ~~commerce~~ safety and professional services and the department of natural resources  
21 of the emergency and the department of ~~commerce~~ safety and professional services  
22 and the department of natural resources authorized emergency action.

23 **SECTION 2366.** 101.143 (4) (a) 6. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2366**

1           101.143 (4) (a) 6. In any fiscal year, the department may not award more than  
2 5% of the amount appropriated under s. ~~20.143 (3)~~ 20.165 (2) (v) as awards for  
3 petroleum product storage systems described in par. (ei).

4           **SECTION 2367.** 101.143 (4) (a) 7. of the statutes is amended to read:

5           101.143 (4) (a) 7. In any fiscal year, the department may not award more than  
6 5% of the amount appropriated under s. ~~20.143 (3)~~ 20.165 (2) (v) as awards for  
7 petroleum product storage systems that are owned by school districts and that are  
8 used for storing heating oil for consumptive use on the premises where stored.

9           **SECTION 2368.** 101.143 (4) (cc) 2. b. of the statutes is amended to read:

10           101.143 (4) (cc) 2. b. An applicant that is engaged in the expansion or  
11 redevelopment of brownfields, as defined in s. ~~560.13~~ 238.13 (1) (a), if federal or state  
12 financial assistance other than under this section, has been provided for that  
13 expansion or redevelopment.

14           **SECTION 2369.** 101.143 (4) (ei) 2m. of the statutes is amended to read:

15           101.143 (4) (ei) 2m. The owner or operator of the farm tank has received a letter  
16 or notice from the department of ~~commerce~~ safety and professional services or  
17 department of natural resources indicating that the owner or operator must conduct  
18 a site investigation or remedial action because of a discharge from the farm tank or  
19 an order to conduct such an investigation or remedial action.

20           **SECTION 2370.** 101.143 (4) (es) 1. of the statutes is amended to read:

21           101.143 (4) (es) 1. The department shall issue an award for a claim filed after  
22 August 9, 1989, for eligible costs, under par. (b), incurred on or after August 1, 1987,  
23 by an owner or operator or a person owning a home oil tank system in investigating  
24 the existence of a discharge or investigating the presence of petroleum products in  
25 soil or groundwater if the investigation is undertaken at the written direction of the

**ASSEMBLY BILL 40****SECTION 2370**

1 department of ~~commerce~~ safety and professional services or the department of  
2 natural resources and no discharge or contamination is found.

3 **SECTION 2371.** 101.144 (3) (b) of the statutes is amended to read:

4 101.144 (3) (b) The department of ~~commerce~~ safety and professional services  
5 requests the department of natural resources to take the action or issue the order.

6 **SECTION 2372.** 101.144 (3) (c) of the statutes is amended to read:

7 101.144 (3) (c) The secretary of natural resources approves the action or order  
8 in advance after notice to the secretary of ~~commerce~~ safety and professional services.

9 **SECTION 2373.** 101.144 (3g) (a) of the statutes is amended to read:

10 101.144 (3g) (a) If, on December 1, 1999, more than 35% of sites classified  
11 under this section, excluding sites that are contaminated by a hazardous substance  
12 other than a petroleum product or an additive to a petroleum product, are classified  
13 as high-risk sites, the department of ~~commerce~~ safety and professional services and  
14 the department of natural resources shall attempt to reach an agreement that  
15 specifies standards for determining whether the site of a discharge of a petroleum  
16 product from a petroleum storage tank is classified as high risk. The standards shall  
17 be designed to classify no more than 35% of those sites as high-risk sites and may  
18 not classify all sites at which an enforcement standard is exceeded as high-risk sites.  
19 If the department of ~~commerce~~ safety and professional services and the department  
20 of natural resources are unable to reach an agreement, they shall refer the matters  
21 on which they are unable to agree to the secretary of administration for resolution.  
22 The secretary of administration shall resolve any matters on which the departments  
23 disagree in a manner that is consistent with this paragraph. The department of  
24 ~~commerce~~ safety and professional services shall promulgate rules incorporating any  
25 agreement between the department of ~~commerce~~ safety and professional services

**ASSEMBLY BILL 40****SECTION 2373**

1 and the department of natural resources under this paragraph and any resolution  
2 of disagreements between the departments by the secretary of administration under  
3 this paragraph.

4 **SECTION 2374.** 101.144 (3g) (b) of the statutes is amended to read:

5 101.144 **(3g)** (b) If, 6 months after rules under par. (a) are in effect, more than  
6 35% of the sites classified under this section, excluding sites that are contaminated  
7 by a hazardous substance other than a petroleum product or an additive to a  
8 petroleum product, are classified as high-risk sites, the department of ~~commerce~~  
9 safety and professional services shall revise the rules using the procedure for  
10 promulgating the rules in par. (a).

11 **SECTION 2375.** 101.144 (3m) (a) (intro.) of the statutes is amended to read:

12 101.144 **(3m)** (a) (intro.) The department of ~~commerce~~ safety and professional  
13 services and the department of natural resources shall enter into a memorandum of  
14 understanding that does all of the following:

15 **SECTION 2376.** 101.144 (3m) (b) of the statutes is amended to read:

16 101.144 **(3m)** (b) The department of ~~commerce~~ safety and professional services  
17 and the department of natural resources shall submit a memorandum of  
18 understanding under this subsection to the secretary of administration for review.  
19 A memorandum of understanding under this subsection does not take effect until it  
20 is approved by the secretary of administration.

21 **SECTION 2377.** 101.149 (6) (b) of the statutes is amended to read:

22 101.149 **(6)** (b) The department shall promulgate rules, in consultation with  
23 the department of health services, under which the department of ~~commerce~~ safety  
24 and professional services shall authorize certified heating, ventilating, and air  
25 conditioning inspectors to conduct regular inspections of sealed combustion units, as



**ASSEMBLY BILL 40****SECTION 2377**

1 required under par. (5) (c), for carbon monoxide emissions in residential buildings  
2 other than hotels, tourist rooming houses, and bed and breakfast establishments.  
3 The rules shall specify conditions under which it may issue orders as specified under  
4 sub. (8) (a). The rules may not require the department of ~~commerce~~ safety and  
5 professional services to authorize inspection of sealed combustion units during the  
6 period in which the sealed combustion units are covered by a manufacturer's  
7 warranty against defects.

8 **SECTION 2378.** 101.149 (8) (a) of the statutes is amended to read:

9 101.149 **(8)** (a) If the department of ~~commerce~~ safety and professional services  
10 or the department of health services determines after an inspection of a building  
11 under this section or s. 254.74 (1g) that the owner of the building has violated sub.  
12 (2) or (3), the respective department shall issue an order requiring the person to  
13 correct the violation within 5 days or within such shorter period as the respective  
14 department determines is necessary to protect public health and safety. If the person  
15 does not correct the violation within the time required, he or she shall forfeit \$50 for  
16 each day of violation occurring after the date on which the respective department  
17 finds that the violation was not corrected.

18 **SECTION 2379.** 101.563 (2) (b) 1. of the statutes is amended to read:

19 101.563 **(2)** (b) 1. 'Payments from calendar year 2001 dues.' Notwithstanding  
20 s. 101.573 (3) (a), by the 30th day following July 30, 2002, the department shall  
21 compile the fire department dues paid by all insurers under s. 601.93 and the dues  
22 paid by the state fire fund under s. 101.573 (1) and funds remaining under s. 101.573  
23 (3) (b), subtract the total amount due to be paid under par. (a), withhold 0.5%, and  
24 certify to the secretary of administration the proper amount to be paid from the  
25 appropriation under s. ~~20.143 (3)~~ 20.165 (2) (L) to each city, village, and town entitled

**ASSEMBLY BILL 40****SECTION 2379**

1 to a proportionate share of fire department dues as provided under sub. (1) (b) and  
2 s. 101.575. If the department has previously certified an amount to the secretary of  
3 administration under s. 101.573 (3) (a) during calendar year 2002, the department  
4 shall recertify the amount in the manner provided under this subdivision. On or  
5 before August 1, 2002, the secretary of administration shall pay the amounts  
6 certified or recertified by the department under this subdivision to each city, village,  
7 and town entitled to a proportionate share of fire department dues as provided under  
8 sub. (1) and s. 101.575. The secretary of administration may combine any payment  
9 due under this subdivision with any amount due to be paid on or before August 1,  
10 2002, to the same city, village, or town under par. (a).

11 **SECTION 2380.** 101.563 (2) (b) 2. of the statutes is amended to read:

12 101.563 **(2)** (b) 2. 'Payments from dues for calendar years 2002 to 2004.'  
13 Notwithstanding s. 101.573 (3) (a) and except as otherwise provided in this  
14 subdivision, on or before May 1 in each year, the department shall compile the fire  
15 department dues paid by all insurers under s. 601.93 and the dues paid by the state  
16 fire fund under s. 101.573 (1) and funds remaining under s. 101.573 (3) (b), withhold  
17 0.5% and certify to the secretary of administration the proper amount to be paid from  
18 the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (L) to each city, village, and town  
19 entitled to a proportionate share of fire department dues as provided under sub. (1)  
20 (b) and s. 101.575. Annually, on or before August 1, the secretary of administration  
21 shall pay the amounts certified by the department to each such city, village, and  
22 town. This paragraph applies only to payment of a proportionate share of fire  
23 department dues collected for calendar years 2002 to 2004.

24 **SECTION 2381.** 101.573 (3) (a) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2381**

1           101.573 (3) (a) On or before May 1 in each year, the department shall compile  
2 the fire department dues paid by all insurers under s. 601.93 and the dues paid by  
3 the state fire fund under sub. (1) and funds remaining under par. (b), withhold .5%  
4 and certify to the secretary of administration the proper amount to be paid from the  
5 appropriation under s. ~~20.143 (3)~~ 20.165 (2) (L) to each city, village, or town entitled  
6 to fire department dues under s. 101.575. Annually, on or before August 1, the  
7 secretary of administration shall pay the amounts certified by the department to the  
8 cities, villages and towns eligible under s. 101.575.

9           **SECTION 2382.** 101.573 (5) of the statutes is amended to read:

10           101.573 (5) The department shall promulgate a rule defining “administrative  
11 expenses” for purposes of s. ~~20.143 (3)~~ 20.165 (2) (La).

12           **SECTION 2383.** 101.657 (5) of the statutes is amended to read:

13           101.657 (5) From the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (j), beginning  
14 with fiscal year 2005–06, the department shall allocate \$100,000 annually for the  
15 contract required under sub. (2) and at least \$600,000 annually for the contract  
16 required under sub. (3).

17           **SECTION 2384.** 101.935 (2) (e) of the statutes is amended to read:

18           101.935 (2) (e) Section 254.69 (2), as it applies to an agent for the department  
19 of health services in the administration of s. 254.47, applies to an agent for the  
20 department of ~~commerce~~ safety and professional services in the administration of  
21 this section.

22           **SECTION 2385.** 101.951 (7) (a) of the statutes is amended to read:

23           101.951 (7) (a) The department of ~~commerce~~ safety and professional services  
24 may, without notice, deny the application for a license within 60 days after receipt  
25 thereof by written notice to the applicant, stating the grounds for the denial. Within

**ASSEMBLY BILL 40****SECTION 2385**

1 30 days after such notice, the applicant may petition the department of  
2 administration to conduct a hearing to review the denial, and a hearing shall be  
3 scheduled with reasonable promptness. The division of hearings and appeals shall  
4 conduct the hearing. This paragraph does not apply to denials of applications for  
5 licenses under s. 101.02 (21).

6 **SECTION 2386.** 101.951 (7) (b) of the statutes is amended to read:

7 101.951 (7) (b) No license may be suspended or revoked except after a hearing  
8 thereon. The department of ~~commerce~~ safety and professional services shall give the  
9 licensee at least 5 days' notice of the time and place of the hearing. The order  
10 suspending or revoking such license shall not be effective until after 10 days' written  
11 notice thereof to the licensee, after such hearing has been had; except that the  
12 department of ~~commerce~~ safety and professional services, when in its opinion the  
13 best interest of the public or the trade demands it, may suspend a license upon not  
14 less than 24 hours' notice of hearing and with not less than 24 hours' notice of the  
15 suspension of the license. Matters involving suspensions and revocations brought  
16 before the department of ~~commerce~~ safety and professional services shall be heard  
17 and decided upon by the department of administration. The division of hearings and  
18 appeals shall conduct the hearing. This paragraph does not apply to licenses that  
19 are suspended or revoked under s. 101.02 (21).

20 **SECTION 2387.** 101.951 (7) (c) of the statutes is amended to read:

21 101.951 (7) (c) The department of ~~commerce~~ safety and professional services  
22 may inspect the pertinent books, records, letters and contracts of a licensee. The  
23 actual cost of each such examination shall be paid by such licensee so examined  
24 within 30 days after demand therefor by the department, and the department may

**ASSEMBLY BILL 40****SECTION 2387**

1 maintain an action for the recovery of such costs in any court of competent  
2 jurisdiction.

3 **SECTION 2388.** 101.953 (1) (a) of the statutes is amended to read:

4 101.953 **(1)** (a) A statement that the manufactured home meets those  
5 standards prescribed by law or administrative rule of the department of  
6 administration or of the department of ~~commerce~~ safety and professional services  
7 that are in effect at the time of the manufacture of the manufactured home.

8 **SECTION 2389.** 101.973 (8) of the statutes is amended to read:

9 101.973 **(8)** Deposit the moneys received from the fees under sub. (7) in the  
10 appropriation under s. ~~20.143 (3)~~ 20.165 (2) (j).

11 **SECTION 2390.** 102.29 (8r) of the statutes is amended to read:

12 102.29 **(8r)** No participant in a ~~food stamp~~ supplemental nutrition assistance  
13 employment and training program under s. ~~49.79 (9)~~ 49.37 (9) who, under s. ~~49.79~~  
14 ~~(9) (a) 5.~~ 49.37 (9) (a) 5., is provided worker's compensation coverage by the  
15 department of ~~health services~~ children and families or by a Wisconsin Works agency,  
16 as defined in s. 49.001 (9), or other provider under contract with the department of  
17 ~~health services~~ children and families or a county department under s. 46.215, 46.22,  
18 or 46.23 or tribal governing body to administer the ~~food stamp~~ supplemental  
19 nutrition assistance employment and training program and who makes a claim for  
20 compensation under this chapter may make a claim or maintain an action in tort  
21 against the employer who provided the employment and training from which the  
22 claim arose.

23 **SECTION 2391.** 106.14 (2) of the statutes is amended to read:

24 106.14 **(2)** The department shall publicize and maintain on its job center Web  
25 site information related to the job ~~programs under ss.~~ program under s. 49.147 (3)

**ASSEMBLY BILL 40****SECTION 2391**

1 ~~and 49.162~~ so that employers and individuals seeking employment may obtain  
2 information about the ~~programs~~ program, including how to participate in ~~them~~ it.

3 **SECTION 2392.** 106.15 (3) (intro.) of the statutes is amended to read:

4 106.15 (3) GRANTS. (intro.) From the ~~appropriations~~ appropriation under s.  
5 20.445 (1) ~~(bc), (jm), and (m)~~, the department shall make grants to persons providing  
6 employment and training activities to dislocated workers including all of the  
7 following:

8 **SECTION 2393.** 106.16 (3) of the statutes is amended to read:

9 106.16 (3) A state agency or an authority under ch. 231 or 234 shall notify the  
10 ~~department of commerce~~ Wisconsin Economic Development Corporation if it makes  
11 a loan or grant to a company.

12 **SECTION 2394.** 106.20 (1) (e) of the statutes is amended to read:

13 106.20 (1) (e) “Minority business” has the meaning given in s. ~~560.036~~ 490.04  
14 (1) (e).

15 **SECTION 2395.** 106.30 (2) of the statutes is amended to read:

16 106.30 (2) SURVEY FORM. Each odd-numbered year, the department of  
17 workforce development shall develop and submit to the department of ~~regulation~~  
18 ~~and licensing~~ safety and professional services a survey form to gather data under s.  
19 441.01 (7) (a) 1. to assist the department of workforce development in evaluating the  
20 supply of, demand for, and turnover among nurses in this state and in determining  
21 whether there are any regional shortages of nurses, shortages of nurses in any  
22 speciality areas, or impediments to entering the nursing profession in this state.

23 **SECTION 2396.** 106.30 (5) (a) of the statutes is amended to read:

24 106.30 (5) (a) From the appropriation account under s. 20.445 (1) (km), the  
25 department of workforce development shall award grants equal to the amount

**ASSEMBLY BILL 40****SECTION 2396**

1 appropriated under s. 20.445 (1) (km) minus the amount expended under sub. (4) to  
2 a nonprofit statewide nursing center that is comprised of and led by nurses and that  
3 has demonstrated coordination with constituent groups within the nursing  
4 community, including professional nursing organizations; organizations  
5 representing nurse educators, staff nurses, and nurse managers or executives; labor  
6 organizations representing nurses; the department of ~~regulation and licensing~~  
7 safety and professional services; the department of health services; and legislators  
8 who are concerned with issues affecting the nursing profession.

9 **SECTION 2397.** 106.30 (5) (b) of the statutes is amended to read:

10 106.30 (5) (b) A statewide nursing center that receives a grant under par. (a)  
11 shall use the grant moneys to develop strategies to ensure that there is a nursing  
12 workforce that is adequate to meet the current and future health care needs of this  
13 state. The statewide nursing center may use those moneys to fund activities that are  
14 aimed at ensuring such a nursing workforce, including monitoring trends in the  
15 applicant pool for nursing education programs; evaluating the effectiveness of  
16 nursing education programs in increasing access to those programs and in  
17 enhancing career mobility for nurses, especially for populations that are  
18 underrepresented in the nursing profession; and facilitating partnerships between  
19 the nursing community and other health care providers, the department of  
20 ~~regulation and licensing~~ safety and professional services, the business community,  
21 the legislature, and educators to promote diversity within the nursing profession,  
22 enhance career mobility and leadership development for nurses, and achieve  
23 consensus regarding policies aimed at ensuring an adequate nursing workforce in  
24 this state.

25 **SECTION 2398.** 106.50 (6) (a) 3. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2398**

1           106.50 (6) (a) 3. The complaint may be filed by an aggrieved person, by an  
2 interested person, by the department of workforce development under par. (b) or, if  
3 the complaint charges a violation of sub. (2r) (c), by the department of ~~commerce~~  
4 safety and professional services. The department of workforce development shall,  
5 upon request, provide appropriate assistance in completing and filing complaints.

6           **SECTION 2399.** 106.50 (6) (b) of the statutes is amended to read:

7           106.50 (6) (b) *Powers and duties of department.* The department of workforce  
8 development and its duly authorized agents may hold hearings, subpoena witnesses,  
9 take testimony and make investigations as provided in this subsection. The  
10 department of workforce development may test and investigate for the purpose of  
11 establishing violations of sub. (2), (2m) or (2r) and may make, sign and file  
12 complaints alleging violations of sub. (2), (2m) or (2r). In addition, the department  
13 of ~~commerce~~ safety and professional services may make, sign and file complaints  
14 alleging violations of sub. (2r) (c). The department of workforce development shall  
15 employ examiners to hear and decide complaints of discrimination under this  
16 section, and to assist in the administration of this section. The examiners may make  
17 findings and issue orders under this subsection. The department of workforce  
18 development shall develop and implement an investigation manual for use in  
19 conducting investigations under par. (c).

20           **SECTION 2400.** 107.30 (4) of the statutes is amended to read:

21           107.30 (4) “Department” means the department of ~~commerce~~ safety and  
22 professional services.

23           **SECTION 2401.** 107.30 (10) of the statutes is amended to read:

24           107.30 (10) “Mining damage appropriation” means the appropriation under s.  
25 ~~20.143 (3)~~ 20.165 (2) (a).



**ASSEMBLY BILL 40****SECTION 2402**

1           **SECTION 2402.** 107.31 (5) (a) (intro.) of the statutes is amended to read:

2           107.31 **(5)** (a) *Calculation.* (intro.) The mining damage reserve accumulation  
3 is calculated by subtracting the total amount of all mining damages awards paid  
4 from the appropriation under s. 20.445 (4) (a), 2001 stats., beginning on May 22, 1980  
5 or paid from the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (a) from the sum of:

6           **SECTION 2403.** 108.02 (21e) (intro.) of the statutes is amended to read:

7           108.02 **(21e)** PROFESSIONAL EMPLOYER ORGANIZATION. (intro.) “Professional  
8 employer organization” means any person who is currently registered as a  
9 professional employer organization with the department of ~~regulation and licensing~~  
10 safety and professional services in accordance with ch. 461, who contracts to provide  
11 the nontemporary, ongoing employee workforce of more than one client under a  
12 written leasing contract, the majority of whose clients are not under the same  
13 ownership, management, or control as the person other than through the terms of  
14 the contract, and who under contract and in fact:

15           **SECTION 2404.** 109.07 (1m) (b) of the statutes is amended to read:

16           109.07 **(1m)** (b) The department shall promptly provide a copy of the notice  
17 required under par. (a) ~~to the department of commerce and to the office of the~~  
18 ~~commissioner of insurance and shall cooperate with the department of commerce in~~  
19 ~~the performance of its responsibilities under s. 560.15 and with the office of the~~  
20 commissioner of insurance in the performance of its responsibilities under s. 601.41  
21 (7).

22           **SECTION 2405.** 111.70 (1) (a) of the statutes is amended to read:

23           111.70 **(1)** (a) “Collective bargaining” means the performance of the mutual  
24 obligation of a municipal employer, through its officers and agents, and the  
25 representative of its municipal employees in a collective bargaining unit, to meet and

**ASSEMBLY BILL 40****SECTION 2405**

1 confer at reasonable times, in good faith, with the intention of reaching an  
2 agreement, or to resolve questions arising under such an agreement, with respect to  
3 wages, hours, and conditions of employment, and with respect to a requirement of  
4 the municipal employer for a municipal employee to perform law enforcement and  
5 fire fighting services under s. 60.553, 61.66, or 62.13 (2e) and for a school district with  
6 respect to any matter under sub. (4) (n) and (o), and ~~for a school district with respect~~  
7 ~~to any matter under sub. (4) (n)~~, except as provided in subs. (3m), (3p), and (4) (m)  
8 and (mc) and s. 40.81 (3) and except that a municipal employer shall not meet and  
9 confer with respect to any proposal to diminish or abridge the rights guaranteed to  
10 municipal employees under ch. 164. The duty to bargain, however, does not compel  
11 either party to agree to a proposal or require the making of a concession. Collective  
12 bargaining includes the reduction of any agreement reached to a written and signed  
13 document. The municipal employer shall not be required to bargain on subjects  
14 reserved to management and direction of the governmental unit except insofar as the  
15 manner of exercise of such functions affects the wages, hours, and conditions of  
16 employment of the municipal employees in a collective bargaining unit. In creating  
17 this subchapter the legislature recognizes that the municipal employer must  
18 exercise its powers and responsibilities to act for the government and good order of  
19 the jurisdiction which it serves, its commercial benefit and the health, safety, and  
20 welfare of the public to assure orderly operations and functions within its  
21 jurisdiction, subject to those rights secured to municipal employees by the  
22 constitutions of this state and of the United States and by this subchapter.

23 **SECTION 2406.** 111.70 (1) (a) of the statutes, as affected by 2011 Wisconsin Act  
24 .... (this act), is amended to read:

**ASSEMBLY BILL 40****SECTION 2406**

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, and with respect to a requirement of  
7 the municipal employer for a municipal employee to perform law enforcement and  
8 fire fighting services under s. 60.553, 61.66, or 62.13 (2e) and for a school district with  
9 respect to any matter under sub. (4) (n) and (o), except as provided in subs. ~~(3m)~~, (3p),  
10 and (4) (m) and (mc) and s. 40.81 (3) and except that a municipal employer shall not  
11 meet and confer with respect to any proposal to diminish or abridge the rights  
12 guaranteed to municipal employees under ch. 164. The duty to bargain, however,  
13 does not compel either party to agree to a proposal or require the making of a  
14 concession. Collective bargaining includes the reduction of any agreement reached  
15 to a written and signed document. The municipal employer shall not be required to  
16 bargain on subjects reserved to management and direction of the governmental unit  
17 except insofar as the manner of exercise of such functions affects the wages, hours,  
18 and conditions of employment of the municipal employees in a collective bargaining  
19 unit. In creating this subchapter the legislature recognizes that the municipal  
20 employer must exercise its powers and responsibilities to act for the government and  
21 good order of the jurisdiction which it serves, its commercial benefit and the health,  
22 safety, and welfare of the public to assure orderly operations and functions within its  
23 jurisdiction, subject to those rights secured to municipal employees by the  
24 constitutions of this state and of the United States and by this subchapter.

25           **SECTION 2407.** 111.70 (3m) of the statutes is repealed.

**ASSEMBLY BILL 40****SECTION 2408**

1           **SECTION 2408.** 111.70 (4) (d) 2. a. of the statutes is amended to read:

2           111.70 (4) (d) 2. a. The commission shall determine the appropriate collective  
3 bargaining unit for the purpose of collective bargaining and shall whenever possible,  
4 unless otherwise required under this subchapter, avoid fragmentation by  
5 maintaining as few collective bargaining units as practicable in keeping with the size  
6 of the total municipal workforce. In making such a determination, the commission  
7 may decide whether, in a particular case, the municipal employees in the same or  
8 several departments, divisions, institutions, crafts, professions, or other  
9 occupational groupings constitute a collective bargaining unit. Before making its  
10 determination, the commission may provide an opportunity for the municipal  
11 employees concerned to determine, by secret ballot, whether they desire to be  
12 established as a separate collective bargaining unit. The commission shall not  
13 decide, however, that any group of municipal employees constitutes an appropriate  
14 collective bargaining unit if the group includes both professional employees and  
15 nonprofessional employees, unless a majority of the professional employees vote for  
16 inclusion in the unit. The commission shall not decide that any group of municipal  
17 employees constitutes an appropriate collective bargaining unit if the group includes  
18 both craft employees and noncraft employees unless a majority of the craft employees  
19 vote for inclusion in the unit. The commission shall place the professional employees  
20 who are assigned to perform any services at a charter school, as defined in s. 115.001  
21 (1), in a separate collective bargaining unit from a unit that includes any other  
22 professional employees whenever at least 30% of those professional employees  
23 request an election to be held to determine that issue and a majority of the  
24 professional employees at the charter school who cast votes in the election decide to  
25 be represented in a separate collective bargaining unit. ~~Upon the expiration of any~~

**ASSEMBLY BILL 40****SECTION 2408**

1 collective bargaining agreement in force, the commission shall combine into a single  
2 collective bargaining unit ~~2~~ or more collective bargaining units consisting of school  
3 district employees if a majority of the employees voting in each collective bargaining  
4 unit vote to combine. Any vote taken under this subsection shall be by secret ballot.

5 **SECTION 2409.** 111.70 (4) (m) 5. of the statutes is created to read:

6 111.70 (4) (m) 5. The prohibition in s. 118.205 against requiring teachers  
7 employed by a school board to reside within the school district.

8 **SECTION 2410.** 111.81 (7) (f) of the statutes is amended to read:

9 111.81 (7) (f) Instructional staff employed by the board of regents of the  
10 University of Wisconsin System who provide services for a charter school established  
11 by contract under s. 118.40 (2r) ~~(em)~~ (b) 1. e.

12 **SECTION 2411.** 111.81 (7) (h) of the statutes is created to read:

13 111.81 (7) (h) Staff appointed by the Board of Trustees of the University of  
14 Wisconsin–Madison except faculty, academic staff, limited term employees,  
15 sessional employees, project employees, supervisors, management, persons who are  
16 privy to confidential matters affecting the employer–employee relationship, persons  
17 whose employment is a necessary part of their training, student assistants, and  
18 student hourly help.

19 **SECTION 2412.** 111.81 (8) of the statutes is amended to read:

20 111.81 (8) “Employer” means the state of Wisconsin, or, with respect to the  
21 employees under sub. (7) (h), the University of Wisconsin–Madison.

22 **SECTION 2413.** 111.81 (15m) of the statutes is amended to read:

23 111.81 (15m) “Program assistant” or “project assistant” means a graduate  
24 student enrolled in the University of Wisconsin System or at the University of  
25 Wisconsin–Madison who is assigned to conduct research, training, administrative

**ASSEMBLY BILL 40****SECTION 2413**

1 responsibilities or other academic or academic support projects or programs, except  
2 regular preparation of instructional materials for courses or manual or clerical  
3 assignments, under the supervision of a member of the faculty or academic staff, as  
4 defined in s. 36.05 (1) or (8) or 37.01 (5), primarily for the benefit of the university,  
5 faculty or academic staff supervisor or a granting agency. “Project assistant” or  
6 “program assistant” does not include a graduate student who does work which is  
7 primarily for the benefit of the student’s own learning and research and which is  
8 independent or self-directed.

9 **SECTION 2414.** 111.81 (17m) of the statutes is amended to read:

10 111.81 (17m) “Research assistant” means a graduate student enrolled in the  
11 University of Wisconsin System or at the University of Wisconsin–Madison who is  
12 receiving a stipend to conduct research that is primarily for the benefit of the  
13 student’s own learning and research and which is independent or self-directed, but  
14 does not include students provided fellowships, scholarships, or traineeships which  
15 are distributed through other titles such as advanced opportunity fellow, fellow,  
16 scholar, or trainee, and does not include students with either an F-1 or a J-1 visa  
17 issued by the federal department of state.

18 **SECTION 2415.** 111.81 (19m) of the statutes is amended to read:

19 111.81 (19m) “Teaching assistant” means a graduate student enrolled in the  
20 University of Wisconsin System or at the University of Wisconsin–Madison who is  
21 regularly assigned teaching and related responsibilities, other than manual or  
22 clerical responsibilities, under the supervision of a member of the faculty as defined  
23 in s. 36.05 (8) or 37.01 (5).

24 **SECTION 2416.** 111.815 (1) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2416**

1           111.815 (1) In the furtherance of this subchapter, the state shall be considered  
2 as a single employer and employment relations policies and practices throughout the  
3 state service shall be as consistent as practicable. The office shall negotiate and  
4 administer collective bargaining agreements except that the department of health  
5 services, subject to the approval of the federal centers for medicare and medicaid  
6 services to use collective bargaining as the method of setting rates for  
7 reimbursement of home care providers, shall negotiate and administer collective  
8 bargaining agreements entered into with the collective bargaining unit specified in  
9 s. 111.825 (2g). To coordinate the employer position in the negotiation of agreements,  
10 the office, or the department of health services with regard to collective bargaining  
11 agreements entered into with the collective bargaining unit specified in s. 111.825  
12 (2g), shall maintain close liaison with the legislature relative to the negotiation of  
13 agreements and the fiscal ramifications of those agreements. Except with respect  
14 to the collective bargaining units specified in s. 111.825 (1g), (1m), (2) (f), and (2g),  
15 the office is responsible for the employer functions of the executive branch under this  
16 subchapter, and shall coordinate its collective bargaining activities with operating  
17 state agencies on matters of agency concern. The legislative branch shall act upon  
18 those portions of tentative agreements negotiated by the office that require  
19 legislative action. With respect to the collective bargaining units specified in s.  
20 111.825 (1g), the University of Wisconsin–Madison is responsible for the employer  
21 functions under this subchapter. With respect to the collective bargaining units  
22 specified in s. 111.825 (1m), the University of Wisconsin Hospitals and Clinics Board  
23 is responsible for the employer functions under this subchapter. With respect to the  
24 collective bargaining unit specified in s. 111.825 (2) (f), the governing board of the  
25 charter school established by contract under s. 118.40 (2r) ~~(em)~~ (b) 1. e. is responsible

**ASSEMBLY BILL 40****SECTION 2416**

1 for the employer functions under this subchapter. With respect to the collective  
2 bargaining unit specified in s. 111.825 (2g), the department of health services is  
3 responsible for the employer functions of the executive branch under this  
4 subchapter.

5 **SECTION 2417.** 111.815 (2) of the statutes is amended to read:

6 111.815 (2) In the furtherance of the policy under s. 111.80 (4), the director of  
7 the office shall, together with the appointing authorities or their representatives,  
8 represent the state in its responsibility as an employer under this subchapter except  
9 with respect to negotiations in the collective bargaining units specified in s. 111.825  
10 (1g), (1m), (2) (f), and (2g). The director of the office shall establish and maintain,  
11 wherever practicable, consistent employment relations policies and practices  
12 throughout the state service.

13 **SECTION 2418.** 111.825 (1g) of the statutes is created to read:

14 111.825 (1g) Collective bargaining units at the University of  
15 Wisconsin–Madison are structured with one or more collective bargaining units for  
16 each of the following groups:

17 (a) Program assistants; project assistants; and teaching assistants of the  
18 University of Wisconsin–Madison.

19 (b) Research assistants of the University of Wisconsin–Madison.

20 (c) Employees under s. 111.81 (7) (h) who are not included under par. (a) or (b).

21 **SECTION 2419.** 111.825 (2) (a) of the statutes is amended to read:

22 111.825 (2) (a) The program, project and teaching assistants of the University  
23 of Wisconsin–Madison and the University of Wisconsin–Extension.

24 **SECTION 2420.** 111.825 (2) (f) of the statutes is amended to read:



**ASSEMBLY BILL 40****SECTION 2420**

1           111.825 (2) (f) Instructional staff employed by the board of regents of the  
2           University of Wisconsin System who provide services for a charter school established  
3           by contract under s. 118.40 (2r) ~~(em)~~ (b) 1. e.

4           **SECTION 2421.** 111.825 (2) (g) of the statutes is amended to read:

5           111.825 (2) (g) Research assistants of the University of Wisconsin–Madison  
6           and University of Wisconsin–Extension.

7           **SECTION 2422.** 111.825 (3) of the statutes is amended to read:

8           111.825 (3) The commission shall assign employees to the appropriate  
9           collective bargaining units set forth in subs. (1), (1g), (1m), (2), and (2g).

10          **SECTION 2423.** 111.825 (4) of the statutes is amended to read:

11          111.825 (4) Any labor organization may petition for recognition as the exclusive  
12          representative of a collective bargaining unit specified in sub. (1), (1g), (1m), (2), or  
13          (2g) in accordance with the election procedures set forth in s. 111.83, provided the  
14          petition is accompanied by a 30% showing of interest in the form of signed  
15          authorization cards. Each additional labor organization seeking to appear on the  
16          ballot shall file petitions within 60 days of the date of filing of the original petition  
17          and prove, through signed authorization cards, that at least 10% of the employees  
18          in the collective bargaining unit want it to be their representative.

19          **SECTION 2424.** 111.84 (2) (c) of the statutes is amended to read:

20          111.84 (2) (c) To refuse to bargain collectively on matters set forth in s. 111.91  
21          (1) with the duly authorized officer or agent of the employer which is the recognized  
22          or certified exclusive collective bargaining representative of employees specified in  
23          s. 111.81 (7) (a) in an appropriate collective bargaining unit or with the certified  
24          exclusive collective bargaining representative of employees specified in s. 111.81 (7)  
25          (b) to ~~(g)~~ (h) in an appropriate collective bargaining unit. Such refusal to bargain

**ASSEMBLY BILL 40****SECTION 2424**

1 shall include, but not be limited to, the refusal to execute a collective bargaining  
2 agreement previously orally agreed upon.

3 **SECTION 2425.** 111.91 (2) (n) of the statutes is amended to read:

4 111.91 (2) (n) The provision to employees of the health insurance coverage  
5 required under s. 632.895 (11) to (14), (16), and (16m) ~~and (17)~~.

6 **SECTION 2426.** 111.915 of the statutes is amended to read:

7 **111.915 Labor proposals.** The Except with respect to a collective bargaining  
8 unit specified in s. 111.825 (1g), the director of the office shall notify and consult with  
9 the joint committee on employment relations, in such form and detail as the  
10 committee requests, regarding substantial changes in wages, employee benefits,  
11 personnel management, and program policy contract provisions to be included in any  
12 contract proposal to be offered to any labor organization by the state or to be agreed  
13 to by the state before such proposal is actually offered or accepted.

14 **SECTION 2427.** 111.92 (1) (am) of the statutes is created to read:

15 111.92 (1) (am) Any tentative agreement reached between the University of  
16 Wisconsin–Madison, acting for the state, and any labor organization representing a  
17 collective bargaining unit specified in s. 111.825 (1g) shall, after official ratification  
18 by the labor organization, be executed by the parties.

19 **SECTION 2428.** 111.92 (1) (c) of the statutes is amended to read:

20 111.92 (1) (c) Any tentative agreement reached between the governing board  
21 of the a charter school established by contract under s. 118.40 (2r) ~~(cm)~~ (b) 1. e., acting  
22 for the state, and any labor organization representing a collective bargaining unit  
23 specified in s. 111.825 (2) (f) shall, after official ratification by the labor organization  
24 and approval by the chancellor of the University of Wisconsin–Parkside, be executed  
25 by the parties.

**ASSEMBLY BILL 40****SECTION 2429**

1           **SECTION 2429.** 111.93 (2) of the statutes is amended to read:

2           111.93 (2) All civil service and other applicable statutes concerning wages,  
3 fringe benefits, hours and conditions of employment apply to employees specified in  
4 s. 111.81 (7) (a) who are not included in collective bargaining units for which a  
5 representative is recognized or certified and to employees specified in s. 111.81 (7)  
6 (b) to (f) and (h) who are not included in a collective bargaining unit for which a  
7 representative is certified.

8           **SECTION 2430.** 111.93 (3) of the statutes is amended to read:

9           111.93 (3) Except as provided in ss. 7.33 (4), 40.05, 40.80 (3), 111.91 (1) (cm),  
10 230.35 (2d) and (3) (e) 6., and 230.88 (2) (b), if a collective bargaining agreement  
11 exists between the employer and a labor organization representing employees in a  
12 collective bargaining unit, the provisions of that agreement shall supersede the  
13 provisions of civil service and other applicable statutes, as well as rules and policies  
14 of the ~~board of regents~~ Board of Regents of the University of Wisconsin System and  
15 rules and policies of the Board of Trustees of the University of Wisconsin–Madison,  
16 related to wages, fringe benefits, hours, and conditions of employment whether or  
17 not the matters contained in those statutes, rules, and policies are set forth in the  
18 collective bargaining agreement.

19           **SECTION 2431.** 111.935 (2) of the statutes is amended to read:

20           111.935 (2) Notwithstanding s. 111.83 (2), the commission shall establish a  
21 procedure whereby research assistants may determine whether to form themselves  
22 into collective bargaining units under s. 111.825 (1g) (b) or (2) (g), (h), or (i) by  
23 authorization cards in lieu of secret ballot. The procedure shall provide that once a  
24 majority of research assistants have indicated their preference on the authorization

**ASSEMBLY BILL 40****SECTION 2431**

1 cards to form themselves into a collective bargaining unit, the collective bargaining  
2 unit is established.

3 **SECTION 2432.** 114.31 (6) of the statutes is amended to read:

4 114.31 (6) TECHNICAL SERVICES TO MUNICIPALITIES. The secretary may, insofar  
5 as is reasonably possible, offer the engineering or other technical service of the  
6 department, to any municipality desiring them in connection with the construction,  
7 maintenance or operation or proposed construction, maintenance or operation of an  
8 airport. The secretary may assess reasonable costs for services including services  
9 performed while acting as agent for a municipality. Such assessment shall include  
10 properly allocated administrative costs. Municipalities are authorized to cooperate  
11 with the secretary in the development of aeronautics and aeronautical facilities in  
12 this state. The department of commerce Wisconsin Economic Development  
13 Corporation and all other agencies are authorized and directed to make available  
14 such facilities and services, and to cooperate as far as possible to promote the best  
15 interests of aeronautics of the state.

16 **SECTION 2433.** 114.33 (10) of the statutes is amended to read:

17 114.33 (10) Subject to the approval of the governor under this subsection, the  
18 secretary may sell at public or private sale property of whatever nature owned by the  
19 state and under the jurisdiction of the secretary when the secretary determines that  
20 the property is no longer necessary for the state's use for airport purposes and, if real  
21 property, ~~the real property is not the subject of a petition under s. 560.9810.~~ The  
22 secretary shall present to the governor a full and complete report of the property to  
23 be sold, the reason for the sale, and the minimum price for which the property should  
24 be sold, together with an application for the governor's approval of the sale. The  
25 governor shall investigate the proposed sale as he or she deems necessary and

**ASSEMBLY BILL 40****SECTION 2433**

1 approve or disapprove the application. Upon approval and receipt of the full  
2 purchase price, the secretary shall by appropriate deed or other instrument transfer  
3 the property to the purchaser. The funds derived from the sale shall be deposited in  
4 the appropriate airport fund, and the expense incurred by the secretary in  
5 connection with the sale shall be paid from that fund. This subsection does not apply  
6 to real property that is sold under s. 16.848.

7 **SECTION 2434.** 115.001 (11) of the statutes is amended to read:

8 115.001 (11) SCHOOL NURSE. “School nurse” means a registered nurse licensed  
9 under s. 441.06 or in a party state, as defined in s. 441.50 (2) (j), ~~who also meets the~~  
10 ~~qualifications for school nurses prescribed by the department by rule.~~

11 **SECTION 2435.** 115.01 (10) (a) of the statutes is renumbered 115.01 (10).

12 **SECTION 2436.** 115.01 (10) (b) of the statutes is repealed.

13 **SECTION 2437.** 115.28 (12) of the statutes is created to read:

14 115.28 (12) STUDENT INFORMATION SYSTEM. (a) Working with the office of the  
15 governor, establish a student information system to collect and maintain  
16 information about pupils enrolled in public schools, including their academic  
17 performance and demographic information, aggregated by school district, school,  
18 and teacher. Annually by May 1, the state superintendent shall submit to the  
19 governor a plan for the expenditure of moneys appropriated in s. 20.255 (1) (e) in the  
20 succeeding fiscal year. The state superintendent may not expend or encumber  
21 moneys appropriated under s. 20.255 (1) (e) in any fiscal year unless the governor  
22 approves the plan for that fiscal year.

23 (b) Charge a fee, on a per pupil basis, to any school district that uses the system  
24 under par. (a). The state superintendent may charge a fee to any other person that

**ASSEMBLY BILL 40****SECTION 2437**

1 uses the system. All fees shall be credited to the appropriation account under s.  
2 20.255 (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 2444.** 115.297 (1) (a) of the statutes is amended to read:

22 115.297 (1) (a) “Agencies” means the department, the ~~board of regents~~ Board  
23 of Regents of the University of Wisconsin System, the Board of Trustees of the  
24 University of Wisconsin–Madison, the technical college system board, and the  
25 Wisconsin Association of Independent Colleges and Universities.

**ASSEMBLY BILL 40****SECTION 2445**

1           **SECTION 2445.** 115.31 (1) (b) of the statutes is amended to read:

2           115.31 (1) (b) “Educational agency” means a school district, cooperative  
3 educational service agency, state correctional institution under s. 302.01, juvenile  
4 correctional facility, as defined in s. 938.02 (10p), secured residential care center for  
5 children and youth, as defined in s. 938.02 (15g), the Wisconsin Center for the Blind  
6 and Visually Impaired, the Wisconsin Educational Services Program for the Deaf  
7 and Hard of Hearing, the Mendota Mental Health Institute, the Winnebago Mental  
8 Health Institute, a state center for the developmentally disabled, or a private school,  
9 or a private, nonprofit, nonsectarian agency under contract with a school board  
10 under s. 118.153 (3) (e).

11           **SECTION 2446.** 115.33 (2) (a) (intro.) of the statutes is amended to read:

12           115.33 (2) (a) (intro.) The state superintendent may request the department  
13 of ~~commerce~~ safety and professional services to inspect a public school if any of the  
14 following occurs:

15           **SECTION 2447.** 115.33 (2) (b) of the statutes is amended to read:

16           115.33 (2) (b) The department of ~~commerce~~ safety and professional services  
17 shall inspect the school within 30 days after receiving a request from the state  
18 superintendent under par. (a).

19           **SECTION 2448.** 115.33 (3) (a) of the statutes is amended to read:

20           115.33 (3) (a) If the state superintendent determines that a school is not in  
21 compliance, and the department of ~~commerce~~ safety and professional services, based  
22 on its inspection of the school, concurs in the determination, the state  
23 superintendent may order the school board to repair, improve, remodel or close the  
24 school by a stated date. An order issued under this paragraph constitutes a  
25 preliminary finding of noncompliance with the standard under s. 121.02 (1) (i).

**ASSEMBLY BILL 40****SECTION 2449**

1           **SECTION 2449.** 115.33 (3) (b) 1. of the statutes is amended to read:

2           115.33 **(3)** (b) 1. If the state superintendent determines that a school is not in  
3 compliance and is not worth repairing, and the department of ~~commerce~~ safety and  
4 professional services, based on its inspection of the school, concurs in the  
5 determination, the state superintendent may order the school board to develop a  
6 plan that describes how the school board will achieve compliance with the standard  
7 under s. 121.02 (1) (i). The plan shall specify the time within which compliance with  
8 the standard under s. 121.02 (1) (i) shall be achieved. The state superintendent shall  
9 hold a public hearing on the plan in the school district and may, as a result of the  
10 hearing, recommend changes to the plan. The state superintendent may withhold  
11 up to 25% of the school district's state aid if the school district fails to achieve  
12 compliance with the standard under s. 121.02 (1) (i) within the period specified in the  
13 plan.

14           **SECTION 2450.** 115.347 (2) of the statutes is amended to read:

15           115.347 **(2)** Whenever a school district that is located in whole or in part in a  
16 county that has converted to the client assistance for reemployment and economic  
17 support data system submits a report under sub. (1) in the prescribed format, the  
18 department of children and families shall determine which children enrolled in the  
19 school district are members of Wisconsin Works groups participating under s. 49.147  
20 (3) to (5) or of families receiving aid to families with dependent children or ~~food~~  
21 stamps benefits under the supplemental nutrition assistance program under 7 USC  
22 2011 to 2036 and shall provide the information to the school board as soon thereafter  
23 as possible. The school board shall use the information to directly certify children  
24 as eligible for free or reduced-price meals served by the school district under federal  
25 school nutrition programs, pursuant to 42 USC 1758 (b) (2) (C) (ii) and (iii).



**ASSEMBLY BILL 40****SECTION 2451**

1           **SECTION 2451.** 115.361 of the statutes is repealed.

2           **SECTION 2452.** 115.366 of the statutes is repealed.

3           **SECTION 2453.** 115.39 of the statutes is repealed.

4           **SECTION 2454.** 115.405 (2m) of the statutes is repealed.

5           **SECTION 2455.** 115.43 (2) (b) of the statutes is amended to read:

6           115.43 (2) (b) From the appropriation under s. 20.255 (3) (fz), award precollege  
7           scholarships, on a competitive basis, to economically disadvantaged pupils who  
8           enroll in a technical college or in college or university classes or programs designed  
9           to improve academic skills that are essential for success in postsecondary school  
10          education. The state superintendent shall give preference to economically  
11          disadvantaged pupils who are inadequately represented in the technical college and  
12          University of Wisconsin Systems and the University of Wisconsin–Madison.

13          **SECTION 2456.** 115.435 of the statutes is repealed.

14          **SECTION 2457.** 115.45 of the statutes is repealed.

15          **SECTION 2458.** 115.53 (3) (a) and (b) of the statutes are consolidated,  
16          renumbered 115.53 (3) and amended to read:

17          115.53 (3) Arrange for otological or ophthalmic examination of any pupil or  
18          prospective pupil of the school operated by the Wisconsin Educational Services  
19          Program for the Deaf and Hard of Hearing. ~~The examination shall be paid for from~~  
20          ~~the appropriation in s. 20.255 (1) (b), (gh) or (gs).~~ (b) Arrange for ophthalmic or  
21          otological examination of any pupil or prospective pupil of or the school operated by  
22          the Wisconsin Center for the Blind and Visually Impaired. The examination shall  
23          be paid for from the appropriation in under s. 20.255 (1) (b), (gh), (gL), or (gs).

24          **SECTION 2459.** 115.53 (4) (unnumbered first par.) and (a) of the statutes are  
25          consolidated, renumbered 115.53 (4) and amended to read:

**ASSEMBLY BILL 40****SECTION 2459**

1           115.53 (4) Apply to the board of directors of the University of Wisconsin  
2 Hospitals and Clinics Authority for admission to the University of Wisconsin  
3 Hospitals and Clinics of any pupil at the school operated by the Wisconsin  
4 Educational Services Program for the Deaf and Hard of Hearing or the school  
5 operated by the Wisconsin Center for the Blind and Visually Impaired. (a) The  
6 application shall be accompanied by the report of a physician appointed by the  
7 director of the Wisconsin Educational Services Program for the Deaf and Hard of  
8 Hearing or the director of the Wisconsin Center for the Blind and Visually Impaired  
9 and shall be in the same form as reports of other physicians for admission of patients  
10 to such hospital.

11           **SECTION 2460.** 115.53 (4) (b) of the statutes is repealed.

12           **SECTION 2461.** 116.01 of the statutes is amended to read:

13           **116.01 Purpose.** The organization of school districts in Wisconsin is such that  
14 the legislature recognizes the need for a service unit between the school district and  
15 the state superintendent. The cooperative educational service agencies are designed  
16 to serve educational needs in all areas of Wisconsin by serving as a link both between  
17 school districts and between school districts and the state. Cooperative educational  
18 service agencies may provide leadership, coordination, and education services to  
19 school districts, University of Wisconsin System institutions, the University of  
20 Wisconsin-Madison, and technical colleges. Cooperative educational service  
21 agencies may facilitate communication and cooperation among all public, private,  
22 and tribal schools, and all public and private agencies and organizations, that  
23 provide services to pupils.

24           **SECTION 2462.** 116.032 (1) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2462**

1           116.032 (1) Subject to subs. (2) to (5), for the purpose of providing services to  
2           pupils, a board of control may contract with school districts, University of Wisconsin  
3           System institutions, the University of Wisconsin–Madison, technical college district  
4           boards, private schools, tribal schools, and agencies or organizations that provide  
5           services to pupils. A board of control may also contract with one or more school  
6           boards to operate a charter school under s. 118.40 (3) (c).

7           **SECTION 2463.** 117.15 (6) of the statutes is amended to read:

8           117.15 (6) The socioeconomic level and racial composition of the pupils who  
9           reside or will reside in territory proposed to be detached from one school district and  
10          attached to an adjoining school district, in territory proposed to be included in a new  
11          school district under s. 117.105 or in school districts proposed to be consolidated or  
12          in a school district proposed to be dissolved; the proportion of the pupils who reside  
13          in such territory who are children at risk, ~~as defined under s. 118.153 (1) (a)~~; and the  
14          effect that the pupils described in this paragraph will have on the present and future  
15          socioeconomic level and racial composition of the affected school districts and on the  
16          proportion of the affected school districts' enrollments that will be children at risk.

17          **SECTION 2464.** 118.015 (2) of the statutes is repealed.

18          **SECTION 2465.** 118.015 (3) (title) of the statutes is repealed.

19          **SECTION 2466.** 118.015 (3) (intro.) of the statutes is repealed.

20          **SECTION 2467.** 118.015 (3) (a) of the statutes is renumbered 118.015 (4) (am).

21          **SECTION 2468.** 118.015 (3) (b) of the statutes is repealed.

22          **SECTION 2469.** 118.015 (3) (c) of the statutes is repealed.

23          **SECTION 2470.** 118.015 (3) (d) of the statutes is repealed.

24          **SECTION 2471.** 118.015 (3) (e) of the statutes is renumbered 118.015 (4) (bm).

25          **SECTION 2472.** 118.07 (2) (b) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2472**

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 2474.** 118.075 (2) (f) of the statutes is amended to read:

12           118.075 (2) (f) Upon completing its duties under par. (e), the task force shall  
13 report its findings and recommendations to the appropriate standing committees of  
14 the legislature under s. 13.172 (3) and to the governor. The task force shall cease to  
15 exist on the date on which the department issues its model management plan under  
16 ~~sub. (3)~~.

17           **SECTION 2475.** 118.075 (3) of the statutes is repealed.

18           **SECTION 2476.** 118.075 (4) of the statutes is repealed.

19           **SECTION 2477.** 118.135 (2) of the statutes is amended to read:

20           118.135 (2) A pupil who complies with a request under sub. (1) shall provide  
21 evidence of an eye examination or evaluation by December 31 following the pupil's  
22 enrollment in kindergarten. The school board or charter school shall provide pupils  
23 with the form distributed by the department of ~~regulation and licensing~~ safety and  
24 professional services under s. 440.03 (16) for that purpose.

25           **SECTION 2478.** 118.15 (1) (b) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2478**

1           118.15 (1) (b) Upon the child's request of the school board and with the written  
2 approval of the child's parent or guardian, any child who is 16 years of age or over  
3 and a child at risk, ~~as defined in s. 118.153 (1) (a),~~ may attend, in lieu of high school  
4 or on a part-time basis, a technical college if the child and his or her parent or  
5 guardian agree, in writing, that the child will participate in a program leading to the  
6 child's high school graduation. The district board of the technical college district in  
7 which the child resides shall admit the child. Every technical college district board  
8 shall offer day class programs satisfactory to meet the requirements of this  
9 paragraph and s. 118.33 (3m) as a condition to the receipt of any state aid.

10           **SECTION 2479.** 118.153 (title) and (1) (intro.) of the statutes are repealed.

11           **SECTION 2480.** 118.153 (1) (a) of the statutes is renumbered 115.001 (1m).

12           **SECTION 2481.** 118.153 (1) (b) of the statutes is renumbered 115.001 (2m).

13           **SECTION 2482.** 118.153 (2) to (7) of the statutes are repealed.

14           **SECTION 2483.** 118.16 (2) (cg) 2. of the statutes is amended to read:

15           118.16 (2) (cg) 2. A statement that the parent, guardian or child may request  
16 program or curriculum modifications for the child under s. 118.15 (1) (d) ~~and that the~~  
17 ~~child may be eligible for enrollment in a program for children at risk under s. 118.153~~  
18 (3).

19           **SECTION 2484.** 118.16 (2m) (a) 2. of the statutes is amended to read:

20           118.16 (2m) (a) 2. An employee of the school district who is directly involved  
21 in the provision of a modified program or curriculum under s. 118.15 (1) (d), ~~a~~  
22 ~~program for children at risk under s. 118.153~~ or an alternative educational program  
23 under s. 119.82 or any other alternative educational program to children who attend  
24 the school attended by the truant child, if the school district administrator believes  
25 that the program or curriculum may be appropriate for the truant child.

**ASSEMBLY BILL 40****SECTION 2485**

1           **SECTION 2485.** 118.163 (1) (a) of the statutes is repealed.

2           **SECTION 2486.** 118.19 (1) of the statutes is amended to read:

3           118.19 (1) Except as provided in s. 118.40 (8) (b) 2., any person seeking to teach  
4 in a public school, including a charter school other than a charter school established  
5 under s. 118.40 (2r), or in a school or institution operated by a county or the state shall  
6 first procure a license or permit from the department.

7           **SECTION 2487.** 118.205 of the statutes is created to read:

8           **118.205 Residency requirements. (1)** In this section, “teacher” means any  
9 person holding a license or permit issued by the state superintendent whose  
10 employment by a school district requires that he or she hold that license or permit.

11           **(2)** A school board may not require, as a condition of employment, that a teacher  
12 reside within the school district.

13           **SECTION 2488.** 118.29 (6) of the statutes, as created by 2009 Wisconsin Act 160,  
14 is amended to read:

15           118.29 (6) TRAINING. Notwithstanding sub. (2) (a) 1. to 2r., no school bus driver,  
16 employee, or volunteer may administer a nonprescription drug product or  
17 prescription drug under sub. (2) (a) 1. or 2., use an epinephrine auto-injector under  
18 sub. (2) (a) 2m., or administer glucagon under sub. (2) (a) 2r. unless he or she has  
19 received training, ~~approved by the department,~~ in administering nonprescription  
20 drug products and prescription drugs. This subsection does not apply to health care  
21 professionals.

22           **SECTION 2489.** 118.35 (4) of the statutes is amended to read:

23           118.35 (4) From the appropriation under s. 20.255 (2) (fy), the department shall  
24 award grants to nonprofit organizations, cooperative educational service agencies,  
25 the University of Wisconsin–Madison, and the school district operating under ch. 119

**ASSEMBLY BILL 40****SECTION 2489**

1 for the purpose of providing ~~advanced curriculum and assessments for~~ to gifted and  
2 talented pupils those services and activities not ordinarily provided in a regular  
3 school program that allow such pupils to fully develop their capabilities.

4 **SECTION 2490.** 118.38 (2) (bm) of the statutes is amended to read:

5 118.38 **(2)** (bm) The department shall promulgate rules establishing criteria  
6 for waiving the requirement to schedule at least the number of hours of direct pupil  
7 instruction specified under s. 121.02 (1) (f) ~~2.~~ if school is closed for a reason specified  
8 in s. 115.01 (10) (a) ~~2. or 3.~~ (b) or (c).

9 **SECTION 2491.** 118.40 (2r) (b) 1. b. and c. of the statutes are repealed.

10 **SECTION 2492.** 118.40 (2r) (b) 1. e. of the statutes is created to read:

11 118.40 **(2r)** (b) 1. e. The chancellor of an institution, as defined in s. 36.05 (9),  
12 within the University of Wisconsin System.

13 **SECTION 2493.** 118.40 (2r) (b) 1. g. of the statutes is created to read:

14 118.40 **(2r)** (b) 1. g. The chancellor of the University of Wisconsin–Madison.

15 **SECTION 2494.** 118.40 (2r) (b) 2. of the statutes is amended to read:

16 118.40 **(2r)** (b) 2. A charter shall include all of the provisions specified under  
17 sub. (1m) (b) 3. to 14. A contract shall include all of the provisions specified under  
18 sub. (1m) (b) 1. to 14. and shall specify the effect of the establishment of the charter  
19 school on the liability of the contracting entity under this paragraph. The contract  
20 may include other provisions agreed to by the parties. The chancellor of the  
21 University of Wisconsin–Milwaukee or of the University of Wisconsin–Parkside may  
22 ~~not~~ an institution within the University of Wisconsin System may not establish or  
23 enter into a contract for the establishment of a charter school under this paragraph  
24 without the approval of the board of regents of the University of Wisconsin System.

25 **SECTION 2495.** 118.40 (2r) (b) 3. of the statutes is repealed.

**ASSEMBLY BILL 40****SECTION 2496**

1           **SECTION 2496.** 118.40 (2r) (bm) of the statutes is amended to read:

2           118.40 (2r) (bm) The common council of the city of Milwaukee, ~~the chancellor~~  
3 ~~of the University of Wisconsin–Milwaukee,~~ and the Milwaukee area technical college  
4 district board may only establish or enter into a contract for the establishment of a  
5 charter school located only in the school district operating under ch. 119. The  
6 ~~chancellor of the University of Wisconsin–Parkside may only establish or enter into~~  
7 ~~a contract for the establishment of a charter school located in a unified school district~~  
8 ~~that is located in the county in which the University of Wisconsin–Parkside is~~  
9 ~~situated or in an adjacent county.~~

10           **SECTION 2497.** 118.40 (2r) (cm) of the statutes is repealed.

11           **SECTION 2498.** 118.40 (2r) (d) 1. of the statutes is amended to read:

12           118.40 (2r) (d) 1. Ensure that all instructional staff of charter schools under  
13 this subsection ~~hold a license or permit to teach issued by the department~~ have a  
14 bachelor's degree from an accredited institution of higher education.

15           **SECTION 2499.** 118.40 (2r) (e) 1. a. of the statutes is renumbered 118.40 (2r) (e)  
16 1m. and amended to read:

17           118.40 (2r) (e) 1m. In the ~~2009–10~~ 2011–12 and ~~2010–11~~ 2012–13 school years,  
18 from the appropriation under s. 20.255 (2) (fm), the department shall pay to the  
19 operator of the charter school an amount equal to the sum of the amount paid per  
20 pupil under this subdivision paragraph in the previous school year and the increase  
21 in the per pupil amount paid to private schools under s. 119.23 (4) (b) 2. or (bg) in the  
22 current school year as compared to the previous school year, multiplied by the  
23 number of pupils attending the charter school.

24           **SECTION 2500.** 118.40 (2r) (e) 1. b. of the statutes is renumbered 118.40 (2r) (e)  
25 2m. and amended to read:



**ASSEMBLY BILL 40****SECTION 2500**

1           118.40 (2r) (e) 2m. In the ~~2011–12~~ 2013–14 school year and in each school year  
2 thereafter, from the appropriation under s. 20.255 (2) (fm), the department shall pay  
3 to the operator of the charter school an amount equal to the sum of the amount paid  
4 per pupil under this ~~subdivision~~ paragraph in the previous school year and the per  
5 pupil revenue limit adjustment under s. 121.91 (2m) in the current school year,  
6 multiplied by the number of pupils attending the charter school.

7           **SECTION 2501.** 118.40 (2r) (e) 1. c. of the statutes is renumbered 118.40 (2r) (e)  
8 3m. and amended to read:

9           118.40 (2r) (e) 3m. The amount paid per pupil under this ~~subdivision~~  
10 paragraph may not be less than the amount paid per pupil under this ~~subdivision~~  
11 paragraph in the previous school year. The department shall pay 25% of the total  
12 amount in September, 25% in December, 25% in February, and 25% in June. The  
13 department shall send the check to the operator of the charter school.

14           **SECTION 2502.** 118.40 (2r) (e) 2. of the statutes is repealed.

15           **SECTION 2503.** 118.40 (2r) (f) of the statutes is repealed.

16           **SECTION 2504.** 118.40 (3) (d) of the statutes is amended to read:

17           118.40 (3) (d) A school board or an entity under sub. (2r) (b) shall give  
18 preference in awarding contracts for the operation of charter schools to those charter  
19 schools that serve children at risk, ~~as defined in s. 118.153 (1) (a).~~

20           **SECTION 2505.** 118.40 (7) (am) 2. of the statutes is amended to read:

21           118.40 (7) (am) 2. A charter school established under sub. (2r) or a private  
22 school located in the school district operating under ch. 119 that is converted to a  
23 charter school is not an instrumentality of any school district and no school board  
24 may employ any personnel for the charter school. If the chancellor of an institution  
25 within the University of Wisconsin–Parkside Wisconsin System contracts for the

**ASSEMBLY BILL 40****SECTION 2505**

1 establishment of a charter school under sub. (2r), the board of regents of the  
2 University of Wisconsin System may employ instructional staff for the charter  
3 school.

4 **SECTION 2506.** 118.40 (8) (d) 2. of the statutes is amended to read:

5 118.40 (8) (d) 2. Ensure that its teachers are available to provide direct pupil  
6 instruction for at least the applicable number of hours specified in s. 121.02 (1) (f) 2.  
7 each school year. No more than 10 hours in any 24-hour period may count toward  
8 the requirement under this subdivision.

9 **SECTION 2507.** 118.40 (8) (h) of the statutes is repealed.

10 **SECTION 2508.** 118.51 (3) (intro.) of the statutes is created to read:

11 118.51 (3) (intro.) Except as provided under sub. (3m), the following procedures  
12 govern pupil applications to attend a public school in a nonresident school district  
13 under this section:

14 **SECTION 2509.** 118.51 (3) (a) 1. of the statutes is amended to read:

15 118.51 (3) (a) 1. The parent of a pupil who wishes to attend a public school in  
16 a nonresident school district under this section shall submit an application, on a form  
17 provided by the department under sub. (15) (a), to the school board of the nonresident  
18 school district that the pupil wishes to attend, not earlier than the first Monday in  
19 February and not later than the ~~3rd Friday following the first Monday in February~~  
20 last weekday in April of the school year immediately preceding the school year in  
21 which the pupil wishes to attend. Applications may be submitted to no more than  
22 3 nonresident school boards in any school year. ~~On the 4th Monday in February, the~~  
23 The nonresident school board shall send a copy of the application to the pupil's  
24 resident school board and the department by the end of the first weekday following

**ASSEMBLY BILL 40****SECTION 2509**

1 the last weekday in April. The application may include a request to attend a specific  
2 school or program offered by the nonresident school district.

3 **SECTION 2510.** 118.51 (3) (a) 1m. of the statutes is created to read:

4 118.51 (3) (a) 1m. By the first Friday following the first Monday in May, the  
5 resident school board shall send to the nonresident school district a copy of the  
6 individualized education program developed under s. 115.787 (2) for a child with a  
7 disability whose parent submitted an application under subd. 1.

8 **SECTION 2511.** 118.51 (3) (a) 2., 3. and 4. of the statutes are amended to read:

9 118.51 (3) (a) 2. A nonresident school board may not act on any application  
10 received under subd. 1. ~~until after the 3rd Friday following the first Monday in~~  
11 ~~February~~ before May 1. If a nonresident school board receives more applications for  
12 a particular grade or program than there are spaces available in the grade or  
13 program, the nonresident school board shall determine which pupils to accept,  
14 including pupils accepted from a waiting list under sub. (5) (d), on a random basis,  
15 after giving preference to pupils and to siblings of pupils who are already attending  
16 the nonresident school district and, if the nonresident school district is a union high  
17 school district, to pupils who are attending an underlying elementary school district  
18 of the nonresident school district under this section. If a nonresident school board  
19 determines that space is not otherwise available for open enrollment pupils in the  
20 grade or program to which an individual has applied, the school board may  
21 nevertheless accept a pupil or the sibling of a pupil who is already attending the  
22 nonresident school district and, if the nonresident school district is a union high  
23 school district, a pupil who is attending an underlying elementary school district of  
24 the nonresident school district under this section.

**ASSEMBLY BILL 40****SECTION 2511**

1           3. ~~On~~ Except as provided under sub. (5) (d) 1., on or before the first Friday  
2 following the first Monday in ~~April~~ June following receipt of the application, the  
3 nonresident school board shall notify the applicant, in writing, whether it has  
4 accepted the application. If the nonresident school board has accepted the applicant,  
5 the school board shall identify the specific school or program that the applicant may  
6 attend in the following school year. If the nonresident school board rejects an  
7 application, it shall include in the notice the reason for the rejection.

8           4. On or before the first ~~2nd~~ Friday following the first Monday in ~~April~~ June  
9 following receipt of a copy of the application, if a resident school board denies a pupil's  
10 enrollment in a nonresident school district under sub. (6), (7) or (12) (b) 1., the  
11 resident school board shall notify the applicant and the nonresident school board, in  
12 writing, that the application has been denied and include in the notice the reason for  
13 the denial.

14           **SECTION 2512.** 118.51 (3) (a) 5. of the statutes is repealed.

15           **SECTION 2513.** 118.51 (3) (a) 6. of the statutes is amended to read:

16           118.51 (3) (a) 6. If ~~Except as provided in sub. (5) (d) 2., if~~ an application is  
17 accepted, on or before the first last Friday ~~following the first Monday~~ in June  
18 following receipt of a notice of acceptance, or within 10 days of receiving a notice of  
19 acceptance if a pupil is selected from a waiting list under ~~s. 118.40 (8) (h) 5.~~ sub. (5)  
20 (d), the pupil's parent shall notify the nonresident school board of the pupil's intent  
21 to attend school in that school district in the following school year.

22           **SECTION 2514.** 118.51 (3) (a) 7. of the statutes is repealed.

23           **SECTION 2515.** 118.51 (3) (b) of the statutes is amended to read:

24           118.51 (3) (b) *Notice to resident school district.* Annually by ~~June 30~~ July 7,  
25 each nonresident school board that has accepted a pupil under this section for

**ASSEMBLY BILL 40****SECTION 2515**

1 attendance in the following school year shall report the name of the pupil to the  
2 pupil's resident school board. ~~If a pupil is selected from a waiting list under s. 118.40~~  
3 ~~(8) (h) 5., the nonresident school board shall report the name of the pupil to the pupil's~~  
4 ~~resident school board within 10 days of receiving notice of the pupil's selection from~~  
5 ~~the department.~~

6 **SECTION 2516.** 118.51 (3m) of the statutes is created to read:

7 **118.51 (3m)** ALTERNATIVE APPLICATION PROCEDURES UNDER CERTAIN  
8 CIRCUMSTANCES. (a) Notwithstanding sub. (3), the parent of a pupil who wishes to  
9 attend a public school in a nonresident school district under this section may, in lieu  
10 of applying under sub. (3), submit an application under this subsection, on a form  
11 provided by the department under sub. (15) (a), to the school board of the nonresident  
12 school district that the pupil wants to attend if the pupil satisfies at least one of the  
13 criteria under par. (b). Applications may be submitted to no more than 3 nonresident  
14 school boards in any school year.

15 (b) The parent of a pupil may apply under this subsection only if the pupil meets  
16 one of the following criteria, and shall describe the criteria that the pupil meets in  
17 the application:

18 1. The resident school board determines that the pupil has been the victim of  
19 a violent criminal offense, as defined by the department by rule. An application  
20 made on the basis of this criteria is not valid unless the nonresident school board  
21 receives the application within 30 days after the determination of the resident school  
22 board.

23 2. The pupil is or has been a homeless pupil in the current or immediately  
24 preceding school year. In this subdivision, "homeless pupil" means an individual who

**ASSEMBLY BILL 40****SECTION 2516**

1 is included in the category of homeless children and youths, as defined in 42 USC  
2 11434a (2).

3 3. The pupil has been the victim of repeated bullying or harassment and all of  
4 the following apply:

5 a. The pupil's parent has reported the bullying or harassment to the resident  
6 school board.

7 b. Despite action taken under subd. 3. a., the repeated bullying and harassment  
8 continues.

9 4. The place of residence of the pupil's parent or guardian and of the pupil has  
10 changed as a result of military orders. An application made on the basis of this  
11 criteria is not valid unless the nonresident school board receives the application no  
12 later than 30 days after the date on which the military orders changing the place of  
13 residence were issued.

14 5. The pupil moved into this state. An application made on the basis of this  
15 criteria is not valid unless the nonresident school board receives the application no  
16 later than 30 days after moving into this state.

17 6. The place of residence of the pupil has changed as a result of a court order  
18 or custody agreement or because the pupil was placed in a foster home or with a  
19 person other than the pupil's parent, or removed from a foster home or from the home  
20 of a person other than the pupil's parent. An application made on the basis of this  
21 criteria is not valid unless the nonresident school board receives the application no  
22 later than 30 days after the pupil's change in residence.

23 7. The parent of the pupil and the nonresident school board agree that  
24 attending school in the nonresident school district is in the best interests of the pupil.

**ASSEMBLY BILL 40****SECTION 2516**

1 (c) If a nonresident school board receives an application under par. (a), the  
2 nonresident school board shall immediately forward a copy of the application to the  
3 resident school board, and shall notify the applicant, in writing, whether it has  
4 accepted the application no later than 20 days after receiving the application. If the  
5 nonresident school board has accepted the application, the nonresident school board  
6 shall identify the specific school or program that the pupil may attend.

7 (d) A resident school district may notify an applicant under par. (a) that the  
8 pupil may not attend a school or program in the nonresident school district only for  
9 the following reasons:

10 1. The resident school district determines that the criteria relied on by the  
11 applicant under par. (b) does not apply to the pupil.

12 2. a. Except as provided in subd. 2. b., the resident school district determines  
13 that the costs of the special education or related services required in the  
14 individualized education program under s. 115.787 (2) for a child with a disability  
15 whose parent has submitted an application under par. (a), as proposed to be  
16 implemented by the nonresident school district, would impose upon the child's  
17 resident school district an undue financial burden in light of the resident school  
18 district's total economic circumstances, including its revenue limit under subch. VII  
19 of ch. 121, its ability to pay tuition costs for the pupil, and the per pupil special  
20 education or related services costs for children with disabilities continuing to be  
21 served by the resident school district.

22 b. Subdivision 2. a. does not apply to a pupil who submits an application under  
23 par. (a) if the pupil relied upon the criteria set forth in par. (b) 1.

24 (e) If an application is accepted by the nonresident school board under par. (c),  
25 the pupil may immediately begin attending the school or program in the nonresident

**ASSEMBLY BILL 40****SECTION 2516**

1 school district and shall begin attending the school or program no later than the 15th  
2 day following receipt by the parent of the pupil of the notice of acceptance under par.  
3 (c). If the pupil has not enrolled in or attended school in the nonresident school  
4 district by the day specified in this paragraph, the nonresident school district may  
5 notify the pupil's parent, in writing, that the pupil is no longer authorized to attend  
6 the school or program in the nonresident school district.

7 **SECTION 2517.** 118.51 (5) (a) (intro.) of the statutes is amended to read:

8 118.51 (5) (a) *Permissible criteria.* (intro.) Except as provided in sub. (3) (a)  
9 2., the criteria for accepting and rejecting applications from nonresident pupils  
10 under ~~sub.~~ subs. (3) (a) and (3m) (a) may include only the following:

11 **SECTION 2518.** 118.51 (5) (a) 1. (intro.) of the statutes is amended to read:

12 118.51 (5) (a) 1. (intro.) The availability of space in the schools, programs,  
13 classes, or grades within the nonresident school district. The nonresident school  
14 board shall determine the number of regular education and special education spaces  
15 available within the school district in the January meeting of the school board, except  
16 that for the 2011–12 school year the board shall determine the number of regular  
17 education and special education spaces available within the school district in the  
18 February meeting of the school board. In determining the availability of space, the  
19 nonresident school board may consider criteria such as class size limits,  
20 pupil–teacher ratios, or enrollment projections established by the nonresident school  
21 board and may include in its count of occupied spaces all of the following:

22 **SECTION 2519.** 118.51 (5) (a) 1. b. of the statutes is amended to read:

23 118.51 (5) (a) 1. b. Pupils and siblings of pupils who have applied under sub.  
24 (3) (a) or (3m) (a) and are already attending the nonresident school district.

25 **SECTION 2520.** 118.51 (5) (a) 1. c. of the statutes is amended to read:



**ASSEMBLY BILL 40****SECTION 2520**

1           118.51 (5) (a) 1. c. If the nonresident school district is a union high school  
2           district, pupils who have applied under sub. (3) (a) or (3m) (a) and are currently  
3           attending an underlying elementary school district of the nonresident school district  
4           under this section.

5           **SECTION 2521.** 118.51 (5) (d) of the statutes is renumbered 118.51 (5) (d) 1. and  
6           amended to read:

7           118.51 (5) (d) 1. The school board of a nonresident school district may create  
8           a waiting list of pupils whose applications were rejected under sub. (3) (a) 3. The  
9           nonresident school board may accept pupils from a waiting list created under this  
10          paragraph until the 3rd Thursday in September but only if the pupil will be in  
11          attendance at the school or program in the nonresident school district on the 3rd  
12          Friday in September. Notwithstanding sub. (3) (a) 6., if a pupil is accepted from a  
13          waiting list created under this paragraph after the start of the school term, the  
14          parent shall immediately notify the resident school district of the pupil's intent to  
15          attend school in the nonresident school district for the current school term.

16          3. The department shall promulgate rules to implement and administer this  
17          paragraph.

18          **SECTION 2522.** 118.51 (5) (d) 2. of the statutes is created to read:

19          118.51 (5) (d) 2. A pupil accepted from a waiting list created under this  
20          paragraph may attend the school or program in the nonresident school district even  
21          if the pupil has attended a school or program in the pupil's resident school district  
22          in the current school term, but not if the pupil has attended a school or program in  
23          a nonresident school district in the current school term.

24          **SECTION 2523.** 118.51 (8) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2523**

1           118.51 (8) DISCIPLINARY RECORDS. Notwithstanding s. 118.125, for an  
2 application submitted under sub. (3) (a), by the first Friday following the first  
3 Monday in May, and within 10 days of receiving a copy of an application under sub.  
4 (3m) (c), the resident school board shall provide to the nonresident school board to  
5 which a pupil has applied under this section, ~~upon request by that school board,~~ a  
6 copy of any expulsion findings and orders pertaining to the pupil, a copy of records  
7 of any pending disciplinary proceeding involving the pupil, a written explanation of  
8 the reasons for the expulsion or pending disciplinary proceeding and the length of  
9 the term of the expulsion or the possible outcomes of the pending disciplinary  
10 proceeding.

11           **SECTION 2524.** 118.51 (9) of the statutes is amended to read:

12           118.51 (9) APPEAL OF REJECTION. If the nonresident school board rejects an  
13 application under sub. (3) (a) or (7), the resident school board prohibits a pupil from  
14 attending public school in a nonresident school district under sub. (3m) (d), (6), (7)  
15 or (12) (b) 1., or the nonresident school board prohibits a pupil from attending public  
16 school in the nonresident school district under sub. (11), the pupil's parent may  
17 appeal the decision to the department within 30 days after the decision. If the  
18 nonresident school board provides notice that the special education or related service  
19 is not available under sub. (12) (a), the pupil's parent may appeal the required  
20 transfer to the department within 30 days after receipt of the notice. If the resident  
21 school board provides notice of transfer under sub. (12) (b) 2., the pupil's parent may  
22 appeal the required transfer to the department within 30 days after receipt of the  
23 notice. The department shall affirm the school board's decision unless the  
24 department finds that the decision was arbitrary or unreasonable.

25           **SECTION 2525.** 118.51 (12) (am) of the statutes is created to read:

**ASSEMBLY BILL 40****SECTION 2525**

1           118.51 (12) (am) *Estimate of costs.* 1. The nonresident school district shall  
2           prepare an estimate of the costs to provide the special education or related services  
3           required in the individualized education program developed under s. 115.787 (2) for  
4           a child with a disability whose parent has submitted an application under this  
5           section. For an application submitted for a child with a disability under sub. (3) (a),  
6           the nonresident school district shall provide a copy of the estimate of costs to the  
7           resident school district by the 3rd Friday following the first Monday in May. For an  
8           application submitted for a child with a disability under sub. (3m) (a), the  
9           nonresident school district shall provide a copy of the estimate of costs to the resident  
10          school district within 10 days after receiving or developing the individualized  
11          education program for the applicant.

12          2. Except as provided in subd. 3., if the nonresident school district fails to  
13          comply with the requirement under this section by the date specified, the  
14          nonresident school district may not charge the resident school district for any actual,  
15          additional costs incurred by the nonresident school district to provide the special  
16          education and related services for the child with a disability.

17          3. Subdivision 2. does not apply if the resident school district fails to comply  
18          with the requirements under sub. (3) (a) 1m.

19          **SECTION 2526.** 118.51 (12) (b) 1. of the statutes is amended to read:

20          118.51 (12) (b) 1. If the estimate of the costs of the special education or related  
21          services required in the individualized education program under s. 115.787 (2) for a  
22          child with a disability whose parent has submitted an application under sub. (3) (a),  
23          as proposed to be implemented by the nonresident school district and as provided to  
24          the resident school district as required under par. (am), would impose upon the  
25          child's resident school district an undue financial burden in light of the resident

**ASSEMBLY BILL 40****SECTION 2526**

1 school district's total economic circumstances, including its revenue limit under  
2 subch. VII of ch. 121, its ability to pay tuition costs for the pupil, and the per pupil  
3 special education or related services costs for children with disabilities continuing  
4 to be served by the resident school district, the child's resident school board may  
5 notify the child's parent and the nonresident school board by the ~~first~~ 2nd Friday  
6 following the first Monday in ~~April~~ June that the pupil may not attend the  
7 nonresident school district to which the child has applied.

8 **SECTION 2527.** 118.51 (15) (a) of the statutes is amended to read:

9 118.51 (15) (a) *Application form.* Prepare, distribute to school districts, and  
10 make available to parents an application form to be used by parents under sub. (3)  
11 (a) and an application form to be used by parents under sub. (3m) (a). The form shall  
12 include provisions that permit a parent to apply for transportation reimbursement  
13 under sub. (14) (b). The form shall require an applicant who is applying to attend  
14 a virtual charter school to indicate that he or she is applying to attend a virtual  
15 charter school, the number of virtual charter schools to which he or she is applying,  
16 and whether he or she is a sibling of a pupil currently enrolled in a virtual charter  
17 school through the open enrollment program.

18 **SECTION 2528.** 118.51 (15) (c) of the statutes is renumbered 118.51 (15) (c)  
19 (intro.) and amended to read:

20 118.51 (15) (c) *Annual report.* (intro.) Annually submit a report to the governor,  
21 and to the appropriate standing committees of the legislature under s. 13.172 (3), ~~on~~  
22 the. The report under this paragraph shall include all of the following information:

23 1. The number of pupils who applied to attend public school in a nonresident  
24 school district under this section, the,

25 3. The number of applications denied and the bases for the denials, and the,

**ASSEMBLY BILL 40****SECTION 2528**

1           4. The number of pupils attending public school in a nonresident school district  
2           under this section. The department shall specify, separately, the number of pupils  
3           attending public school in a nonresident school district whose applications were  
4           accepted under subs. (3) (a) 3. and (3m) (c), and, for the applications accepted under  
5           sub. (3m) (c), the number of pupils attending under each of the criteria listed in sub.  
6           (3m) (b).

7           **SECTION 2529.** 118.51 (15) (c) 2. of the statutes is created to read:

8           118.51 (15) (c) 2. The number of applications received under subs. (3) (a) and  
9           (3m) (a) and, for the applications received under sub. (3m) (a), the number of  
10          applications received under each of the criteria listed in sub. (3m) (b).

11          **SECTION 2530.** 118.55 (1) of the statutes is amended to read:

12          118.55 (1) DEFINITION. In this section, “institution of higher education” means  
13          an institution within the University of Wisconsin System, the University of  
14          Wisconsin–Madison, a tribally controlled college or a private, nonprofit institution  
15          of higher education located in this state.

16          **SECTION 2531.** 118.55 (5) (a) of the statutes is amended to read:

17          118.55 (5) (a) If the pupil is attending an institution within the University of  
18          Wisconsin System or the University of Wisconsin–Madison, the actual cost of tuition,  
19          fees, books and other necessary materials directly related to the course.

20          **SECTION 2532.** 118.55 (7r) (a) 4. of the statutes is amended to read:

21          118.55 (7r) (a) 4. The pupil is not a child at risk, ~~as defined in s. 118.153 (1) (a).~~

22          **SECTION 2533.** 119.04 (1) of the statutes is amended to read:

23          119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),  
24          66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,  
25          115.345, ~~115.361~~, 115.365 (3), 115.38 (2), 115.445, ~~115.45~~, 118.001 to 118.04, 118.045,

**ASSEMBLY BILL 40****SECTION 2533**

1 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145 (4),  
2 118.15, ~~118.153~~, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.225,  
3 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.255, 118.258, 118.291, 118.30 to 118.43,  
4 118.46, 118.51, 118.52, 118.55, 120.12 (5) and (15) to (27), 120.125, 120.13 (1), (2) (b)  
5 to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.14, 120.21 (3),  
6 and 120.25 are applicable to a 1st class city school district and board.

7 **SECTION 2534.** 119.18 (6) (intro.) and (b) of the statutes are consolidated,  
8 renumbered 119.18 (6) and amended to read:

9 119.18 (6) SCHOOL CALENDAR. The board may determine the school calendar and  
10 vacation periods for each school year for the regular day schools, summer schools,  
11 social centers, and playgrounds, ~~except that: (b).~~ The board may close any school or  
12 dismiss any class in the event of an emergency, fire or other casualty, quarantine, or  
13 epidemic.

14 **SECTION 2535.** 119.18 (6) (a) of the statutes is repealed.

15 **SECTION 2536.** 119.23 (2) (a) (intro.) of the statutes is amended to read:

16 119.23 (2) (a) (intro.) ~~Subject to par. (b), any~~ Any pupil in grades kindergarten  
17 to 12 who resides within the city may attend, ~~at no charge,~~ any private school located  
18 in the city Milwaukee County if all of the following apply:

19 **SECTION 2537.** 119.23 (2) (a) 1. of the statutes is renumbered 119.23 (2) (a) 1.  
20 a. and amended to read:

21 119.23 (2) (a) 1. a. ~~The~~ Except as provided in subd. 1. b., the pupil is a member  
22 of a family that has a total family income that does not exceed an amount equal to  
23 1.75 times the poverty level determined in accordance with criteria established by  
24 the director of the federal office of management and budget. A pupil attending a  
25 private school under this section whose family income increases may continue to

**ASSEMBLY BILL 40****SECTION 2537**

1 attend a private school under this section if the pupil is a member of a family that  
2 has a total family income that does not exceed an amount equal to 2.2 times the  
3 poverty level determined in accordance with criteria established by the director of  
4 the federal office of management and budget. For purposes of admission to a private  
5 school under this section, siblings of pupils attending a private school under this  
6 section are subject to the higher income limit. If a pupil attending a private school  
7 under this section ceases to attend a private school under this section, the lower  
8 income limit applies unless the pupil is a sibling of a pupil attending a private school  
9 under this section.

10 **SECTION 2538.** 119.23 (2) (a) 1. b. of the statutes is created to read:

11 119.23 (2) (a) 1. b. Beginning in the 2011–12 school year, the family income  
12 limits in subd. 1. a. do not apply if the pupil did not attend a school participating in  
13 the program under this section during the 2010–11 school year.

14 **SECTION 2539.** 119.23 (2) (b) of the statutes is repealed.

15 **SECTION 2540.** 119.23 (3) (a) of the statutes is amended to read:

16 119.23 (3) (a) The pupil or the pupil's parent or guardian shall submit an  
17 application, on a form provided by the state superintendent, to the participating  
18 private school that the pupil wishes to attend. Within 60 days after receiving the  
19 application, the private school shall notify the applicant, in writing, whether the  
20 application has been accepted. If the private school rejects an application, the notice  
21 shall include the reason. The private school shall indicate in its letter of acceptance  
22 the amount of the payment the parent or guardian of the pupil will receive under sub.  
23 (4) and, if applicable, sub. (4m). A private school may reject an applicant only if it  
24 has reached its maximum general capacity or seating capacity. The state  
25 superintendent shall ensure that the private school determines which pupils to

**ASSEMBLY BILL 40****SECTION 2540**

1 accept on a random basis, except that the private school may give preference in  
2 accepting applications to siblings of pupils accepted on a random basis.

3 **SECTION 2541.** 119.23 (3m) of the statutes is created to read:

4 119.23 **(3m)** (a) For a pupil to whom sub. (2) (a) 1. a. applies, whose application  
5 is accepted under sub. (3) (a), and who is a member of a family that has a total family  
6 income that does not exceed an amount equal to 2.2 times the poverty level  
7 determined in accordance with criteria established by the director of the federal  
8 office of management and budget, the private school may not charge or receive any  
9 payment for the pupil other than the payment the school receives under sub. (4) and,  
10 if applicable, sub. (4m).

11 (b) 1. Except as provided in subd. 2., for a pupil to whom sub. (2) (a) 1. b. applies  
12 and whose application is accepted under sub. (3) (a), the private school may, in  
13 addition to the payment it receives for the pupil under sub. (4) and, if applicable, sub.  
14 (4m), charge the pupil tuition and fees in an amount determined by the school.

15 2. The private school may not charge or receive any additional payment for a  
16 pupil to whom sub. (2) (a) 1. b. applies and whose application is accepted under sub.  
17 (3) (a) if the pupil is a member of a family that has a total family income that does  
18 not exceed an amount equal to 3.25 times the poverty level determined in accordance  
19 with criteria established by the director of the federal office of management and  
20 budget.

21 **SECTION 2542.** 119.23 (4) (bg) of the statutes is amended to read:

22 119.23 **(4)** (bg) In the ~~2009–10~~ 2011–12 and ~~2010–11~~ 2012–13 school years,  
23 upon receipt from the pupil's parent or guardian of proof of the pupil's enrollment in  
24 the private school during a school term, the state superintendent shall pay to the  
25 parent or guardian, from the appropriation under s. 20.255 (2) (fu), an amount equal



**ASSEMBLY BILL 40****SECTION 2542**

1 to the private school's operating and debt service cost per pupil that is related to  
2 educational programming, as determined by the department, or \$6,442, whichever  
3 is less.

4 **SECTION 2543.** 119.23 (5) of the statutes is renumbered 119.23 (5) (b).

5 **SECTION 2544.** 119.23 (5) (a) of the statutes is created to read:

6 119.23 (5) (a) A private school participating in the program under this section  
7 shall immediately notify the department of a decision to cease educational  
8 programming operations.

9 **SECTION 2545.** 119.23 (7) (d) 1. of the statutes is renumbered 119.23 (7) (d) 1.  
10 b. and amended to read:

11 119.23 (7) (d) 1. b. A copy of the school's current certificate of occupancy issued  
12 by the city municipality within which the school is located. If the private school  
13 moves to a new location, the private school shall submit a copy of the new certificate  
14 of occupancy issued by the city municipality within which the school is located to the  
15 department before the attendance of pupils at the new location and before the next  
16 succeeding date specified in s. 121.05 (1) (a). A temporary certificate of occupancy  
17 does not meet the requirement of this subdivision.

18 **SECTION 2546.** 119.23 (7) (d) 1. a. of the statutes is created to read:

19 119.23 (7) (d) 1. a. In this subdivision, "municipality" has the meaning given  
20 in s. 5.02 (11).

21 **SECTION 2547.** 119.23 (7) (e) 1. of the statutes is amended to read:

22 119.23 (7) (e) 1. ~~In the 2009–10 school year~~ Annually, each private school  
23 participating in the program under this section shall administer a nationally normed  
24 standardized test in reading, mathematics, and science to pupils attending the  
25 school under the program in the 4th, 8th, and 10th grades. ~~Beginning in the 2010–11~~

**ASSEMBLY BILL 40****SECTION 2547**

1 ~~school year and annually thereafter, each private school participating in the program~~  
2 ~~under this section shall administer the examinations required under s. 118.30 (1s)~~  
3 ~~to pupils attending the school under the program.~~ The private school may administer  
4 additional standardized tests to such pupils. Beginning in 2006 and annually  
5 thereafter until 2011, the private school shall provide the scores of all standardized  
6 tests and examinations that it administers under this subdivision to the School  
7 Choice Demonstration Project.

8 **SECTION 2548.** 119.23 (7) (g) of the statutes is repealed.

9 **SECTION 2549.** 119.23 (7m) of the statutes is created to read:

10 119.23 **(7m)** (a) Evidence of any of the following circumstances may indicate  
11 that a private school participating in the program under this section does not utilize  
12 sound fiscal practices, is not financially viable, or does not have the financial ability  
13 to continue educational programming operations:

14 1. The private school's budget and statement of cash flows reveal that the  
15 private school has inadequate revenues and other financial resources to fund current  
16 operations.

17 2. The audit opinion statement submitted by the private school as required  
18 under sub. (7) (am) 1. contains a qualification as to the private school's ability to  
19 continue as a going concern.

20 3. The private school failed to make a payment to a vendor for services provided  
21 to the private school or to an employee or other individual for expenses incurred on  
22 behalf of the private school within 90 days of receipt of invoice or payment request  
23 or as per written agreement, or has failed to make payments to an employee  
24 pursuant to a written document specifying compensation and dates for payment, as  
25 indicated in a written communication from the vendor, employee, or other individual.

**ASSEMBLY BILL 40****SECTION 2549**

1           4. The private school failed to make a filing with or withholding payment to the  
2 federal Internal Revenue Service, the Wisconsin department of revenue, or the  
3 Wisconsin department of workforce development as indicated in a written  
4 communication from one of these agencies.

5           5. An audit, required of the private school by a federal or state agency or local  
6 governmental unit and provided to the department of public instruction in  
7 compliance with reporting requirements promulgated by the department pursuant  
8 to sub. (11), contained questioned costs or findings related to compliance that may  
9 affect the private school's ability to continue.

10          6. The private school failed to refund to the department the amount of any  
11 overpayment made to the private school under sub. (4) (b) or (bg) or (4m), or the  
12 amount of any payment made to the private school for a pupil ineligible to attend the  
13 private school under this section.

14           (b) If the department determines that any of the circumstances under par. (a)  
15 applies to a private school, the private school shall, upon written request, provide to  
16 the department any information required by the department, including an audit of  
17 the private school's financial statements in accordance with generally accepted  
18 accounting principles, to permit the department to determine whether the private  
19 school is utilizing sound fiscal practices, is financially viable, or is financially able  
20 to continue educational programming operations.

21           **SECTION 2550.** 119.23 (11) of the statutes is renumbered 119.23 (11) (intro.) and  
22 amended to read:

23           119.23 (11) The department shall promulgate do all of the following:

24           (a) Promulgate rules to implement and administer this section.

25           **SECTION 2551.** 119.23 (11) (b) of the statutes is created to read:

**ASSEMBLY BILL 40****SECTION 2551**

1           119.23 **(11)** (b) Notify each private school participating in the program under  
2 this section and the parents and guardians of each pupil attending a private school  
3 under 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~~ 490.04 as managing underwriter of the  
16 notes or to engage a minority financial adviser certified under s. ~~560.036~~ 490.04 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~~ 490.04 as managing underwriters for at

**ASSEMBLY BILL 40****SECTION 2554**

1 least 50% of the total amount financed by the notes and of engaging a minority  
2 financial adviser certified under s. 560.036 490.04 to advise the city regarding any  
3 public sale of the notes.

4 **SECTION 2555.** 120.12 (3) (a), (b) and (c) of the statutes are amended to read:

5 120.12 (3) (a) ~~On~~ Annually on or before November 1, determine the amount  
6 necessary to be raised to operate and maintain the schools of the school district and  
7 public library facilities operated by the school district under s. 43.52, if the annual  
8 meeting has not voted a tax sufficient for such purposes for the school year. ~~On~~  
9 Annually on or before November 6, or, in those years in which a November general  
10 election is held, the 7th calendar day after the day of the general election, the school  
11 district clerk shall certify the appropriate amount so determined to each appropriate  
12 municipal clerk who shall assess the amount certified and enter it on the tax rolls  
13 as other school district taxes are assessed and entered.

14 (b) If a tax sufficient to operate and maintain the schools of a school district for  
15 the ensuing school year has not been determined, certified and levied prior to the  
16 effective date of school district reorganization under ch. 117 affecting any territory  
17 of the school district, the school board of the affected school district shall determine,  
18 on or before the November 1 following the effective date of the reorganization, the  
19 amount of deficiency in operation and maintenance funds on the effective date of the  
20 reorganization which should have been paid by the property in the affected school  
21 district if the tax had been determined, certified and assessed prior to the effective  
22 date of the reorganization. ~~On or before November 6,~~ or, in those years in which a  
23 November general election is held, the 7th calendar day after the day of the general  
24 election, the school district clerk shall certify the appropriate amount to each  
25 appropriate municipal clerk who shall assess, enter and collect the amount as a

**ASSEMBLY BILL 40****SECTION 2555**

1 special tax on the property. This paragraph does not affect the apportionment of  
2 assets and liabilities under s. 66.0235.

3 (c) If on or before November 1 the school board determines that the annual  
4 meeting has voted a tax greater than that needed to operate the schools of the school  
5 district for the school year, the school board may lower the tax voted by the annual  
6 meeting. On or before November 6, or, in those years in which a November general  
7 election is held, the 7th calendar day after the day of the general election, the school  
8 district clerk shall certify the appropriate amount so determined to each appropriate  
9 municipal clerk who shall assess the amount certified to him or her and enter it on  
10 the tax rolls in lieu of the amount previously reported.

11 **SECTION 2556.** 120.12 (15) of the statutes is amended to read:

12 120.12 (15) SCHOOL HOURS. Establish rules scheduling the hours of a normal  
13 school day. The school board may differentiate between the various elementary and  
14 high school grades in scheduling the school day. ~~The equivalent of 180 such days, as~~  
15 ~~defined in s. 115.01 (10), shall be held during the school term.~~ This subsection shall  
16 not be construed to eliminate a school district's duty to bargain with the employee's  
17 collective bargaining representative over any calendaring proposal which is  
18 primarily related to wages, hours, and conditions of employment.

19 **SECTION 2557.** 120.12 (27) (a) and (b) of the statutes are amended to read:

20 120.12 (27) (a) Within 24 hours of a school being closed for a reason specified  
21 in s. 115.01 (10) ~~(a) 2. or 3.~~ (b) or (c) or by the department of health services under  
22 s. 252.02 (3), notify the department. The notice shall include the reason for the  
23 closure.

24 (b) Within 24 hours of reopening a school that was closed for a reason specified  
25 in s. 115.01 (10) ~~(a) 2. or 3.~~ (b) or (c) or by the department of health services under

**ASSEMBLY BILL 40****SECTION 2557**

1 s. 252.02 (3), notify the department that the school has reopened. In the notice, the  
2 school board shall include the number of days the school was closed.

3 **SECTION 2558.** 120.13 (2) (g) of the statutes is amended to read:

4 120.13 (2) (g) Every self-insured plan under par. (b) shall comply with ss.  
5 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3),  
6 632.798, 632.85, 632.853, 632.855, 632.87 (4), (5), and (6), 632.885, 632.89, 632.895  
7 (9) to ~~(17)~~ (16m), 632.896, and 767.513 (4).

8 **SECTION 2559.** 120.17 (8) (a) of the statutes is amended to read:

9 120.17 (8) (a) Annually on or before November 6, or, in those years in which a  
10 November general election is held, the 7th calendar day after the day of the general  
11 election, deliver to the clerk of each municipality having territory within the school  
12 district a certified statement showing that proportion of the amount of taxes voted  
13 and not before reported, and that proportion of the amount of tax to be collected in  
14 such year, if any, for the annual payment of any loan to be assessed on that part of  
15 the school district territory lying within the municipality. Such proportion shall be  
16 determined from the full values certified to the school district clerk under s. 121.06  
17 (2).

18 **SECTION 2560.** 121.004 (7) (c) 1. b. of the statutes is amended to read:

19 121.004 (7) (c) 1. b. A pupil enrolled in a 5-year-old kindergarten program  
20 requiring full-day attendance for less than 5 days a week for an entire school year  
21 term shall be counted as the result obtained by multiplying the number of hours in  
22 each day in which the pupil is enrolled by the total number of days for which the pupil  
23 is enrolled, and dividing the result by the ~~product of the~~ total number of hours of  
24 attendance ~~per day~~ required of first grade pupils in the school district ~~multiplied by~~  
25 ~~180~~.

**ASSEMBLY BILL 40****SECTION 2561**

1           **SECTION 2561.** 121.004 (7) (cm) of the statutes is amended to read:

2           121.004 (7) (cm) A pupil enrolled in a 4-year-old kindergarten program,  
3 including a 4-year-old kindergarten program being phased in under s. 118.14 (3) (b),  
4 that provides the required number of hours of direct pupil instruction under s. 121.02  
5 (1) (f) ~~2.~~ shall be counted as 0.6 pupil if the program annually provides at least 87.5  
6 additional hours of outreach activities.

7           **SECTION 2562.** 121.006 (2) (a) of the statutes is renumbered 121.006 (2) (a)  
8 (intro.) and amended to read:

9           121.006 (2) (a) (intro.) Hold school for at least 180 days each year the minimum  
10 number of hours of direct pupil instruction required for the grade in which a pupil  
11 is enrolled as specified in s. 121.02 (1) (f), less any days of the following:

12           1. Hours during which the state superintendent determines that school is not  
13 held or educational standards are not maintained as the result of a strike by school  
14 district employees, ~~the days to be computed in accordance with s. 115.01 (10).~~

15           **SECTION 2563.** 121.006 (2) (a) 2. of the statutes is created to read:

16           121.006 (2) (a) 2. Hours during which school is closed by order of the school  
17 district administrator because of inclement weather and hours during which  
18 parent-teacher conferences are held, not to exceed 35 hours during the school term.

19           **SECTION 2564.** 121.006 (2) (a) 3. of the statutes is created to read:

20           121.006 (2) (a) 3. Hours during which school is closed by order of a local health  
21 officer, as defined in s. 250.01 (5), or the department of health services.

22           **SECTION 2565.** 121.006 (2) (a) 4. of the statutes is created to read:

23           121.006 (2) (a) 4. Hours during which school is closed by order of the school  
24 district administrator because of a threat to the health or safety of pupils or school  
25 personnel, but not including inclement weather, unless the school board determines



**ASSEMBLY BILL 40****SECTION 2565**

1 that the hours will not count as hours of direct pupil instruction for purposes of s.  
2 121.02 (1) (f).

3 **SECTION 2566.** 121.007 of the statutes is amended to read:

4 **121.007 Use of state aid; exemption from execution.** All moneys paid to  
5 a school district under s. 20.255 (2) (ac), ~~(be)~~, (cg), and (cr), shall be used by the school  
6 district solely for the purposes for which paid. Such moneys are exempt from  
7 execution, attachment, garnishment, or other process in favor of creditors, except as  
8 to claims for salaries or wages of teachers and other school employees and as to  
9 claims for school materials, supplies, fuel, and current repairs.

10 **SECTION 2567.** 121.02 (1) (a) 2. of the statutes is amended to read:

11 121.02 (1) (a) 2. Subject to s. 118.40 (2r) (d) 1. and (8) (b) 2., ensure that all  
12 instructional staff of charter schools located in the school district hold a license or  
13 permit to teach issued by the department. For purposes of this subdivision, a virtual  
14 charter school is located in the school district specified in s. 118.40 (8) (a) and a  
15 charter school established under s. 118.40 (3) (c) 1. c. is located in the school district  
16 specified in s. 118.40 (3) (c) 1. c. The state superintendent shall promulgate rules  
17 defining “instructional staff” for purposes of this subdivision.

18 **SECTION 2568.** 121.02 (1) (f) 1. of the statutes is repealed.

19 **SECTION 2569.** 121.02 (1) (f) 2. of the statutes is renumbered 121.02 (1) (f) and  
20 amended to read:

21 121.02 (1) (f) Annually, schedule at least 437 hours of direct pupil instruction  
22 in kindergarten, at least 1,050 hours of direct pupil instruction in grades 1 to 6 and  
23 at least 1,137 hours of direct pupil instruction in grades 7 to 12. Scheduled hours  
24 under this subdivision paragraph include recess and time for pupils to transfer  
25 between classes but do not include the lunch period. Scheduled hours under this

**ASSEMBLY BILL 40****SECTION 2569**

1 paragraph may include up to 35 hours on Saturdays. A school board operating a  
2 4-year-old kindergarten program may use up to 87.5 of the scheduled hours for  
3 outreach activities.

4 **SECTION 2570.** 121.02 (1) (n) of the statutes is repealed.

5 **SECTION 2571.** 121.08 (4) (a) 1. of the statutes is amended to read:

6 121.08 (4) (a) 1. ~~In the 2009–10 and 2010–11 school year, add~~ Add the amounts  
7 paid under s. 118.40 (2r) in the current school year, ~~and in the 2011–12 school year~~  
8 ~~and each school year thereafter, add the amounts paid under s. 118.40 (2r) in the~~  
9 ~~2010–11 school year.~~

10 **SECTION 2572.** 121.23 (2) (intro.) of the statutes is amended to read:

11 121.23 (2) (intro.) If a school district ~~holds less than 180 days of school~~ fails to  
12 provide the number of hours of direct pupil instruction specified under s. 121.02 (1)  
13 (f) as the result of a strike by school district employees, for the purposes of computing  
14 general aid, the state superintendent shall compute the school district's primary and  
15 secondary ceiling costs per member in accordance with the procedure specified in  
16 pars. (a) to (e). In making the calculation, the state superintendent shall:

17 **SECTION 2573.** 121.55 (3) (b) of the statutes is amended to read:

18 121.55 (3) (b) Except as provided in par. (c), if 2 or more pupils reside in the  
19 same household and attend the same private school, the contract under par. (a) may,  
20 at the discretion of the school board ~~of the school district operating under ch. 119,~~  
21 provide for a total annual payment for all such pupils of not less than \$5 times the  
22 distance in miles between the pupils' residence and the private school they attend,  
23 or the school district's average cost per pupil for bus transportation in the previous  
24 year exclusive of transportation for kindergarten pupils during the noon hour and  
25 for pupils with disabilities, whichever is greater.

**ASSEMBLY BILL 40****SECTION 2574**

1           **SECTION 2574.** 121.905 (1) of the statutes is amended to read:

2           121.905 (1) In this section, “revenue ceiling” means ~~\$9,000 in the 2009–10~~  
3 ~~school year and in the 2010–11 school year and \$9,800~~ \$8,900 in the 2011–12 school  
4 year and in any subsequent school year.

5           **SECTION 2575.** 121.905 (3) (c) 3r. of the statutes is repealed.

6           **SECTION 2576.** 121.905 (3) (c) 4. of the statutes is repealed.

7           **SECTION 2577.** 121.91 (2m) (e) (intro.) of the statutes is amended to read:

8           121.91 (2m) (e) (intro.) Except as provided in subs. (3), and (4), ~~and (8)~~, no  
9 school district may increase its revenues for the 2008–09 school year to an amount  
10 that exceeds the amount calculated as follows:

11           **SECTION 2578.** 121.91 (2m) (f) (intro.) of the statutes is amended to read:

12           121.91 (2m) (f) (intro.) Except as provided in subs. (3), and (4), ~~and (8)~~, no school  
13 district may increase its revenues for the 2009–10 school year or for the 2010–11  
14 school year to an amount that exceeds the amount calculated as follows:

15           **SECTION 2579.** 121.91 (2m) (g) (intro.) of the statutes is amended to read:

16           121.91 (2m) (g) (intro.) Except as provided in subs. (3), and (4), ~~and (8)~~, no  
17 school district may increase its revenues for the 2011–12 school year to an amount  
18 that exceeds the amount calculated as follows:

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.~~ 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:

**ASSEMBLY BILL 40****SECTION 2583**

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), and (4), ~~and~~ (8), no  
5 school district may increase its revenues for the 2012–13 school year ~~or for any school~~  
6 ~~year 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 2586.** 121.91 (2m) (h) 3. of the statutes is repealed.

9           **SECTION 2587.** 121.91 (2m) (h) 4. of the statutes is amended to read:

10          121.91 **(2m)** (h) 4. Multiply the result under subd. ~~3.~~ 1. by the average of the  
11 number of pupils enrolled in the current and the 2 preceding school years.

12          **SECTION 2588.** 121.91 (2m) (r) 1. b. of the statutes is repealed.

13          **SECTION 2589.** 121.91 (2m) (r) 1. c. of the statutes is amended to read:

14          121.91 **(2m)** (r) 1. c. Multiply the result under subd. 1. ~~b.~~ a. by the number of  
15 pupils who in the previous school year were enrolled in a school district from which  
16 territory was detached to create the new school district and who resided in the  
17 detached territory, or by the number of pupils enrolled in the new school district in  
18 the current school year, whichever is greater.

19          **SECTION 2590.** 121.91 (2m) (r) 1. d. of the statutes is created to read:

20          121.91 **(2m)** (r) 1. d. In the 2011–12 school year, multiply the result under subd.  
21 1. c. by 0.055. In the 2012–13 school year, multiply the result under subd. 1. c. by 1.0.

22          **SECTION 2591.** 121.91 (2m) (r) 1. e. of the statutes is created to read:

23          121.91 **(2m)** (r) 1. e. Subtract the product of subd. 1. d. from the result under  
24 subd. 1. c.

25          **SECTION 2592.** 121.91 (2m) (s) 1. b. of the statutes is repealed.

**ASSEMBLY BILL 40****SECTION 2593**

1           **SECTION 2593.** 121.91 (2m) (s) 1. c. of the statutes is amended to read:

2           121.91 **(2m)** (s) 1. c. Multiply the result under subd. 1. ~~b.~~ a. by the number of  
3 pupils who in the previous school year were enrolled in the school district and who  
4 did not reside in the detached territory, or by the number of pupils enrolled in the  
5 school district in the current school year, whichever is greater.

6           **SECTION 2594.** 121.91 (2m) (s) 1. d. of the statutes is created to read:

7           121.91 **(2m)** (s) 1. d. In the 2011–12 school year, multiply the result under subd.  
8 1. c. by 0.055. In the 2012–13 school year, multiply the result under subd. 1. c. by 1.0.

9           **SECTION 2595.** 121.91 (2m) (s) 1. e. of the statutes is created to read:

10          121.91 **(2m)** (s) 1. e. Subtract the product of subd. 1. d. from the result under  
11 subd. 1. c.

12          **SECTION 2596.** 121.91 (2m) (t) 1. (intro.) of the statutes is amended to read:

13          121.91 **(2m)** (t) 1. (intro.) If 2 or more school districts are consolidated under  
14 s. 117.08 or 117.09, except as follows, in the 2011–12 school year, the consolidated  
15 school district's revenue limit shall be determined as provided under par. (e) except  
16 as follows (g) and in the 2012–13 school year, the consolidated school district's  
17 revenue limit shall be determined as provided under par. (h):

18          **SECTION 2597.** 121.91 (4) (d) of the statutes is repealed.

19          **SECTION 2598.** 121.91 (4) (L) of the statutes is repealed.

20          **SECTION 2599.** 121.91 (4) (m) of the statutes is repealed.

21          **SECTION 2600.** 121.91 (4) (n) of the statutes is repealed.

22          **SECTION 2601.** 121.91 (4) (p) of the statutes is created to read:

23          121.91 **(4)** (p) The limit otherwise applicable to a school district under sub. (2m)  
24 in any school year is increased by the amount of any reduction to that school district's  
25 state aid payment made under s. 118.51 (16) (b) 2. and (c) in the previous school year

**ASSEMBLY BILL 40****SECTION 2601**

1 for a pupil who was not included in the calculation of the number of pupils enrolled  
2 in that school district in the previous school year.

3 **SECTION 2602.** 121.91 (7) of the statutes is amended to read:

4 121.91 (7) Except as provided in sub. (4) (f) 2. and (L) to (o) ~~and (8)~~, if an excess  
5 revenue is approved under sub. (3) for a recurring purpose or allowed under sub. (4),  
6 the excess revenue shall be included in the base for determining the limit for the next  
7 school year for purposes of this section. If an excess revenue is approved under sub.  
8 (3) for a nonrecurring purpose, the excess revenue shall not be included in the base  
9 for determining the limit for the next school year for purposes of this section.

10 **SECTION 2603.** 121.91 (8) of the statutes is repealed.

11 **SECTION 2604.** 125.02 (3m) of the statutes is amended to read:

12 125.02 (3m) “Campus” has the meaning given under s. 36.05 (3) and s. 37.01  
13 (4).

14 **SECTION 2605.** 132.001 (1m) of the statutes is created to read:

15 132.001 (1m) “Department” means the department of financial institutions.

16 **SECTION 2606.** 132.01 (1) of the statutes is amended to read:

17 132.01 (1) Any person, firm, partnership, corporation, association, or union of  
18 workingmen, which has heretofore adopted or used or shall hereafter adopt or use  
19 any mark for the purpose of designating, making known, or distinguishing any  
20 goods, wares, merchandise, service, business, or other product of labor or  
21 manufacture as having been made, manufactured, produced, prepared, packed, or  
22 put on sale by such person, firm, partnership, corporation, association, or union of  
23 workingmen, or by a member or members thereof, he, she, or they, if residents of this  
24 or any other state of the United States, and such foreign corporations as may have  
25 been duly licensed to transact business in the state of Wisconsin, may file an original,

**ASSEMBLY BILL 40****SECTION 2606**

1 a copy, or photographs, or cuts with specifications of the same for record ~~in the office~~  
2 ~~of the secretary of state~~ with the department, by leaving 2 such originals, copies,  
3 photographs, or cuts with specifications, the same being counterparts, facsimiles, or  
4 drawings thereof, with ~~said secretary~~ the department and by filing therewith a  
5 sworn statement, in such form as may be prescribed by the ~~secretary of state~~  
6 department, specifying the name of the person, firm, partnership, corporation,  
7 association, or union of workingmen, on whose behalf such mark is to be filed, the  
8 class of merchandise and a separate description of the goods to which the same has  
9 been or is intended to be appropriated, the residence, location, or place of business  
10 of such party, that the party, on whose behalf such mark is to be filed, has the right  
11 to the use of the same, and that no other person, or persons, firm, partnership,  
12 corporation, association, or union of workingmen has such right either in the  
13 identical form or in any such near resemblance thereto as may be calculated to  
14 deceive, and that the originals, copies, photographs, or cuts, counterparts,  
15 facsimiles, or drawings filed therewith are correct.

16 **SECTION 2607.** 132.01 (3) of the statutes is amended to read:

17 132.01 (3) For an original or renewal registration, or the recording of an  
18 assignment, there shall be paid to the ~~secretary of state~~ department the fee of \$15.

19 **SECTION 2608.** 132.01 (5) of the statutes is amended to read:

20 132.01 (5) The ~~secretary of state~~ department may not register any mark which  
21 consists of or comprises a replica or simulation of the flag, coat of arms, or insignia  
22 of the United States of America, or of any state or municipality or any foreign nation.

23 **SECTION 2609.** 132.01 (6) of the statutes is amended to read:

24 132.01 (6) (a) A registration recorded or renewed under this section or s. 132.04  
25 or 132.11 before May 1, 1990, is effective for 20 years. A registration may be renewed

**ASSEMBLY BILL 40****SECTION 2609**

1 on or after May 1, 1990, for 10-year periods upon application to the ~~secretary of state~~  
2 department and payment of the same fee required for a registration. Application for  
3 renewal shall be made within 6 months before the expiration of the 20-year  
4 registration period or 10-year renewal period specified in this paragraph.

5 (b) A registration recorded under this section or s. 132.04 or 132.11 on or after  
6 May 1, 1990, is effective for 10 years. A registration may be renewed for 10-year  
7 periods upon application to the ~~secretary of state~~ department and payment of the  
8 same fee required for a registration. Application for renewal shall be made within  
9 6 months before the expiration of the 10-year period specified in this paragraph.

10 **SECTION 2610.** 132.01 (7) (intro.) of the statutes is amended to read:

11 132.01 (7) (intro.) The ~~secretary of state~~ department shall do all of the  
12 following:

13 **SECTION 2611.** 132.01 (7) (b) of the statutes is amended to read:

14 132.01 (7) (b) Cancel from his or her register a registration of a mark under this  
15 section upon the request of the registrant of the mark. The ~~secretary of state~~  
16 department may not charge a fee for canceling a registration under this paragraph.

17 **SECTION 2612.** 132.01 (8) of the statutes is amended to read:

18 132.01 (8) Any person, firm, partnership, corporation, association or union who  
19 claims a right to the use of subject matter conflicting with any registration by another  
20 may bring action against such other in the circuit court for the county in which such  
21 other resides, or in the circuit court for Dane County, and in any such action the right  
22 to the use and registration of such subject matter shall be determined as between the  
23 parties, and registration shall be granted or withheld or canceled by the ~~secretary~~  
24 of state department in accordance with the final judgment in any such action.  
25 Nonuser for a period of at least 2 years continuing to the date of commencement of



**ASSEMBLY BILL 40****SECTION 2612**

1 any action in which abandonment is in issue shall be prima facie evidence of  
2 abandonment to the extent of such nonuser.

3 **SECTION 2613.** 132.01 (9) of the statutes is amended to read:

4 132.01 (9) Title to any registration hereunder shall pass to any person, firm or  
5 corporation succeeding to the registrant's business to which such registration  
6 pertains. Written assignments of any such registration from a registrant to such a  
7 successor may be filed with and shall be recorded by the ~~secretary of state~~  
8 department upon payment of the fee specified in sub. (3). When such assignment is  
9 recorded, a new registration shall be entered in the name of the assignee, and on such  
10 registration and any subsequent certificates or registration of an assigned  
11 registration the ~~secretary of state~~ department shall show the previous ownership  
12 and dates of assignment thereof.

13 **SECTION 2614.** 132.031 of the statutes is amended to read:

14 **132.031 Certificate; evidence.** The ~~secretary of state~~ department shall  
15 deliver to the person, corporation, association or union so filing or causing to be filed  
16 any such mark, or any assignment of such subject matter previously registered, or  
17 to any person, corporation, association or union renewing a registration, as many  
18 duly attested certificates of the registration or renewal of the same as may be desired.  
19 Any such certificate shall, in all suits and prosecutions arising out of or depending  
20 upon any rights claimed under such mark, be prima facie evidence of the adoption  
21 thereof and of the facts prerequisite to registrations thereof as required by s. 132.01.

22 **SECTION 2615.** 132.04 (1) of the statutes is amended to read:

23 132.04 (1) Any person who is the owner of cans, tubs, firkins, boxes, bottles,  
24 casks, barrels, kegs, cartons, tanks, fountains, vessels or containers with his or her  
25 names, brands, designs, trademarks, devices or other marks of ownership stamped,

**ASSEMBLY BILL 40****SECTION 2615**

1 impressed, labeled, blown in or otherwise marked thereon, may file with the  
2 ~~secretary of state~~ department and record with the register of deeds of any county in  
3 which the person has his or her principal place of business, a written statement or  
4 description verified by affidavit of the owner or his or her agent, of the names, brands,  
5 designs, trademarks, devices or other marks of ownership used by him or her, and  
6 of the articles upon which they are used, or if the principal place of business is outside  
7 the state, then a written statement or verified description may be recorded with the  
8 register of deeds of any county. The statement shall be published as a class 3 notice,  
9 under ch. 985, in the county, and a copy of the publication, proved as provided in s.  
10 985.12, shall also be filed with the ~~secretary of state~~ department and recorded with  
11 the register of deeds.

12 **SECTION 2616.** 132.04 (2) of the statutes is amended to read:

13 132.04 (2) All such written statements or descriptions and all such certificates  
14 of publication so filed or recorded shall be subject at all reasonable hours to public  
15 inspection. The ~~secretary of state~~ department and the register of deeds shall deliver  
16 to all applicants certified copies of all such written statements or descriptions or  
17 names, brands, designs, trademarks, devices, or other marks of ownership and of all  
18 certificates of publication filed or recorded with them and such certified copies shall  
19 be admissible in evidence in all prosecutions under ss. 132.04 to 132.08, and shall be  
20 prima facie evidence that this section has been complied with, and of the title of the  
21 owner named therein to the property upon which the name, brand, design,  
22 trademark, device, or other marks of ownership of the owner appear as described  
23 therein.

24 **SECTION 2617.** 132.04 (3) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2617**

1           132.04 (3) The ~~secretary of state~~ department shall receive a fee of \$15 and the  
2 register of deeds shall receive the fee specified in s. 59.43 (2) (ag) or (e) for each  
3 statement and certificate of publication filed or recorded and shall also receive the  
4 fee specified in s. 59.43 (2) (b) for each certified copy of such statement and certificate  
5 of publication, to be paid for by the person filing, recording or applying for the same.

6           **SECTION 2618.** 132.04 (4) of the statutes is amended to read:

7           132.04 (4) (a) The ~~secretary of state~~ department and register of deeds shall  
8 cancel a statement or description under this section upon the request of the person  
9 named in the records of the ~~secretary of state~~ department or register of deeds as the  
10 owner of marks of ownership described in the statement or description.

11           (b) The ~~secretary of state~~ department and register of deeds may not charge a  
12 fee for canceling a statement or description under par. (a).

13           **SECTION 2619.** 132.11 (1) (intro.) of the statutes is amended to read:

14           132.11 (1) (intro.) The ~~secretary of state~~ department shall do all of the  
15 following:

16           **SECTION 2620.** 132.11 (1) (c) of the statutes is amended to read:

17           132.11 (1) (c) Cancel the description of a name, brand or trademark recorded  
18 under par. (a) upon the request of the person, firm or corporation named in the  
19 records of the ~~secretary of state~~ department as the owner of the name, brand or  
20 trademark. The ~~secretary of state~~ department may not charge a fee for canceling a  
21 description under this paragraph.

22           **SECTION 2621.** 132.16 (1m) of the statutes is amended to read:

23           132.16 (1m) Any organization may register, ~~in the office of the secretary of~~  
24 ~~state,~~ with the department a facsimile, duplicate, or description of any of the

**ASSEMBLY BILL 40****SECTION 2621**

1 organization's identifying information and may, by reregistration, alter or cancel the  
2 organization's identifying information.

3 **SECTION 2622.** 132.16 (2) of the statutes is amended to read:

4 132.16 (2) Application for registration or reregistration under sub. (1m) shall  
5 be made by the organization's chief officer or officers upon forms provided by the  
6 ~~secretary of state~~ department. The registration shall be for the use, benefit, and on  
7 behalf of the organization and the organization's current and future individual  
8 members throughout this state.

9 **SECTION 2623.** 132.16 (3) of the statutes is amended to read:

10 132.16 (3) The ~~secretary of state~~ department shall keep a properly indexed file  
11 of all registrations under this section, which shall also show any alterations or  
12 cancelations by reregistration.

13 **SECTION 2624.** 132.16 (5) of the statutes is amended to read:

14 132.16 (5) Upon granting registration under this section, the ~~secretary of state~~  
15 department shall issue ~~his or her~~ a certificate to the petitioners, setting forth the fact  
16 of the registration.

17 **SECTION 2625.** 132.16 (6) of the statutes is amended to read:

18 132.16 (6) The fees of the ~~secretary of state~~ department for registration or  
19 reregistration under this section, searches made by the ~~secretary of state~~  
20 department, and certificates issued by the ~~secretary of state~~ department under this  
21 section, shall be the same as provided by law for similar services. The fees collected  
22 under this section shall be paid by the ~~secretary of state~~ department into the state  
23 treasury.

24 **SECTION 2626.** 137.01 (1) (a) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2626**

1           137.01 (1) (a) The governor shall appoint notaries public who shall be United  
2 States residents and at least 18 years of age. Applicants who are not attorneys shall  
3 file an application with the ~~secretary of state~~ department of financial institutions  
4 and pay a \$20 fee.

5           **SECTION 2627.** 137.01 (1) (b) of the statutes is amended to read:

6           137.01 (1) (b) The secretary of state financial institutions shall satisfy himself  
7 or herself that the applicant has the equivalent of an 8th grade education, is familiar  
8 with the duties and responsibilities of a notary public and, subject to ss. 111.321,  
9 111.322 and 111.335, does not have an arrest or conviction record.

10          **SECTION 2628.** 137.01 (1) (d) of the statutes is amended to read:

11          137.01 (1) (d) Qualified applicants shall be notified by the ~~secretary of state~~  
12 department of financial institutions to take and file the official oath and execute and  
13 file an official bond in the sum of \$500, with a surety executed by a surety company  
14 and approved by the secretary of state financial institutions.

15          **SECTION 2629.** 137.01 (1) (e) of the statutes is amended to read:

16          137.01 (1) (e) The qualified applicant shall file his or her signature, post-office  
17 address and an impression of his or her official seal, or imprint of his or her official  
18 rubber stamp with the ~~secretary of state~~ department of financial institutions.

19          **SECTION 2630.** 137.01 (1) (g) of the statutes is amended to read:

20          137.01 (1) (g) At least 30 days before the expiration of a commission the  
21 ~~secretary of state~~ department of financial institutions shall mail notice of the  
22 expiration date to the holder of a commission.

23          **SECTION 2631.** 137.01 (2) (a) of the statutes is amended to read:

24          137.01 (2) (a) Except as provided in par. (am), any United States resident who  
25 is licensed to practice law in this state is entitled to a permanent commission as a

**ASSEMBLY BILL 40****SECTION 2631**

1 notary public upon application to the ~~secretary of state~~ department of financial  
2 institutions and payment of a \$50 fee. The application shall include a certificate of  
3 good standing from the supreme court, the signature and post-office address of the  
4 applicant and an impression of the applicant's official seal, or imprint of the  
5 applicant's official rubber stamp.

6 **SECTION 2632.** 137.01 (2) (am) of the statutes is amended to read:

7 137.01 (2) (am) If a United States resident has his or her license to practice law  
8 in this state suspended or revoked, upon reinstatement of his or her license to  
9 practice law in this state, the person may be entitled to receive a certificate of  
10 appointment as a notary public for a term of 4 years. An eligible notary appointed  
11 under this paragraph is entitled to reappointment for 4-year increments. At least  
12 30 days before the expiration of a commission under this paragraph the ~~secretary of~~  
13 ~~state~~ department of financial institutions shall mail notice of the expiration date to  
14 the holder of the commission.

15 **SECTION 2633.** 137.01 (2) (b) of the statutes is amended to read:

16 137.01 (2) (b) The secretary of state financial institutions shall issue a  
17 certificate of appointment as a notary public to persons who qualify under the  
18 requirements of this subsection. The certificate shall state that the notary  
19 commission is permanent or is for 4 years.

20 **SECTION 2634.** 137.01 (2) (c) of the statutes is amended to read:

21 137.01 (2) (c) The supreme court shall file with the ~~secretary of state~~  
22 department of financial institutions notice of the surrender, suspension or revocation  
23 of the license to practice law of any attorney who holds a permanent commission as  
24 a notary public. Such notice shall be deemed a revocation of said commission.

25 **SECTION 2635.** 137.01 (6) (a) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2635**

1           137.01 **(6)** (a) The secretary of state financial institutions may certify to the  
2 official qualifications of any notary public and to the genuineness of the notary  
3 public's signature and seal or rubber stamp.

4           **SECTION 2636.** 137.01 (6m) of the statutes is amended to read:

5           137.01 **(6m)** CHANGE OF RESIDENCE. A notary public does not vacate his or her  
6 office by reason of his or her change of residence within the United States. Written  
7 notice of any change of address shall be given to the ~~secretary of state~~ department  
8 of financial institutions within 10 days of the change.

9           **SECTION 2637.** 137.01 (7) of the statutes is amended to read:

10           137.01 **(7)** OFFICIAL RECORDS TO BE FILED. When any notary public ceases to hold  
11 office, the notary public, or in case of the notary public's death the notary public's  
12 personal representative, shall deposit the notary public's official records and papers  
13 ~~in the office of the secretary of state~~ with the department of financial institutions.  
14 If the notary or personal representative, after the records and papers come to his or  
15 her hands, neglects for 3 months to deposit them, he or she shall forfeit not less than  
16 \$50 nor more than \$500. If any person knowingly destroys, defaces, or conceals any  
17 records or papers of any notary public, the person shall forfeit not less than \$50 nor  
18 more than \$500, and shall be liable for all damages resulting to the party injured.  
19 The ~~secretary of state~~ department of financial institutions shall receive and safely  
20 keep all such papers and records.

21           **SECTION 2638.** 145.01 (4) of the statutes is amended to read:

22           145.01 **(4)** DEPARTMENT. "Department" means the department of ~~commerce~~  
23 safety and professional services.

24           **SECTION 2639.** 145.02 (4) (a) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2639**

1           145.02 (4) (a) The department shall prescribe rules as to the qualifications,  
2 examination and licensing of master and journeyman plumbers and restricted  
3 plumber licensees, for the licensing of utility contractors, for the registration of  
4 plumbing apprentices and pipe layers and for the registration and training of  
5 registered learners. The plumbers council, created under s. ~~15.157 (6)~~ 15.407 (16),  
6 shall advise the department in formulating the rules.

7           **SECTION 2640.** 145.17 (2) of the statutes is amended to read:

8           145.17 (2) The department shall prescribe rules as to the qualifications,  
9 examination and licensing of journeymen automatic fire sprinkler system fitters and  
10 automatic fire sprinkler contractors and for the registration and training of  
11 automatic fire sprinkler system apprentices. The automatic fire sprinkler system  
12 contractors and journeymen council, created under s. ~~15.157 (9)~~ 15.407 (17), shall  
13 advise the department in formulating the rules.

14           **SECTION 2641.** 145.20 (5) (c) of the statutes is amended to read:

15           145.20 (5) (c) The department of natural resources may suspend or revoke a  
16 license issued under s. 281.48 or a certificate issued under s. 281.17 (3) to the  
17 operator of a septage servicing vehicle if the department of natural resources finds  
18 that the licensee or operator falsified information on inspection forms. The  
19 department of ~~commerce~~ safety and professional services may suspend or revoke the  
20 license of a plumber licensed under this chapter if the department finds that the  
21 plumber falsified information on inspection forms.

22           **SECTION 2642.** 145.245 (12m) (e) of the statutes is amended to read:

23           145.245 (12m) (e) The department of ~~commerce~~ safety and professional  
24 services and the department of administration may enter into a financial assistance  
25 agreement with a governmental unit that applies for a loan under this subsection



**ASSEMBLY BILL 40****SECTION 2642**

1 and meets the eligibility requirements for a loan, including the requirements under  
2 par. (d).

3 **SECTION 2643.** 145.245 (12m) (f) of the statutes is amended to read:

4 145.245 (12m) (f) The department of administration, in consultation with the  
5 department of ~~commerce~~ safety and professional services, may establish those terms  
6 and conditions of a financial assistance agreement that relate to its financial  
7 management, including what type of municipal obligation is required for the  
8 repayment of the financial assistance. In setting the terms and conditions, the  
9 department of administration may consider factors that the department of  
10 administration finds are relevant, including the type of obligation evidencing the  
11 loan, the pledge of security for the obligation and the applicant's creditworthiness.

12 **SECTION 2644.** 145.245 (12m) (g) of the statutes is amended to read:

13 145.245 (12m) (g) The department of administration shall make and disburse  
14 a loan to an applicant that has entered into a financial assistance agreement under  
15 par. (e). The department of administration, in consultation with the department of  
16 ~~commerce~~ safety and professional services, shall establish procedures for disbursing  
17 loans.

18 **SECTION 2645.** 145.245 (12m) (h) of the statutes is amended to read:

19 145.245 (12m) (h) If a governmental unit fails to make a principal repayment  
20 after its due date, the department of administration shall place on file a certified  
21 statement of all amounts due under this subsection. After consulting the  
22 department of ~~commerce~~ safety and professional services, the department of  
23 administration may collect all amounts due by deducting those amounts from any  
24 state payments due the governmental unit or may add a special charge to the amount  
25 of taxes apportioned to and levied upon the county under s. 70.60. If the department

**ASSEMBLY BILL 40****SECTION 2645**

1 of administration collects amounts due, it shall remit those amounts to the fund to  
2 which they are due and notify the department of ~~commerce~~ safety and professional  
3 services of that action.

4 **SECTION 2646.** 146.085 (3) of the statutes is amended to read:

5 146.085 (3) ENFORCEMENT. The department, the department of ~~commerce~~  
6 safety and professional services, and the public service commission shall enforce this  
7 section within their respective jurisdictions.

8 **SECTION 2647.** 146.40 (4r) (em) of the statutes is amended to read:

9 146.40 (4r) (em) If the department receives a report under par. (a) or (am) and  
10 determines that an individual who is the subject of the report holds a credential that  
11 is related to the individual's employment at, or contract with, the entity, the  
12 department shall refer the report to the department of ~~regulation and licensing~~  
13 safety and professional services.

14 **SECTION 2648.** 146.59 (2) (b) of the statutes is amended to read:

15 146.59 (2) (b) If a contractual services agreement is terminated under s. 233.04  
16 (4m) (b), the University of Wisconsin Hospitals and Clinics Board may negotiate and  
17 enter into a contractual services agreement with the University of Wisconsin  
18 Hospitals and Clinics Authority or the ~~board of regents~~ Board of Trustees of the  
19 University of ~~Wisconsin System~~ Wisconsin-Madison under s. 233.04 (4m) (b).

20 **SECTION 2649.** 146.83 (1c) (a) of the statutes is created to read:

21 146.83 (1c) (a) Inspect the health care records of a health care provider  
22 pertaining to that patient at any time during regular business hours, upon  
23 reasonable notice.

24 **SECTION 2650.** 146.83 (1c) (b) of the statutes is created to read:

**ASSEMBLY BILL 40****SECTION 2650**

1           146.83 (1c) (b) Receive a copy of the patient's health care records upon payment  
2 of fees, as established by rule under sub. (3f).

3           **SECTION 2651.** 146.83 (1c) (c) of the statutes is created to read:

4           146.83 (1c) (c) Receive a copy of the health care provider's X-ray reports or  
5 have the X-rays referred to another health care provider of the patient's choice upon  
6 payment of fees, as established by rule under sub. (3f).

7           **SECTION 2652.** 146.83 (1d) of the statutes is renumbered 146.83 (1c) (intro.) and  
8 amended to read:

9           146.83 (1c) (intro.) Except as provided in s. 51.30 or 146.82 (2), any patient or  
10 person authorized by the patient may, upon submitting a statement of informed  
11 consent, ~~inspect the health care records of a health care provider pertaining to that~~  
12 ~~patient. Except as provided in sub. (1g), the health care provider shall make the~~  
13 ~~records available for inspection by the patient or person authorized by the patient~~  
14 ~~during regular business hours, after the health care provider receives notice from the~~  
15 ~~patient or person authorized by the patient. A health care provider may not charge~~  
16 ~~a fee for inspection under this subsection.~~

17           **SECTION 2653.** 146.83 (1f) (a) of the statutes is repealed.

18           **SECTION 2654.** 146.83 (1f) (b) of the statutes is repealed.

19           **SECTION 2655.** 146.83 (1f) (c) of the statutes is repealed.

20           **SECTION 2656.** 146.83 (1f) (d) 1. of the statutes is renumbered 146.83 (1f) (am)  
21 and amended to read:

22           146.83 (1f) (am) If a patient or person authorized by the patient requests copies  
23 of the patient's health care records under this ~~subsection~~ section for use in appealing  
24 a denial of social security disability insurance, under 42 USC 401 to 433, or  
25 supplemental security income, under 42 USC 1381 to 1385, the health care provider

**ASSEMBLY BILL 40****SECTION 2656**

1 may charge the patient or person authorized by the patient no more than the amount  
2 that the federal social security administration reimburses the department for copies  
3 of patient health care records.

4 **SECTION 2657.** 146.83 (1f) (d) 2. of the statutes is renumbered 146.83 (1f) (bm)  
5 and amended to read:

6 146.83 (1f) (bm) Except as provided in sub. (1g), a health care provider may not  
7 charge a fee for providing one set of copies of a patient's health care records under  
8 this ~~subsection~~ section if the patient is eligible for medical assistance, as defined in  
9 s. 49.43 (8). A health care provider may require that a patient or person authorized  
10 by the patient provide proof that the patient is eligible for medical assistance before  
11 providing copies under this subdivision without charge. A health care provider may  
12 charge the fees ~~under par. (c)~~ established by rule under sub. (1c) for providing a 2nd  
13 or additional set of copies of patient health care records for a patient who is eligible  
14 for medical assistance.

15 **SECTION 2658.** 146.83 (1g) of the statutes is amended to read:

16 146.83 (1g) The time limit for making records available for inspection and for  
17 providing copies of records under sub. (1d), ~~the time limits for providing copies of~~  
18 ~~records under sub. (1f) (a) and (b), (1c) and the requirement under sub. (1f) (d) 2. (bm)~~  
19 to provide one set of copies of records without charge if the patient is eligible for  
20 medical assistance do not apply if the health care provider is the department or the  
21 department of corrections.

22 **SECTION 2659.** 146.83 (1h) of the statutes is repealed.

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:

**ASSEMBLY BILL 40****SECTION 2662**

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 2663.** 146.83 (3f) of the statutes is created to read:

4           146.83 **(3f)** (a) The department shall, by rule, prescribe fees that are based on  
5 an approximation of actual costs. The fees, plus applicable tax, are the maximum  
6 amount that a health care provider may charge under sub. (1c) (b) for duplicate  
7 patient health care records and under sub. (1c) (c) for duplicate X-ray reports or the  
8 referral of X-rays to another health care provider of the patient's choice. The rule  
9 shall also permit the health care provider to charge for actual postage or other actual  
10 delivery costs. In determining the approximation of actual costs for the purposes of  
11 this subsection, the department may consider all of the following factors:

12           1. Operating expenses, such as wages, rent, utilities, and duplication  
13 equipment and supplies.

14           2. The varying cost of retrieval of records, based on the different media on which  
15 the records are maintained.

16           3. The cost of separating requested patient health care records from those that  
17 are not requested.

18           4. The cost of duplicating requested patient health care records.

19           5. The impact on costs of advances in technology.

20           (b) By July 1, 2014, and every 3 years thereafter, the department shall revise  
21 the rules under par. (a) to account for increases or decreases in actual costs.

22           **SECTION 2664.** 146.84 (2) (a) 1. of the statutes is amended to read:

23           146.84 **(2)** (a) 1. Requests or obtains confidential information under s. 146.82  
24 or 146.83 (1d), (1f), or (1h) (1c) under false pretenses.

25           **SECTION 2665.** 150.31 (5m) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2665**

1           150.31 **(5m)** The department shall decrease the statewide bed limit specified  
2 in sub. (1) to account for any reduction in the approved bed capacity of a skilled  
3 nursing facility operated by the department of veterans affairs under s. 45.50 ~~(1)~~, as  
4 specified in s. 45.50 (10).

5           **SECTION 2666.** 150.84 (3) of the statutes is amended to read:

6           150.84 **(3)** “Health care provider” means any person licensed, registered,  
7 permitted or certified by the department or by the department of ~~regulation and~~  
8 ~~licensing~~ safety and professional services to provide health care services in this state.

9           **SECTION 2667.** 153.60 (1) of the statutes is amended to read:

10           153.60 **(1)** The department shall, by the first October 1 after the  
11 commencement of each fiscal year, estimate the total amount of expenditures under  
12 this subchapter for the department for that fiscal year for data collection, database  
13 development and maintenance, generation of data files and standard reports,  
14 orientation and training provided under s. 153.05 (9) (a) and contracting with the  
15 data organization under s. 153.05 (2r). The department shall assess the estimated  
16 total amount for that fiscal year, less the estimated total amount to be received for  
17 purposes of administration of this subchapter under s. 20.435 (1) (hi) during the  
18 fiscal year and the unencumbered balance of the amount received for purposes of  
19 administration of this subchapter under s. 20.435 (1) (hi) from the prior fiscal year,  
20 to health care providers, other than hospitals and ambulatory surgery centers, who  
21 are in a class of health care providers from whom the department collects data under  
22 this subchapter in a manner specified by the department by rule. The department  
23 shall work together with the department of ~~regulation and licensing~~ safety and  
24 professional services to develop a mechanism for collecting assessments from health  
25 care providers other than hospitals and ambulatory surgery centers. No health care

**ASSEMBLY BILL 40****SECTION 2667**

1 provider that is not a facility may be assessed under this subsection an amount that  
2 exceeds \$75 per fiscal year. All payments of assessments shall be credited to the  
3 appropriation under s. 20.435 (1) (hg).

4 **SECTION 2668.** 157.061 (5) of the statutes is amended to read:

5 157.061 (5) “Department” means the department of ~~regulation and licensing~~  
6 safety and professional services.

7 **SECTION 2669.** 157.11 (9m) of the statutes is amended to read:

8 157.11 (9m) ACTION BY DISTRICT ATTORNEY. If any money or property is not  
9 turned over when required by this section, or default occurs under a bond, the district  
10 attorney, upon the request of the department of ~~regulation and licensing~~ safety and  
11 professional services, shall bring action to recover.

12 **SECTION 2670.** 157.12 (1) of the statutes is amended to read:

13 157.12 (1) DEFINITION. Notwithstanding s. 157.061 (5), in this section,  
14 “department” means the department of ~~commerce~~ safety and professional services.

15 **SECTION 2671.** 157.12 (3) (b) of the statutes is amended to read:

16 157.12 (3) (b) The cemetery’s treasurer is the custodian of the fund. The  
17 treasurer shall file with the cemetery, at the cemetery’s expense, a bond with sureties  
18 approved by the department of ~~regulation and licensing~~ safety and professional  
19 services to indemnify the cemetery against loss if the treasurer fails to maintain the  
20 fund. No indemnity is required if the terms of sale of a mausoleum space require the  
21 purchaser to pay directly to a trust company in the state, designated by the cemetery  
22 as custodian of the fund. The fund shall be invested as provided in s. 157.19. Income  
23 from investment may be used only to maintain the mausoleum, except that if the  
24 amount of income exceeds the amount necessary to properly maintain the  
25 mausoleum the excess amount may be used to maintain any portion of the cemetery.

**ASSEMBLY BILL 40****SECTION 2672**

1           **SECTION 2672.** 157.65 (1) (a) of the statutes is amended to read:

2           157.65 (1) (a) If the department of ~~regulation and licensing~~ safety and  
3 professional services has reason to believe that any person is violating or has violated  
4 this subchapter or any rule promulgated under this subchapter and that the  
5 continuation of that activity might cause injury to the public interest, the  
6 department of ~~regulation and licensing~~ safety and professional services may  
7 investigate.

8           **SECTION 2673.** 157.65 (1) (b) of the statutes is amended to read:

9           157.65 (1) (b) If the department of ~~commerce~~ safety and professional services  
10 has reason to believe that any person is violating s. 157.12 or any rule promulgated  
11 under s. 157.12 and that the continuation of that activity might cause injury to the  
12 public interest, the department of ~~commerce~~ safety and professional services may  
13 investigate.

14           **SECTION 2674.** 157.65 (2) of the statutes is amended to read:

15           157.65 (2) The department of justice or any district attorney, upon informing  
16 the department of justice, may commence an action in circuit court in the name of  
17 the state to restrain by temporary or permanent injunction any violation of this  
18 subchapter. The court may, prior to entry of final judgment, make such orders or  
19 judgments as may be necessary to restore to any person any pecuniary loss suffered  
20 because of the acts or practices involved in the action, if proof of such loss is submitted  
21 to the satisfaction of the court. The department of justice may subpoena persons and  
22 require the production of books and other documents, and may request the board  
23 described in s. 15.405 (3m) or the department of ~~commerce~~ safety and professional  
24 services to exercise its authority under sub. (1) to aid in the investigation of alleged  
25 violations of this subchapter.



**ASSEMBLY BILL 40****SECTION 2675**

1           **SECTION 2675.** 160.01 (7) of the statutes is amended to read:

2           160.01 (7) “Regulatory agency” means the department of agriculture, trade and  
3 consumer protection, the department of ~~commerce~~ safety and professional services,  
4 the department of transportation, the department of natural resources and other  
5 state agencies which regulate activities, facilities or practices which are related to  
6 substances which have been detected in or have a reasonable probability of entering  
7 the groundwater resources of the state.

8           **SECTION 2676.** 160.50 (1m) of the statutes is amended to read:

9           160.50 (1m) FUNDING FOR GROUNDWATER RESEARCH. The groundwater  
10 coordinating council shall advise the secretary of administration on the allocation of  
11 funds appropriated to the ~~board of regents~~ Board of Regents of the University of  
12 Wisconsin System under s. 20.285 (1) (a) and the Board of Trustees of the University  
13 of Wisconsin–Madison under s. 20.280 (1) (a) for groundwater research.

14           **SECTION 2677.** 165.25 (4) (ag) of the statutes is amended to read:

15           165.25 (4) (ag) The department of justice shall furnish legal services upon  
16 request of the department of ~~commerce~~ safety and professional services under s.  
17 167.35 (7).

18           **SECTION 2678.** 165.25 (4) (am) of the statutes is amended to read:

19           165.25 (4) (am) The department of justice shall furnish legal services to the  
20 department of ~~regulation and licensing~~ safety and professional services in all  
21 proceedings under s. 440.21 (3), together with any other services, including  
22 stenographic and investigational, as are necessarily connected with the legal  
23 services.

24           **SECTION 2679.** 165.25 (4) (ar) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2679**

1           165.25 (4) (ar) The department of justice shall furnish all legal services  
2 required by the department of agriculture, trade and consumer protection relating  
3 to the enforcement of ss. 91.68, ~~93.73~~, 100.171, 100.173, 100.174, 100.175, 100.177,  
4 100.18, 100.182, 100.195, 100.20, 100.205, 100.207, 100.209, 100.21, 100.28, 100.37,  
5 100.42, 100.50, 100.51, 100.55, and 846.45 and chs. 126, 136, 344, 704, 707, and 779,  
6 together with any other services as are necessarily connected to the legal services.

7           **SECTION 2680.** 165.25 (8r) of the statutes is created to read:

8           165.25 (8r) BOARD OF TRUSTEES OF THE UNIVERSITY OF WISCONSIN. In subs. (1),  
9 (1m), (6) and (6m), treat the Board of Trustees of the University of  
10 Wisconsin–Madison as a department of state government and any official, employee,  
11 or agent of the Board of Trustees as a state official, employee or agent.

12           **SECTION 2681.** 165.25 (12) of the statutes is created to read:

13           165.25 (12) REPRESENTATION ARISING FROM AGREEMENTS WITH MINNESOTA.  
14 Represent any employee of the state of Minnesota who is named as a defendant in  
15 any civil action brought under the laws of this state as a result of performing services  
16 for this state under a valid agreement between this state and the state of Minnesota  
17 providing for interchange of employees or services and any employee of this state who  
18 is named as a defendant as a result of performing services for the state of Minnesota  
19 under such an agreement in any action brought under the laws of this state. Witness  
20 fees in any action specified in this subsection shall be paid in the same manner as  
21 provided in s. 885.07. The attorney general may compromise and settle any action  
22 specified in this subsection to the same extent as provided in s. 165.25 (6) (a).

23           **SECTION 2682.** 165.70 (3m) of the statutes is repealed.

24           **SECTION 2683.** 165.82 (1) (a) of the statutes, as affected by 2009 Wisconsin Act  
25 28, is repealed.

**ASSEMBLY BILL 40****SECTION 2684**

1           **SECTION 2684.** 165.82 (1) (am) of the statutes, as created by 2009 Wisconsin Act  
2 28, is amended to read:

3           165.82 **(1)** (am) For each record check, except a fingerprint card record check,  
4 requested by a governmental agency, \$7.

5           **SECTION 2685.** 165.82 (1) (b) of the statutes is repealed.

6           **SECTION 2686.** 165.825 of the statutes is amended to read:

7           **165.825 Information link; department of health services.** The  
8 department of justice shall cooperate with the departments of ~~regulation and~~  
9 ~~licensing~~ safety and professional services and health services in developing and  
10 maintaining a computer linkup to provide access to the information obtained from  
11 a criminal history search.

12           **SECTION 2687.** 167.10 (3) (b) 2. of the statutes is amended to read:

13           167.10 **(3)** (b) 2. The possession or use of explosives in accordance with rules  
14 or general orders of the department of ~~commerce~~ safety and professional services.

15           **SECTION 2688.** 167.10 (6m) (a) of the statutes is amended to read:

16           167.10 **(6m)** (a) No person may manufacture in this state fireworks or a device  
17 listed under sub. (1) (e), (f) or (i) to (n) without a fireworks manufacturing license  
18 issued by the department of ~~commerce~~ safety and professional services under par.  
19 (d).

20           **SECTION 2689.** 167.10 (6m) (b) of the statutes is amended to read:

21           167.10 **(6m)** (b) No person may manufacture in this state fireworks or a device  
22 listed under sub. (1) (e), (f) or (i) to (n) unless the person complies with the rules of  
23 the department of ~~commerce~~ safety and professional services promulgated under  
24 par. (e).

25           **SECTION 2690.** 167.10 (6m) (c) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2690**

1           167.10 **(6m)** (c) Any person who manufactures in this state fireworks or a  
2 device listed under sub. (1) (e), (f) or (i) to (n) shall provide the department of  
3 ~~commerce~~ safety and professional services with a copy of each federal license issued  
4 under 18 USC 843 to that person.

5           **SECTION 2691.** 167.10 (6m) (d) of the statutes is amended to read:

6           167.10 **(6m)** (d) The department of ~~commerce~~ safety and professional services  
7 shall issue a license to manufacture fireworks or devices listed under sub. (1) (e), (f)  
8 or (i) to (n) to a person who complies with the rules of the department promulgated  
9 under par. (e). The department may not issue a license to a person who does not  
10 comply with the rules promulgated under par. (e). The department may revoke a  
11 license under this subsection for the refusal to permit an inspection at reasonable  
12 times by the department or for a continuing violation of the rules promulgated under  
13 par. (e).

14           **SECTION 2692.** 167.10 (6m) (e) of the statutes is amended to read:

15           167.10 **(6m)** (e) The department of ~~commerce~~ safety and professional services  
16 shall promulgate rules to establish safety standards for the manufacture in this state  
17 of fireworks and devices listed under sub. (1) (e), (f) or (i) to (n).

18           **SECTION 2693.** 167.10 (6m) (f) of the statutes is amended to read:

19           167.10 **(6m)** (f) The department of ~~commerce~~ safety and professional services  
20 may inspect at reasonable times the premises on which each person licensed under  
21 this subsection manufactures fireworks or devices listed under sub. (1) (e), (f) or (i)  
22 to (n).

23           **SECTION 2694.** 167.21 (1) (b) of the statutes is amended to read:

24           167.21 **(1)** (b) “Department” means the department of ~~commerce~~ safety and  
25 professional services.

**ASSEMBLY BILL 40****SECTION 2695**

1           **SECTION 2695.** 167.27 (5) of the statutes is amended to read:

2           167.27 (5) Whenever any mine shaft, exploration shaft or test well is  
3 abandoned or its use discontinued, the operator or contractor shall promptly fill  
4 same to grade or enclose the same with a fence of strong woven wire not less than 46  
5 inches wide with one barbwire above or cap same with a reinforced concrete slab at  
6 least 6 inches thick or with a native boulder at least 3 times the diameter of the top  
7 of the shaft or test well bore. The strands of the woven wire shall not be smaller than  
8 No. 12 wire and the cross wires and meshes shall not be smaller than No. 16 wire;  
9 the strands shall not be more than 12 inches apart, and the meshes shall not exceed  
10 8 inches square. All wires must be tightly stretched and securely fastened to  
11 sufficient posts firmly set not more than 8 feet apart. In case any person shall neglect  
12 to repair or rebuild such fence which the person is so required to build and maintain,  
13 any person may complain to the department of ~~commerce~~ safety and professional  
14 services or to the local governing body, which shall give notice in writing to the person  
15 who is required to build and maintain such fence. The department of ~~commerce~~  
16 safety and professional services or the local governing body shall then proceed to  
17 examine the fence, and if it shall determine that such fence is insufficient, it shall  
18 notify the person responsible for its erection and maintenance and direct the person  
19 to repair or rebuild the fence within such time as it shall deem reasonable. Any  
20 person refusing to comply with such order shall be subject to the penalties provided.

21           **SECTION 2696.** 167.27 (8) of the statutes is amended to read:

22           167.27 (8) Any violation of this section coming to the attention of the  
23 department of ~~commerce~~ safety and professional services or municipal authorities  
24 shall be reported to the attorney general or district attorney for prosecution.

25           **SECTION 2697.** 167.31 (4) (a) 4. b. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2697**

1           167.31 (4) (a) 4. b. He or she holds a certificate of proficiency to carry a firearm  
2 issued by the department of regulation and licensing safety and professional  
3 services.

4           **SECTION 2698.** 167.31 (4) (a) 4. e. of the statutes is amended to read:

5           167.31 (4) (a) 4. e. His or her firearm is in plain view, as defined by rule by the  
6 department of regulation and licensing safety and professional services.

7           **SECTION 2699.** 167.35 (1) (b) of the statutes is amended to read:

8           167.35 (1) (b) “Department” means the department of ~~commerce~~ safety and  
9 professional services unless the context requires otherwise.

10          **SECTION 2700.** 167.35 (7) (b) of the statutes is amended to read:

11          167.35 (7) (b) The department of revenue, in the course of conducting any  
12 inspection or examination authorized under s. 139.39, may inspect cigarettes to  
13 determine if the cigarettes are marked as provided under sub. (4), and the  
14 department of revenue shall notify the department of ~~commerce~~ safety and  
15 professional services of any unmarked cigarettes.

16          **SECTION 2701.** 167.35 (7) (c) of the statutes is amended to read:

17          167.35 (7) (c) Authorized personnel from the department of justice, from the  
18 department of ~~commerce~~ safety and professional services, and from the department  
19 of revenue, and any sheriff, police officer, or other law enforcement personnel, within  
20 their respective jurisdictions, may enter and inspect any premises where cigarettes  
21 are made, sold, offered for sale, or stored to determine if the cigarettes comply with  
22 this section. An inspection under this paragraph includes examining the books,  
23 papers, invoices, and other records of any person who is subject to this section and  
24 who is in control, possession, or occupancy of the premises.

25          **SECTION 2702.** 168.01 (1) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2702**

1           168.01 (1) “Department” means the department of ~~commerce~~ safety and  
2 professional services.

3           **SECTION 2703.** 170.12 (3) (dm) of the statutes is repealed.

4           **SECTION 2704.** 174.13 (2) of the statutes is amended to read:

5           174.13 (2) Any officer or pound which has custody of an unclaimed dog may  
6 release the dog to the University of Wisconsin System, the University of  
7 Wisconsin–Madison, the Medical College of Wisconsin, Inc., or to any other  
8 educational institution of higher learning chartered under the laws of the state and  
9 accredited to the University of Wisconsin System or University of  
10 Wisconsin–Madison, upon requisition by the institution. The requisition shall be in  
11 writing, shall bear the signature of an authorized agent, and shall state that the dog  
12 is requisitioned for scientific or educational purposes. If a requisition is made for a  
13 greater number of dogs than is available at a given time, the officer or pound may  
14 supply those immediately available and may withhold from other disposition all  
15 unclaimed dogs coming into the officer’s or pound’s custody until the requisition is  
16 fully discharged, excluding impounded dogs as to which ownership is established  
17 within a reasonable period. A dog left by its owner for disposition is not considered  
18 an unclaimed dog under this section. If operated by a county, city, village or town,  
19 the officer or pound is entitled to the payment of \$1 for each dog requisitioned. An  
20 institution making a requisition shall provide for the transportation of the dog.

21           **SECTION 2705.** 182.0175 (1m) (e) 2. of the statutes is amended to read:

22           182.0175 (1m) (e) 2. The department of ~~commerce~~ safety and professional  
23 services may promulgate a rule that requires retail suppliers, as defined in s. 101.16  
24 (1) (d), of propane to inform their customers each year of the obligation of owners of  
25 transmission facilities under this section.

**ASSEMBLY BILL 40****SECTION 2706**

1           **SECTION 2706.** 185.983 (1) (intro.) of the statutes is amended to read:

2           185.983 **(1)** (intro.) Every voluntary nonprofit health care plan operated by a  
3 cooperative association organized under s. 185.981 shall be exempt from chs. 600 to  
4 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41, 601.42, 601.43, 601.44,  
5 601.45, 611.26, 611.67, 619.04, 623.11, 623.12, 628.34 (10), 631.17, 631.89, 631.93,  
6 631.95, 632.72 (2), 632.745 to 632.749, 632.775, 632.79, 632.795, 632.798, 632.85,  
7 632.853, 632.855, 632.87 (2), (2m), (3), (4), (5), and (6), 632.885, 632.89, 632.895 (5)  
8 and (8) to ~~(17)~~ (16m), 632.896, and 632.897 (10) and chs. 609, 620, 630, 635, 645, and  
9 646, but the sponsoring association shall:

10           **SECTION 2707.** 186.235 (15) (b) of the statutes is amended to read:

11           186.235 **(15)** (b) Witness fees shall be the same as fees under s. 814.67 (1) (b)  
12 and (c). The fees of witnesses who are called by the office in the interests of the state  
13 shall be paid by the state upon presentation of proper vouchers approved by the office  
14 of credit unions and charged to the appropriation under s. 20.144 ~~(2)~~ (1) (g). A witness  
15 subpoenaed by the office at the instance of a party other than the office shall not be  
16 entitled to payment of fees by the state unless the office certifies that the testimony  
17 was material to the purpose for which the subpoena was issued.

18           **SECTION 2708.** 196.374 (2) (a) 2. e. of the statutes is amended to read:

19           196.374 **(2)** (a) 2. e. Components to implement energy efficiency or renewable  
20 energy measures in facilities of manufacturing businesses in this state that are  
21 consistent with ~~the objectives under s. 560.128 (1) (a)~~ the implementation of energy  
22 efficiency or renewable energy measures in manufacturing facilities to enhance their  
23 competitiveness, the retooling of existing facilities to manufacture products that  
24 support the green economy, the expansion or establishment of domestic clean energy



**ASSEMBLY BILL 40****SECTION 2708**

1 manufacturing operations, and creating or retaining jobs for workers engaged in  
2 such activities.

3 **SECTION 2709.** 196.374 (2) (a) 4. of the statutes is repealed.

4 **SECTION 2710.** 196.374 (3) (a) of the statutes is amended to read:

5 196.374 (3) (a) *In general.* The commission shall have oversight of programs  
6 under sub. (2). The commission shall maximize coordination of program delivery,  
7 including coordination between programs under subs. (2) (a) 1., (b) 1. and 2., and (c)  
8 and (7), ordered programs, low-income weatherization programs under s. 16.957,  
9 renewable resource programs under s. 196.378, and other energy efficiency or  
10 renewable resource programs. The commission shall cooperate with the department  
11 of natural resources to ensure coordination of energy efficiency and renewable  
12 resource programs with air quality programs and to maximize and document the air  
13 quality improvement benefits that can be realized from energy efficiency and  
14 renewable resource programs. ~~The commission shall cooperate with the department~~  
15 ~~of commerce to ensure coordination of energy efficiency and renewable resource~~  
16 ~~programs under sub. (2) (a) 2. e. with the loan program under s. 560.128 (1) (a).~~

17 **SECTION 2711.** 196.49 (4) of the statutes is amended to read:

18 196.49 (4) The commission may not issue a certificate under sub. (1), (2), or (3)  
19 for the construction of electric generating equipment and associated facilities unless  
20 the commission determines that brownfields, as defined in s. 238.13 (1) (a) or s.  
21 560.13 (1) (a), 2009 stats., are used to the extent practicable.

22 **SECTION 2712.** 196.491 (2) (b) 2. of the statutes is amended to read:

23 196.491 (2) (b) 2. Department of ~~commerce~~ safety and professional services.

24 **SECTION 2713.** 196.491 (2) (e) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2713**

1           196.491 (2) (e) Any state agency, as defined in s. ~~560.9810~~ (1), office,  
2           commission, department, or independent agency in the executive branch of state  
3           government or any county, municipality, town, or person may submit written  
4           comments to the commission on a strategic energy assessment within 90 days after  
5           copies of the draft are issued under par. (b).

6           **SECTION 2714.** 196.491 (3) (a) 2m. b. of the statutes is amended to read:

7           196.491 (3) (a) 2m. b. The applicant proposes alternative construction sites for  
8           the facility that are contiguous or proximate, provided that at least one of the  
9           proposed sites is a brownfield, as defined in s. ~~560.13~~ 238.13 (1) (a), or the site of a  
10          former or existing large electric generating facility.

11          **SECTION 2715.** 196.491 (3) (d) 8. of the statutes is amended to read:

12          196.491 (3) (d) 8. For a large electric generating facility, brownfields, as defined  
13          in s. ~~560.13~~ 238.13 (1) (a), are used to the extent practicable.

14          **SECTION 2716.** 200.49 (1) (b) of the statutes is amended to read:

15          200.49 (1) (b) “Minority group member” has the meaning given under s.  
16          ~~560.036~~ 490.04 (1) (f).

17          **SECTION 2717.** 200.57 (1) (a) of the statutes is amended to read:

18          200.57 (1) (a) “Disabled veteran–owned financial adviser” and “disabled  
19          veteran–owned investment firm” mean a financial adviser and investment firm,  
20          respectively, certified by the department of ~~eommerce~~ safety and professional  
21          services under s. ~~560.0335~~ 490.02 (3).

22          **SECTION 2718.** 200.57 (1) (b) of the statutes is amended to read:

23          200.57 (1) (b) “Minority financial adviser” and “minority investment firm”  
24          mean a financial adviser and investment firm, respectively, certified by the  
25          department of ~~eommerce~~ safety and professional services under s. ~~560.036~~ 490.04 (2).

**ASSEMBLY BILL 40****SECTION 2719**

1           **SECTION 2719.** 214.48 (4) (a) of the statutes is amended to read:

2           214.48 **(4)** (a) An independent qualified appraiser, designated by the board of  
3 directors, who is properly licensed and certified by the department of ~~regulation and~~  
4 ~~licensing~~ safety and professional services or by another entity authorized to govern  
5 appraisal licensure and certification and who meets the requirements of title XI of  
6 the financial institutions reform, recovery and enforcement act of 1989, 12 USC 3331  
7 to 3351 and regulations adopted pursuant to those sections.

8           **SECTION 2720.** 218.0171 (2) (c) of the statutes is amended to read:

9           218.0171 **(2)** (c) To receive a comparable new motor vehicle or a refund due  
10 under par. (b) 1. or 2., a consumer described under sub. (1) (b) 1., 2. or 3. shall offer  
11 to the manufacturer of the motor vehicle having the nonconformity to transfer title  
12 of that motor vehicle to that manufacturer. No later than 30 days after that offer, the  
13 manufacturer shall provide the consumer with the comparable new motor vehicle or  
14 refund. When the manufacturer provides the new motor vehicle or refund, the  
15 consumer shall return the motor vehicle having the nonconformity to the  
16 manufacturer and provide the manufacturer with the certificate of title and all  
17 endorsements necessary to transfer title to the manufacturer. If another person is  
18 in possession of the certificate of title, as shown by the records of the department of  
19 transportation, that person shall, upon request of the consumer, provide the  
20 certificate to the manufacturer or to the consumer.

21           **SECTION 2721.** 218.0171 (2) (cm) 2. of the statutes is amended to read:

22           218.0171 **(2)** (cm) 2. To receive a refund due under par. (b) 3., a motor vehicle  
23 lessor shall offer to the manufacturer of the motor vehicle having the nonconformity  
24 to transfer title of that motor vehicle to that manufacturer. No later than 30 days  
25 after that offer, the manufacturer shall provide the refund to the motor vehicle lessor.

**ASSEMBLY BILL 40****SECTION 2721**

1 When the manufacturer provides the refund, the motor vehicle lessor shall provide  
2 to the manufacturer the certificate of title and all endorsements necessary to  
3 transfer title to the manufacturer. If another person is in possession of the certificate  
4 of title, as shown by the records of the department of transportation, that person  
5 shall, upon request of the motor vehicle lessor, provide the certificate to the  
6 manufacturer or to the motor vehicle lessor.

7 **SECTION 2722.** 218.11 (2) (am) 3. of the statutes is amended to read:

8 218.11 (2) (am) 3. The department of ~~commerce~~ may not disclose any  
9 information received under subd. 1. to any person except to the department of  
10 children and families for purposes of administering s. 49.22 or to the department of  
11 revenue for the sole purpose of requesting certifications under s. 73.0301.

12 **SECTION 2723.** 218.12 (2) (am) 2. of the statutes is amended to read:

13 218.12 (2) (am) 2. The department of ~~commerce~~ may not disclose a social  
14 security number obtained under par. (a) to any person except to the department of  
15 children and families for the sole purpose of administering s. 49.22 or to the  
16 department of revenue for the sole purpose of requesting certifications under s.  
17 73.0301.

18 **SECTION 2724.** 218.23 (1) of the statutes is amended to read:

19 218.23 (1) Whenever a licensed motor vehicle salvage dealer acquires a motor  
20 vehicle for the purpose of wrecking it, the dealer shall mail or deliver the certificate  
21 of title or if the transfer to the salvage dealer was by a bill of sale, the bill of sale, for  
22 such vehicle to the department within 30 days after the vehicle is delivered to the  
23 salvage yard unless the previous owner already has done so or, if another person is  
24 in possession of the certificate of title, as shown by the records of the department of  
25 transportation, that person already has done so. If ~~he or she~~ the dealer subsequently

**ASSEMBLY BILL 40****SECTION 2724**

1 wishes to transfer such vehicle to another person, ~~he or she~~ the dealer shall make  
2 such transfer only by bill of sale. In such bill of sale, ~~he or she~~ the dealer shall  
3 describe the vehicle and shall state that the certificate of title for the vehicle has been  
4 mailed or delivered to the department because the vehicle was to have been junked.

5 **SECTION 2725.** 227.01 (1) of the statutes is amended to read:

6 227.01 (1) “Agency” means a board, commission, committee, department or  
7 officer in the state government, except the governor, a district attorney, or a military  
8 or judicial officer, and in subch. II includes the Board of Trustees of the University  
9 of Wisconsin–Madison with respect to rules promulgated under s. 37.11 (1m) (a), (c),  
10 and (cm) and (8).

11 **SECTION 2726.** 227.01 (13) (yc) of the statutes is created to read:

12 227.01 (13) (yc) Adjusts the total cost threshold for highway projects under ss.  
13 84.013 (2m) and 84.0145 (4).

14 **SECTION 2727.** 227.01 (13) (yL) of the statutes is repealed.

15 **SECTION 2728.** 227.01 (13) (zi) of the statutes is repealed.

16 **SECTION 2729.** 227.114 (5) of the statutes is repealed.

17 **SECTION 2730.** 227.115 of the statutes is repealed.

18 **SECTION 2731.** 227.116 (1) of the statutes is renumbered 227.116 (1r) and  
19 amended to read:

20 227.116 (1r) Each proposed rule submitted to the legislative council under s.  
21 227.15 that includes a requirement for a business to obtain a permit, ~~as defined in~~  
22 ~~s. 560.41 (2)~~, shall specify the number of business days, calculated beginning on the  
23 day a permit application is received, within which the agency will review and make  
24 a determination on a permit application.

25 **SECTION 2732.** 227.116 (1g) of the statutes is created to read:

**ASSEMBLY BILL 40****SECTION 2732**

1           227.116 **(1g)** In this section, “permit” means any approval of an agency  
2 required as a condition of operating a business in this state.

3           **SECTION 2733.** 227.116 (2) of the statutes is amended to read:

4           227.116 **(2)** If any existing rule does not comply with sub. ~~(1)~~ **(1r)**, the agency  
5 that promulgated the rule shall submit to the legislative council a proposed revision  
6 of the rule that will bring the rule into compliance with sub. ~~(1)~~ **(1r)**. The legislative  
7 council staff’s review of the proposed revision is limited to determining whether or  
8 not the agency has complied with this subsection.

9           **SECTION 2734.** 227.116 (3) of the statutes is amended to read:

10          227.116 **(3)** Subsections ~~(1)~~ **(1r)** and (2) do not apply to a rule if the rule, or a  
11 law under which the rule was promulgated, effective prior to November 17, 1983,  
12 contains a specification of a time period for review and determination on a permit  
13 application.

14          **SECTION 2735.** 227.116 (4) (intro.) of the statutes is amended to read:

15          227.116 **(4)** (intro.) If an agency fails to review and make a determination on  
16 a permit application within the time period specified in a rule or law, for each such  
17 failure the agency shall prepare a report and submit it to the department of  
18 commerce safety and professional services within 5 business days of the last day of  
19 the time period specified, setting forth all of the following:

20          **SECTION 2736.** 227.116 (5) of the statutes is amended to read:

21          227.116 **(5)** If an agency fails to review and make a determination on a permit  
22 application within the time period specified in a rule or law, upon completion of the  
23 review and determination for that application, the agency shall notify the  
24 department of commerce safety and professional services.

25          **SECTION 2737.** 227.137 (1) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2737**

1           227.137 (1) In this section, “agency” means the departments of agriculture,  
2 trade, and consumer protection; ~~commerce~~ safety and professional services; natural  
3 resources; transportation; and workforce development.

4           **SECTION 2738.** 227.137 (3) (intro.) of the statutes is amended to read:

5           227.137 (3) (intro.) An economic impact report shall contain information on the  
6 effect of the proposed rule on specific businesses, business sectors, and the state’s  
7 economy. When preparing the report, the agency shall solicit information and advice  
8 from the ~~department of commerce~~ Wisconsin Economic Development Corporation,  
9 and from governmental units, associations, businesses, and individuals that may be  
10 affected by the proposed rule. The agency may request information that is  
11 reasonably necessary for the preparation of an economic impact report from other  
12 state agencies, governmental units, associations, businesses, and individuals. The  
13 economic impact report shall include all of the following:

14           **SECTION 2739.** 227.19 (3) (g) of the statutes is repealed.

15           **SECTION 2740.** 227.59 of the statutes is amended to read:

16           **227.59 Certification of certain cases from the circuit court of Dane**  
17 **County to other circuits.** Any action or proceeding for the review of any order of  
18 an administrative officer, commission, department or other administrative tribunal  
19 of the state required by law to be instituted in or taken to the circuit court of Dane  
20 County except an action or appeal for the review of any order of the department of  
21 workforce development or the department of ~~commerce~~ safety and professional  
22 services or findings and orders of the labor and industry review commission which  
23 is instituted or taken and is not called for trial or hearing within 6 months after the  
24 proceeding or action is instituted, and the trial or hearing of which is not continued  
25 by stipulation of the parties or by order of the court for cause shown, shall on the

**ASSEMBLY BILL 40****SECTION 2740**

1 application of either party on 5 days' written notice to the other be certified and  
2 transmitted for trial to the circuit court of the county of the residence or principal  
3 place of business of the plaintiff or petitioner, where the action or proceeding shall  
4 be given preference. Unless written objection is filed within the 5-day period, the  
5 order certifying and transmitting the proceeding shall be entered without hearing.  
6 The plaintiff or petitioner shall pay to the clerk of the circuit court of Dane County  
7 a fee of \$2 for transmitting the record.

8 **SECTION 2741.** 229.46 (1) (ag) of the statutes is amended to read:

9 229.46 (1) (ag) "Disabled veteran-owned business" means a business certified  
10 by the department of ~~commerce~~ safety and professional services under s. ~~560.0335~~  
11 490.02 (3).

12 **SECTION 2742.** 229.46 (1) (b) of the statutes is amended to read:

13 229.46 (1) (b) "Minority group member" has the meaning given in s. ~~560.036~~  
14 490.04 (1) (f).

15 **SECTION 2743.** 229.70 (1) (ag) of the statutes is amended to read:

16 229.70 (1) (ag) "Disabled veteran-owned business" means a business certified  
17 by the department of ~~commerce~~ safety and professional services under s. ~~560.0335~~  
18 490.02 (3).

19 **SECTION 2744.** 229.70 (1) (am) of the statutes is amended to read:

20 229.70 (1) (am) "Minority business" has the meaning given in s. ~~560.036~~ 490.04  
21 (1) (e).

22 **SECTION 2745.** 229.70 (1) (b) of the statutes is amended to read:

23 229.70 (1) (b) "Minority group member" has the meaning given in s. ~~560.036~~  
24 490.04 (1) (f).

25 **SECTION 2746.** 229.8273 (1) (am) of the statutes is amended to read:



**ASSEMBLY BILL 40****SECTION 2746**

1           229.8273 (1) (am) “Disabled veteran–owned business” means a business  
2 certified by the department of ~~commerce~~ safety and professional services under s.  
3 ~~560.0335~~ 490.02 (3).

4           **SECTION 2747.** 229.8273 (1) (b) of the statutes is amended to read:

5           229.8273 (1) (b) “Minority business” has the meaning given in s. ~~560.036~~ 490.04  
6 (1) (e).

7           **SECTION 2748.** 229.8273 (1) (c) of the statutes is amended to read:

8           229.8273 (1) (c) “Minority group member” has the meaning given in s. ~~560.036~~  
9 490.04 (1) (f).

10          **SECTION 2749.** 229.845 (1) (ag) of the statutes is amended to read:

11          229.845 (1) (ag) “Disabled veteran–owned business” means a business certified  
12 by the department of ~~commerce~~ safety and professional services under s. ~~560.0335~~  
13 490.02 (3).

14          **SECTION 2750.** 229.845 (1) (am) of the statutes is amended to read:

15          229.845 (1) (am) “Minority business” has the meaning given in s. ~~560.036~~  
16 490.04 (1) (e).

17          **SECTION 2751.** 230.03 (3) of the statutes, as affected by 2011 Wisconsin Act 7,  
18 is amended to read:

19          230.03 (3) “Agency” means any board, commission, committee, council, or  
20 department in state government or a unit thereof created by the constitution or  
21 statutes if such board, commission, committee, council, department, unit, or the  
22 head thereof, is authorized to appoint subordinate staff by the constitution or  
23 statute, except a legislative or judicial board, commission, committee, council,  
24 department, or unit thereof or an authority created under subch. II of ch. 114 or  
25 subch. III of ch. 149 or under ch. 37, 52, 231, 232, 233, 234, 235, 237, 238, or 279.

**ASSEMBLY BILL 40****SECTION 2751**

1 “Agency” does not mean any local unit of government or body within one or more local  
2 units of government that is created by law or by action of one or more local units of  
3 government.

4 **SECTION 2752.** 230.08 (2) (dm) of the statutes is amended to read:

5 230.08 (2) (dm) Instructional staff employed by the board of regents of the  
6 University of Wisconsin System who provide services for a charter school established  
7 by contract under s. 118.40 (2r) ~~(em)~~ (b) 1. e.

8 **SECTION 2753.** 230.08 (2) (e) 1. of the statutes is amended to read:

9 230.08 (2) (e) 1. Administration — ~~14~~ 13.

10 **SECTION 2754.** 230.08 (2) (e) 4. of the statutes is created to read:

11 230.08 (2) (e) 4. Employment relations commission — 1.

12 **SECTION 2755.** 230.08 (2) (e) 6. of the statutes is amended to read:

13 230.08 (2) (e) 6. Workforce development — ~~6~~ 7.

14 **SECTION 2756.** 230.08 (2) (e) 10. of the statutes is repealed.

15 **SECTION 2757.** 230.08 (2) (e) 11m. of the statutes is created to read:

16 230.08 (2) (e) 11m. Safety and professional services — 7.

17 **SECTION 2758.** 230.08 (2) (g) of the statutes is amended to read:

18 230.08 (2) (g) One stenographer appointed by each elective executive officer,  
19 except the secretary of state and the state treasurer; and one deputy or assistant  
20 appointed by each elective executive officer, except the attorney general and  
21 superintendent of public instruction.

22 **SECTION 2759.** 230.08 (2) (pd) of the statutes is amended to read:

23 230.08 (2) (pd) The chairperson of the ~~earned release review~~ parole  
24 commission.

25 **SECTION 2760.** 230.08 (2) (v) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2760**

1           230.08 (2) (v) Not more than 5 10 bureau directors in the department of  
2 ~~regulation and licensing~~ safety and professional services.

3           **SECTION 2761.** 230.08 (2) (yb) of the statutes is created to read:

4           230.08 (2) (yb) The director and the deputy director of the office of business  
5 development in the department of administration.

6           **SECTION 2762.** 230.08 (2) (yc) of the statutes is repealed.

7           **SECTION 2763.** 230.08 (4) (a) of the statutes is amended to read:

8           230.08 (4) (a) The number of administrator positions specified in sub. (2) (e)  
9 includes all administrator positions specifically authorized by law to be employed  
10 outside the classified service in each department, board or commission and the  
11 historical society. In this paragraph, “department” has the meaning given under s.  
12 15.01 (5), “board” means the educational communications board, government  
13 accountability board, investment board, public defender board and technical college  
14 system board and “commission” means the employment relations commission and  
15 the public service commission. Notwithstanding sub. (2) (z), no division  
16 administrator position exceeding the number authorized in sub. (2) (e) may be  
17 created in the unclassified service.

18           **SECTION 2764.** 230.12 (1) (a) 1. b. of the statutes is amended to read:

19           230.12 (1) (a) 1. b. The provisions governing the pay of all unclassified positions  
20 except positions for employees of the University of Wisconsin System, for employees  
21 of the legislature who are not identified under s. 20.923 (4), for employees of a service  
22 agency under subch. IV of ch. 13, for employees of the state court system, for  
23 employees of the investment board identified under s. 230.08 (2) (p), for one  
24 stenographer employed by each elective executive officer, except the secretary of  
25 state and the state treasurer, under s. 230.08 (2) (g), for 3 sales representatives of

**ASSEMBLY BILL 40****SECTION 2764**

1 prison industries and one sales manager of prison industries identified under s.  
2 303.01 (10), and for sales and development professional of the historical society  
3 employed under s. 44.20 (4) (a).

4 **SECTION 2765.** 230.339 of the statutes is created to read:

5 **230.339 Rights of certain employees of the department of safety and**  
6 **professional services. (1)** Notwithstanding s. 230.08 (2) (e) 11m. and (v), all of the  
7 employees holding the following positions in the classified service at the department  
8 of commerce on the day before the effective date of this subsection .... [LRB inserts  
9 date], who have achieved permanent status in class on or before that date shall, upon  
10 employment by the department of safety and professional services, retain, while  
11 serving in the unclassified service at the department of safety and professional  
12 services, those protections afforded employees in the classified service under ss.  
13 230.34 (1) (a) and 230.44 (1) (c) relating to demotion, suspension, discharge, layoff,  
14 or reduction in base pay:

15 (a) Administrator of the division of administrative services.

16 (b) Director of the bureau of petroleum environmental cleanup fund  
17 administration in the division of environmental and regulatory services.

18 (c) Director of the bureau of petroleum products and tanks in the division of  
19 environmental and regulatory services.

20 (d) Director of the bureau of integrated services in the division of safety and  
21 buildings.

22 (e) Director of the bureau of program development in the division of safety and  
23 buildings.

24 **(2)** Each employee specified under sub. (1) shall also have reinstatement  
25 privileges to the classified service as provided under s. 230.33 (1).

**ASSEMBLY BILL 40****SECTION 2766**

1           **SECTION 2766.** 230.35 (1s) of the statutes is amended to read:

2           230.35 **(1s)** Annual leave of absence with pay for instructional staff employed  
3 by the board of regents of the University of Wisconsin System who provide services  
4 for a charter school established by contract under s. 118.40 (2r) ~~(em)~~ (b) 1. e. shall be  
5 determined by the governing board of the charter school established by contract  
6 under s. 118.40 (2r) ~~(em)~~ (b) 1. e., as approved by the chancellor of the appropriate  
7 University of Wisconsin–Parkside Wisconsin System institution and subject to the  
8 terms of any collective bargaining agreement under subch. V of ch. 111 covering the  
9 instructional staff.

10           **SECTION 2767.** 230.44 (1) (h) of the statutes is repealed.

11           **SECTION 2768.** 231.01 (1) of the statutes is renumbered 231.01 (1t).

12           **SECTION 2769.** 231.01 (1m) of the statutes is created to read:

13           231.01 **(1m)** “Affiliate” means an entity that controls, is controlled by, or is  
14 under common control with another entity.

15           **SECTION 2770.** 231.01 (4t) of the statutes is created to read:

16           231.01 **(4t)** “Entity” means any person other than a natural person.

17           **SECTION 2771.** 231.01 (5r) of the statutes is amended to read:

18           231.01 **(5r)** “Participating child care provider” means a child care provider, or  
19 an affiliate of a child care provider, that undertakes the financing and construction  
20 or acquisition of a project or undertakes the refunding or refinancing of obligations  
21 or of a mortgage or of advances as provided in this chapter.

22           **SECTION 2772.** 231.01 (5w) of the statutes is amended to read:

23           231.01 **(5w)** “Participating educational institution” means ~~a corporation,~~  
24 ~~agency or association which is~~ an entity authorized by state law to provide or operate  
25 an educational facility, or an affiliate of that entity, and ~~which~~ that undertakes the

**ASSEMBLY BILL 40****SECTION 2772**

1 financing and construction or acquisition of a project or undertakes the refunding or  
2 refinancing of obligations or of a mortgage or of advances as provided in this chapter.

3 **SECTION 2773.** 231.01 (6) (intro.) and (a) of the statutes are consolidated,  
4 renumbered 231.01 (6) and amended to read:

5 231.01 (6) “Participating health institution” means: ~~(a) A corporation, agency~~  
6 ~~or association~~ an entity authorized by state law to provide or operate a health facility,  
7 or an affiliate of that entity, and ~~which~~ that undertakes the financing and  
8 construction or acquisition of a project or undertakes the refunding or refinancing  
9 of obligations or of a mortgage or of advances as provided in this chapter.

10 **SECTION 2774.** 231.01 (6t) of the statutes is amended to read:

11 231.01 (6t) “Participating research institution” means an entity organized  
12 under the laws of this state that provides or operates a research facility, or an affiliate  
13 of that entity, and that undertakes the financing and construction or acquisition of  
14 a project or undertakes the refunding or refinancing of obligations or of a mortgage  
15 or of advances as provided in this chapter.

16 **SECTION 2775.** 231.01 (7) (c) of the statutes is amended to read:

17 231.01 (7) (c) “Project” may include more than one project, and it may include  
18 any combination of projects undertaken jointly by any participating health  
19 institution, participating educational institution, participating research institution,  
20 or participating child care provider with one or more other participating health  
21 institutions, participating educational institutions, participating research  
22 institutions, or participating child care providers.

23 **SECTION 2776.** 231.01 (7) (cg) of the statutes is created to read:

24 231.01 (7) (cg) “Project” includes any project located within or outside of this  
25 state.

**ASSEMBLY BILL 40****SECTION 2777**

1           **SECTION 2777.** 231.01 (7) (d) 2. of the statutes is amended to read:

2           231.01 (7) (d) 2. Any office or clinic of a person licensed under ch. 446, 447, 448,  
3           449, or 455, or the substantially equivalent laws or rules of another state.

4           **SECTION 2778.** 231.03 (6) (a) 3. c. of the statutes is amended to read:

5           231.03 (6) (a) 3. c. The expenditure, by or on behalf of a hospital, independent  
6           practitioner, partnership, unincorporated medical group or service corporation, as  
7           defined in s. 180.1901 (2), or the substantially equivalent laws or rules of another  
8           state, for clinical medical equipment.

9           **SECTION 2779.** 231.03 (6) (b) of the statutes is amended to read:

10          231.03 (6) (b) Refinance outstanding debt of any participating health  
11          institution if the department of health services certifies that refinancing will result  
12          in a reduction in the participating health institution's rates below the rates which  
13          would have otherwise prevailed, except that the authority may not refinance any  
14          office or clinic of a person licensed under ch. 446, 447, 448, 449 or 455, or the  
15          substantially equivalent laws or rules of another state, and except that this  
16          certification is not required for the refinancing for a participating health institution  
17          that operates a facility as defined under s. 49.45 (6m) (a) 3, or for a participating  
18          health institution that is located in another state.

19          **SECTION 2780.** 231.06 of the statutes is amended to read:

20          **231.06 Property acquisition.** The authority may acquire, directly or by and  
21          through a participating health institution, participating educational institution,  
22          participating research institution, or participating child care provider as its agent,  
23          by purchase or by gift or devise, such lands, structures, property, rights,  
24          rights-of-way, franchises, easements, and other interests in lands, including lands  
25          lying under water and riparian rights, ~~which are located within this state~~ as it deems

**ASSEMBLY BILL 40****SECTION 2780**

1 necessary or convenient for the construction or operation of a project, upon such  
2 terms and at such prices as it considers reasonable and can be agreed upon between  
3 it and the owner thereof, and take title thereto in the name of the authority or in the  
4 name of a health facility, educational facility, research facility, or child care center  
5 as its agent.

6 **SECTION 2781.** 231.08 (8) of the statutes is created to read:

7 231.08 (8) The proceeds of a bond issued under this section may be used for a  
8 project in this state or any other state, except that if the proceeds of a bond are used  
9 for a project located in another state, that project shall include a substantial  
10 component located in this state, as determined by the executive director.

11 **SECTION 2782.** 231.20 of the statutes is amended to read:

12 **231.20 Waiver of construction and bidding requirements.** In exercising  
13 its powers under s. 101.12, the department of ~~commerce~~ safety and professional  
14 services or any city, village, town, or county may, within its discretion for proper  
15 cause shown, waive any particular requirements relating to public buildings,  
16 structures, grounds, works, and improvements imposed by law upon projects under  
17 this chapter; the requirements of s. 101.13 may not be waived, however. If, however,  
18 the prospective lessee so requests in writing, the authority shall, through the  
19 participating health institution, participating educational institution, participating  
20 research institution, or participating child care provider as its agent, call for  
21 construction bids in such manner as is determined by the authority with the approval  
22 of the lessee.

23 **SECTION 2783.** 231.27 (1) of the statutes is amended to read:

24 231.27 (1) In this section, “minority business”, “minority financial adviser” and  
25 “minority investment firm” mean a business, financial adviser and investment firm,



**ASSEMBLY BILL 40****SECTION 2783**

1       respectively, certified by the department of ~~commerce~~ safety and professional  
2       services under s. 560.036 490.04 (2).

3               **SECTION 2784.** 231.29 (1) of the statutes is amended to read:

4               231.29 (1) In this section, “business,” “financial adviser,” and “investment firm”  
5       mean a business, financial adviser, and investment firm certified by the department  
6       of ~~commerce~~ safety and professional services under s. 560.0335 490.02 (3).

7               **SECTION 2785.** 231.35 (6) (a) of the statutes is amended to read:

8               231.35 (6) (a) The authority shall enter into a guarantee agreement with any  
9       person who makes loans described under sub. (3) (b) and who wishes to have those  
10      loans guaranteed under this section. The guarantee agreement shall comply with  
11      the rules promulgated by the department of ~~commerce~~ administration under sub. (7)  
12      (b).

13              **SECTION 2786.** 231.35 (6) (b) of the statutes is amended to read:

14              231.35 (6) (b) The authority may use money from the rural hospital loan fund  
15      to guarantee loans made for the purposes described in sub. (3) (b), if the authority  
16      sets out the terms and conditions of the guarantee in a guarantee agreement that  
17      complies with the rules promulgated by the department of ~~commerce~~ administration  
18      under sub. (7) (b).

19              **SECTION 2787.** 231.35 (7) (intro.) of the statutes is amended to read:

20              231.35 (7) (intro.) With the advice of the rural health development council, the  
21      department of ~~commerce~~ administration shall promulgate rules specifying all of the  
22      following:

23              **SECTION 2788.** 233.01 (3) of the statutes is repealed.

24              **SECTION 2789.** 233.01 (3m) of the statutes is created to read:

**ASSEMBLY BILL 40****SECTION 2789**

1           233.01 **(3m)** “Board of Trustees” means the Board of Trustees of the University  
2 of Wisconsin–Madison.

3           **SECTION 2790.** 233.01 (6) of the statutes is amended to read:

4           233.01 **(6)** “Lease agreement” means the lease agreement that is required to  
5 be entered into between the board of directors and the ~~board of regents~~ Board of  
6 Trustees under s. 233.04 (7) or a lease agreement that is entered into between the  
7 board of directors and the ~~board of regents~~ Board of Trustees under s. 233.04 (7g).

8           **SECTION 2791.** 233.01 (7) of the statutes is amended to read:

9           233.01 **(7)** “On–campus facilities” means facilities that are located on land  
10 owned by the state or the University of Wisconsin–Madison, that are under the  
11 control of the ~~board of regents~~ the Board of Trustees, and that are primarily related  
12 to the operation of the University of Wisconsin Hospitals and Clinics and its related  
13 services.

14           **SECTION 2792.** 233.02 (1) (b) of the statutes is amended to read:

15           233.02 **(1)** (b) Three members of the ~~board of regents~~ Board of Trustees  
16 appointed by the ~~president~~ chairperson of the ~~board of regents~~ Board of Trustees.

17           **SECTION 2793.** 233.02 (1) (d) of the statutes is amended to read:

18           233.02 **(1)** (d) The dean of the University of ~~Wisconsin–Madison~~ Medical  
19 Wisconsin School of Medicine and Public Health.

20           **SECTION 2794.** 233.02 (1) (e) of the statutes is amended to read:

21           233.02 **(1)** (e) A chairperson of a department at the University of  
22 ~~Wisconsin–Madison~~ Medical Wisconsin School of Medicine and Public Health,  
23 appointed by the chancellor of the University of Wisconsin–Madison.

24           **SECTION 2795.** 233.02 (1) (f) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2795**

1           233.02 (1) (f) A faculty member of a health professions school of the University  
2 of Wisconsin–Madison ~~health professions school~~, other than the University of  
3 Wisconsin–Madison ~~Medical~~ Wisconsin School of Medicine and Public Health,  
4 appointed by the chancellor of the University of Wisconsin–Madison.

5           **SECTION 2796.** 233.03 (2) of the statutes is amended to read:

6           233.03 (2) Sue and be sued; have a seal and alter the seal at pleasure; have  
7 perpetual existence; maintain an office; negotiate and enter into leases; accept gifts  
8 or grants, but not including research grants in which the grant investigator is an  
9 employee of the ~~board of regents~~ Board of Trustees; accept bequests or loans; accept  
10 and comply with any lawful conditions attached to federal financial assistance; and  
11 make and execute other instruments necessary or convenient to the exercise of the  
12 powers of the authority.

13           **SECTION 2797.** 233.03 (10) of the statutes is amended to read:

14           233.03 (10) Enter into procurement contracts with the ~~board of regents~~ Board  
15 of Trustees or joint contracts with the ~~board of regents~~ Board of Trustees for  
16 procurements from 3rd parties and may enter into other contracts, rental  
17 agreements and cooperative agreements and other necessary arrangements with the  
18 ~~board of regents~~ Board of Trustees which may be necessary and convenient for the  
19 missions, purposes, objects and uses of the authority authorized by law.

20           **SECTION 2798.** 233.04 (1) of the statutes is amended to read:

21           233.04 (1) By October 1, 1997, and annually thereafter, submit to the chief  
22 clerk of each house of the legislature under s. 13.172 (2), the ~~president~~ chairperson  
23 of the ~~board of regents~~ Board of Trustees, the secretary of administration and the  
24 governor a report on the patient care, education, research and community service

**ASSEMBLY BILL 40****SECTION 2798**

1 activities and accomplishments of the authority and an audited financial statement,  
2 certified by an independent auditor, of the authority's operations.

3 **SECTION 2799.** 233.04 (3b) (b) of the statutes is amended to read:

4 233.04 **(3b)** (b) Paragraph (a) does not apply unless a lease agreement under  
5 sub. (7) or (7g) and an affiliation agreement under sub. (7m) or (7p) are in effect that  
6 comply with all applicable requirements of those provisions. In the event either of  
7 these agreements are not in effect, the on-campus facilities and any improvements,  
8 modifications or other facilities specified in sub. (7) (c) shall transfer to the ~~board of~~  
9 regents Board of Trustees.

10 **SECTION 2800.** 233.04 (4m) (b) of the statutes is amended to read:

11 233.04 **(4m)** (b) If a lease agreement under sub. (7) or (7g) or an affiliation  
12 agreement under sub. (7m) or (7p) is not in effect, the contractual services agreement  
13 is terminated and the University of Wisconsin Hospitals and Clinics Board may  
14 negotiate and enter into a contractual services agreement with the board of directors  
15 that meets the requirements under sub. (4) (a) and (b) or with the ~~board of regents~~  
16 Board of Trustees that meets the requirements under s. ~~36.25~~ 37.25 (13g) (c).

17 **SECTION 2801.** 233.04 (7) (intro.) of the statutes is amended to read:

18 233.04 **(7)** (intro.) Subject to s. 233.05 (1) and 1995 Wisconsin Act 27, section  
19 9159 (2) (k), negotiate and enter into a lease agreement with the ~~board of regents~~  
20 Board of Trustees to lease the on-campus facilities beginning on June 29, 1996, for  
21 an initial period of not more than 30 years. The lease agreement shall include all of  
22 the following:

23 **SECTION 2802.** 233.04 (7) (e) of the statutes is amended to read:

24 233.04 **(7)** (e) Any provision necessary to ensure that the general management  
25 and operation of the on-campus facilities are consistent with the mission and

**ASSEMBLY BILL 40****SECTION 2802**

1 responsibilities of the University of ~~Wisconsin System~~ Wisconsin-Madison specified  
2 in ss. ~~36.01 37.001~~ and ~~36.09 37.03~~.

3 **SECTION 2803.** 233.04 (7) (g) of the statutes is amended to read:

4 233.04 (7) (g) A provision that protects the ~~board of regents~~ Board of Trustees  
5 from all liability associated with the management, operation, use or maintenance of  
6 the on-campus facilities. No such provision shall make the authority liable for the  
7 acts or omissions of any officer, employee or agent of the ~~board of regents~~ Board of  
8 Trustees, including any student who is enrolled at the University of  
9 Wisconsin-Madison or an institution within the University of Wisconsin System,  
10 unless the officer, employee or agent acts at the direction of the authority.

11 **SECTION 2804.** 233.04 (7g) (a) of the statutes is amended to read:

12 233.04 (7g) (a) Submit any modification, extension or renewal of the lease  
13 agreement under sub. (7) to the joint committee on finance. No extension or renewal  
14 of the lease agreement may be for a period of more than 30 years. Modification,  
15 extension or renewal of the agreement may be made as proposed by the authority and  
16 the ~~board of regents~~ Board of Trustees only upon approval of the committee.

17 **SECTION 2805.** 233.04 (7g) (b) of the statutes is amended to read:

18 233.04 (7g) (b) If the committee does not approve an extension or renewal of  
19 the agreement, the on-campus facilities and any improvements, modifications or  
20 other facilities specified in sub. (7) (c) shall transfer to the ~~board of regents~~ Board of  
21 Regents.

22 **SECTION 2806.** 233.04 (7m) (intro.) of the statutes is amended to read:

23 233.04 (7m) (intro.) Subject to 1995 Wisconsin Act 27, section 9159 (2) (k),  
24 negotiate and enter into an affiliation agreement with the ~~board of regents~~ Board of  
25 Trustees. The affiliation agreement shall take effect on June 29, 1996. The initial

**ASSEMBLY BILL 40****SECTION 2806**

1 period of the affiliation agreement shall run concurrently with the initial period of  
2 the lease agreement under sub. (7), and the affiliation agreement shall include all  
3 of the following:

4 **SECTION 2807.** 233.04 (7m) (c) of the statutes is amended to read:

5 233.04 (7m) (c) A provision that requires the development of standards  
6 relating to the selection and financing by the authority of any corporation or  
7 partnership that provides health-related services. The standards shall be  
8 consistent with the missions of the authority and the ~~board of regents~~ Board of  
9 Trustees.

10 **SECTION 2808.** 233.04 (7m) (d) of the statutes is amended to read:

11 233.04 (7m) (d) A provision that requires the ~~board of regents~~ Board of Trustees  
12 to make reasonable charges for any services provided by the ~~board of regents~~ Board  
13 of Trustees to the authority.

14 **SECTION 2809.** 233.04 (7p) (a) of the statutes is amended to read:

15 233.04 (7p) (a) Submit any modification, extension or renewal of the affiliation  
16 agreement under sub. (7m) to the joint committee on finance. No extension or  
17 renewal of the affiliation agreement may be for a period of more than 30 years.  
18 Modification, extension or renewal of the agreement may be made as proposed by the  
19 authority and the ~~board of regents~~ Board of Trustees only upon approval of the  
20 committee.

21 **SECTION 2810.** 233.04 (7p) (b) of the statutes is amended to read:

22 233.04 (7p) (b) If the committee does not approve an extension or renewal of  
23 the agreement, the on-campus facilities and any improvements, modifications or  
24 other facilities specified in sub. (7) (c) shall transfer to the ~~board of regents~~ Board of  
25 Trustees.

**ASSEMBLY BILL 40****SECTION 2811**

1           **SECTION 2811.** 233.05 (1) (a) 1. of the statutes is amended to read:

2           233.05 (1) (a) 1. The board of directors or the ~~board of regents~~ Board of Trustees  
3 adopts a resolution opposing the automatic extensions or the joint committee on  
4 finance takes action opposing the automatic extensions.

5           **SECTION 2812.** 233.05 (2) (a) 1. of the statutes is amended to read:

6           233.05 (2) (a) 1. The board of directors or the ~~board of regents~~ Board of Trustees  
7 adopts a resolution opposing the automatic extension or the joint committee on  
8 finance takes action opposing the automatic extension.

9           **SECTION 2813.** 233.10 (3r) (b) 3. of the statutes is amended to read:

10           233.10 (3r) (b) 3. Grant to the carry-over employee, except when he or she is  
11 on an unpaid leave of absence, a paid holiday on each of the days specified as a  
12 holiday in policies and procedures established by the ~~board of regents~~ Board of  
13 Regents under s. 36.15 (2) as of the last day of the employee's employment as a state  
14 employee and any holiday compensatory time off that may be specified in policies and  
15 procedures established by the ~~board of regents~~ Board of Regents of the University  
16 of Wisconsin System under s. 36.15 (2) as of the last day of the employee's  
17 employment in the academic staff appointment.

18           **SECTION 2814.** 233.10 (3r) (b) 5. of the statutes is amended to read:

19           233.10 (3r) (b) 5. Grant to the carry-over employee military leave, treatment  
20 of military leave, jury service leave and voting leave in accordance with policies and  
21 procedures established by the ~~board of regents~~ Board of Regents of the University  
22 of Wisconsin System under s. 36.15 (2) and, as of the last day of the employee's  
23 employment in the academic staff appointment.

24           **SECTION 2815.** 233.10 (3r) (b) 6. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2815**

1           233.10 **(3r)** (b) 6. Grant to the carry-over employee the same opportunity for  
2 any employee training that may be provided under policies and procedures  
3 established by the ~~board of regents~~ Board of Regents of the University of Wisconsin  
4 System under s. 36.15 (2) as of the last day of his or her employment in the academic  
5 staff appointment.

6           **SECTION 2816.** 233.17 (2) (a) of the statutes is amended to read:

7           233.17 **(2)** (a) No officer, employee or agent of the ~~board of regents~~ Board of  
8 Regents or Board of Trustees, including any student who is enrolled at the University  
9 of Wisconsin-Madison or an institution within the University of Wisconsin System,  
10 is an agent of the authority unless the officer, employee or agent acts at the express  
11 written direction of the authority.

12           **SECTION 2817.** 233.17 (2) (b) of the statutes is amended to read:

13           233.17 **(2)** (b) Notwithstanding par. (a), no member of the faculty or academic  
14 staff of the University of ~~Wisconsin System~~ Wisconsin-Madison, acting within the  
15 scope of his or her employment, may be considered, for liability purposes, as an agent  
16 of the authority.

17           **SECTION 2818.** 234.01 (4n) (a) 3m. e. of the statutes is amended to read:

18           234.01 **(4n)** (a) 3m. e. The facility is located in a targeted area, as determined  
19 by the authority after considering the factors set out in s. 560.605 (2m) (c), 2005  
20 stats., s. 560.605 (2m) (d), 2005 stats., s. 560.605 (2m) (e), 2005 stats., s. 560.605 (2m)  
21 (g), 2007 stats., and s. 560.605 (2m) (a), (b), (f), and (h), 2009 stats.

22           **SECTION 2819.** 234.02 (1) of the statutes is amended to read:

23           234.02 **(1)** There is created a public body corporate and politic to be known as  
24 the “Wisconsin Housing and Economic Development Authority.” The members of the  
25 authority shall be the ~~secretary of commerce~~ chief executive officer of the Wisconsin



**ASSEMBLY BILL 40****SECTION 2819**

1 Economic Development Corporation or his or her designee and the secretary of  
2 administration or his or her designee, and 6 public members nominated by the  
3 governor, and with the advice and consent of the senate appointed, for staggered  
4 4–year terms commencing on the dates their predecessors' terms expire. In addition,  
5 one senator of each party and one representative to the assembly of each party  
6 appointed as are the members of standing committees in their respective houses  
7 shall serve as members of the authority. A member of the authority shall receive no  
8 compensation for services but shall be reimbursed for necessary expenses, including  
9 travel expenses, incurred in the discharge of duties. Subject to the bylaws of the  
10 authority respecting resignations, each member shall hold office until a successor  
11 has been appointed and has qualified. A certificate of appointment or reappointment  
12 of any member shall be filed with the authority and the certificate shall be conclusive  
13 evidence of the due and proper appointment.

14 **SECTION 2820.** 234.032 (2) (intro.) of the statutes is amended to read:

15 234.032 (2) (intro.) The authority, in consultation with the department of  
16 ~~commerce~~ Wisconsin Economic Development Corporation, shall do all of the  
17 following for each economic development program administered by the authority:

18 **SECTION 2821.** 234.034 of the statutes is amended to read:

19 **234.034 Consistency with state housing strategy plan.** Subject to  
20 agreements with bondholders or noteholders, the authority shall exercise its powers  
21 and perform its duties related to housing consistent with the state housing strategy  
22 plan under s. ~~560.9802~~ 234.5602.

23 **SECTION 2822.** 234.06 (1) of the statutes is amended to read:

24 234.06 (1) The authority may, as authorized in the state housing strategy plan  
25 under s. ~~560.9802~~ 234.5602, use the moneys held in the housing development fund

**ASSEMBLY BILL 40****SECTION 2822**

1 to make temporary loans to eligible sponsors, with or without interest, and with such  
2 security for repayment, if any, as the authority determines reasonably necessary and  
3 practicable, solely from the housing development fund, to defray development costs  
4 for the construction of proposed housing projects for occupancy by persons and  
5 families of low and moderate income. No temporary loan may be made unless the  
6 authority may reasonably anticipate that satisfactory financing may be obtained by  
7 the eligible sponsor for the permanent financing of the housing project.

8 **SECTION 2823.** 234.06 (3) of the statutes is amended to read:

9 234.06 (3) The authority may, as authorized in the state housing strategy plan  
10 under s. ~~560.9802~~ 234.5602, use the moneys held in the housing development fund  
11 to establish and administer programs of grants to counties, municipalities, and  
12 eligible sponsors of housing projects for persons of low and moderate income, to pay  
13 organizational expenses, administrative costs, social services, technical services,  
14 training expenses, or costs incurred or expected to be incurred by counties,  
15 municipalities, or sponsors for land and building acquisition, construction,  
16 improvements, renewal, rehabilitation, relocation, or conservation under a plan to  
17 provide housing or related facilities, if the costs are not reimbursable from other  
18 private or public loan, grant, or mortgage sources.

19 **SECTION 2824.** 234.08 (5) of the statutes is amended to read:

20 234.08 (5) This section does not supersede or impair the power of the  
21 ~~department of commerce~~ Wisconsin Economic Development Corporation to carry out  
22 its program responsibilities relating to economic development which are funded by  
23 bonds or notes issued under this section.

24 **SECTION 2825.** 234.08 (6) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2825**

1           234.08 (6) The authority may reimburse the ~~department of commerce~~  
2 Wisconsin Economic Development Corporation its operating costs to carry out its  
3 program responsibilities relating to economic development which are funded by  
4 bonds or notes issued under this section.

5           **SECTION 2826.** 234.165 (2) (b) 2. of the statutes is amended to read:

6           234.165 (2) (b) 2. Annually before August 31 the authority shall submit to the  
7 governor a plan for expending or encumbering the actual surplus reported under  
8 subd. 1. The part of the plan related to housing shall be consistent with the state  
9 housing strategy plan under s. ~~560.9802~~ 234.5602. The plan submitted under this  
10 subdivision may be attached to and submitted as a part of the report filed under subd.  
11 1.

12           **SECTION 2827.** 234.25 (1) (e) of the statutes is amended to read:

13           234.25 (1) (e) An evaluation of its progress in implementing within its own  
14 housing programs the goals, policies, and objectives of the state housing strategy  
15 plan under s. ~~560.9802~~ 234.5602, and recommendations for legislation to improve its  
16 ability to carry out its programs consistent with the state housing strategy plan.

17           **SECTION 2828.** 234.255 (title) of the statutes is amended to read:

18           **234.255 (title) Economic development assistance coordination and**  
19 **reporting.**

20           **SECTION 2829.** 234.255 of the statutes is renumbered 234.255 (2) and amended  
21 to read:

22           **234.255 (2)** Annually, no later than October 1, the authority shall submit to the  
23 joint legislative audit committee and to the appropriate standing committees of the  
24 legislature under s. 13.172 (3) a comprehensive report assessing economic  
25 development programs, as defined in s. 234.032 (1), administered by the authority.

**ASSEMBLY BILL 40****SECTION 2829**

1 The report shall include all of the information required under s. ~~560.01 (2) (am)~~  
2 238.07 (2). The authority shall collaborate with the ~~department of commerce~~  
3 Wisconsin Economic Development Corporation to make readily accessible to the  
4 public on an Internet-based system the information required under this section.

5 **SECTION 2830.** 234.255 (1) of the statutes is created to read:

6 234.255 (1) The authority shall coordinate any economic development  
7 assistance with the Wisconsin Economic Development Corporation.

8 **SECTION 2831.** 234.35 (1) of the statutes is amended to read:

9 234.35 (1) In this section, “minority business”, “minority financial adviser” and  
10 “minority investment firm” mean a business, financial adviser and investment firm,  
11 respectively, certified by the department of ~~commerce~~ safety and professional  
12 services under s. ~~560.036~~ 490.04 (2).

13 **SECTION 2832.** 234.36 (1) of the statutes is amended to read:

14 234.36 (1) In this section, “business,” “financial adviser,” and “investment firm”  
15 mean a business, financial adviser, and investment firm certified by the department  
16 of ~~commerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

17 **SECTION 2833.** 234.65 (1) (a) of the statutes is amended to read:

18 234.65 (1) (a) With the consent of the ~~department of commerce~~ Wisconsin  
19 Economic Development Corporation and subject to par. (f), the authority may issue  
20 its negotiable bonds and notes to finance its economic development activities  
21 authorized or required under this chapter, including financing economic  
22 development loans.

23 **SECTION 2834.** 234.65 (1) (f) of the statutes is amended to read:

24 234.65 (1) (f) The authority may not issue bonds or notes under par. (a) unless  
25 it has contracted to reimburse the ~~department of commerce~~ Wisconsin Economic

**ASSEMBLY BILL 40****SECTION 2834**

1 Development Corporation a sum certain for the department's corporation's operating  
2 costs in carrying out its responsibilities to effectuate and promote the economic  
3 development programs created with the bonding authority in this chapter and its  
4 responsibilities under s. ~~560.03 (17)~~ 238.25.

5 **SECTION 2835.** 234.65 (1m) of the statutes is amended to read:

6 234.65 **(1m)** The department of commerce Wisconsin Economic Development  
7 Corporation shall, in consultation with the authority, ~~promulgate rules and adopt~~  
8 ~~rules and~~ procedures, ~~in accordance with the procedures under ch. 227,~~ to implement  
9 sub. (3).

10 **SECTION 2836.** 234.65 (3) (a) of the statutes is amended to read:

11 234.65 **(3)** (a) The business that will receive the loan, at least 30 days prior to  
12 signing of the loan contract, has given notice of intent to sign the contract, on a form  
13 prescribed under s. ~~560.034~~ 238.11 (1), to the department of commerce Wisconsin  
14 Economic Development Corporation and to any collective bargaining agent in this  
15 state with whom the person has a collective bargaining agreement.

16 **SECTION 2837.** 234.65 (3) (am) of the statutes is amended to read:

17 234.65 **(3)** (am) The authority has received an estimate issued under s. ~~560.034~~  
18 238.11 (5) (b), and the department of commerce Wisconsin Economic Development  
19 Corporation has estimated whether the project that the authority would finance  
20 under the loan is expected to eliminate, create, or maintain jobs on the project site  
21 and elsewhere in this state and the net number of jobs expected to be eliminated,  
22 created, or maintained as a result of the project.

23 **SECTION 2838.** 234.65 (3m) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2838**

1           234.65 **(3m)** An economic development loan may not be made unless the  
2 ~~department of commerce~~ Wisconsin Economic Development Corporation complies  
3 with sub. (1m) and certifies that each loan complies with sub. (3).

4           **SECTION 2839.** 234.65 (3r) of the statutes is amended to read:

5           234.65 **(3r)** Any economic development loan which ~~which~~ that a business receives  
6 from the authority under this section to finance a project shall require the business  
7 to submit to the ~~department of commerce~~ Wisconsin Economic Development  
8 Corporation within 12 months after the project is completed or 2 years after a loan  
9 is issued to finance the project, whichever is sooner, on a form prescribed under s.  
10 ~~560.034~~ 234.11 (1), the net number of jobs eliminated, created, or maintained on the  
11 project site and elsewhere in this state as a result of the project. This subsection does  
12 not apply to an economic development loan to finance an economic development  
13 project described under s. 234.01 (4n) (c).

14           **SECTION 2840.** 234.65 (5) (intro.) of the statutes is amended to read:

15           234.65 **(5)** (intro.) On or before July 1, 1985, and every July 1 thereafter, the  
16 ~~department of commerce~~ Wisconsin Economic Development Corporation shall  
17 submit to the chief clerk of each house of the legislature, for distribution to the  
18 appropriate standing committees under s. 13.172 (3), a report ~~which shall address~~  
19 that addresses the effects of lending under this section in the following areas:

20           **SECTION 2841.** 234.83 (1c) (b) of the statutes is amended to read:

21           234.83 **(1c)** (b) “Small business” means a business, as defined in s. ~~560.60~~ (2)  
22 84.185 (1) (a), that employs 50 or fewer employees on a full-time basis.

23           **SECTION 2842.** 234.84 (1) of the statutes is amended to read:

24           234.84 **(1)** DEFINITION. In this section, “~~department~~” “corporation” means the  
25 ~~department of commerce~~ Wisconsin Economic Development Corporation.

**ASSEMBLY BILL 40****SECTION 2843**

1           **SECTION 2843.** 234.84 (3) (c) of the statutes is amended to read:

2           234.84 (3) (c) The interest rate on the loan, including any origination fees or  
3 other charges, is approved by the department corporation.

4           **SECTION 2844.** 234.84 (4) (a) of the statutes is amended to read:

5           234.84 (4) (a) Subject to par. (b), the authority shall guarantee collection of a  
6 percentage of the principal of, and all interest and any other amounts outstanding  
7 on, any loan eligible for a guarantee under sub. (2). The department corporation  
8 shall establish the percentage of the principal of an eligible loan that will be  
9 guaranteed, using the procedures described in the agreement under s. 234.932 (3)  
10 (a). The department corporation may establish a single percentage for all  
11 guaranteed loans or establish different percentages for eligible loans on an  
12 individual basis.

13           **SECTION 2845.** 234.84 (5) (a) of the statutes is amended to read:

14           234.84 (5) (a) The program under this section shall be administered by the  
15 department corporation with the cooperation of the authority. The department  
16 corporation shall enter into a memorandum of understanding with the authority  
17 setting forth the respective responsibilities of the department corporation and the  
18 authority with regard to the administration of the program, including the functions  
19 and responsibilities specified in s. 234.932. The memorandum of understanding  
20 shall provide for reimbursement to the department corporation by the authority for  
21 costs incurred by the department corporation in the administration of the program.

22           **SECTION 2846.** 234.84 (5) (b) of the statutes is amended to read:

23           234.84 (5) (b) The department corporation may charge a premium, fee, or other  
24 charge to a borrower of a guaranteed loan under this section for the administration  
25 of the loan guarantee.

**ASSEMBLY BILL 40****SECTION 2847**

1           **SECTION 2847.** 234.932 (1) of the statutes is repealed.

2           **SECTION 2848.** 234.932 (2) (a) of the statutes is amended to read:

3           234.932 **(2)** (a) Moneys ~~appropriated to the authority under s. 20.490 (6) (a) and~~  
4 ~~(k) or~~ received by the authority for the Wisconsin job training reserve fund from any  
5 other source.

6           **SECTION 2849.** 234.932 (3) (a) (intro.) of the statutes is amended to read:

7           234.932 **(3)** (a) (intro.) The authority ~~or department~~ shall enter into a  
8 guarantee agreement with any bank, production credit association, credit union,  
9 savings bank, savings and loan association, or other person who wishes to participate  
10 in the loan program guaranteed by the Wisconsin job training reserve fund. The  
11 authority ~~or department~~ may determine all of the following, consistent with the  
12 terms of the loan guarantee program:

13           **SECTION 2850.** 234.932 (3) (a) 2. of the statutes is amended to read:

14           234.932 **(3)** (a) 2. Any conditions upon which the authority ~~or department~~ may  
15 refuse to enter into such an agreement.

16           **SECTION 2851.** 234.932 (3) (c) of the statutes is amended to read:

17           234.932 **(3)** (c) The ~~department~~ Wisconsin Economic Development Corporation  
18 may establish an eligibility criteria review panel, consisting of experts in finance and  
19 in the subject area of the job training loan guarantee program, to provide advice  
20 about lending requirements and issues related to the job training loan guarantee  
21 program.

22           **SECTION 2852.** 234.932 (4) of the statutes is amended to read:

23           234.932 **(4)** INCREASES OR DECREASES IN LOAN GUARANTEES. The authority ~~or~~  
24 ~~department~~ may request the joint committee on finance to take action under s. 13.10  
25 to permit the authority to increase or decrease the total outstanding guaranteed



**ASSEMBLY BILL 40****SECTION 2852**

1 principal amount of loans that it may guarantee under the job training loan  
2 guarantee program. Included with its request, the authority ~~or department~~ shall  
3 provide a projection, for the next June 30, that compares the amounts required on  
4 that date to pay outstanding claims and to fund guarantees under the job training  
5 loan guarantee program, and the balance remaining in the Wisconsin job training  
6 reserve fund on that date after deducting such amounts, if the increase or decrease  
7 is approved, with such amounts and the balance remaining, if the increase or  
8 decrease is not approved.

9 **SECTION 2853.** 234.932 (5) of the statutes is amended to read:

10 234.932 (5) ANNUAL REPORT. Annually, the authority ~~or department~~ shall report  
11 on the number and total dollar amount of guaranteed loans under the job training  
12 loan guarantee program, the default rate on the loans and any other information on  
13 the program that the authority ~~or department~~ determines is significant.

14 **SECTION 2854.** 235.02 (2) (d) of the statutes is amended to read:

15 235.02 (2) (d) The ~~secretary of commerce, or the secretary's~~ chief executive  
16 officer of the Wisconsin Economic Development Corporation, or his or her designee.

17 **SECTION 2855.** 236.12 (2) (a) of the statutes is amended to read:

18 236.12 (2) (a) Two copies for each of the state agencies required to review the  
19 plat to the department which shall examine the plat for compliance with ss. 236.15,  
20 236.16, 236.20 and 236.21 (1) and (2). If the subdivision abuts or adjoins a state trunk  
21 highway or connecting highway, the department shall transmit 2 copies to the  
22 department of transportation so that agency may determine whether it has any  
23 objection to the plat on the basis of its rules as provided in s. 236.13. If the subdivision  
24 is not served by a public sewer and provision for that service has not been made, the  
25 department shall transmit 2 copies to the department of ~~commerce~~ safety and

**ASSEMBLY BILL 40****SECTION 2855**

1 professional services so that that agency may determine whether it has any objection  
2 to the plat on the basis of its rules as provided in s. 236.13. In lieu of this procedure  
3 the agencies may designate local officials to act as their agents in examining the plats  
4 for compliance with the statutes or their rules by filing a written delegation of  
5 authority with the approving body.

6 **SECTION 2856.** 236.13 (1) (d) of the statutes is amended to read:

7 236.13 (1) (d) The rules of the department of ~~commerce~~ safety and professional  
8 services relating to lot size and lot elevation necessary for proper sanitary conditions  
9 in a subdivision not served by a public sewer, where provision for public sewer service  
10 has not been made;

11 **SECTION 2857.** 236.13 (2m) of the statutes is amended to read:

12 236.13 (2m) As a further condition of approval when lands included in the plat  
13 lie within 500 feet of the ordinary high-water mark of any navigable stream, lake  
14 or other body of navigable water or if land in the proposed plat involves lake or stream  
15 shorelands referred to in s. 236.16, the department of natural resources, to prevent  
16 pollution of navigable waters, or the department of ~~commerce~~ safety and professional  
17 services, to protect the public health and safety, may require assurance of adequate  
18 drainage areas for private sewage disposal systems and building setback  
19 restrictions, or provisions by the owner for public sewage disposal facilities for  
20 waters of the state, as defined in s. 281.01 (18), industrial wastes, as defined in s.  
21 281.01 (5), and other wastes, as defined in s. 281.01 (7). The public sewage disposal  
22 facilities may consist of one or more systems as the department of natural resources  
23 or the department of ~~commerce~~ safety and professional services determines on the  
24 basis of need for prevention of pollution of the waters of the state or protection of  
25 public health and safety.

**ASSEMBLY BILL 40****SECTION 2858**

1           **SECTION 2858.** 236.335 of the statutes is amended to read:

2           **236.335 Prohibited subdividing; forfeit.** No lot or parcel in a recorded plat  
3 may be divided, or used if so divided, for purposes of sale or building development if  
4 the resulting lots or parcels do not conform to this chapter, to any applicable  
5 ordinance of the approving authority or to the rules of the department of ~~commerce~~  
6 safety and professional services under s. 236.13. Any person making or causing such  
7 a division to be made shall forfeit not less than \$100 nor more than \$500 to the  
8 approving authority, or to the state if there is a violation of this chapter or the rules  
9 of the department of ~~commerce~~ safety and professional services.

10           **SECTION 2859.** Subchapter I (title) of chapter 238 [precedes 238.01] of the  
11 statutes is created to read:

12   **CHAPTER 238**

13   SUBCHAPTER I

14   GENERAL PROVISIONS

15           **SECTION 2860.** 238.08 of the statutes is created to read:

16           **238.08 Records of the corporation.** All records of the corporation are open  
17 to the public as provided in s. 19.35 (1) except those records relating to pending  
18 grants, loans, or economic development projects that, in the opinion of the  
19 corporation, must remain confidential to protect the competitive nature of the grant,  
20 loan, or project.

21           **SECTION 2861.** 238.135 of the statutes is created to read:

22           **238.135 Grants to regional economic development organizations.** The  
23 corporation shall award annual grants to regional economic development  
24 organizations to fund marketing activities. The amount of each grant may not exceed

**ASSEMBLY BILL 40****SECTION 2861**

1 \$100,000 or the amount of matching funds the organization obtains from sources  
2 other than the corporation or the state, whichever is less.

3 **SECTION 2862.** 238.145 of the statutes is created to read:

4 **238.145 Wisconsin–source assets exclusion; business certification. (1)**

5 The corporation shall implement a program to certify businesses for purposes of s.  
6 71.05 (25). A business shall submit an application to the corporation in each calendar  
7 year for which the business desires certification.

8 **(2)** The corporation may certify a business if, in the business's taxable year  
9 ending immediately before the date of the business's application, all of the following  
10 are true:

11 (a) The amount of payroll compensation paid by the business in this state, as  
12 determined by the corporation, is equal to at least 50 percent of the amount of all  
13 payroll compensation paid by the business, as determined by the corporation.

14 (b) The value of real and tangible personal property owned or rented and used  
15 by the business in this state, as determined by the corporation, is equal to at least  
16 50 percent of the value of all real and tangible personal property owned or rented and  
17 used by the business, as determined by the corporation.

18 **(3)** The corporation shall notify the department of revenue of every certification  
19 issued under this section and of the date on which a certification is revoked or  
20 expires.

21 **(4)** The corporation, in consultation with the department of revenue, may adopt  
22 rules for the administration of this section.

23 **(5)** The corporation shall compile a list of businesses certified under this section  
24 and the taxable years for which the businesses are certified and shall make the list  
25 available to the public at the corporation's Internet Web site.

**ASSEMBLY BILL 40****SECTION 2863**

1           **SECTION 2863.** 238.146 of the statutes is created to read:

2           **238.146 Long-term Wisconsin capital assets deferral; business**  
3           **certification. (1)** The corporation shall implement a program to certify businesses  
4           for purposes of s. 71.05 (26). A business shall submit an application to the  
5           corporation in each calendar year for which the business desires certification.

6           **(2)** The corporation may certify a business if, in the business's taxable year  
7           ending immediately before the date of the business's application, all of the following  
8           are true:

9           (a) The amount of payroll compensation paid by the business in this state, as  
10          determined by the corporation, is equal to at least 50 percent of the amount of all  
11          payroll compensation paid by the business, as determined by the corporation.

12          (b) The value of real and tangible personal property owned or rented and used  
13          by the business in this state, as determined by the corporation, is equal to at least  
14          50 percent of the value of all real and tangible personal property owned or rented and  
15          used by the business, as determined by the corporation.

16          **(3)** The corporation shall notify the department of revenue of every certification  
17          issued under this section and of the date on which a certification is revoked or  
18          expires.

19          **(4)** The corporation, in consultation with the department of revenue, may adopt  
20          rules for the administration of this section.

21          **(5)** The corporation shall compile a list of businesses certified under this section  
22          and the taxable years for which the businesses are certified and shall make the list  
23          available to the public at the corporation's Internet Web site.

24           **SECTION 2864.** 238.16 (3) (am) of the statutes is created to read:

25           238.16 **(3)** (am) The person increases net employment in the person's business.

**ASSEMBLY BILL 40****SECTION 2865**

1           **SECTION 2865.** Subchapter II (title) of chapter 238 [precedes 238.30] of the  
2 statutes is created to read:

3   **CHAPTER 238**

4   SUBCHAPTER II

5   TAX INCENTIVES FOR BUSINESS

6   DEVELOPMENT

7           **SECTION 2866.** 238.30 (4m) of the statutes, as affected by 2011 Wisconsin Act  
8 .... (this act), is amended to read:

9           **238.30 (4m)** “Member of a targeted group” means a person who resides in an  
10 area designated by the federal government as an economic revitalization area, a  
11 person who is employed in an unsubsidized job but meets the eligibility requirements  
12 under s. 49.145 (2) and (3) for a Wisconsin Works employment position, a person who  
13 is employed in a trial job, as defined in s. 49.141 (1) (n), or in a real work, real pay  
14 project position under s. 49.147 (3m), a person who is eligible for child care assistance  
15 under s. 49.155, a person who is a vocational rehabilitation referral, an economically  
16 disadvantaged youth, an economically disadvantaged veteran, a supplemental  
17 security income recipient, a general assistance recipient, an economically  
18 disadvantaged ex-convict, a dislocated worker, as defined in 29 USC 2801 (9), or a  
19 ~~food-stamp~~ recipient of benefits under the supplemental nutrition assistance  
20 program under 7 USC 2011 to 2036, if the person has been certified in the manner  
21 under 26 USC 51 (d) (13) (A) by a designated local agency, as defined in 26 USC 51  
22 (d) (12).

23           **SECTION 2867.** 247.06 (1) (a) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2867**

1           247.06 (1) (a) The foundation may distribute moneys appropriated under s.  
2           20.220 (1) (r) to the arts board for programs that provide operating support to arts  
3           organizations and for the Wisconsin regranting program under s. ~~44.62~~ 41.62.

4           **SECTION 2868.** 247.06 (2) (b) of the statutes is amended to read:

5           247.06 (2) (b) The foundation may not distribute moneys to the arts board  
6           under sub. (1) (a) in any fiscal year in which the foundation determines that the  
7           amount of general purpose revenue appropriated to the ~~arts board~~ department of  
8           tourism under s. ~~20.215~~ 20.380 (3) is less than the amount appropriated in the  
9           previous fiscal year.

10          **SECTION 2869.** 250.20 (2) (d) of the statutes is amended to read:

11          250.20 (2) (d) Work closely with all state agencies, including the ~~board of~~  
12          ~~regents~~ Board of Regents of the University of Wisconsin System and the technical  
13          college system board, with the Board of Trustees of the University of  
14          Wisconsin-Madison, with the University of Wisconsin Hospitals and Clinics  
15          Authority, with the private sector and with groups concerned with issues of the  
16          health of economically disadvantaged minority group members to develop long-term  
17          solutions to health problems of minority group members.

18          **SECTION 2870.** 250.20 (2) (f) of the statutes is amended to read:

19          250.20 (2) (f) Encourage economically disadvantaged minority group members  
20          who are students to enter career health care professions, by developing materials  
21          that are culturally sensitive and appropriate and that promote health care  
22          professions as careers, for use by the University of Wisconsin System, the University  
23          of Wisconsin-Madison, the technical college system and the Medical College of  
24          Wisconsin in recruiting the students.

25          **SECTION 2871.** 251.02 (3) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2871**

1           251.02 (3) A county board may, in conjunction with the county board of another  
2 county one or more other counties, establish a multiple county health department,  
3 which shall meet the requirements of this chapter. A multiple county health  
4 department shall serve all areas of the respective counties that are not served by a  
5 city health department that was established prior to January 1, 1994, by a town or  
6 village health department established under sub. (3m), or by a multiple municipal  
7 local health department established under sub. (3r).

8           **SECTION 2872.** 252.12 (2) (a) 9. of the statutes is amended to read:

9           252.12 (2) (a) 9. 'Grant for family resource center.' The department shall award  
10 a grant to develop and implement an African–American family resource center in the  
11 city of Milwaukee that targets activities toward the prevention and treatment of HIV  
12 infection and related infections, including hepatitis C virus infection, of minority  
13 group members, as defined in s. ~~560.036~~ 490.04 (1) (f).

14           **SECTION 2873.** 252.12 (2) (c) 2. of the statutes is amended to read:

15           252.12 (2) (c) 2. From the appropriation account under s. 20.435 (1) (am), the  
16 department shall award \$75,000 in each fiscal year as grants for services to prevent  
17 HIV infection and related infections, including hepatitis C virus infection. Criteria  
18 for award of the grants shall include the criteria specified under subd. 1. The  
19 department shall award 60% of the funding to applying organizations that receive  
20 funding under par. (a) 8. and 40% of the funding to applying community–based  
21 organizations that are operated by minority group members, as defined in s. ~~560.036~~  
22 490.04 (1) (f).

23           **SECTION 2874.** 252.15 (5g) (c) of the statutes is amended to read:

24           252.15 (5g) (c) A physician, physician assistant, or advanced practice nurse  
25 prescriber, based on information provided to the physician, physician assistant, or



**ASSEMBLY BILL 40****SECTION 2874**

1 advanced practice nurse prescriber, determines and certifies in writing that the  
2 person has had contact that constitutes a significant exposure. The certification  
3 shall accompany the request for HIV testing and disclosure. If the person is a  
4 physician, physician assistant, or advanced practice nurse prescriber, he or she may  
5 not make this determination or certification. The information that is provided to a  
6 physician, physician assistant, or advanced practice nurse prescriber to document  
7 the occurrence of the contact that constitutes a significant exposure and the  
8 physician's, physician assistant's, or advanced practice nurse prescriber's  
9 certification that the person has had contact that constitutes a significant exposure,  
10 shall be provided on a report form that is developed by the department of ~~commerce~~  
11 safety and professional services under s. 101.02 (19) (a) or on a report form that the  
12 department of ~~commerce~~ safety and professional services determines, under s.  
13 101.02 (19) (b), is substantially equivalent to the report form that is developed under  
14 s. 101.02 (19) (a).

15 **SECTION 2875.** 253.07 (4) of the statutes is repealed.

16 **SECTION 2876.** 253.13 (1m) of the statutes is amended to read:

17 253.13 (1m) URINE TESTS. The department may establish a urine test program  
18 to test infants for causes of congenital disorders. The state laboratory of hygiene  
19 ~~board~~ may establish the methods of obtaining urine specimens and testing such  
20 specimens, and may develop materials for use in the tests. No person may be  
21 required to participate in programs developed under this subsection.

22 **SECTION 2877.** 253.13 (2) of the statutes is amended to read:

23 253.13 (2) TESTS; DIAGNOSTIC, DIETARY AND FOLLOW-UP COUNSELING PROGRAM;  
24 FEES. The department shall contract with the state laboratory of hygiene to perform  
25 the tests specified under this section and to furnish materials for use in the tests.

**ASSEMBLY BILL 40****SECTION 2877**

1 The department shall provide necessary diagnostic services, special dietary  
2 treatment as prescribed by a physician for a patient with a congenital disorder as  
3 identified by tests under sub. (1) or (1m) and follow-up counseling for the patient and  
4 his or her family. ~~The state laboratory of hygiene board, on behalf of the department,~~  
5 ~~shall impose a fee, by rule, for tests performed under this section sufficient to pay for~~  
6 ~~services provided under the contract. The state laboratory of hygiene board shall~~  
7 department may include as part of this fee amounts the department determines are  
8 sufficient to fund the provision of diagnostic and counseling services, special dietary  
9 treatment, and periodic evaluation of infant screening programs, the costs of  
10 consulting with experts under sub. (5), the costs of administering the hearing  
11 screening program under s. 253.115, and the costs of administering the congenital  
12 disorder program under this section and shall credit these amounts to the  
13 appropriation accounts under s. 20.435 (1) (ja) and (jb).

14 **SECTION 2878.** 253.13 (4) of the statutes is amended to read:

15 253.13 (4) CONFIDENTIALITY OF TESTS AND RELATED INFORMATION. The state  
16 laboratory of hygiene shall provide the test results to the physician, who shall advise  
17 the parents or legal guardian of the results. No information obtained under this  
18 section from the parents or guardian or from specimens from the infant may be  
19 disclosed except for use in statistical data compiled by the department without  
20 reference to the identity of any individual and except as provided in s. 146.82 (2). The  
21 state laboratory of hygiene board shall provide to the department the names and  
22 addresses of parents of infants who have positive test results.

23 **SECTION 2879.** 253.15 (1) (c) of the statutes is amended to read:

24 253.15 (1) (c) “Health care provider” means any person who is licensed,  
25 registered, permitted, or certified by the department of health services or the

**ASSEMBLY BILL 40****SECTION 2879**

1 department of ~~regulation and licensing~~ safety and professional services to provide  
2 health care services in this state.

3 **SECTION 2880.** 254.02 (3) (a) of the statutes is amended to read:

4 254.02 (3) (a) The department of agriculture, trade and consumer protection,  
5 the department of corrections, the department of ~~commerce~~ safety and professional  
6 services, and the department of natural resources shall enter into memoranda of  
7 understanding with the department to establish protocols for the department to  
8 review proposed rules of those state agencies relating to air and water quality,  
9 occupational health and safety, institutional sanitation, toxic substances, indoor air  
10 quality, food protection or waste handling and disposal.

11 **SECTION 2881.** 254.176 (2) (e) of the statutes is amended to read:

12 254.176 (2) (e) A person who engages in the business of installing or servicing  
13 heating, ventilating or air conditioning equipment if the person is registered with the  
14 department of ~~commerce~~ safety and professional services and if the person engages  
15 in activities that constitute lead hazard reduction, only to the extent that the  
16 activities are within the scope of his or her registration.

17 **SECTION 2882.** 254.19 of the statutes is amended to read:

18 **254.19 Asbestos testing fees.** Notwithstanding s. ~~36.25 (11) (f)~~ 37.57 (6), the  
19 state laboratory of hygiene ~~board~~ shall impose a fee sufficient to pay for any asbestos  
20 testing services which it provides.

21 **SECTION 2883.** 254.22 (4) of the statutes is amended to read:

22 254.22 (4) Assist the department of ~~commerce~~ safety and professional services  
23 with the enforcement of s. 101.123.

24 **SECTION 2884.** 254.51 (2) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2884**

1           254.51 (2) The department shall enter into memoranda of understanding with  
2 the department of agriculture, trade and consumer protection, the department of  
3 ~~commerce~~ safety and professional services, and the department of natural resources  
4 regarding the investigation and control of animal-borne and vector-borne disease.

5           **SECTION 2885.** 254.61 (5) (f) of the statutes is amended to read:

6           254.61 (5) (f) Any college campus, as defined in s. 36.05 (6m), institution as  
7 defined in s. 36.51 (1) (b), university, as defined in s. 37.01 (9), or technical college that  
8 serves meals only to the students enrolled in the college campus, institution,  
9 university, or school or to authorized elderly persons under s. 36.51, 37.51, or 38.36.

10          **SECTION 2886.** 254.73 (1) of the statutes is amended to read:

11          254.73 (1) Every hotel with sleeping accommodations with more than 12  
12 bedrooms above the first story shall, between the hours of 12 midnight and 6 a.m.  
13 provide a system of security personnel patrol, or of mechanical and electrical devices,  
14 or both, adequate, according to standards established by the department of  
15 ~~commerce~~ safety and professional services, to warn all guests and employees in time  
16 to permit their evacuation in case of fire.

17          **SECTION 2887.** 254.74 (1) (am) of the statutes is amended to read:

18          254.74 (1) (am) Promulgate rules, in consultation with the department of  
19 ~~commerce~~ safety and professional services, under which the department of health  
20 services shall conduct regular inspections of sealed combustion units, as required  
21 under s. 101.149 (5) (c), for carbon monoxide emissions in hotels, tourist rooming  
22 houses, and bed and breakfast establishments. The rules shall specify conditions  
23 under which it may issue orders as specified under s. 101.149 (8) (a). The rules may  
24 not require the department of health services to inspect sealed combustion units

**ASSEMBLY BILL 40****SECTION 2887**

1 during the period in which the sealed combustion units are covered by a  
2 manufacturer's warranty against defects.

3 **SECTION 2888.** 254.78 of the statutes is amended to read:

4 **254.78 Authority of department of ~~commerce~~ safety and professional**  
5 **services.** Nothing in this chapter shall affect the authority of the department of  
6 ~~commerce~~ safety and professional services relative to places of employment,  
7 elevators, boilers, fire escapes, fire protection, or the construction of public buildings.

8 **SECTION 2889.** 254.79 of the statutes is amended to read:

9 **254.79 Joint employment.** The department and the department of ~~commerce~~  
10 safety and professional services may employ experts, inspectors or other assistants  
11 jointly.

12 **SECTION 2890.** 255.05 (1) (d) of the statutes is amended to read:

13 255.05 (1) (d) "Public agency" means a county, city, village, town or school  
14 district, the University of Wisconsin–Madison, or an agency of this state or of a  
15 county, city, village, town or school district.

16 **SECTION 2891.** 255.054 (1) of the statutes is amended to read:

17 255.054 (1) The Medical College of Wisconsin, Inc., and the University of  
18 Wisconsin Comprehensive Carbone Cancer Center shall use the moneys  
19 appropriated under ~~ss. s.~~ s. 20.250 (2) (h) and 20.285 (1) (gn) the moneys paid under  
20 s. 71.10 (5h) (i) for prostate cancer research projects. These moneys may not be used  
21 to supplant funds available for prostate cancer research from other sources.

22 **SECTION 2892.** 255.054 (2) of the statutes is amended to read:

23 255.054 (2) Annually by January 1, the Medical College of Wisconsin, Inc., and  
24 the Board of Regents Trustees of the University of Wisconsin–System  
25 Wisconsin–Madison shall each report to the appropriate standing committees of the

**ASSEMBLY BILL 40****SECTION 2892**

1 legislature under s. 13.172 (3) and to the governor on the prostate cancer research  
2 projects each has conducted under sub. (1) in the previous fiscal year.

3 **SECTION 2893.** 255.055 (1) of the statutes is amended to read:

4 255.055 (1) The Medical College of Wisconsin, Inc., and the University of  
5 Wisconsin Comprehensive Carbone Cancer Center shall use the moneys  
6 appropriated under ~~ss. s.~~ s. 20.250 (2) (g) and 20.285 (1) (gm) the moneys paid under  
7 s. 71.10 (5f) (i) for breast cancer research projects. These moneys may not be used  
8 to supplant funds available for breast cancer research from other sources.

9 **SECTION 2894.** 255.055 (2) of the statutes is amended to read:

10 255.055 (2) Annually by January 1, the Medical College of Wisconsin, Inc., and  
11 the Board of ~~Regents~~ Trustees of the University of Wisconsin ~~System~~  
12 Wisconsin-Madison shall each report to the appropriate standing committees of the  
13 legislature under s. 13.172 (3) and to the governor on the breast cancer research  
14 projects each has conducted under sub. (1) in the previous fiscal year.

15 **SECTION 2895.** 256.35 (3m) (h) of the statutes is amended to read:

16 256.35 (3m) (h) *Other charges prohibited.* No local government ~~or state agency,~~  
17 ~~as defined in s. 560.9810 (1)~~ and no office, commission, department, or independent  
18 agency in the executive branch of state government, except the commission, may  
19 require a wireless provider to collect or pay a surcharge or fee related to wireless  
20 emergency telephone service.

21 **SECTION 2896.** 281.33 (2) of the statutes is amended to read:

22 281.33 (2) STATE STORM WATER MANAGEMENT PLAN. The department, in  
23 consultation with the department of ~~commerce~~ safety and professional services,  
24 shall promulgate by rule a state storm water management plan. This state plan is  
25 applicable to activities contracted for or conducted by any agency, as defined under

**ASSEMBLY BILL 40****SECTION 2896**

1 s. 227.01 (1) but also including the office of district attorney, unless that agency  
2 enters into a memorandum of understanding with the department of natural  
3 resources in which that agency agrees to regulate activities related to storm water  
4 management. The department shall coordinate the activities of agencies, as defined  
5 under s. 227.01 (1), in storm water management and make recommendations to  
6 these agencies concerning activities related to storm water management.

7 **SECTION 2897.** 281.33 (3m) (title) of the statutes is repealed.

8 **SECTION 2898.** 281.33 (3m) (a) of the statutes is renumbered 101.1206 (1).

9 **SECTION 2899.** 281.33 (3m) (b) of the statutes is renumbered 101.1206 (2) and  
10 amended to read:

11 101.1206 (2) The department shall require the submission of plans for erosion  
12 control at construction sites described in ~~par. (a)~~ sub. (1) to the department or to a  
13 county, city, village, or town to which the department has delegated authority under  
14 ~~par. (d)~~ sub. (4) and shall require approval of those plans by the department or the  
15 county, city, village, or town.

16 **SECTION 2900.** 281.33 (3m) (c) of the statutes is renumbered 101.1206 (3) and  
17 amended to read:

18 101.1206 (3) The department shall require inspection of erosion control  
19 activities and structures at construction sites described in ~~par. (a)~~ sub. (1) by the  
20 department or a county, city, village, or town to which the department has delegated  
21 authority under ~~par. (d)~~ sub. (4).

22 **SECTION 2901.** 281.33 (3m) (d) of the statutes is renumbered 101.1206 (4).

23 **SECTION 2902.** 281.33 (3m) (e) of the statutes is renumbered 101.1206 (5) and  
24 amended to read:

**ASSEMBLY BILL 40****SECTION 2902**

1           101.1206 (5) Except as provided in ~~par. (f) sub. (5m)~~, the authority of a county,  
2 city, village, or town with respect to erosion control at sites described in ~~par. (a) sub.~~  
3 (1) is limited to that authority delegated under ~~par. (d) sub. (4)~~ and any other  
4 authority provided in rules promulgated under this ~~subsection~~ section.

5           **SECTION 2903.** 281.33 (3m) (f) of the statutes is renumbered 101.1206 (5m) and  
6 amended to read:

7           101.1206 (5m) Notwithstanding ~~pars. (a) subs. (1) and (e) (5)~~, a county, city,  
8 village, or town that has in effect on January 1, 1994, an ordinance that establishes  
9 standards for erosion control at building sites for the construction of public buildings  
10 and buildings that are places of employment may continue to administer and enforce  
11 that ordinance if the standards in the ordinance are more stringent than the  
12 standards established under ~~par. (a) sub. (1)~~.

13           **SECTION 2904.** 281.33 (3m) (g) of the statutes is renumbered 101.1206 (6) and  
14 amended to read:

15           101.1206 (6) The department, or a county, city, village, or town to which the  
16 department delegates the authority to act under this ~~paragraph~~ subsection, may  
17 issue a special order directing the immediate cessation of work on a construction site  
18 described in ~~par. (a) sub. (1)~~ until any required plan approval is obtained or until the  
19 site complies with standards established by rules promulgated under this ~~subsection~~  
20 section.

21           **SECTION 2905.** 281.33 (3m) (h) of the statutes is renumbered 101.1206 (7).

22           **SECTION 2906.** 281.344 (8) (a) of the statutes is amended to read:

23           281.344 (8) (a) *Goals and objectives.* The department shall specify water  
24 conservation and efficiency goals and objectives for the waters of the state. The  
25 department shall specify goals and objectives for the waters of the Great Lakes basin



**ASSEMBLY BILL 40****SECTION 2906**

1 that are consistent with the goals under s. 281.343 (4b) (a) and the objectives  
2 identified by the regional body under Article 304 (1) of the Great Lakes — St.  
3 Lawrence River Basin Sustainable Water Resources Agreement. In specifying these  
4 goals and objectives, the department shall consult with the department of ~~commerce~~  
5 safety and professional services and the public service commission.

6 **SECTION 2907.** 281.344 (8) (b) (intro.) of the statutes is amended to read:

7 281.344 (8) (b) *Statewide program.* (intro.) In cooperation with the department  
8 of ~~commerce~~ safety and professional services and the public service commission, the  
9 department shall develop and implement a statewide water conservation and  
10 efficiency program that includes all of the following:

11 **SECTION 2908.** 281.344 (8) (b) 3. of the statutes is amended to read:

12 281.344 (8) (b) 3. Water conservation and efficiency measures that the  
13 department of ~~commerce~~ safety and professional services requires or authorizes to  
14 be implemented under chs. 101 and 145.

15 **SECTION 2909.** 281.346 (8) (a) of the statutes is amended to read:

16 281.346 (8) (a) *Goals and objectives.* The department shall specify water  
17 conservation and efficiency goals and objectives for the waters of the state and for the  
18 waters of the Great Lakes basin. The department shall specify goals and objectives  
19 for the waters of the Great Lakes basin that are consistent with the goals under s.  
20 281.343 (4b) (a) and the objectives identified by the Great Lakes council under s.  
21 281.343 (4b) (a) and (c). In specifying these goals and objectives, the department  
22 shall consult with the department of ~~commerce~~ safety and professional services and  
23 the public service commission and consider the water conservation and efficiency  
24 goals and objectives developed in any pilot program conducted by the department in  
25 cooperation with the regional body.

**ASSEMBLY BILL 40****SECTION 2910**

1           **SECTION 2910.** 281.346 (8) (b) (intro.) of the statutes is amended to read:

2           281.346 **(8)** (b) *Statewide program.* (intro.) In cooperation with the department  
3 of ~~commerce~~ safety and professional services and the public service commission, the  
4 department shall develop and implement a statewide water conservation and  
5 efficiency program that includes all of the following:

6           **SECTION 2911.** 281.346 (8) (b) 3. of the statutes is amended to read:

7           281.346 **(8)** (b) 3. Water conservation and efficiency measures that the  
8 department of ~~commerce~~ safety and professional services requires or authorizes to  
9 be implemented under chs. 101 and 145.

10          **SECTION 2912.** 281.57 (7) (c) 1. of the statutes is amended to read:

11          281.57 **(7)** (c) 1. Metropolitan sewerage districts that serve 1st class cities are  
12 limited in each fiscal year to receiving total grant awards not to exceed 33% of the  
13 sum of the amounts in the schedule for that fiscal year for the appropriation under  
14 s. ~~20.143(3)~~ 20.165 (2) (de) and the amount authorized under sub. (10) for that fiscal  
15 year plus the unencumbered balance at the end of the preceding fiscal year for the  
16 amount authorized under sub. (10). This subdivision is not applicable to grant  
17 awards provided during fiscal years 1985–86, 1986–87, 1988–89 and 1989–90.

18          **SECTION 2913.** 281.58 (12) (a) 1. of the statutes is amended to read:

19          281.58 **(12)** (a) 1. Except as modified under par. (f) and except as restricted by  
20 sub. (8) (b), (c), (f) or (h), the interest rate for projects specified in sub. (7) (b) 1. and  
21 2. is 55% 60 percent of market interest rate for projects for which the subsidy is  
22 allocated from the amount under s. 281.59 (3e) (b) for a biennium before the ~~2009–11~~  
23 2011–13 biennium and ~~60%~~ 80 percent of market interest rate for projects for which  
24 the subsidy is allocated from the amount under s. 281.59 (3e) (b) for the ~~2009–11~~  
25 2011–13 biennium or later.

**ASSEMBLY BILL 40****SECTION 2914**

1           **SECTION 2914.** 281.58 (12) (a) 2. of the statutes is amended to read:

2           281.58 **(12)** (a) 2. Except as modified under par. (f) and except as restricted by  
3 sub. (8) (b), (c), (f) or (h), the interest rate for projects specified in sub. (7) (b) 5. is ~~65%~~  
4 65 percent of market interest rate for projects for which the subsidy is allocated from  
5 the amount under s. 281.59 (3e) (b) for a biennium before the 2011–13 biennium and  
6 80 percent of market interest rate for projects for which the subsidy is allocated from  
7 the amount under s. 281.59 (3e) (b) for the 2011–13 biennium or later.

8           **SECTION 2915.** 281.58 (12) (a) 3. of the statutes is amended to read:

9           281.58 **(12)** (a) 3. Except as modified under par. (f) and except as restricted by  
10 sub. (8) (b), (c), (f) or (h), the interest rate for projects specified in sub. (7) (b) 4. is ~~70%~~  
11 70 percent of market interest rate for projects for which the subsidy is allocated from  
12 the amount under s. 281.59 (3e) (b) for a biennium before the 2011–13 biennium and  
13 80 percent of market interest rate for projects for which the subsidy is allocated from  
14 the amount under s. 281.59 (3e) (b) for the 2011–13 biennium or later.

15           **SECTION 2916.** 281.58 (12) (f) of the statutes is amended to read:

16           281.58 **(12)** (f) The department and the department of administration jointly  
17 may request the joint committee on finance to take action under s. 13.101 (11) to  
18 modify the percentage of market interest rates rate established in par. (a) 1. ~~to~~ 3.

19           **SECTION 2917.** 281.59 (3e) (b) 1. of the statutes is amended to read:

20           281.59 **(3e)** (b) 1. Equal to \$134,900,000 \$54,400,000 during the 2009–11  
21 2011–13 biennium.

22           **SECTION 2918.** 281.59 (3e) (b) 3. of the statutes is amended to read:

23           281.59 **(3e)** (b) 3. Equal to \$1,000 for any biennium after the 2009–11 2011–13  
24 biennium.

25           **SECTION 2919.** 281.59 (3e) (d) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2919**

1           281.59 (3e) (d) The department may expend, for financial assistance in a  
2 biennium other than financial hardship assistance under s. 281.58 (13) (e), an  
3 amount up to ~~85%~~ 95 percent of the amount approved by the legislature under par.  
4 (b). The department may expend such amount only from the percentage of the  
5 amount approved under par. (b) that is not available under par. (e) for financial  
6 hardship assistance.

7           **SECTION 2920.** 281.59 (3e) (e) of the statutes is amended to read:

8           281.59 (3e) (e) The department may expend, for financial hardship assistance,  
9 other than federal financial hardship assistance grants under s. 281.58 (13) (be), in  
10 a biennium under s. 281.58 (13) (e), an amount up to ~~15%~~ 5 percent of the amount  
11 approved by the legislature under par. (b) for that biennium. The department may  
12 expend such amount only from the percentage of the amount approved by the  
13 legislature under par. (b) that is not available under par. (d) for financial assistance.

14           **SECTION 2921.** 281.59 (3s) (b) 1. of the statutes is amended to read:

15           281.59 (3s) (b) 1. Equal to \$17,600,000 \$30,700,000 during the 2009–11  
16 2011–13 biennium.

17           **SECTION 2922.** 281.59 (3s) (b) 2. of the statutes is amended to read:

18           281.59 (3s) (b) 2. Equal to \$1,000 for any biennium after the 2009–11 2011–13  
19 biennium.

20           **SECTION 2923.** 281.59 (4) (f) of the statutes is amended to read:

21           281.59 (4) (f) Revenue obligations may be contracted by the building  
22 commission when it reasonably appears to the building commission that all  
23 obligations incurred under this subsection, and all payments under an agreement or  
24 ancillary arrangement entered into under s. 18.55 (6) with respect to revenue  
25 obligations issued under this subsection, can be fully paid on a timely basis from

**ASSEMBLY BILL 40****SECTION 2923**

1 moneys received or anticipated to be received. Revenue obligations issued under this  
2 subsection for the clean water fund program shall not exceed \$2,363,300,000  
3 \$2,716,300,000 in principal amount, excluding obligations issued to refund  
4 outstanding revenue obligation notes.

5 **SECTION 2924.** 281.60 (6) of the statutes is amended to read:

6 281.60 (6) PRIORITY LIST. The department shall establish a priority list that  
7 ranks each land recycling loan program project. The department shall promulgate  
8 rules for determining project rankings based on the potential of projects to reduce  
9 environmental pollution and threats to human health and, for sites and facilities  
10 that are not landfills, the extent to which projects will prevent the development of  
11 undeveloped land by making land available for redevelopment after a cleanup is  
12 conducted. Before the department establishes the priority list, the department shall  
13 consider the recommendations of the department of administration and the  
14 ~~department of commerce~~ Wisconsin Economic Development Corporation.

15 **SECTION 2925.** 281.61 (8) (a) 2. of the statutes is amended to read:

16 281.61 (8) (a) 2. In any biennium, no local governmental unit may receive more  
17 than 25% of the ~~amount established under s. 281.59 (3s) (b)~~ funds that the  
18 department of administration projects will be available for that biennium.

19 **SECTION 2926.** 281.66 (6) of the statutes is amended to read:

20 281.66 (6) GRANTS FOR CAMPUSES. Notwithstanding subs. (3) and (4), the  
21 department may distribute a grant to the ~~board of regents~~ Board of Trustees of the  
22 University of Wisconsin–Madison or Board of Regents of the University of Wisconsin  
23 System for practices, techniques or measures to control storm water discharges on  
24 the University of Wisconsin–Madison campus or a University of Wisconsin System  
25 campus that is located in a municipality that is required to obtain a permit under s.

**ASSEMBLY BILL 40****SECTION 2926**

1 283.33 and that is located in a priority watershed, as defined in s. 281.65 (2) (c), a  
2 priority lake area, as defined in s. 281.65 (2) (bs), or an area that is identified as an  
3 area of concern by the International Joint Commission, as defined in s. 281.35 (1) (h),  
4 under the Great Lakes Water Quality Agreement.

5 **SECTION 2927.** 281.68 (2) (a) of the statutes is amended to read:

6 281.68 (2) (a) The department may provide a grant of 75% of the cost of a lake  
7 management planning project up to a total of \$10,000 \$25,000 per grant.

8 **SECTION 2928.** 281.75 (4) (b) 3. of the statutes, as affected by 2011 Wisconsin  
9 Act 7, is amended to read:

10 281.75 (4) (b) 3. An authority created under subch. II of ch. 114 or ch. 37, 52,  
11 231, 233, 234, 237, or 238.

12 **SECTION 2929.** 281.75 (18) of the statutes is amended to read:

13 281.75 (18) **SUSPENSION OR REVOCATION OF LICENSES.** The department may  
14 suspend or revoke a license issued under ch. 280 if the department finds that the  
15 licensee falsified information submitted under this section. The department of  
16 ~~commerce~~ safety and professional services may suspend or revoke the license of a  
17 plumber licensed under ch. 145 if the department of ~~commerce~~ safety and  
18 professional services finds that the plumber falsified information submitted under  
19 this section.

20 **SECTION 2930.** 283.11 (3) (am) of the statutes is renumbered 283.11 (3) (am) 1.  
21 and amended to read:

22 283.11 (3) (am) 1. Notwithstanding sub. (1) or (2), and except as provided in  
23 subd. 2., the department shall promulgate by rule effluent limitations representing  
24 the best available demonstrated control technology, processes, operating methods or  
25 other alternatives concerning the discharge of phosphorous if the U.S.

**ASSEMBLY BILL 40****SECTION 2930**

1 environmental protection agency has not promulgated an effluent limitation,  
2 effluent standard or prohibition concerning this type of discharge.

3 **SECTION 2931.** 283.11 (3) (am) 2. of the statutes is created to read:

4 283.11 (3) (am) 2. a. In this subdivision, “region” means the geographic region  
5 composed of the states of Illinois, Indiana, Michigan, Minnesota, or Ohio.

6 b. The department may not promulgate or enforce any rule establishing an  
7 effluent limitation for the discharge of phosphorous if that effluent limitation is more  
8 stringent than the effluent limitation for the discharge of phosphorous that is  
9 established by any state in the region.

10 **SECTION 2932.** 283.15 (2) (a) of the statutes is renumbered 283.15 (2) (am) and  
11 amended to read:

12 283.15 (2) (am) 1. ~~When~~ Within 60 days after the department issues, reissues  
13 or modifies a permit to include a water quality based effluent limitation under s.  
14 283.13 (5), the permittee may apply to the department for a variance from the water  
15 quality standard used to derive the limitation.

16 2. After an application for a variance is submitted to the department under  
17 subd. 1., and until the last day for seeking review of the secretary’s final decision on  
18 the application or a later date fixed by order of the reviewing court, the water quality  
19 based effluent limitation under s. 283.13 (5) and the corresponding compliance  
20 schedule are not effective. All other provisions of the permit continue in effect except  
21 those for which a petition for review has been submitted under s. 283.63. For those  
22 provisions for which an application for variance has been submitted under this  
23 section, the corresponding or similar provisions of the prior permit continue in effect  
24 until the last day for seeking review of the department’s final decision or a later date  
25 fixed by order of the reviewing court.

**ASSEMBLY BILL 40****SECTION 2933**

1           **SECTION 2933.** 283.15 (2) (a) of the statutes is created to read:

2           283.15 (2) (a) If a permit contains a variance or if a permittee anticipates that  
3 a reissued permit will include a water quality based effluent limitation under s.  
4 283.13 (5), when the permittee applies for reissuance of the permit the permittee may  
5 apply to the department for renewal of the variance or for a variance from the water  
6 quality standard that would be used to derive the water quality based effluent  
7 limitation.

8           **SECTION 2934.** 283.15 (2) (b) 1. of the statutes is renumbered 283.15 (2) (b) and  
9 amended to read:

10           283.15 (2) (b) The department shall specify by rule the information to be  
11 included in the an application. ~~The permittee shall submit an application for a~~  
12 ~~variance within 60 days after the department issues, reissues or modifies the permit~~  
13 under this subsection.

14           **SECTION 2935.** 283.15 (2) (b) 2. of the statutes is repealed.

15           **SECTION 2936.** 283.15 (2) (b) 3. of the statutes is repealed.

16           **SECTION 2937.** 283.15 (2) (c) of the statutes is amended to read:

17           283.15 (2) (c) The department may request additional information from the  
18 permittee within 30 days after receiving either the an application under par. (b) 1.  
19 ~~or the information under par. (b) 2. (am) 1.~~ The permittee shall provide the additional  
20 information within 30 days after receipt of the department's request. An application  
21 is not complete until the additional information is provided to the department.

22           **SECTION 2938.** 283.15 (2) (e) of the statutes is repealed.

23           **SECTION 2939.** 283.15 (3) of the statutes is renumbered 283.15 (3) (b) and  
24 amended to read:



**ASSEMBLY BILL 40****SECTION 2939**

1           283.15 (3) (b) The secretary shall issue a tentative decision on ~~the~~ an  
2 application for a variance under sub. (2) (am) 1. within 120 days after receipt of a  
3 completed application. The department shall circulate the tentative decision to the  
4 permittee and to the parties in s. 283.53 (2) (c). If the tentative decision is to grant  
5 a variance based upon one or more of the conditions specified in sub. (4) (a) 1. a. to  
6 e., the department shall include in the notice under this ~~subsection~~ paragraph a  
7 statement on the effect of the variance, if granted, on the designated use of the water  
8 body during the term of the underlying permit. The department shall provide a  
9 30-day period for written comments on the tentative decision.

10           **SECTION 2940.** 283.15 (3) (a) of the statutes is created to read:

11           283.15 (3) (a) The secretary shall issue a tentative decision on an application  
12 for a variance under sub. (2) (a) in the notice under s. 283.39 for the reissuance of the  
13 permit.

14           **SECTION 2941.** 283.15 (4) (a) 1. (intro.) of the statutes is amended to read:

15           283.15 (4) (a) 1. (intro.) ~~Within 90 days after expiration of the comment period~~  
16 ~~under sub. (3), the~~ The secretary shall approve all or part of a requested variance,  
17 or modify and approve a requested variance if the permittee demonstrates, by the  
18 greater weight of the credible evidence, that attaining the water quality standard is  
19 not feasible because:

20           **SECTION 2942.** 283.15 (4) (a) 2. of the statutes is amended to read:

21           283.15 (4) (a) 2. ~~Within 90 days after the expiration of the comment period~~  
22 ~~under sub. (3), the~~ The secretary shall deny a requested variance if the permittee  
23 fails to make the demonstration required under subd. 1.

24           **SECTION 2943.** 283.15 (4) (a) 3. of the statutes is repealed.

25           **SECTION 2944.** 283.15 (4) (b) of the statutes is repealed.

**ASSEMBLY BILL 40****SECTION 2945**

1           **SECTION 2945.** 283.15 (4) (c) of the statutes is repealed.

2           **SECTION 2946.** 283.15 (5) (b) of the statutes is amended to read:

3           283.15 (5) (b) A variance applies for the term established by the secretary, but  
4 not to exceed 3 5 years. The term of the initial variance and any renewals thereof  
5 may not exceed the time that the secretary determines is necessary to achieve the  
6 water quality based effluent limitation. Initial and interim effluent limitations  
7 established under par. (c) 1. apply, as appropriate, for the term of the underlying  
8 permit as ~~issued~~, reissued or modified to implement the decision under sub. (4) (b)  
9 (a) 1. or as extended by operation of s. 227.51 (2). Notwithstanding sub. (4) (d), s.  
10 227.51 (2) shall apply for the purposes of continuing the provisions of a permit  
11 pending the ~~issuance or reissuance~~ of a permit. ~~Upon the issuance or reissuance of~~  
12 ~~the new permit, sub. (2) (a) 2. and s. 283.63 (1) (am) apply.~~

13           **SECTION 2947.** 283.15 (5) (c) (intro.) of the statutes is amended to read:

14           283.15 (5) (c) (intro.) The department shall require all of the following in a  
15 permit reissued or modified pursuant to sub. (4) (e) to implement a variance shall  
16 require:

17           **SECTION 2948.** 283.15 (5) (c) 1. of the statutes is amended to read:

18           283.15 (5) (c) 1. Compliance with an initial effluent limitation ~~which~~ that at the  
19 time the variance is approved represents the level currently achievable by the  
20 permittee and that is no less stringent than the effluent limitation achieved under  
21 the permit before reissuance. At the time a variance is approved a compliance  
22 schedule and an interim effluent limitation that is achievable by the permittee  
23 during the term of the variance may be specified. The initial and the interim effluent  
24 limitations may not be less stringent than a categorical effluent limitation that

**ASSEMBLY BILL 40****SECTION 2948**

1 applies to the permittee under s. 283.13 (2) or (4) or 283.19 or a toxic effluent  
2 standard that applies to the permittee under s. 283.21.

3 **SECTION 2949.** 283.15 (5) (c) 2. (intro.) of the statutes is amended to read:

4 283.15 (5) (c) 2. (intro.) Investigation of treatment technologies, process  
5 changes, pollution prevention, wastewater reuse or other techniques that may result  
6 in compliance by the permittee with the water quality standard adopted under s.  
7 281.15, and submission of reports on the investigations at such times as required by  
8 the department. The secretary shall modify or waive the requirements specified in  
9 this subdivision if the secretary determines, based upon comments received on the  
10 tentative decision under sub. (3), that the requirements of this subdivision are:

11 **SECTION 2950.** 283.15 (6) of the statutes is amended to read:

12 283.15 (6) RENEWAL. ~~A variance may be renewed using the procedures in and~~  
13 ~~subject to subs. (2) to (5).~~ A variance may not be renewed if the permittee did not  
14 submit the reports required under sub. (5) (c) 2. or substantially comply with all other  
15 conditions of the variance.

16 **SECTION 2951.** 283.39 (3) (dm) of the statutes is created to read:

17 283.39 (3) (dm) If the applicant applied, under s. 283.15 (2) (a), for a variance,  
18 as defined in s. 283.15 (1), a tentative decision to approve or deny the variance,  
19 including, if the tentative decision is to grant the variance based upon one or more  
20 of the conditions specified in s. 283.15 (4) (a) 1. a. to e., a statement on the effect of  
21 the variance, if granted, on the designated use of the water body during the term of  
22 the permit;

23 **SECTION 2952.** 285.39 (4) of the statutes is amended to read:

24 285.39 (4) REPORT ON NEW REPLENISHMENT MECHANISMS. After expiration of the  
25 replenishment implementation period, if the department reports under sub. (2) (b)

**ASSEMBLY BILL 40****SECTION 2952**

1 1. or determines at any other time that the growth accommodation is less than 3,500  
2 tons, the department shall, with the advice of the department of ~~commerce~~ safety and  
3 professional services, submit a report to the chief clerk of each house of the  
4 legislature for distribution to the appropriate standing committees of the legislature  
5 under s. 13.172 (3) on how to most effectively and equitably replenish the growth  
6 accommodation. The report shall review existing studies and data to evaluate the  
7 accuracy of this state's state implementation plan with respect to the effect of  
8 emissions from inside and outside the volatile organic compound accommodation  
9 area on the ambient air quality within the area.

10 **SECTION 2953.** 285.59 (1) (b) of the statutes, as affected by 2011 Wisconsin Act  
11 7, is amended to read:

12 285.59 (1) (b) "State agency" means any office, department, agency, institution  
13 of higher education, association, society or other body in state government created  
14 or authorized to be created by the constitution or any law which is entitled to expend  
15 moneys appropriated by law, including the legislature and the courts, the Wisconsin  
16 Housing and Economic Development Authority, the Bradley Center Sports and  
17 Entertainment Corporation, the University of Wisconsin Hospitals and Clinics  
18 Authority, the University of Wisconsin–Madison, the Fox River Navigational System  
19 Authority, the Wisconsin Aerospace Authority, the Wisconsin Quality Home Care  
20 Authority, the Wisconsin Economic Development Corporation, and the Wisconsin  
21 Health and Educational Facilities Authority.

22 **SECTION 2954.** 285.63 (10) (c) 4. of the statutes is repealed.

23 **SECTION 2955.** 285.79 (3) (intro.) of the statutes is amended to read:

24 285.79 (3) ASSISTANCE PROGRAM. (intro.) The department shall, ~~in cooperation~~  
25 ~~with the small business ombudsman clearinghouse under s. 560.03 (9)~~, develop and

**ASSEMBLY BILL 40****SECTION 2955**

1 administer a small business stationary source technical and environmental  
2 compliance assistance program. The program shall include all of the following:

3 **SECTION 2956.** 287.01 (5) of the statutes is repealed.

4 **SECTION 2957.** 287.01 (8) of the statutes is repealed.

5 **SECTION 2958.** 287.01 (9) of the statutes is repealed.

6 **SECTION 2959.** 287.03 (1) (c) of the statutes is amended to read:

7 287.03 (1) (c) Coordinate research, technical assistance and education  
8 programs under this chapter with related activities of the University of  
9 Wisconsin-Madison or University of Wisconsin System.

10 **SECTION 2960.** 287.03 (1) (f) of the statutes is repealed.

11 **SECTION 2961.** 287.07 (3) (intro.) of the statutes is renumbered 287.07 (3) and  
12 amended to read:

13 287.07 (3) ~~GENERAL DISPOSAL RESTRICTIONS~~ WASTE TIRES. Beginning on January  
14 1, 1995, no person may dispose of a waste tire, as defined in s. 289.55 (1) (c), in a solid  
15 waste disposal facility or burn a waste tire without energy recovery in a solid waste  
16 treatment facility in this state ~~any of the following:~~

17 **SECTION 2962.** 287.07 (3) (a) to (k) of the statutes are repealed.

18 **SECTION 2963.** 287.07 (4) (intro.) of the statutes is amended to read:

19 287.07 (4) ~~GENERAL INCINERATION DISPOSAL RESTRICTIONS.~~ ~~Beginning on January~~  
20 ~~1, 1995, no person~~ No individual may convert place in a container the contents of  
21 which will be disposed of in a solid waste disposal facility, converted into fuel, or burn  
22 ~~with energy recovery~~ burned at a solid waste treatment facility in this state any of  
23 the following:

24 **SECTION 2964.** 287.07 (7) (a) of the statutes is repealed.

25 **SECTION 2965.** 287.07 (7) (b) 2. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2965**

1           287.07 (7) (b) 2. A prohibition in sub. ~~(3) (b), (c), (e), (f), (g), (h) or (j) or~~ (4) (b),  
2 (c), (f), (g), (h) or (i) does not apply to a person who converts into fuel or burns at an  
3 operating solid waste treatment facility a type of material identified in one of those  
4 paragraphs that was converted into fuel or burned at the operating solid waste  
5 treatment facility during April, 1990, and either is generated in the operating solid  
6 waste treatment facility's current service area or is generated by the owner of the  
7 operating solid waste treatment facility.

8           **SECTION 2966.** 287.07 (7) (c) 1. cg. of the statutes is amended to read:

9           287.07 (7) (c) 1. cg. "Medical waste" means containers, packages and materials  
10 identified under sub. ~~(3) or~~ (4) that contain infectious waste or that are from a  
11 treatment area and are mixed with infectious waste.

12           **SECTION 2967.** 287.07 (7) (c) 2. (intro.) of the statutes is amended to read:

13           287.07 (7) (c) 2. (intro.) The prohibitions in subs. ~~(3) and~~ sub. (4) do not apply  
14 with respect to any of the following:

15           **SECTION 2968.** 287.07 (7) (c) 2. b. of the statutes is amended to read:

16           287.07 (7) (c) 2. b. The disposal of, in a solid waste disposal facility, a container,  
17 package or material identified under sub. ~~(3) or~~ (4) that contained infectious waste  
18 or that is from a treatment area and is mixed with infectious waste generated in the  
19 treatment area, if the container, package or material has been treated, pursuant to  
20 standards established under ch. 289, to render the infectious waste noninfectious.

21           **SECTION 2969.** 287.07 (7) (d) of the statutes is repealed.

22           **SECTION 2970.** 287.07 (7) (f) of the statutes is amended to read:

23           287.07 (7) (f) The prohibitions in subs. (2) ~~and (3) to~~ (4) do not apply to the  
24 beneficial reuse of a material within a solid waste disposal facility if the beneficial

**ASSEMBLY BILL 40****SECTION 2970**

1 reuse of the material is approved in the solid waste disposal facility's plan of  
2 operation under s. 289.30.

3 **SECTION 2971.** 287.07 (7) (g) of the statutes is repealed and recreated to read:

4 287.07 (7) (g) A prohibition in sub. (4) does not apply to a material that has been  
5 contaminated and cannot feasibly be cleaned for recycling.

6 **SECTION 2972.** 287.07 (7) (h) 1. (intro.) of the statutes is amended to read:

7 287.07 (7) (h) 1. (intro.) The department may grant issue a waiver or  
8 conditional waiver to a restriction under sub. ~~(3) (c) or (h) or~~ (4) (c) or (i) for plastics  
9 other than polyethylene terephthalate or high-density polyethylene if the  
10 department determines all of the following:

11 **SECTION 2973.** 287.09 of the statutes is repealed.

12 **SECTION 2974.** 287.093 of the statutes is repealed.

13 **SECTION 2975.** 287.095 of the statutes is amended to read:

14 **287.095 Responsible unit Local official liability. (1) DEFINITION.** In this  
15 section, "~~responsible unit~~ local official" means any officer, official, agent, or employee  
16 of a ~~responsible unit~~ municipality or county engaged in the planning, management,  
17 operation, or approval of a recycling program or recycling site or facility.

18 **(2) EXEMPTION FROM LIABILITY.** No ~~responsible unit~~ local official is liable for civil  
19 damages as a result of good faith actions taken by the ~~responsible unit~~ official within  
20 the scope of duties relating to the ~~responsible unit's~~ municipal or county recycling  
21 program or recycling site or facility.

22 **SECTION 2976.** 287.10 of the statutes is repealed.

23 **SECTION 2977.** 287.11 of the statutes is repealed.

24 **SECTION 2978.** 287.19 (1) (b) (intro.) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2978**

1           287.19 (1) (b) *Recycling programs.* (intro.) With respect to local recycling  
2 programs created under s. 287.09 (2) (a):

3           **SECTION 2979.** 287.21 (intro.) of the statutes is amended to read:

4           **287.21 Statewide education program.** (intro.) The department shall  
5 collect, prepare and disseminate information and conduct educational and training  
6 programs designed to assist in the implementation of solid waste management  
7 programs under ss. 287.01 to 287.31, enhance municipal and county solid waste  
8 management programs under s. 287.09 (2) (a) and inform the public of the  
9 relationship among an individual's consumption of goods and services, the  
10 generation of different types and quantities of solid waste and the implementation  
11 of the solid waste management priorities in s. 287.05 (12). The department shall  
12 prepare the information and programs on a statewide basis for the following groups:

13           **SECTION 2980.** 287.23 of the statutes is repealed.

14           **SECTION 2981.** 287.235 of the statutes is repealed.

15           **SECTION 2982.** 287.25 of the statutes is repealed.

16           **SECTION 2983.** 287.26 of the statutes is repealed.

17           **SECTION 2984.** 287.31 (6) of the statutes is amended to read:

18           287.31 (6) USE OF REVENUES. The newspaper recycling fees collected under sub.  
19 (5) shall be deposited in the ~~recycling and renewable energy~~ environmental fund  
20 under s. 25.49.

21           **SECTION 2985.** 289.645 (6) of the statutes is amended to read:

22           289.645 (6) USE OF RECYCLING FEES. ~~The~~ Of the fees collected under sub. (2), \$4  
23 per ton shall be deposited in the ~~recycling and renewable energy~~ economic  
24 development fund and \$3 per ton shall be deposited in the environmental fund.

25           **SECTION 2986.** 292.11 (2) (e) of the statutes is amended to read:



**ASSEMBLY BILL 40****SECTION 2986**

1           292.11 (2) (e) The department shall report notifications that it receives under  
2 this subsection related to discharges from petroleum storage tanks, as defined in s.  
3 101.144 (1) (bm), to the department of ~~commerce~~ safety and professional services.

4           **SECTION 2987.** 292.11 (7) (d) 1m. b. of the statutes is amended to read:

5           292.11 (7) (d) 1m. b. An area designated by the local governmental unit if the  
6 area consists of 2 or more properties affected by a contiguous region of groundwater  
7 contamination or contains 2 or more properties that are brownfields, as defined in  
8 s. ~~560.13~~ 238.13 (1) (a).

9           **SECTION 2988.** 292.12 (1) (a) of the statutes is amended to read:

10           292.12 (1) (a) “Agency with administrative authority” means the department  
11 of agriculture, trade and consumer protection with respect to a site over which it has  
12 jurisdiction under s. 94.73 (2), the department of ~~commerce~~ safety and professional  
13 services with respect to a site over which it has jurisdiction under s. 101.144 (2) (a),  
14 or the department of natural resources with respect to a site over which it has  
15 jurisdiction under s. 292.11 (7).

16           **SECTION 2989.** 292.255 of the statutes is amended to read:

17           **292.255 Report on brownfield efforts.** The department of natural  
18 resources, the department of administration, and the ~~department of commerce~~  
19 Wisconsin Economic Development Corporation shall submit a report evaluating the  
20 effectiveness of this state’s efforts to remedy the contamination of, and to redevelop,  
21 brownfields, as defined in s. ~~560.13~~ 238.13 (1) (a).

22           **SECTION 2990.** 292.33 (6) of the statutes is amended to read:

23           292.33 (6) EXCEPTION. A local governmental unit may not recover costs under  
24 this section for remedial activities conducted on a property or portion of a property  
25 with respect to a discharge after the department of natural resources, the

**ASSEMBLY BILL 40****SECTION 2990**

1 department of ~~commerce~~ safety and professional services, or the department of  
2 agriculture, trade and consumer protection has indicated that no further remedial  
3 activities are necessary on the property or portion of the property with respect to the  
4 discharge.

5 **SECTION 2991.** 292.79 (1) (a) of the statutes is amended to read:

6 292.79 (1) (a) “Brownfields” has the meaning given in s. ~~560.13~~ 238.13 (1) (a).

7 **SECTION 2992.** 293.11 of the statutes is amended to read:

8 **293.11 Mine effect responsibility.** The department shall serve as the central  
9 unit of state government to ensure that the air, lands, waters, plants, fish and  
10 wildlife affected by prospecting or mining in this state will receive the greatest  
11 practicable degree of protection and reclamation. The administration of  
12 occupational health and safety laws and rules that apply to mining shall remain  
13 exclusively the responsibility of the department of ~~commerce~~ safety and professional  
14 services. The powers and duties of the geological and natural history survey under  
15 s. 36.25 (6) shall remain exclusively the responsibility of the geological and natural  
16 history survey. Nothing in this section prevents the department of ~~commerce~~ safety  
17 and professional services and the geological and natural history survey from  
18 cooperating with the department in the exercise of their respective powers and  
19 duties.

20 **SECTION 2993.** 299.13 (1m) (intro.) of the statutes is amended to read:

21 299.13 (1m) PROMOTION OF POLLUTION PREVENTION. (intro.) In carrying out the  
22 duties under this section and ~~ss. s.~~ s. 36.25 (30) ~~and 560.19~~, the department, ~~the~~  
23 ~~department of commerce~~ and the center shall promote all of the following techniques  
24 for pollution prevention:

25 **SECTION 2994.** 299.83 (8) (f) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 2994**

1           299.83 **(8)** (f) The department and the department of ~~commerce~~ safety and  
2 professional services shall jointly provide information about participation contracts  
3 and environmental management systems to potential participants in the program  
4 and to other interested persons. The department shall consult with the department  
5 of ~~commerce~~ safety and professional services about the administration of the  
6 program.

7           **SECTION 2995.** 301.03 (3) of the statutes is amended to read:

8           301.03 **(3)** Administer parole, extended supervision, and probation matters,  
9 except that the decision to grant or deny parole ~~or to grant extended supervision~~  
10 ~~under s. 304.06 (1)~~ to inmates shall be made by the ~~earned release review~~ parole  
11 commission and the decision to revoke probation, extended supervision, or parole in  
12 cases in which there is no waiver of the right to a hearing shall be made by the  
13 division of hearings and appeals in the department of administration. The secretary  
14 may grant special action parole releases under s. 304.02. ~~The department may~~  
15 ~~discharge inmates from extended supervision under s. 973.01 (4m) and may modify~~  
16 ~~a bifurcated sentence under s. 302.113 (9h), and the earned release review~~  
17 ~~commission may modify a sentence under s. 302.1135.~~ The department shall  
18 promulgate rules establishing a drug testing program for probationers, parolees and  
19 persons placed on extended supervision. The rules shall provide for assessment of  
20 fees upon probationers, parolees and persons placed on extended supervision to  
21 partially offset the costs of the program.

22           **SECTION 2996.** 301.048 (2) (am) 3. of the statutes is amended to read:

23           301.048 **(2)** (am) 3. The ~~earned release review~~ parole commission grants him  
24 or her parole under s. 304.06 and requires his or her participation in the program as  
25 a condition of parole under s. 304.06 (1x).

**ASSEMBLY BILL 40****SECTION 2997**

1           **SECTION 2997.** 301.21 (1m) (c) of the statutes is amended to read:

2           301.21 **(1m)** (c) Any hearing to consider parole ~~or whether to grant extended~~  
3 ~~supervision, if the inmate is sentenced under s. 973.01~~ to which an inmate confined  
4 under this contract may be entitled by the laws of Wisconsin will be conducted by the  
5 Wisconsin ~~earned release review~~ parole commission under rules of the department.

6           **SECTION 2998.** 301.21 (2m) (c) of the statutes is amended to read:

7           301.21 **(2m)** (c) Any hearing to consider parole ~~or whether to grant extended~~  
8 ~~supervision, if the prisoner is sentenced under s. 973.01~~ to which a prisoner confined  
9 under a contract under this subsection may be entitled by the laws of Wisconsin shall  
10 be conducted by the Wisconsin ~~earned release review~~ parole commission under rules  
11 of the department.

12           **SECTION 2999.** 301.26 (3) (c) of the statutes is amended to read:

13           301.26 **(3)** (c) Within the limits of the appropriations under s. 20.410 (3) (cd),  
14 ~~(ko), and (o)~~ and (ko), the department shall allocate funds to each county for services  
15 under this section.

16           **SECTION 3000.** 301.26 (4) (b) of the statutes is amended to read:

17           301.26 **(4)** (b) Assessment of costs under par. (a) shall be made periodically on  
18 the basis of the per person per day cost estimate specified in par. (d) 2. ~~and, 3., and~~  
19 4. Except as provided in pars. (bm), (c), and (cm), liability shall apply to county  
20 departments under s. 46.21, 46.22, or 46.23 in the county of the court exercising  
21 jurisdiction under chs. 48 and 938 for each person receiving services from the  
22 department of corrections under s. 48.366, 938.183, or 938.34 or the department of  
23 health services under s. 46.057 or 51.35 (3). Except as provided in pars. (bm), (c), and  
24 (cm), in multicounty court jurisdictions, the county of residency within the  
25 jurisdiction shall be liable for costs under this subsection. Assessment of costs under

**ASSEMBLY BILL 40****SECTION 3000**

1 par. (a) shall also be made according to the general placement type or level of care  
2 provided, as defined by the department, and prorated according to the ratio of the  
3 amount designated under sub. (3) (c) to the total applicable estimated costs of care,  
4 services, and supplies provided by the department of corrections under ss. 48.366,  
5 938.183, and 938.34 and the department of health services under s. 46.057 or 51.35  
6 (3).

7 **SECTION 3001.** 301.26 (4) (cm) 3. of the statutes is amended to read:

8 301.26 (4) (cm) 3. The per person daily reimbursement rate for juvenile  
9 correctional services under this paragraph shall be equal to the per person daily cost  
10 assessment to counties under par. (d) 2. ~~and 3.~~ and 4. for juvenile correctional  
11 services.

12 **SECTION 3002.** 301.26 (4) (ct) of the statutes is created to read:

13 301.26 (4) (ct) 1. Subject to subd. 2. and notwithstanding ss. 16.50 (2), 16.52,  
14 20.002 (11), and 20.903, if there is a deficit in the appropriation account under s.  
15 20.410 (3) (hm) at the close of a fiscal year, any unencumbered balance in the  
16 appropriation account under s. 20.410 (3) (ho) at the close of that fiscal year, less the  
17 amounts required by s. 20.410 (3) (ho) to be remitted to counties or transferred to the  
18 appropriation account under s. 20.410 (3) (kx), and any unencumbered balance in the  
19 appropriation account under s. 20.410 (3) (hr) at the close of that fiscal year, shall be  
20 transferred to the appropriation account under s. 20.410 (3) (hm), up to the amount  
21 that when added to other amounts credited to that appropriation account in that  
22 fiscal year equals the amount shown in the schedule under s. 20.005 (3) for that  
23 appropriation account for that fiscal year.

24 2. The total amount transferred at the end of a fiscal year under subd. 1. may  
25 not exceed the amount of the deficit in the appropriation account under s. 20.410 (3)

**ASSEMBLY BILL 40****SECTION 3002**

1 (hm) for that fiscal year, and if that deficit is less than the total amount of the  
2 unencumbered balances available for transfer under subd. 1., the amount  
3 transferred from the appropriation accounts under s. 20.410 (3) (ho) and (hr) shall  
4 be in proportion to the respective unencumbered balance available for transfer from  
5 each of those appropriation accounts.

6 **SECTION 3003.** 301.26 (4) (d) 2. of the statutes is amended to read:

7 301.26 (4) (d) 2. Beginning on January July 1, 2010 2011, and ending on June  
8 30, ~~2010 2012~~, the per person daily cost assessment to counties shall be ~~\$270~~ \$284  
9 for care in a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), ~~\$270~~  
10 \$284 for care for juveniles transferred from a juvenile correctional institution under  
11 s. 51.35 (3), ~~\$298 for care in a residential care center for children and youth, \$190 for~~  
12 ~~care in a group home for children, \$72 for care in a foster home, \$124 for care in a~~  
13 ~~treatment foster home under rules promulgated under s. 48.62 (8) (c), \$101~~ \$99 for  
14 departmental corrective sanctions services, and \$40 for departmental aftercare  
15 services.

16 **SECTION 3004.** 301.26 (4) (d) 3. of the statutes is amended to read:

17 301.26 (4) (d) 3. Beginning on July 1, ~~2010 2012~~, and ending on June 30, ~~2011~~  
18 2013, the per person daily cost assessment to counties shall be ~~\$275~~ \$289 for care in  
19 a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), ~~\$275~~ \$289 for care  
20 for juveniles transferred from a juvenile correctional institution under s. 51.35 (3),  
21 ~~\$313 for care in a residential care center for children and youth, \$200 for care in a~~  
22 ~~group home for children, \$75 for care in a foster home, \$130 for care in a treatment~~  
23 ~~foster home under rules promulgated under s. 48.62 (8) (c), \$103~~ \$100 for  
24 departmental corrective sanctions services, and ~~\$41~~ \$40 for departmental aftercare  
25 services.

**ASSEMBLY BILL 40****SECTION 3005**

1           **SECTION 3005.** 301.26 (4) (d) 4. of the statutes is created to read:

2           301.26 **(4)** (d) 4. The per person daily cost assessment to counties for care in a  
3 foster home, group home, or residential care center for children and youth shall be  
4 an amount equal to the amount the provider charges the department for that care  
5 as authorized by the department of children and families.

6           **SECTION 3006.** 301.26 (6) (a) of the statutes is amended to read:

7           301.26 **(6)** (a) The intent of this subsection is to develop criteria to assist the  
8 legislature in allocating funding, excluding funding for base allocations, from the  
9 appropriations under s. 20.410 (3) (cd), ~~(ko)~~, and ~~(o)~~ and (ko) for purposes described  
10 in this section.

11           **SECTION 3007.** 301.26 (7) (intro.) of the statutes is amended to read:

12           301.26 **(7)** ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability  
13 of federal funds and of the appropriations under s. 20.410 (3) (cd), ~~(ko)~~, and ~~(o)~~ and  
14 (ko), the department shall allocate funds for community youth and family aids for the  
15 period beginning on July 1, 2009 2011, and ending on June 30, 2011 2013, as  
16 provided in this subsection to county departments under ss. 46.215, 46.22, and 46.23  
17 as follows:

18           **SECTION 3008.** 301.26 (7) (a) of the statutes is amended to read:

19           301.26 **(7)** (a) For community youth and family aids under this section,  
20 amounts not to exceed \$50,395,100 \$45,478,000 for the last 6 months of 2009 2011,  
21 \$100,790,200 \$90,956,100 for 2010 2012, and \$50,395,100 \$45,478,100 for the first  
22 6 months of 2011 2013.

23           **SECTION 3009.** 301.26 (7) (b) (intro.) of the statutes is amended to read:

24           301.26 **(7)** (b) (intro.) Of the amounts specified in par. (a), the department shall  
25 allocate \$2,000,000 for the last 6 months of 2009 2011, \$4,000,000 for 2010 2012, and

**ASSEMBLY BILL 40****SECTION 3009**

1 \$2,000,000 for the first 6 months of ~~2011~~ 2013 to counties based on each of the  
2 following factors weighted equally:

3 **SECTION 3010.** 301.26 (7) (bm) of the statutes is amended to read:

4 301.26 (7) (bm) Of the amounts specified in par. (a), the department shall  
5 allocate \$6,250,000 for the last 6 months of ~~2009~~ 2011, \$12,500,000 for ~~2010~~ 2012,  
6 and \$6,250,000 for the first 6 months of ~~2011~~ 2013 to counties based on each county's  
7 proportion of the number of juveniles statewide who are placed in a juvenile  
8 correctional facility during the most recent 3–year period for which that information  
9 is available.

10 **SECTION 3011.** 301.26 (7) (c) of the statutes is amended to read:

11 301.26 (7) (c) Of the amounts specified in par. (a), the department shall allocate  
12 \$1,053,200 for the last 6 months of ~~2009~~ 2011, \$2,106,500 for ~~2010~~ 2012, and  
13 \$1,053,300 for the first 6 months of ~~2011~~ 2013 to counties based on each of the factors  
14 specified in par. (b) 1. to 3. weighted equally, except that no county may receive an  
15 allocation under this paragraph that is less than 93% nor more than 115% of the  
16 amount that the county would have received under this paragraph if the allocation  
17 had been distributed only on the basis of the factor specified in par. (b) 3.

18 **SECTION 3012.** 301.26 (7) (e) of the statutes is amended to read:

19 301.26 (7) (e) For emergencies related to community youth and family aids  
20 under this section, amounts not to exceed \$125,000 for the last 6 months of ~~2009~~ 2011,  
21 \$250,000 for ~~2010~~ 2012, and \$125,000 for the first 6 months of ~~2011~~ 2013. A county  
22 is eligible for payments under this paragraph only if it has a population of not more  
23 than 45,000.

24 **SECTION 3013.** 301.26 (7) (h) of the statutes is amended to read:



**ASSEMBLY BILL 40****SECTION 3013**

1           301.26 (7) (h) For counties that are participating in the corrective sanctions  
2 program under s. 938.533 (2), \$1,062,400 in the last 6 months of ~~2009~~ 2011,  
3 \$2,124,800 in ~~2010~~ 2012, and \$1,062,400 in the first 6 months of ~~2011~~ 2013 for the  
4 provision of corrective sanctions services for juveniles from that county. In  
5 distributing funds to counties under this paragraph, the department shall determine  
6 a county's distribution by dividing the amount allocated under this paragraph by the  
7 number of slots authorized for the program under s. 938.533 (2) and multiplying the  
8 quotient by the number of slots allocated to that county by agreement between the  
9 department and the county. The department may transfer funds among counties as  
10 necessary to distribute funds based on the number of slots allocated to each county.

11           **SECTION 3014.** 301.26 (8) of the statutes is amended to read:

12           301.26 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the  
13 allocations specified in sub. (7) (a), the department shall allocate \$666,700 in the last  
14 6 months of ~~2009~~ 2011, \$1,333,400 in ~~2010~~ 2012, and \$666,700 in the first 6 months  
15 of ~~2011~~ 2013 for alcohol and other drug abuse treatment programs.

16           **SECTION 3015.** 302.042 of the statutes is repealed.

17           **SECTION 3016.** 302.043 of the statutes is created to read:

18           **302.043 Release to extended supervision; risk reduction program.** The  
19 department shall release an inmate who is serving a risk reduction sentence imposed  
20 under s. 973.031, 2009 stats., to extended supervision when he or she serves not less  
21 than 75 percent of the term of confinement portion of his or her sentence imposed  
22 under s. 973.01 and the department determines that he or she has completed the  
23 programming or treatment under the plan designed by the department for the  
24 inmate and that the inmate maintained a good conduct record during his or her term  
25 of confinement. Not less than 30 days prior to release under this section, the

**ASSEMBLY BILL 40****SECTION 3016**

1 department shall notify the sentencing court that the inmate has thus far  
2 successfully completed the requirements of his or her risk reduction sentence.

3 **SECTION 3017.** 302.045 (1) of the statutes is amended to read:

4 302.045 (1) PROGRAM. The department shall provide a challenge incarceration  
5 program for inmates selected to participate under sub. (2). The program shall  
6 provide participants with manual labor, personal development counseling,  
7 substance abuse treatment and education, military drill and ceremony, counseling,  
8 and strenuous physical exercise, for participants who have not attained the age of  
9 30 as of the date on which they begin participating in the program, or  
10 age-appropriate strenuous physical exercise, for all other participants, in  
11 preparation for release on parole or extended supervision. ~~The program shall~~  
12 ~~provide, according to each participant's needs as assessed under sub. (2) (d),~~  
13 ~~substance abuse treatment and education, including intensive intervention when~~  
14 ~~indicated, personal development counseling, education, employment readiness~~  
15 ~~training, and other treatment options that are directly related to the participant's~~  
16 ~~criminal behavior.~~ The department shall design the program to include not less  
17 fewer than 50 participants at a time and so that a participant may complete the  
18 program in not more than 180 days. The department may restrict participant  
19 privileges as necessary to maintain discipline.

20 **SECTION 3018.** 302.045 (2) (d) of the statutes is repealed and recreated to read:

21 302.045 (2) (d) The department determines, during assessment and  
22 evaluation, that the inmate has a substance abuse problem.

23 **SECTION 3019.** 302.045 (3) of the statutes is amended to read:

24 302.045 (3) PAROLE ELIGIBILITY. Except as provided in sub. (4), if the department  
25 determines that an inmate serving a sentence other than one imposed under s.

**ASSEMBLY BILL 40****SECTION 3019**

1 973.01 has successfully completed the challenge incarceration program, the earned  
2 release review parole commission shall parole the inmate for that sentence under s.  
3 304.06, regardless of the time the inmate has served. When the earned release  
4 review parole commission grants parole under this subsection, it must require the  
5 parolee to participate in an intensive supervision program ~~appropriate to the~~  
6 ~~parolee's rehabilitation needs~~ for drug abusers as a condition of parole.

7 **SECTION 3020.** 302.045 (3m) (d) of the statutes is repealed.

8 **SECTION 3021.** 302.05 (title) of the statutes is amended to read:

9 **302.05** (title) **Wisconsin earned release substance abuse program.**

10 **SECTION 3022.** 302.05 (1) of the statutes is renumbered 302.05 (1) (am) (intro.)  
11 and amended to read:

12 302.05 (1) (am) (intro.) The department of corrections ~~shall, at any correctional~~  
13 ~~facility the department determines is appropriate, provide a rehabilitation program~~  
14 ~~for inmates for the purposes of the earned release program described in sub. (3). and~~  
15 ~~the department of health services may designate a section of a mental health~~  
16 ~~institute as a correctional treatment facility for the treatment of substance abuse of~~  
17 ~~inmates transferred from Wisconsin state prisons. This section shall be~~  
18 ~~administered by the department of corrections and shall be known as the Wisconsin~~  
19 ~~substance abuse program. The department of corrections and the department of~~  
20 ~~health services shall ensure that the residents at the institution and the residents~~  
21 ~~in the substance abuse program:~~

22 **SECTION 3023.** 302.05 (1) (am) 1. of the statutes is created to read:

23 302.05 (1) (am) 1. Have access to all facilities that are available at the  
24 institution and are necessary for the treatment programs designed by the  
25 departments.

**ASSEMBLY BILL 40****SECTION 3024**

1           **SECTION 3024.** 302.05 (1) (am) 2. of the statutes is created to read:

2           302.05 (1) (am) 2. Are housed on separate wards.

3           **SECTION 3025.** 302.05 (1) (b) of the statutes is created to read:

4           302.05 (1) (b) The department of corrections and the department of health  
5 services shall, at any correctional facility the departments determine is appropriate,  
6 provide a substance abuse treatment program for inmates for the purposes of the  
7 earned release program described in sub. (3).

8           **SECTION 3026.** 302.05 (2) of the statutes is amended to read:

9           302.05 (2) Transfer to a correctional treatment facility for ~~participation in a~~  
10 ~~program described in sub. (1)~~ the treatment of substance abuse shall be considered  
11 a transfer under s. 302.18.

12           **SECTION 3027.** 302.05 (3) (b) of the statutes is amended to read:

13           302.05 (3) (b) Except as provided in par. (d), if the department determines that  
14 an eligible inmate serving a sentence other than one imposed under s. 973.01 has  
15 successfully completed a ~~rehabilitation~~ treatment program described in sub. (1), the  
16 ~~earned release review~~ parole commission shall parole the inmate for that sentence  
17 under s. 304.06, regardless of the time the inmate has served. If the ~~earned release~~  
18 ~~review~~ parole commission grants parole under this paragraph, it shall require the  
19 parolee to participate in an intensive supervision program ~~appropriate to the~~  
20 ~~parolee's rehabilitation needs~~ for drug abusers as a condition of parole.

21           **SECTION 3028.** 302.05 (3) (c) 1. of the statutes is amended to read:

22           302.05 (3) (c) 1. Except as provided in par. (d), if the department determines  
23 that an eligible inmate serving the term of confinement in prison portion of a  
24 bifurcated sentence imposed under s. 973.01 has successfully completed a

**ASSEMBLY BILL 40****SECTION 3028**

1     ~~rehabilitation~~ treatment program described in sub. (1), the department shall inform  
2     the court that sentenced the inmate.

3             **SECTION 3029.** 302.05 (3) (c) 2. (intro.) of the statutes, is amended to read:

4             302.05 (3) (c) 2. (intro.) Upon being informed by the department under subd.  
5     1. that an inmate whom the court sentenced under s. 973.01 has successfully  
6     completed a ~~rehabilitation~~ treatment program described in sub. (1), the court shall  
7     modify the inmate's bifurcated sentence as follows:

8             **SECTION 3030.** 302.05 (3) (c) 3. of the statutes is repealed.

9             **SECTION 3031.** 302.05 (3) (d) of the statutes is amended to read:

10            302.05 (3) (d) The department may place intensive sanctions program  
11     participants in a ~~rehabilitation~~ treatment program described in sub. (1), but pars. (b)  
12     and (c) do not apply to those participants.

13            **SECTION 3032.** 302.11 (1g) (b) (intro.) of the statutes is amended to read:

14            302.11 (1g) (b) (intro.) Before an incarcerated inmate with a presumptive  
15     mandatory release date reaches the presumptive mandatory release date specified  
16     under par. (am), the ~~earned release review~~ parole commission shall proceed under  
17     s. 304.06 (1) to consider whether to deny presumptive mandatory release to the  
18     inmate. If the ~~earned release review~~ parole commission does not deny presumptive  
19     mandatory release, the inmate shall be released on parole. The ~~earned release~~  
20     review parole commission may deny presumptive mandatory release to an inmate  
21     only on one or more of the following grounds:

22            **SECTION 3033.** 302.11 (1g) (b) 2. of the statutes is amended to read:

23            302.11 (1g) (b) 2. Refusal by the inmate to participate in counseling or  
24     treatment that the social service and clinical staff of the institution determines is  
25     necessary for the inmate, including pharmacological treatment using an

**ASSEMBLY BILL 40****SECTION 3033**

1 antiandrogen or the chemical equivalent of an antiandrogen if the inmate is a serious  
2 child sex offender as defined in s. 304.06 (1q) (a). The ~~earned release review parole~~  
3 commission may not deny presumptive mandatory release to an inmate because of  
4 the inmate's refusal to participate in a rehabilitation program under s. 301.047.

5 **SECTION 3034.** 302.11 (1g) (c) of the statutes is amended to read:

6 302.11 **(1g)** (c) If the ~~earned release review parole~~ commission denies  
7 presumptive mandatory release to an inmate under par. (b), the ~~earned release~~  
8 ~~review parole~~ commission shall schedule regular reviews of the inmate's case to  
9 consider whether to parole the inmate under s. 304.06 (1).

10 **SECTION 3035.** 302.11 (1g) (d) of the statutes is amended to read:

11 302.11 **(1g)** (d) An inmate may seek review of a decision by the ~~earned release~~  
12 ~~review parole~~ commission relating to the denial of presumptive mandatory release  
13 only by the common law writ of certiorari.

14 **SECTION 3036.** 302.11 (1m) of the statutes is amended to read:

15 302.11 **(1m)** An inmate serving a life term is not entitled to mandatory release.  
16 Except as provided in ss. 939.62 (2m) (c) and 973.014, the ~~earned release review~~  
17 ~~parole~~ commission may parole the inmate as specified in s. 304.06 (1).

18 **SECTION 3037.** 302.11 (7) (c) of the statutes is amended to read:

19 302.11 **(7)** (c) The ~~earned release review parole~~ commission may subsequently  
20 parole, under s. 304.06 (1), and the department may subsequently parole, under s.  
21 304.02, a parolee who is returned to prison for violation of a condition of parole.

22 **SECTION 3038.** 302.113 (1) of the statutes is amended to read:

23 302.113 **(1)** An inmate is subject to this section if he or she is serving a  
24 bifurcated sentence imposed under s. 973.01. ~~An inmate convicted of a misdemeanor~~  
25 ~~or of a Class F to Class I felony that is not a violent offense, as defined in s. 301.048~~

**ASSEMBLY BILL 40****SECTION 3038**

1 ~~(2) (bm) 1., and who is eligible for positive adjustment time under sub. (2) (b)~~  
2 ~~pursuant to s. 973.01 (3d) (b) may be released to extended supervision under sub. (2)~~  
3 ~~(b) or (9h). An inmate convicted of a Class C to Class E felony or a Class F to Class~~  
4 ~~I felony that is a violent offense, as defined in s. 301.048 (2) (bm) 1., or a Class F to~~  
5 ~~Class I felony that is not a violent offense, as defined under s. 301.048 (2) (bm) 1., but~~  
6 ~~who is ineligible for positive adjustment time under sub. (2) (b) pursuant to s. 973.01~~  
7 ~~(3d) (b) may be released to extended supervision only under sub. (2) (a) or (9h) or s.~~  
8 ~~304.06.~~

9 **SECTION 3039.** 302.113 (2) (a) of the statutes is renumbered 302.113 (2) and  
10 amended to read:

11 302.113 (2) Except as provided in ~~par. (b) and subs. (3) and (9) and s. 304.06,~~  
12 an inmate subject to this section is entitled to release to extended supervision after  
13 he or she has served the term of confinement in prison portion of the sentence  
14 imposed under s. 973.01, ~~as modified by the department under sub. (9h), as modified~~  
15 ~~under s. 302.1135 by the earned release review commission in the manner specified~~  
16 ~~in s. 302.1135 (6) (a), or as modified by the sentencing court under sub. (9g) or s.~~  
17 ~~302.045 (3m) (b) 1., 302.05 (3) (c) 2. a., or 973.195 (1r), or 973.198, if applicable.~~

18 **SECTION 3040.** 302.113 (2) (b) of the statutes is repealed.

19 **SECTION 3041.** 302.113 (2) (c) of the statutes is repealed.

20 **SECTION 3042.** 302.113 (3) (d) of the statutes is amended to read:

21 302.113 (3) (d) If the term of confinement in prison portion of a bifurcated  
22 sentence ~~for a Class B felony~~ is increased under this subsection, the term of extended  
23 supervision is reduced so that the total length of the bifurcated sentence does not  
24 change.

25 **SECTION 3043.** 302.113 (3) (e) of the statutes is repealed.

**ASSEMBLY BILL 40****SECTION 3044**

1           **SECTION 3044.** 302.113 (7) of the statutes is amended to read:

2           302.113 (7) Any inmate released to extended supervision under this section is  
3 subject to all conditions and rules of extended supervision until the expiration of the  
4 term of extended supervision portion of the bifurcated sentence ~~or until the~~  
5 ~~department discharges the inmate under s. 973.01 (4m), whichever is appropriate.~~  
6 The department may set conditions of extended supervision in addition to any  
7 conditions of extended supervision required under s. 302.116, if applicable, or set by  
8 the court under sub. (7m) or s. 973.01 (5) if the conditions set by the department do  
9 not conflict with the court's conditions.

10           **SECTION 3045.** 302.113 (9) (am) of the statutes is amended to read:

11           302.113 (9) (am) If a person released to extended supervision under this section  
12 ~~or under s. 302.1135~~ violates a condition of extended supervision, the reviewing  
13 authority may revoke the extended supervision of the person. If the extended  
14 supervision of the person is revoked, the reviewing authority shall order the person  
15 to be returned to prison for any specified period of time that does not exceed the time  
16 remaining on the bifurcated sentence. The time remaining on the bifurcated  
17 sentence is the total length of the bifurcated sentence, less time served by the person  
18 in confinement under the sentence before release to extended supervision under sub.  
19 (2) and less all time served in confinement for previous revocations of extended  
20 supervision under the sentence. The order returning a person to prison under this  
21 paragraph shall provide the person whose extended supervision was revoked with  
22 credit in accordance with ss. 304.072 and 973.155.

23           **SECTION 3046.** 302.113 (9) (c) of the statutes is amended to read:

24           302.113 (9) (c) A person who is subsequently released to extended supervision  
25 after service of the period of time specified by the order under par. (am) is subject to



**ASSEMBLY BILL 40****SECTION 3046**

1 all conditions and rules under sub. (7) and, if applicable, sub. (7m) until the  
2 expiration of the remaining extended supervision portion of the bifurcated sentence  
3 ~~or until the department discharges the person under s. 973.01 (4m), whichever is~~  
4 ~~appropriate.~~ The remaining extended supervision portion of the bifurcated sentence  
5 is the total length of the bifurcated sentence, less the time served by the person in  
6 confinement under the bifurcated sentence before release to extended supervision  
7 under sub. (2) and less all time served in confinement for previous revocations of  
8 extended supervision under the bifurcated sentence.

9 **SECTION 3047.** 302.113 (9g) of the statutes is created to read:

10 302.113 (9g) (a) In this subsection:

11 1. “Extraordinary health condition” means a condition afflicting a person, such  
12 as advanced age, infirmity, or disability of the person or a need for medical treatment  
13 or services not available within a correctional institution.

14 2. “Program review committee” means the committee at a correctional  
15 institution that reviews the security classifications, institution assignments, and  
16 correctional programming assignments of inmates confined in the institution.

17 (b) An inmate who is serving a bifurcated sentence for a crime other than a  
18 Class B felony may seek modification of the bifurcated sentence in the manner  
19 specified in par. (f) if he or she meets one of the following criteria:

20 1. The inmate is 65 years of age or older and has served at least 5 years of the  
21 term of confinement in prison portion of the bifurcated sentence.

22 2. The inmate is 60 years of age or older and has served at least 10 years of the  
23 term of confinement in prison portion of the bifurcated sentence.

24 3. The inmate has an extraordinary health condition.

**ASSEMBLY BILL 40****SECTION 3047**

1 (c) An inmate who meets a criterion under par. (b) may submit a petition to the  
2 program review committee at the correctional institution in which the inmate is  
3 confined requesting a modification of the inmate's bifurcated sentence in the manner  
4 specified in par. (f). If the inmate alleges in the petition that he or she has an  
5 extraordinary health condition, the inmate shall attach to the petition affidavits  
6 from 2 physicians setting forth a diagnosis that the inmate has an extraordinary  
7 health condition.

8 (cm) If, after receiving the petition under par. (c), the program review  
9 committee determines that the public interest would be served by a modification of  
10 the inmate's bifurcated sentence in the manner provided under par. (f), the  
11 committee shall approve the petition for referral to the sentencing court and notify  
12 the department of its approval. The department shall then refer the inmate's  
13 petition to the sentencing court and request the court to conduct a hearing on the  
14 petition. If the program review committee determines that the public interest would  
15 not be served by a modification of the inmate's bifurcated sentence in the manner  
16 specified in par. (f), the committee shall deny the inmate's petition.

17 (d) When a court is notified by the department that it is referring to the court  
18 an inmate's petition for modification of the inmate's bifurcated sentence, the court  
19 shall schedule a hearing to determine whether the public interest would be served  
20 by a modification of the inmate's bifurcated sentence in the manner specified in par.  
21 (f). The inmate and the district attorney have the right to be present at the hearing,  
22 and any victim of the inmate's crime has the right to be present at the hearing and  
23 to provide a statement concerning the modification of the inmate's bifurcated  
24 sentence. The court shall order such notice of the hearing date as it considers  
25 adequate to be given to the department, the inmate, the attorney representing the

**ASSEMBLY BILL 40****SECTION 3047**

1 inmate, if applicable, and the district attorney. Victim notification shall be provided  
2 as specified under par. (g).

3 (e) At a hearing scheduled under par. (d), the inmate has the burden of proving  
4 by the greater weight of the credible evidence that a modification of the bifurcated  
5 sentence in the manner specified in par. (f) would serve the public interest. If the  
6 inmate proves that a modification of the bifurcated sentence in the manner specified  
7 in par. (f) would serve the public interest, the court shall modify the inmate's  
8 bifurcated sentence in that manner. If the inmate does not prove that a modification  
9 of the bifurcated sentence in the manner specified in par. (f) would serve the public  
10 interest, the court shall deny the inmate's petition for modification of the bifurcated  
11 sentence.

12 (f) A court may modify an inmate's bifurcated sentence under this section only  
13 as follows:

14 1. The court shall reduce the term of confinement in prison portion of the  
15 inmate's bifurcated sentence in a manner that provides for the release of the inmate  
16 to extended supervision within 30 days after the date on which the court issues its  
17 order modifying the bifurcated sentence.

18 2. The court shall lengthen the term of extended supervision imposed so that  
19 the total length of the bifurcated sentence originally imposed does not change.

20 (g) 1. In this paragraph, "victim" has the meaning given in s. 950.02 (4).

21 2. When a court schedules a hearing under par. (d), the clerk of the circuit court  
22 shall send a notice of hearing to the victim of the crime committed by the inmate, if  
23 the victim has submitted a card under subd. 3. requesting notification. The notice  
24 shall inform the victim that he or she may appear at the hearing scheduled under  
25 par. (d) and shall inform the victim of the manner in which he or she may provide a

**ASSEMBLY BILL 40****SECTION 3047**

1 statement concerning the modification of the inmate's bifurcated sentence in the  
2 manner provided in par. (f). The clerk of the circuit court shall make a reasonable  
3 attempt to send the notice of hearing to the last-known address of the inmate's  
4 victim, postmarked at least 10 days before the date of the hearing.

5 3. The director of state courts shall design and prepare cards for a victim to send  
6 to the clerk of the circuit court for the county in which the inmate was convicted and  
7 sentenced. The cards shall have space for a victim to provide his or her name and  
8 address, the name of the applicable inmate, and any other information that the  
9 director of state courts determines is necessary. The director of state courts shall  
10 provide the cards, without charge, to clerks of circuit court. Clerks of circuit court  
11 shall provide the cards, without charge, to victims. Victims may send completed  
12 cards to the clerk of the circuit court for the county in which the inmate was convicted  
13 and sentenced. All court records or portions of records that relate to mailing  
14 addresses of victims are not subject to inspection or copying under s. 19.35 (1).

15 (h) An inmate may appeal a court's decision to deny the inmate's petition for  
16 modification of his or her bifurcated sentence. The state may appeal a court's  
17 decision to grant an inmate's petition for a modification of the inmate's bifurcated  
18 sentence. In an appeal under this paragraph, the appellate court may reverse a  
19 decision granting or denying a petition for modification of a bifurcated sentence only  
20 if it determines that the sentencing court erroneously exercised its discretion in  
21 granting or denying the petition.

22 (i) If the program review committee denies an inmate's petition under par. (cm),  
23 the inmate may not file another petition within one year after the date of the program  
24 review committee's denial. If the program review committee approves an inmate's  
25 petition for referral to the sentencing court under par. (cm) but the sentencing court

**ASSEMBLY BILL 40****SECTION 3047**

1 denies the petition, the inmate may not file another petition under par. (cm) within  
2 one year after the date of the court's decision.

3 (j) An inmate eligible to seek modification of his or her bifurcated sentence  
4 under this subsection has a right to be represented by counsel in proceedings under  
5 this subsection. An inmate, or the department on the inmate's behalf, may apply to  
6 the state public defender for determination of indigency and appointment of counsel  
7 under s. 977.05 (4) (jm) before or after the filing of a petition with the program review  
8 committee under par. (c). If an inmate whose petition has been referred to the court  
9 under par. (cm) is without counsel, the court shall refer the matter to the state public  
10 defender for determination of indigency and appointment of counsel under s. 977.05  
11 (4) (jm).

12 **SECTION 3048.** 302.113 (9h) of the statutes is repealed.

13 **SECTION 3049.** 302.1135 of the statutes is repealed.

14 **SECTION 3050.** 302.114 (9) (am) of the statutes is amended to read:

15 302.114 (9) (am) If a person released to extended supervision under this section  
16 ~~or under s. 302.1135~~ violates a condition of extended supervision, the reviewing  
17 authority may revoke the extended supervision of the person. If the extended  
18 supervision of the person is revoked, the person shall be returned to the circuit court  
19 for the county in which the person was convicted of the offense for which he or she  
20 was on extended supervision, and the court shall order the person to be returned to  
21 prison for a specified period of time before he or she is eligible for being released again  
22 to extended supervision. The period of time specified under this paragraph may not  
23 be less than 5 years and may be extended in accordance with sub. (3).

24 **SECTION 3051.** 302.114 (9) (c) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 3051**

1           302.114 (9) (c) A person who is subsequently released to extended supervision  
2 under par. (bm) is subject to all conditions and rules under sub. (8) until the  
3 expiration of the sentence ~~or until the department discharges the person under s.~~  
4 ~~973.01 (4m), whichever is appropriate.~~

5           **SECTION 3052.** 304.01 (title) of the statutes is amended to read:

6           **304.01** (title) ~~Earned release review~~ **Parole commission and**  
7 **commission chairperson; general duties.**

8           **SECTION 3053.** 304.01 (1) of the statutes is amended to read:

9           304.01 (1) The chairperson of the ~~earned release review~~ parole commission  
10 shall administer and supervise the commission and its activities and shall be the  
11 final parole-granting authority ~~for granting parole or release to extended~~  
12 ~~supervision~~, except as provided in s. 304.02.

13           **SECTION 3054.** 304.01 (2) (intro.) of the statutes is amended to read:

14           304.01 (2) (intro.) The ~~earned release review~~ parole commission shall conduct  
15 regularly scheduled interviews to consider the parole ~~or release to extended~~  
16 ~~supervision~~ of eligible inmates of the adult correctional institutions under the  
17 control of the department of corrections, eligible inmates transferred under ch. 51  
18 and under the control of the department of health services and eligible inmates in  
19 any county house of correction. The department of corrections shall provide all of the  
20 following to the ~~earned release review~~ parole commission:

21           **SECTION 3055.** 304.01 (2) (b) of the statutes is amended to read:

22           304.01 (2) (b) Scheduling assistance for parole interviews ~~for prisoners who~~  
23 ~~have applied for parole or release to extended supervision~~ at the correctional  
24 institutions.

25           **SECTION 3056.** 304.01 (2) (c) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 3056**

1           304.01 (2) (c) Clerical support related to the parole interviews ~~for prisoners who~~  
2 ~~have applied for parole or release to extended supervision.~~

3           **SECTION 3057.** 304.01 (2) (d) of the statutes is amended to read:

4           304.01 (2) (d) Appropriate physical space at the correctional institutions to  
5 conduct the parole interviews ~~for prisoners who have applied for parole or release to~~  
6 ~~extended supervision.~~

7           **SECTION 3058.** 304.06 (title) of the statutes is amended to read:

8           **304.06 (title) ~~Release to parole or extended supervision~~ Paroles from**  
9 **state prisons and house of correction.**

10          **SECTION 3059.** 304.06 (1) (b) of the statutes is amended to read:

11          304.06 (1) (b) Except as provided in s. 961.49 (2), 1999 stats., sub. (1m) or s.  
12 302.045 (3), 302.05 (3) (b), 973.01 (6), or 973.0135, the ~~earned release review~~ parole  
13 commission may parole an inmate of the Wisconsin state prisons or any felon or any  
14 person serving at least one year or more in a county house of correction or a county  
15 reforestation camp organized under s. 303.07, when he or she has served 25% of the  
16 sentence imposed for the offense, or 6 months, whichever is greater. Except as  
17 provided in s. 939.62 (2m) (c) or 973.014 (1) (b) or (c), (1g) or (2), the ~~earned release~~  
18 ~~review~~ parole commission may parole an inmate serving a life term when he or she  
19 has served 20 years, as modified by the formula under s. 302.11 (1) and subject to  
20 extension under s. 302.11 (1q) and (2), if applicable. The person serving the life term  
21 shall be given credit for time served prior to sentencing under s. 973.155, including  
22 good time under s. 973.155 (4). The secretary may grant special action parole  
23 releases under s. 304.02. The department or the ~~earned release review~~ parole  
24 commission shall not provide any convicted offender or other person sentenced to the  
25 department's custody any parole eligibility or evaluation ~~for parole or release to~~

**ASSEMBLY BILL 40****SECTION 3059**

1 ~~extended supervision~~ until the person has been confined at least 60 days following  
2 sentencing.

3 **SECTION 3060.** 304.06 (1) (bg) of the statutes is repealed.

4 **SECTION 3061.** 304.06 (1) (bk) of the statutes is repealed.

5 **SECTION 3062.** 304.06 (1) (bn) of the statutes is repealed.

6 **SECTION 3063.** 304.06 (1) (br) of the statutes is repealed.

7 **SECTION 3064.** 304.06 (1) (c) (intro.) of the statutes is amended to read:

8 304.06 (1) (c) (intro.) If an inmate applies for parole ~~or release to extended~~  
9 ~~supervision~~ under this subsection, the ~~earned release review~~ parole commission  
10 shall make a reasonable attempt to notify the following, if they can be found, in  
11 accordance with par. (d):

12 **SECTION 3065.** 304.06 (1) (d) 1. of the statutes is amended to read:

13 304.06 (1) (d) 1. The notice under par. (c) shall inform the offices and persons  
14 under par. (c) 1. to 3. of the manner in which they may provide written statements  
15 under this subsection, shall inform persons under par. (c) 3. of the manner in which  
16 they may attend interviews or hearings and make statements under par. (eg) and  
17 shall inform persons under par. (c) 3. who are victims, or family members of victims,  
18 of crimes specified in s. 940.01, 940.03, 940.05, 940.225 (1), (2), or (3), 948.02 (1) or  
19 (2), 948.025, 948.06, or 948.07 of the manner in which they may have direct input in  
20 the parole decision-making process under par. (em) ~~for parole or release to extended~~  
21 ~~supervision~~. The ~~earned release review~~ parole commission shall provide notice  
22 under this paragraph for an inmate's first application for parole ~~or release to~~  
23 ~~extended supervision~~ and, upon request, for subsequent applications for parole ~~or~~  
24 ~~release to extended supervision~~.

25 **SECTION 3066.** 304.06 (1) (d) 2. of the statutes is amended to read:



**ASSEMBLY BILL 40****SECTION 3066**

1           304.06 (1) (d) 2. The notice shall be by 1st class mail to an office's or a person's  
2 last-known address sent at least 3 weeks before the interview or hearing upon the  
3 application for parole ~~or release to extended supervision.~~

4           **SECTION 3067.** 304.06 (1) (d) 3m. of the statutes is amended to read:

5           304.06 (1) (d) 3m. If applicable, the notice shall state the manner in which the  
6 person may have direct input in the decision-making process for parole ~~or release~~  
7 ~~to extended supervision.~~

8           **SECTION 3068.** 304.06 (1) (d) 4. of the statutes is amended to read:

9           304.06 (1) (d) 4. If the notice is for a first application for parole ~~or release to~~  
10 ~~extended supervision~~, the notice shall inform the offices and persons under par. (c)  
11 1. to 3. that notification of subsequent applications for parole ~~or release to extended~~  
12 ~~supervision~~ will be provided only upon request.

13           **SECTION 3069.** 304.06 (1) (e) of the statutes is amended to read:

14           304.06 (1) (e) The ~~earned release review~~ parole commission shall permit any  
15 office or person under par. (c) 1. to 3. to provide written statements. The ~~earned~~  
16 ~~release review~~ parole commission shall give consideration to any written statements  
17 provided by any such office or person and received on or before the date specified in  
18 the notice. This paragraph does not limit the authority of the ~~earned release review~~  
19 parole commission to consider other statements or information that it receives in a  
20 timely fashion.

21           **SECTION 3070.** 304.06 (1) (eg) of the statutes is amended to read:

22           304.06 (1) (eg) The ~~earned release review~~ parole commission shall permit any  
23 person under par. (c) 3. to attend any interview or hearing on the application for  
24 parole ~~or release to extended supervision~~ of an applicable inmate and to make a  
25 statement at that interview or hearing.

**ASSEMBLY BILL 40****SECTION 3071**

1           **SECTION 3071.** 304.06 (1) (em) of the statutes is amended to read:

2           304.06 (1) (em) ~~The earned release review~~ parole commission shall promulgate  
3 rules that provide a procedure to allow any person who is a victim, or a family  
4 member of a victim, of a crime specified in s. 940.01, 940.03, 940.05, 940.225 (1), (2),  
5 or (3), 948.02 (1) or (2), 948.025, 948.06, or 948.07 to have direct input in the  
6 decision-making process for parole ~~or release to extended supervision.~~

7           **SECTION 3072.** 304.06 (1) (f) of the statutes is amended to read:

8           304.06 (1) (f) ~~The earned release review~~ parole commission shall design and  
9 prepare cards for persons specified in par. (c) 3. to send to the commission. The cards  
10 shall have space for these persons to provide their names and addresses, the name  
11 of the applicable prisoner and any other information the ~~earned release review~~  
12 parole commission determines is necessary. ~~The earned release review~~ parole  
13 commission shall provide the cards, without charge, to district attorneys. District  
14 attorneys shall provide the cards, without charge, to persons specified in par. (c) 3.  
15 These persons may send completed cards to the ~~earned release review~~ parole  
16 commission. All commission records or portions of records that relate to mailing  
17 addresses of these persons are not subject to inspection or copying under s. 19.35 (1).  
18 Before any written statement of a person specified in par. (c) 3. is made a part of the  
19 documentary record considered in connection with a parole hearing ~~for parole, or~~  
20 ~~release to extended supervision~~ under this section, the ~~earned release review~~ parole  
21 commission shall obliterate from the statement all references to the mailing  
22 addresses of the person. A person specified in par. (c) 3. who attends an interview  
23 or hearing under par. (eg) may not be required to disclose at the interview or hearing  
24 his or her mailing addresses.

25           **SECTION 3073.** 304.06 (1) (g) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 3073**

1           304.06 (1) (g) Before a person is released on parole ~~or released to extended~~  
2 ~~supervision~~ under this subsection, the ~~earned release review~~ parole commission  
3 shall so notify the municipal police department and the county sheriff for the area  
4 where the person will be residing. The notification requirement under this  
5 paragraph does not apply if a municipal department or county sheriff submits to the  
6 ~~earned release review~~ parole commission a written statement waiving the right to  
7 be notified. If applicable, the department shall also comply with s. 304.063.

8           **SECTION 3074.** 304.06 (1m) (intro.) of the statutes is amended to read:

9           304.06 (1m) (intro.) The ~~earned release review~~ parole commission may waive  
10 the 25% or 6-month service of sentence requirement under sub. (1) (b) under any of  
11 the following circumstances:

12           **SECTION 3075.** 304.06 (1q) (b) of the statutes is amended to read:

13           304.06 (1q) (b) The ~~earned release review~~ parole commission or the department  
14 may require as a condition of parole that a serious child sex offender undergo  
15 pharmacological treatment using an antiandrogen or the chemical equivalent of an  
16 antiandrogen. This paragraph does not prohibit the department from requiring  
17 pharmacological treatment using an antiandrogen or the chemical equivalent of an  
18 antiandrogen as a condition of probation.

19           **SECTION 3076.** 304.06 (1q) (c) of the statutes is amended to read:

20           304.06 (1q) (c) In deciding whether to grant a serious child sex offender release  
21 on parole under this subsection, the ~~earned release review~~ parole commission may  
22 not consider, as a factor in making its decision, that the offender is a proper subject  
23 for pharmacological treatment using an antiandrogen or the chemical equivalent of  
24 an antiandrogen or that the offender is willing to participate in pharmacological  
25 treatment using an antiandrogen or the chemical equivalent of an antiandrogen.

**ASSEMBLY BILL 40****SECTION 3077**

1           **SECTION 3077.** 304.06 (1x) of the statutes is amended to read:

2           304.06 **(1x)** The ~~earned release review~~ parole commission may require as a  
3 condition of parole that the person is placed in the intensive sanctions program under  
4 s. 301.048. In that case, the person is in the legal custody of the department under  
5 that section and is subject to revocation of parole under sub. (3).

6           **SECTION 3078.** 304.06 (2m) (d) of the statutes is amended to read:

7           304.06 **(2m)** (d) The ~~earned release review~~ parole commission or the  
8 department shall determine a prisoner's county of residence for the purposes of this  
9 subsection by doing all of the following:

10           1. The ~~earned release review~~ parole commission or the department shall  
11 consider residence as the voluntary concurrence of physical presence with intent to  
12 remain in a place of fixed habitation and shall consider physical presence as prima  
13 facie evidence of intent to remain.

14           2. The ~~earned release review~~ parole commission or the department shall apply  
15 the criteria for consideration of residence and physical presence under subd. 1. to the  
16 facts that existed on the date that the prisoner committed the serious sex offense that  
17 resulted in the sentence the prisoner is serving.

18           **SECTION 3079.** 304.06 (3) of the statutes is amended to read:

19           304.06 **(3)** Every paroled prisoner ~~paroled or released to extended supervision~~  
20 remains in the legal custody of the department unless otherwise provided by the  
21 department. If the department alleges that any condition or rule of parole ~~or~~  
22 ~~extended supervision~~ has been violated by the prisoner, the department may take  
23 physical custody of the prisoner for the investigation of the alleged violation. If the  
24 department is satisfied that any condition or rule of parole ~~or extended supervision~~  
25 has been violated it shall afford the prisoner such administrative hearings as are

**ASSEMBLY BILL 40****SECTION 3079**

1 required by law. Unless waived by the parolee ~~or person on extended supervision~~,  
2 the final administrative hearing shall be held before a hearing examiner from the  
3 division of hearings and appeals in the department of administration who is licensed  
4 to practice law in this state. The hearing examiner shall enter an order revoking or  
5 not revoking parole ~~or extended supervision~~. Upon request by either party, the  
6 administrator of the division of hearings and appeals shall review the order. The  
7 hearing examiner may order that a deposition be taken by audiovisual means and  
8 allow the use of a recorded deposition under s. 967.04 (7) to (10). If the parolee ~~or~~  
9 ~~person on extended supervision~~ waives the final administrative hearing, the  
10 secretary of corrections shall enter an order revoking or not revoking parole ~~or~~  
11 ~~extended supervision~~. If the examiner, the administrator upon review, or the  
12 secretary in the case of a waiver finds that the prisoner has violated the rules or  
13 conditions of parole ~~or extended supervision~~, the examiner, the administrator upon  
14 review, or the secretary in the case of a waiver, may order the prisoner returned to  
15 prison to continue serving his or her sentence, or to continue on parole ~~or extended~~  
16 ~~supervision~~. If the prisoner claims or appears to be indigent, the department shall  
17 refer the prisoner to the authority for indigency determinations specified under s.  
18 977.07 (1).

19 **SECTION 3080.** 304.06 (3e) of the statutes is amended to read:

20 304.06 (3e) The division of hearings and appeals in the department of  
21 administration shall make either an electronic or stenographic record of all  
22 testimony at each parole ~~or extended supervision~~ revocation hearing. The division  
23 shall prepare a written transcript of the testimony only at the request of a judge who  
24 has granted a petition for judicial review of the revocation decision. Each hearing  
25 notice shall include notice of the provisions of this subsection and a statement that

**ASSEMBLY BILL 40****SECTION 3080**

1 any person who wants a written transcript may record the hearing at his or her own  
2 expense.

3 **SECTION 3081.** 304.06 (3m) of the statutes is amended to read:

4 304.06 (3m) If the convicting court is informed by the department that a  
5 prisoner on parole ~~or extended supervision~~ has absconded and that the prisoner's  
6 whereabouts are unknown, the court may issue a *capias* for execution by the sheriff.

7 **SECTION 3082.** 304.071 (1) of the statutes is amended to read:

8 304.071 (1) The ~~earned release review~~ parole commission may at any time  
9 grant a parole ~~or release to extended supervision~~ to any prisoner in any penal  
10 institution of this state, or the department may at any time suspend the supervision  
11 of any person who is on probation, or parole, ~~or extended supervision~~ to the  
12 department, if the prisoner or person on probation, or parole, ~~or extended~~  
13 ~~supervision~~ is eligible for induction into the U.S. armed forces. The suspension of  
14 parole, ~~extended supervision~~, or probation shall be for the duration of his or her  
15 service in the armed forces; and the parole, ~~extended supervision~~, or probation shall  
16 again become effective upon his or her discharge from the armed forces in accordance  
17 with regulations prescribed by the department. If he or she receives an honorable  
18 discharge from the armed forces, the governor may discharge him or her and the  
19 discharge has the effect of a pardon. Upon the suspension of parole, ~~extended~~  
20 ~~supervision~~, or probation by the department, the department shall issue an order  
21 setting forth the conditions under which the parole, ~~extended supervision~~, or  
22 probation is suspended, including instructions as to where and when and to whom  
23 the person on parole ~~or extended supervision~~ shall report upon discharge from the  
24 armed forces.

25 **SECTION 3083.** 321.40 (1) (c) 1m. of the statutes is created to read:

**ASSEMBLY BILL 40****SECTION 3083**

1           321.40 (1) (c) 1m. The University of Wisconsin–Madison.

2           **SECTION 3084.** 321.40 (3) (b) 1. of the statutes is amended to read:

3           321.40 (3) (b) 1. Be submitted to the department for approval of payment no  
4 later than ~~60~~ 90 days after the completion date of the course;

5           **SECTION 3085.** 321.65 (1) (a) 2. of the statutes is amended to read:

6           321.65 (1) (a) 2. Active service with the state laboratory of hygiene under s.  
7 ~~36.25 (11) (em)~~ 37.57 (5m) for the purpose of assisting the department of health  
8 services under s. 250.042 during a state of emergency relating to public health  
9 declared by the governor under s. 323.10.

10          **SECTION 3086.** 340.01 (18j) of the statutes is created to read:

11          340.01 (18j) “Federal out-of-service order for unsatisfactory safety  
12 compliance” means an out-of-service order issued by the federal motor carrier safety  
13 administration under 49 CFR 385.13 (a), 385.105 (b), 385.111 (a) or (c), 385.325 (c),  
14 385.337 (b), 386.72 (b) (2), 386.83 (a) (1), or 386.84 (a) (1).

15          **SECTION 3087.** 341.10 (16) of the statutes is created to read:

16          341.10 (16) The applicant has applied for registration under the international  
17 registration plan specified in s. 341.405 and, in the registration application, the  
18 applicant has identified as the motor carrier responsible for the safety of the motor  
19 vehicle to be registered a motor carrier for which the department has received notice  
20 that the motor carrier is subject to a federal out-of-service order for unsatisfactory  
21 safety compliance. This subsection does not prohibit the applicant from registering  
22 the motor vehicle under any applicable provision of this chapter other than s.  
23 341.405.

24          **SECTION 3088.** 341.10 (17) of the statutes is created to read:

**ASSEMBLY BILL 40****SECTION 3088**

1           341.10 (17) The applicant has applied for registration under the international  
2 registration plan specified in s. 341.405 and the motor vehicle for which application  
3 is made has been identified by the federal motor carrier safety administration as  
4 having been assigned for safety to a motor carrier whose business is operated,  
5 managed, or otherwise controlled or affiliated with a person that has been issued a  
6 federal out-of-service order for unsatisfactory safety compliance. This subsection  
7 does not prohibit the applicant from registering the motor vehicle under any  
8 applicable provision of this chapter other than s. 341.405.

9           **SECTION 3089.** 341.12 (2) of the statutes is amended to read:

10           341.12 (2) The department shall purchase plates from the Waupun  
11 Correctional Institution unless otherwise approved by the governor. Subject to any  
12 specific requirements which may be imposed by statute, the department shall  
13 determine the size, color and design of registration plates with a view toward making  
14 them visible evidence of the period for which the vehicle is registered and the fee class  
15 into which the vehicle falls as well as and making them a ready means of identifying  
16 the specific vehicle or owner for which the plates were issued.

17           **SECTION 3090.** 341.12 (3) (c) of the statutes is repealed.

18           **SECTION 3091.** 341.13 (title) of the statutes is amended to read:

19           **341.13 (title) Additional specifications for plate design of certain plates**  
20 **and certificate of registration requirements.**

21           **SECTION 3092.** 341.13 (1) (intro.) and (a) of the statutes are consolidated,  
22 renumbered 341.13 (1) and amended to read:

23           341.13 (1) In addition to the matter specified in s. 341.12 (3), registration plates  
24 for automobiles registered pursuant to the registration system under s. 341.27,  
25 except automobiles registered under s. 341.14 (6r) or 341.145 (1) (c), shall comply



**ASSEMBLY BILL 40****SECTION 3092**

1 with the following specifications: ~~(a) The display the words “America’s Dairyland”~~  
2 ~~shall be displayed across either the lower or upper portion of the plate at the~~  
3 ~~discretion of the secretary.~~

4 **SECTION 3093.** 341.13 (1) (b) of the statutes is repealed.

5 **SECTION 3094.** 341.13 (2) of the statutes is amended to read:

6 341.13 (2) ~~In addition to the matter specified in s. 341.12 (3), the registration~~  
7 ~~plates for For a vehicle registered on the basis of gross weight except a dual purpose~~  
8 ~~motor home or a motor home, motor truck, farm truck, or dual purpose farm truck~~  
9 ~~registered under s. 341.14 (1), (1a), (1m), (1q), (2), (6m), or (6r) or 341.145 (1) (a), (b),~~  
10 ~~(c), (d), or (e) or a motor truck or dual purpose farm truck registered under s. 341.14~~  
11 ~~(6) shall indicate the weight class into which the vehicle falls in a manner prescribed~~  
12 ~~by the department. The, the gross weight which that determines the registration fee~~  
13 ~~for a dual purpose motor home or a motor home, motor truck, farm truck, or dual~~  
14 ~~purpose farm truck registered under s. 341.14 (1), (1a), (1m), (1q), (2), (6m), or (6r)~~  
15 ~~or 341.145 (1) (a), (b), (c), (d), or (e) or a motor truck or dual purpose farm truck~~  
16 ~~registered under s. 341.14 (6) shall be shown on its certificate of registration.~~

17 **SECTION 3095.** 341.13 (3) of the statutes is amended to read:

18 341.13 (3) ~~In lieu of issuing The department is not required to issue a new plate~~  
19 ~~upon each renewal of registration of a vehicle, the department may issue one insert~~  
20 ~~tag, decal or other evidence of registration per vehicle to indicate the period of~~  
21 ~~registration. The tag, decal or other evidence of registration shall be provided by the~~  
22 ~~department and used only if the outstanding plate is in suitable condition for further~~  
23 ~~usage. A decal shall be displayed as provided in s. 341.15 (1m).~~

24 **SECTION 3096.** 341.13 (3m) of the statutes is repealed.

25 **SECTION 3097.** 341.13 (4) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 3097**

1           341.13 (4) ~~A~~ The certificate of registration for a specially designed vehicle  
2 which is authorized for operation under s. 343.135 (2) (a) 2. shall bear a tag, decal  
3 ~~or other identification issued by the department to indicate that the vehicle may be~~  
4 subject to special equipment standards under s. 347.02 (6) and that the vehicle may  
5 be operated only by a person authorized to do so under s. 343.135 (2) (b).

6           **SECTION 3098.** 341.14 (6r) (b) 4. of the statutes is amended to read:

7           341.14 (6r) (b) 4. An additional fee of \$20 that is in addition to the fee under  
8 subd. 2. shall be charged for the issuance or renewal of a plate issued on an annual  
9 basis for a special group specified under par. (f) 35. to 47. 47m. An additional fee of  
10 \$40 that is in addition to the fee under subd. 2. shall be charged for the issuance or  
11 renewal of a plate issued on a biennial basis for a special group specified under par.  
12 (f) 35. to 47. 47m. if the plate is issued or renewed during the first year of the biennial  
13 registration period or \$20 for the issuance or renewal if the plate is issued or renewed  
14 during the 2nd year of the biennial registration period. The fee under this  
15 subdivision is deductible as a charitable contribution for purposes of the taxes under  
16 ch. 71.

17           **SECTION 3099.** 341.14 (6r) (c) of the statutes is amended to read:

18           341.14 (6r) (c) Special group plates shall display the word “Wisconsin”, the  
19 name of the applicable authorized special group, a symbol representing the special  
20 group, not exceeding one position, and identifying letters or numbers or both, not  
21 exceeding 6 positions and not less than one position. The department shall specify  
22 the design for special group plates, but the department shall consult the president  
23 of the University of Wisconsin System before specifying the word or symbol used to  
24 identify the special groups under par. (f) 35. to 47., the chancellor of the University  
25 of Wisconsin–Madison before specifying the word or symbol used to identify the

**ASSEMBLY BILL 40****SECTION 3099**

1 special group under par. (f) 47m., the secretary of natural resources before specifying  
2 the word or symbol used to identify the special groups under par. (f) 50. and 59., the  
3 chief executive officer of the professional football team and an authorized  
4 representative of the league of professional football teams described in s. 229.823 to  
5 which that team belongs before specifying the design for the applicable special group  
6 plate under par. (f) 55., the chief trademark officer of Harley–Davidson Michigan,  
7 LLC before specifying the design for the applicable special group plate under par. (f)  
8 61r., the department of veterans affairs before specifying the design for the special  
9 group plates under par. (f) 49d., 49h., and 49s., and the department of tourism and  
10 chief executive officer of the organization specified in par. (f) 55m. before specifying  
11 the design and word or symbol used to identify the special group name for special  
12 group plates under par. (f) 55m. Special group plates under par. (f) 50. shall be as  
13 similar as possible to regular registration plates in color and design. The department  
14 shall make available 2 designs for the special group plates under par. (f) 60. The  
15 department may not specify any design for the special group plates under par. (f) 60.  
16 unless the design is approved by the executive vice president of the Milwaukee  
17 Brewers Baseball Club LP. The word or symbol used to identify the special group  
18 under par. (f) 59. shall be different from the word or symbol used to identify the  
19 special group under par. (f) 50. and the design shall cover the entire plate. Special  
20 group plates under par. (f) 61m. shall display a logo or image of the lion associated  
21 with the Lions Clubs International. Special group plates under par. (f) 61r. shall  
22 display a bar and shield logo associated with Harley–Davidson, Inc., on the left  
23 portion of the plates and the words “share the road” on the bottom portion of the  
24 plates.

25 **SECTION 3100.** 341.14 (6r) (e) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 3100**

1           341.14 **(6r)** (e) The department shall specify one combination of colors for  
2 special group plates for groups or organizations which are not military in nature and  
3 not special group plates under par. (f) 35. to ~~47.~~ 47m., 50., and 59., for each  
4 professional football team under par. (f) 55., and for each professional baseball team  
5 under par. (f) 60. The department shall specify one combination of colors for special  
6 group plates under par. (f) 35. to ~~47~~ 47m. Subject to par. (c), the department shall  
7 specify the word or words comprising the special group name and the symbol to be  
8 displayed upon special group plates for a group or organization which is not military  
9 in nature after consultation with the chief executive officer in this state of the group  
10 or organization. The department shall require that the word or words and symbol  
11 for a university specified under par. (f) 35. to 47. be a registration decal or tag and  
12 affixed to the special group plate and be of the colors for a university specified under  
13 par. (f) 35. to 47. that the president of the University of Wisconsin System specifies.  
14 The department shall require that the word or words and symbol for the university  
15 specified under par. (f) 47m. be a registration decal or tag affixed to the special group  
16 plate and be of the colors for the university specified under par. (f) 47m. that the  
17 chancellor of the University of Wisconsin–Madison specifies. The department shall  
18 consult the chief trademark officer of Harley–Davidson Michigan, LLC before  
19 specifying the colors for the special group plate under par. (f) 61r.

20           **SECTION 3101.** 341.14 (6r) (f) 38. of the statutes is renumbered 341.14 (6r) (f)  
21 47m.

22           **SECTION 3102.** 341.14 (10) of the statutes is created to read:

23           341.14 **(10)** From the appropriation under s. 20.395 (5) (ef), the department  
24 shall make payments to the University of Wisconsin–Madison for the scholarship  
25 program under s. 37.44.

**ASSEMBLY BILL 40****SECTION 3103**

1           **SECTION 3103.** 341.145 (1r) of the statutes is repealed.

2           **SECTION 3104.** 341.15 (1m) of the statutes is repealed.

3           **SECTION 3105.** 341.15 (3) (a) of the statutes is amended to read:

4           341.15 **(3)** (a) A person who operates a vehicle for which a current registration  
5           plate, ~~insert tag, decal~~ or other evidence of registration has been issued without such  
6           plate, ~~tag, decal~~ or other evidence of registration being attached to the vehicle, except  
7           when such vehicle is being operated pursuant to a temporary operation permit or  
8           plate;

9           **SECTION 3106.** 341.16 (1) (b) of the statutes is amended to read:

10           341.16 **(1)** (b) Upon satisfactory proof of the loss or destruction of a special plate  
11           issued under s. 341.14 (6m) (a), (6r) (b), or (6w) or a special personalized plate issued  
12           under s. 341.145 (1) (b), (c), or (f) and upon payment of a fee of \$5 for each plate or,  
13           if the plate is for a special group specified under s. 341.14 (6r) (f) 35. to 47. 47m. or  
14           53., \$6 for each plate, the department shall issue a replacement.

15           **SECTION 3107.** 341.405 (3m) of the statutes is created to read:

16           341.405 **(3m)** (a) If the registration of a motor vehicle registered under this  
17           section is suspended under s. 341.63 (1) (f), (1m), or (1r), or if an application for  
18           registration is refused under s. 341.10 (16) or (17), the motor vehicle may be  
19           registered, subject to all applicable requirements and fees, under any applicable  
20           provision of this chapter other than this section.

21           (b) All of the following apply to a person who registers a motor vehicle under  
22           another applicable provision of this chapter as described in par. (a):

23           1. The person is not entitled to credit for any registration fee previously paid  
24           to register the motor vehicle under this section.

**ASSEMBLY BILL 40****SECTION 3107**

1           2. If the motor vehicle's registration under this section is reinstated after this  
2 registration period has expired, in renewing the motor vehicle's registration under  
3 this section the person is entitled to credit for the registration fee paid to register the  
4 motor vehicle as described in par. (a), calculated based upon the unused portion of  
5 that registration period.

6           (c) Notwithstanding s. 341.10 (16) and (17), the department may refuse  
7 registration of a motor vehicle under this section if the department determines that  
8 the motor carrier identified on the motor vehicle's registration application as the  
9 motor carrier responsible for safety of the vehicle is the same or substantially the  
10 same business, or that elements of the motor carrier operation are the same or  
11 substantially the same business elements, as a motor carrier that has been issued  
12 a federal out-of-service order for unsatisfactory safety compliance.

13           **SECTION 3108.** 341.41 (7) of the statutes is amended to read:

14           341.41 (7) Except as to foreign owned vehicles required by s. 341.07 to be  
15 registered in this state, vehicles owned or operated by a nonresident in interstate or  
16 intrastate movement may be qualified by advance purchase of a trip permit which  
17 authorizes operation for a 72-hour period when the vehicle is not eligible for  
18 reciprocal privileges. Unless waived by the secretary, the fee for the trip permit shall  
19 be not less than \$15. The secretary may, upon determining that a special  
20 transportation need exists, waive the fee for the trip permit. The secretary shall  
21 make rules and regulations for the issuance and use of the permits. No permit may  
22 be issued under this subsection for any motor vehicle for which the motor carrier  
23 identified on the permit application as the motor carrier responsible for safety of the  
24 vehicle has been issued a federal out-of-service order for unsatisfactory safety  
25 compliance.

**ASSEMBLY BILL 40****SECTION 3109**

1           **SECTION 3109.** 341.52 of the statutes is amended to read:

2           **341.52 Design of registration plates.** Registration plates for dealers,  
3 distributors, manufacturers, and transporters are subject to the provisions of s.  
4 341.12 (2) and (3) except s. 341.12 (3) (c). In addition, each plate shall have displayed  
5 upon it a symbol capable of distinguishing it from any other plate which may be  
6 issued to the same dealer, distributor, manufacturer, or transporter.

7           **SECTION 3110.** 341.52 of the statutes, as affected by 2011 Wisconsin Act .... (this  
8 act), is amended to read:

9           **341.52 Design of registration plates.** Registration plates for dealers,  
10 distributors, manufacturers, and transporters are subject to the provisions of s.  
11 341.12 (2) and (3) except s. 341.12 (3) (c). In addition, each plate shall have displayed  
12 upon it a symbol capable of distinguishing it from any other plate which may be  
13 issued to the same dealer, distributor, manufacturer, or transporter.

14           **SECTION 3111.** 341.53 of the statutes is amended to read:

15           **341.53 Expiration of registration; transferability of plates.** Certificates  
16 of registration and registration plates issued to dealers, distributors, manufacturers,  
17 or transporters shall be issued for the calendar year and are valid only during the  
18 calendar year for which issued. Notwithstanding s. 341.13 (3), the department may  
19 renew registration plates issued to dealers, distributors, manufacturers, or  
20 transporters without issuing new plates or insert tags, decals, or other evidence of  
21 registration. Registration plates are transferable from one motor vehicle, trailer or  
22 semitrailer to another motor vehicle, trailer or semitrailer and from one recreational  
23 vehicle to another.

24           **SECTION 3112.** 341.57 (2) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 3112**

1           341.57 (2) A finance company licensed under ss. 138.09 or 218.0101 to  
2           218.0163, a credit union licensed under ch. 186, a savings bank organized under ch.  
3           214, a savings and loan association organized under ch. 215 or a state bank or a  
4           national bank with offices in this state may apply to the department for registration  
5           on such form as the department provides. Upon receipt of the application together  
6           with a registration fee of \$75, the department shall register the applicant and shall  
7           issue one registration plate containing the registration number assigned to the  
8           applicant. The department, upon receiving a fee of \$5 for each additional plate  
9           desired by the applicant, shall issue additional plates as the applicant orders.  
10          Section 341.52 applies to the design of the plates. The registration and plates are  
11          valid only during the calendar year for which issued. Notwithstanding s. 341.13 (3),  
12          the department may renew registration plates issued under this subsection without  
13          issuing new plates or insert tags, decals, or other evidence of registration. A plate  
14          is transferable from one motor vehicle to another. The department may charge a fee  
15          of \$2 per plate for replacing lost, damaged or illegible plates issued under this  
16          subsection.

17           **SECTION 3113.** 341.605 (1) of the statutes is amended to read:

18           341.605 (1) Except as authorized by the department, no person may transfer  
19           to another person or offer for sale a registration plate, ~~insert tag, decal~~ or other  
20           evidence of registration issued by the department. This subsection does not apply  
21           to transfers of vehicles under s. 342.15 (4) (c).

22           **SECTION 3114.** 341.605 (2) of the statutes is amended to read:

23           341.605 (2) No person may transfer to another person or offer for sale a  
24           counterfeit, forged or fictitious registration plate, ~~insert tag, decal~~ or other evidence  
25           of registration.



**ASSEMBLY BILL 40****SECTION 3115**

1           **SECTION 3115.** 341.61 (title) of the statutes is amended to read:

2           **341.61 (title) Improper use of evidence of registration plate.**

3           **SECTION 3116.** 341.61 (1) of the statutes is amended to read:

4           341.61 **(1)** Lends to another a registration plate, ~~insert tag, decal or other~~  
5 ~~evidence of registration~~ for display upon a vehicle for which the plate, tag, decal or  
6 ~~other evidence of registration~~ has not been issued.

7           **SECTION 3117.** 341.61 (2) of the statutes is amended to read:

8           341.61 **(2)** Displays upon a vehicle a registration plate, ~~insert tag, decal or other~~  
9 ~~evidence of registration~~ not issued for such vehicle or not otherwise authorized by  
10 law to be used thereon.

11           **SECTION 3118.** 341.61 (3) of the statutes is amended to read:

12           341.61 **(3)** Willfully twists, paints, alters or adds to or cuts off any portion of  
13 a registration plate, ~~insert tag, decal or other evidence of registration~~; or who places  
14 or deposits, or causes to be placed or deposited on such plate, ~~insert tag, decal or other~~  
15 ~~evidence of registration~~ any substance to hinder the normal reading of such plate,  
16 ~~insert tag, decal or other evidence of registration~~; or who defaces, disfigures, covers,  
17 obstructs, changes or attempts to change any letter or figure thereon; or who causes  
18 such plate, ~~insert tag, decal or other evidence of registration~~ to appear to be a  
19 different color.

20           **SECTION 3119.** 341.61 (4) of the statutes is amended to read:

21           341.61 **(4)** Possesses a fraudulently or unlawfully obtained registration plate,  
22 ~~insert tag, decal or other evidence of registration~~.

23           **SECTION 3120.** 341.61 (5) of the statutes is amended to read:

24           341.61 **(5)** Possesses a counterfeit registration plate, ~~insert tag, decal or other~~  
25 ~~evidence of registration~~.

**ASSEMBLY BILL 40****SECTION 3121**

1           **SECTION 3121.** 341.615 of the statutes is amended to read:

2           **341.615 Reproducing evidence of registration prohibited.** Except as  
3 authorized by the department, any person who reproduces, by any means whatever,  
4 a registration plate, ~~insert tag, decal~~ or other evidence of registration shall forfeit not  
5 less than \$200 nor more than \$500.

6           **SECTION 3122.** 341.63 (1) (f) of the statutes is created to read:

7           **341.63 (1) (f)** The motor vehicle is registered under the international  
8 registration plan specified in s. 341.405 and the motor vehicle has been identified by  
9 the federal motor carrier safety administration as having been assigned for safety  
10 to a motor carrier whose business is operated, managed, or otherwise controlled or  
11 affiliated with a person that has been issued a federal out-of-service order for  
12 unsatisfactory safety compliance.

13           **SECTION 3123.** 341.63 (1m) of the statutes is created to read:

14           **341.63 (1m)** Upon receiving notice that a motor carrier has been issued a  
15 federal out-of-service order for unsatisfactory safety compliance, the department  
16 shall suspend the registration of each motor vehicle to which all of the following  
17 apply:

18           (a) The motor carrier is identified on the motor vehicle's registration  
19 application as the motor carrier responsible for the safety of the vehicle.

20           (b) The motor vehicle is registered under the international registration plan  
21 specified in s. 341.405.

22           **SECTION 3124.** 341.63 (1r) of the statutes is created to read:

23           **341.63 (1r)** The department may suspend the registration of a motor vehicle  
24 registered under the international registration plan specified in s. 341.405 if the  
25 department determines that the motor carrier identified on the motor vehicle's

**ASSEMBLY BILL 40****SECTION 3124**

1 registration application as the motor carrier responsible for safety of the vehicle is  
2 the same or substantially the same business, or that elements of the motor carrier  
3 operation are the same or substantially the same business elements, as a motor  
4 carrier that has been issued a federal out-of-service order for unsatisfactory safety  
5 compliance.

6 **SECTION 3125.** 341.63 (3) of the statutes is renumbered 341.63 (3) (a).

7 **SECTION 3126.** 341.63 (3) (b) of the statutes is created to read:

8 341.63 (3) (b) In addition to or in lieu of ordering the return of registration  
9 plates under par. (a), the department may seize and destroy the registration plates  
10 of any motor vehicle for which all of the following apply:

11 1. The motor carrier identified on the motor vehicle's registration application  
12 as the motor carrier responsible for safety of the vehicle has been issued a federal  
13 out-of-service order for unsatisfactory safety compliance.

14 2. The motor vehicle is registered under the international registration plan  
15 specified in s. 341.405 or under a similar international registration plan under the  
16 law of another jurisdiction.

17 **SECTION 3127.** 341.65 (1) (b) of the statutes is amended to read:

18 341.65 (1) (b) "Unregistered motor vehicle" means any motor vehicle that is  
19 located upon a highway and that is not displaying ~~valid registration plates~~, a  
20 temporary operation plate, or ~~other evidence of registration~~ a registration plate for  
21 which the department's vehicle registration records indicate valid registration as  
22 provided under s. 341.18 (1) for the vehicle's current registration period or for a  
23 registration period for the vehicle that expired within the immediately preceding 31  
24 days.

**ASSEMBLY BILL 40****SECTION 3128**

1           **SECTION 3128.** 342.09 (1) of the statutes is renumbered 342.09 (1) (a) and  
2 amended to read:

3           342.09 (1) (a) The department shall maintain a record of each application for  
4 certificate of title received by it and, when satisfied as to its genuineness and  
5 regularity and that the applicant is entitled to the issuance of a certificate of title,  
6 shall issue and, except as provided in par. (b), deliver a certificate to the owner of the  
7 vehicle.

8           **SECTION 3129.** 342.09 (1) (b) of the statutes is created to read:

9           342.09 (1) (b) If there is a perfected security interest in a vehicle, the  
10 department shall deliver the certificate of title to the secured party having the  
11 primary perfected security interest in the vehicle.

12           **SECTION 3130.** 342.13 (1) of the statutes is amended to read:

13           342.13 (1) If a certificate of title is lost, stolen, mutilated, or destroyed, or  
14 becomes illegible, the owner or ~~legal representative of the owner named in person in~~  
15 possession of the certificate, as shown by the records of the department, shall  
16 promptly make application for and may obtain a replacement upon furnishing  
17 information satisfactory to the department. The replacement certificate of title shall  
18 contain a notation, in a form determined by the department, identifying the  
19 certificate as a replacement certificate that may be subject to the rights of a person  
20 under the original certificate.

21           **SECTION 3131.** 342.14 (1) of the statutes is amended to read:

22           342.14 (1) For filing an application for the first certificate of title, ~~\$53.00~~ \$62,  
23 by the owner of the vehicle.

24           **SECTION 3132.** 342.14 (1r) of the statutes is repealed.

25           **SECTION 3133.** 342.14 (3) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 3133**

1           342.14 (3) For a certificate of title after a transfer, ~~\$53.00~~ \$62, by the owner of  
2 the vehicle.

3           **SECTION 3134.** 342.15 (1) (a) of the statutes is amended to read:

4           342.15 (1) (a) If an owner transfers an interest in a vehicle, other than by the  
5 creation of a security interest, the owner shall comply with the requirements of s.  
6 342.155 and, at the time of the delivery of the vehicle, execute an assignment and  
7 warranty of title to the transferee in the space provided therefor on the certificate,  
8 and the owner or person in possession of the certificate, as shown by the records of  
9 the department, shall cause the certificate to be mailed or delivered to the transferee,  
10 except that if the vehicle being transferred is a junk vehicle or has been junked, the  
11 owner shall return the certificate to the department in accordance with s. 342.34.

12           **SECTION 3135.** 342.15 (1) (c) of the statutes is amended to read:

13           342.15 (1) (c) If an owner transfers his or her interest in a salvage vehicle, the  
14 owner shall at the time of the delivery of the vehicle, execute an assignment and  
15 warranty of title to the transferee in the space provided therefor on the certificate,  
16 and the owner or person in possession of the certificate, as shown by the records of  
17 the department, shall cause the certificate to be mailed or delivered to the transferee.

18           **SECTION 3136.** 342.15 (5) of the statutes is amended to read:

19           342.15 (5) Any owner of a vehicle for which a certificate of title has been issued,  
20 who upon transfer of the vehicle fails to execute ~~and deliver~~ the assignment and  
21 warranty of title required by sub. (1), or the owner or person in possession of such  
22 certificate of title, as shown by the records of the department, who fails to deliver the  
23 assignment and warranty of title required by sub. (1), may be required to forfeit not  
24 more than \$500.

25           **SECTION 3137.** 342.20 (1) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 3137**

1           342.20 (1) The owner shall immediately execute, in the space provided therefor  
2 on the certificate of title or on a separate form or in an automated format prescribed  
3 by the department, an application to name the secured party on the certificate,  
4 showing the name and address of the secured party, and the owner or person in  
5 possession of the owner's certificate, as shown by the records of the department, shall  
6 cause the certificate, application and the required fee to be delivered to the secured  
7 party.

8           **SECTION 3138.** 342.20 (3) of the statutes is amended to read:

9           342.20 (3) Upon receipt of the certificate of title, application, and the required  
10 fee, or upon receipt of the security interest statement and required fee if the secured  
11 party has utilized the process specified in s. 342.245 (1), the department shall issue  
12 to the owner a new certificate containing the name and address of the new secured  
13 party. The department shall deliver to such new secured party, unless the secured  
14 party utilized the process specified in s. 342.245 (1), and to the register of deeds of  
15 the county of the owner's residence, memoranda, in such form as the department  
16 prescribes, evidencing the notation of the security interest upon the certificate; and  
17 thereafter, upon any assignment, termination or release of the security interest,  
18 additional memoranda evidencing such action.

19           **SECTION 3139.** 342.22 (1) (intro.) of the statutes is amended to read:

20           342.22 (1) (intro.) Within one month or within 10 days following written  
21 demand by the debtor after there is no outstanding obligation and no commitment  
22 to make advances, incur obligations or otherwise give value, secured by the security  
23 interest in a vehicle under any security agreement between the owner and the  
24 secured party, the secured party shall mail or deliver the certificate of title for the

**ASSEMBLY BILL 40****SECTION 3139**

1 vehicle to the department if the secured party is in possession of the certificate and  
2 shall also do one of the following:

3 **SECTION 3140.** 342.22 (2) of the statutes is amended to read:

4 342.22 (2) An If an owner, other than a dealer holding the vehicle for resale,  
5 is in possession of the owner's certificate of title, the owner, upon receipt of the release  
6 and notice of obligation delivered under sub. (1) (a), shall promptly cause the  
7 certificate and release to be mailed or delivered to the department, which shall  
8 release the secured party's rights on the certificate and issue a new certificate. Upon  
9 receipt of the notice under sub. (1) (b), the owner may, in the form and manner  
10 prescribed by the department and without additional fee, deliver an application and  
11 the certificate of title to the department and the department shall issue a new  
12 certificate of title free of the security interest notation.

13 **SECTION 3141.** 342.23 (2) (a) of the statutes is renumbered 342.23 (2) and  
14 amended to read:

15 342.23 (2) An owner or person in possession of the owner's certificate of title,  
16 as shown by the records of the department, shall promptly deliver the owner's  
17 certificate of title to any secured party who is named on it or who has a security  
18 interest in the vehicle described in it under any other applicable prior law of this  
19 state, upon receipt of a notice from such secured party that the security interest is  
20 to be assigned, extended or perfected.

21 **SECTION 3142.** 342.23 (2) (b) of the statutes is repealed.

22 **SECTION 3143.** 342.23 (4) of the statutes is amended to read:

23 342.23 (4) Any owner or other person in possession of the owner's certificate  
24 of title who fails to deliver the certificate of title to a secured party requesting it

**ASSEMBLY BILL 40****SECTION 3143**

1 pursuant to sub. (2) (a) shall be liable to such secured party for any loss caused to the  
2 secured party thereby and may be required to forfeit not more than \$200.

3 **SECTION 3144.** 343.03 (3r) of the statutes is created to read:

4 343.03 (3r) REAL ID NONCOMPLIANT LICENSE. If any license described under sub.  
5 (3) is issued based upon the exception specified in s. 343.165 (7), the license shall, in  
6 addition to any legend or label described in sub. (3), be marked in a manner  
7 consistent with requirements under applicable federal law and regulations to  
8 indicate that the license is issued in accordance with P.L. 109–13, section 202 (d) (11),  
9 and is not intended to be accepted by any federal agency for federal identification or  
10 any other official purpose.

11 **SECTION 3145.** 343.06 (1) (L) of the statutes, as affected by 2007 Wisconsin Act  
12 20, is amended to read:

13 343.06 (1) (L) To any person who does not satisfy the requirements under s.  
14 343.165 (1).

15 **SECTION 3146.** 343.065 (3) of the statutes is created to read:

16 343.065 (3) (a) If a person issued any commercial driver license under this  
17 chapter authorizing operation of commercial motor vehicles in interstate commerce  
18 does not have on file with the department a current certification specified in s. 343.14  
19 (2) (i) 1. covering the person's physical qualifications, the department may  
20 downgrade the commercial driver license to a restricted commercial driver license  
21 under this section and impose a "K" restriction on the license.

22 (b) The department shall promulgate rules to define "downgrade" in  
23 accordance with federal law and regulations or guidance from the applicable federal  
24 agency, to establish the process for downgrading a commercial driver license and  
25 whether or not a new commercial driver license document will be issued after a



**ASSEMBLY BILL 40****SECTION 3146**

1 commercial driver license is downgraded, and to establish the process for reinstating  
2 a downgraded commercial driver license after the department receives from the  
3 licensee a valid medical certification or other appropriate certification of physical  
4 qualifications.

5 **SECTION 3147.** 343.10 (7) (d) of the statutes, as affected by 2007 Wisconsin Act  
6 20, is amended to read:

7 343.10 (7) (d) An occupational license issued by the department under this  
8 subsection shall be in the form of a license that includes a photograph described in  
9 s. 343.14 (3), unless the exception under s. 343.14 (3m) applies, and any special  
10 restrictions cards under s. 343.17 (4). The license shall clearly indicate that  
11 restrictions on a special restrictions card apply and that the special restrictions card  
12 is part of the person's license.

13 **SECTION 3148.** 343.11 (1) of the statutes is amended to read:

14 343.11 (1) The department shall not issue a license to a person previously  
15 licensed in another jurisdiction unless such person surrenders to the department all  
16 valid operator's licenses possessed by the person issued by any other jurisdiction,  
17 which surrender operates as a cancellation of the surrendered licenses insofar as the  
18 person's privilege to operate a motor vehicle in this state is concerned. When such  
19 applicant surrenders the license to the department, the department shall issue a  
20 receipt therefor, which receipt shall constitute a temporary license to operate a motor  
21 vehicle for a period not to exceed 60 days if the applicant meets the standard required  
22 for eyesight and, in the opinion of the examiner, is not a dangerous hazard to the  
23 applicant and other users of the highways. ~~Except as provided in s. 343.055, the~~  
24 ~~temporary license shall not be valid authorization for the operation of commercial~~  
25 ~~motor vehicles.~~ The temporary license shall be surrendered to the examiner for

**ASSEMBLY BILL 40****SECTION 3148**

1 cancellation by the department if the 3rd attempt at the driving test is failed and the  
2 applicant shall be required to secure a temporary instruction permit for further  
3 practice driving.

4 **SECTION 3149.** 343.11 (3) of the statutes is amended to read:

5 343.11 (3) Except as provided in sub. (1), the department may issue a receipt  
6 to any applicant for a license, which receipt shall constitute a temporary license to  
7 operate a motor vehicle while the application for license is being processed. Such  
8 temporary license shall be valid for a period not to exceed ~~30~~ 60 days.

9 **SECTION 3150.** 343.11 (3) of the statutes, as affected by 2011 Wisconsin Act ....  
10 (this act), is amended to read:

11 343.11 (3) Except as provided in sub. (1), the department may issue a receipt  
12 to any applicant for a license, which receipt shall constitute a temporary license to  
13 operate a motor vehicle while the application for license is being processed. Such  
14 temporary license shall be valid for a period not to exceed 60 days. If the application  
15 for a license is processed under the exception specified in s. 343.165 (7), the receipt  
16 shall include the marking specified in s. 343.03 (3r).

17 **SECTION 3151.** 343.14 (3) of the statutes, as affected by 2007 Wisconsin Act 20,  
18 is amended to read:

19 343.14 (3) The Except as provided in sub. (3m), the department shall, as part  
20 of the application process, take a digital photograph including facial image capture  
21 of the applicant to comply with s. 343.17 (3) (a) 2. ~~No~~ Except as provided in sub. (3m),  
22 no application may be processed without the photograph being taken. Except as  
23 provided in sub. (3m) and s. 343.165 (4) (d), in the case of renewal licenses, the  
24 photograph shall be taken once every 8 years, and shall coincide with the appearance  
25 for examination which is required under s. 343.16 (3).

**ASSEMBLY BILL 40****SECTION 3152**

1           **SECTION 3152.** 343.14 (3m) of the statutes is created to read:

2           343.14 **(3m)** If the application for a license is processed under the exception  
3 specified in s. 343.165 (7), the application may be processed and the license issued  
4 or renewed without a photograph being taken of the applicant if the applicant  
5 provides to the department an affidavit stating that the applicant has a sincerely  
6 held religious belief against being photographed; identifying the religion to which he  
7 or she belongs or the tenets of which he or she adheres to; and stating that the tenets  
8 of the religion prohibit him or her from being photographed.

9           **SECTION 3153.** 343.165 (1) (intro.) of the statutes, as created by 2007 Wisconsin  
10 Act 20, is amended to read:

11           343.165 **(1)** (intro.) The Subject to ss. 343.14 (3m) and 343.50 (4g), the  
12 department may not complete the processing of an application for initial issuance or  
13 renewal of an operator's license or identification card received by the department  
14 after ~~May 10, 2008~~ the effective date of this subsection .... [LRB inserts date], and no  
15 such license or identification card may be issued or renewed, unless the applicant  
16 presents or provides, and, subject to sub. (7), the department verifies under sub. (3),  
17 all of the following information:

18           **SECTION 3154.** 343.165 (2) of the statutes, as created by 2007 Wisconsin Act 20,  
19 is amended to read:

20           343.165 **(2)** (a) The Subject to sub. (7), the department shall, in processing any  
21 application for an operator's license or identification card under sub. (1), capture a  
22 digital image of each document presented or provided to the department by an  
23 applicant. Images captured under this paragraph shall be maintained, in electronic  
24 storage and in a transferable format, in the applicant's file or record as provided  
25 under ss. 343.23 (2) (a) and 343.50 (8) (a).

**ASSEMBLY BILL 40****SECTION 3154**

1           (b) ~~The Subject to sub. (7)~~, the department shall record in the applicant's file  
2 under s. 343.23 (2) (a) or record under s. 343.50 (8) (a) the date on which verification  
3 under subs. (1) and (3) is completed.

4           **SECTION 3155.** 343.165 (3) (a) of the statutes, as created by 2007 Wisconsin Act  
5 20, is amended to read:

6           343.165 (3) (a) Except as provided in pars. (b) and (c) and subject to sub. (7),  
7 the department shall verify, in the manner and to the extent required under federal  
8 law, each document presented or provided to the department that is required to be  
9 presented or provided to the department by an applicant under sub. (1).

10           **SECTION 3156.** 343.165 (4) (a) of the statutes, as created by 2007 Wisconsin Act  
11 20, is amended to read:

12           343.165 (4) (a) Subsection (1) does not apply to an application for renewal of  
13 an operator's license or identification card received by the department after ~~May 10,~~  
14 ~~2008~~ the effective date of this paragraph .... [LRB inserts date], if in connection with  
15 a prior application after ~~May 10, 2008~~ the effective date of this paragraph .... [LRB  
16 inserts date], the applicant previously presented or provided, and the department  
17 verified under sub. (3) or (7), the information specified in sub. (1) and, if verified  
18 under sub. (3), the department recorded the date on which the verification  
19 procedures were completed as described in sub. (2) (b).

20           **SECTION 3157.** 343.165 (4) (c) of the statutes, as created by 2007 Wisconsin Act  
21 20, is amended to read:

22           343.165 (4) (c) Notwithstanding pars. (a) and (b), no operator's license  
23 displaying the legend required under s. 343.03 (3m) or identification card displaying  
24 the legend required under s. 343.50 (3) (a) may be renewed unless the applicant  
25 presents or provides valid documentary proof under sub. (1) (e) and this proof shows

**ASSEMBLY BILL 40****SECTION 3157**

1 that the status by which the applicant qualified for the license or identification card  
2 has been extended by the secretary of the federal department of homeland security.

3 **SECTION 3158.** 343.165 (4) (d) of the statutes, as created by 2007 Wisconsin Act  
4 20, is amended to read:

5 343.165 (4) (d) With any license or identification card renewal following a  
6 license or identification card expiration established under s. 343.20 (1m) or 343.50  
7 (5) (c) at other than an 8-year interval, the department may determine whether the  
8 applicant's photograph is to be taken, or if the renewal is for a license the applicant  
9 is to be examined, or both, at the time of such renewal, so long as the applicant's  
10 photograph is taken, and if the renewal is for a license the applicant is examined,  
11 with a license or card renewal at least once every 8 years and the applicant's license  
12 or identification card at all times includes a photograph unless an exception under  
13 s. 343.14 (3m) or 343.50 (4g) applies.

14 **SECTION 3159.** 343.165 (5) of the statutes, as created by 2007 Wisconsin Act 20,  
15 is amended to read:

16 343.165 (5) The department may, by rule, require that applications for  
17 reinstatement of operator's licenses or identification cards, issuance of occupational  
18 licenses, reissuance of operator's licenses, or issuance of duplicate operator's licenses  
19 or identification cards, received by the department after ~~May 10, 2008~~ the effective  
20 date of this subsection ... [LRB inserts date], be processed in a manner consistent  
21 with the requirements established under this section for applications for initial  
22 issuance or renewal of operator's licenses and identification cards.

23 **SECTION 3160.** 343.165 (7) of the statutes is created to read:

**ASSEMBLY BILL 40****SECTION 3160**

1           343.165 (7) (a) The department may process an application for, and issue or  
2 renew, an operator's license or identification card without meeting the requirements  
3 under subs. (2) and (3) if all of the following apply:

4           1. The operator's license contains the marking specified in s. 343.03 (3r) or the  
5 identification card contains the marking specified in s. 343.50 (3) (b).

6           2. The operator's license or identification card is processed and issued or  
7 renewed in compliance with applicable department practices and procedures that  
8 were in effect immediately prior to the effective date of this subdivision .... [LRB  
9 inserts date].

10           (b) In addition to other instances of original issuance or renewal, this  
11 subsection specifically applies to renewals occurring after the effective date of this  
12 paragraph .... [LRB inserts date], of operator's licenses or identification cards  
13 originally issued prior to the effective date of this paragraph .... [LRB inserts date].

14           **SECTION 3161.** 343.17 (3) (a) 2. of the statutes is amended to read:

15           343.17 (3) (a) 2. A color photograph of the person, unless the exception under  
16 s. 343.14 (3m) applies.

17           **SECTION 3162.** 343.17 (3) (a) 14. of the statutes is created to read:

18           343.17 (3) (a) 14. If the license contains the marking specified in s. 343.03 (3r),  
19 a distinctive appearance specified by the department that clearly distinguishes the  
20 license from other operator's licenses or identification cards issued by the  
21 department and that alerts federal agency and other law enforcement personnel that  
22 the license may not be accepted for federal identification or any other official  
23 purpose.

24           **SECTION 3163.** 343.17 (5) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 3163**

1           343.17 (5) NO PHOTOS ON TEMPORARY LICENSES. The temporary licenses issued  
2           under ss. 343.10, 343.11 (1) and (3), 343.16 (6) (b), and 343.305 (8) (a) shall be on  
3           forms provided by the department and shall contain the information required by sub.  
4           (3), except the license is that temporary licenses under ss. 343.16 (6) (b) and 343.305  
5           (8) (a) are not required to include a photograph of the licensee.

6           **SECTION 3164.** 343.17 (5) of the statutes, as affected by 2007 Wisconsin Act 20  
7           and 2011 Wisconsin Act .... (this act), is repealed and recreated 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 that temporary licenses under ss. 343.16 (6) (b) and 343.305 (8) (a) are not  
12          required to include a photograph of the licensee. This subsection does not apply to  
13          a noncitizen temporary license, as described in s. 343.03 (3m).

14          **SECTION 3165.** 343.20 (2) (a) of the statutes is amended to read:

15          343.20 (2) (a) The At least 30 days prior to the expiration of an operator's  
16          license, the department shall mail to the provide to the licensee notice of renewal of  
17          the license either by mail at the licensee's last-known address of a licensee at least  
18          30 days prior to the expiration of the license a notice of the date upon which the  
19          license must be renewed or, if desired by the licensee, by any electronic means offered  
20          by the department.

21          **SECTION 3166.** 343.20 (2) (a) of the statutes, as affected by 2007 Wisconsin Act  
22          20 and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

23          343.20 (2) (a) At least 30 days prior to the expiration of an operator's license,  
24          the department shall provide to the licensee notice of renewal of the license either  
25          by mail at the licensee's last-known address or, if desired by the licensee, by any

**ASSEMBLY BILL 40****SECTION 3166**

1 electronic means offered by the department. If the license was issued or last renewed  
2 based upon the person's presenting of any documentary proof specified in s. 343.14  
3 (2) (es) 4. to 7., the notice shall inform the licensee of the requirement under s.  
4 343.165 (4) (c).

5 **SECTION 3167.** 343.20 (2) (b) of the statutes is amended to read:

6 343.20 (2) (b) Notwithstanding par. (a), at least 60 days prior to the expiration  
7 of an "H" endorsement specified in s. 343.17 (3) (d) 1m., the department of  
8 transportation shall ~~mail~~ provide a notice to the licensee either by mail at the  
9 licensee's last-known address of the licensee or, if desired by the licensee, by any  
10 electronic means offered by the department of transportation that the licensee is  
11 required to pass a security threat assessment screening by the federal  
12 transportation security administration of the federal department of homeland  
13 security as part of the application to renew the endorsement. The notice shall inform  
14 the licensee that the licensee may commence the federal security threat assessment  
15 screening at any time, but no later than 30 days before expiration of the  
16 endorsement.

17 **SECTION 3168.** 343.21 (2) (a) of the statutes is renumbered 343.21 (2) (a) 1. and  
18 amended to read:

19 343.21 (2) (a) 1. In addition to the fees set under sub. (1), any applicant whose  
20 application for a permit, license, upgrade or endorsement, taken together with the  
21 applicant's currently valid license, if any, requires the department to administer a  
22 driving skills test of the applicant's ability to exercise ordinary and reasonable  
23 control in the operation of a motor vehicle shall pay to the department an  
24 examination fee of \$20 for an examination in a commercial motor vehicle other than



**ASSEMBLY BILL 40****SECTION 3168**

1 a school bus, \$15 for an examination in a “Class D” vehicle, and \$15 for an  
2 examination in any other vehicle. Payment

3 2. Except as provided in subd. 3., payment of the applicable examination fee  
4 under subd. 1. entitles the applicant to not more than 3 tests of the applicant’s ability  
5 to exercise reasonable control in the operation of a motor vehicle. If the applicant  
6 does not qualify for issuance of a license, upgraded license, or endorsement in 3 such  
7 tests, then a 2nd examination fee in the same amount shall be paid, which payment  
8 entitles the applicant to not more than 3 additional tests.

9 **SECTION 3169.** 343.21 (2) (a) 3. of the statutes is created to read:

10 343.21 **(2)** (a) 3. For an examination in a “Class D” vehicle, payment of the  
11 examination fee under subd. 1. entitles the applicant to not more than 2 tests of the  
12 applicant’s ability to exercise reasonable control in the operation of a motor vehicle.  
13 If the applicant does not qualify for issuance of a license, upgraded license, or  
14 endorsement in these 2 tests, then the applicant shall pay an additional examination  
15 fee of \$15 for each examination thereafter.

16 **SECTION 3170.** 343.315 (2) (h) of the statutes is amended to read:

17 343.315 **(2)** (h) Except as provided in par. (i), a person shall be disqualified for  
18 a period of 90 days from operating a commercial motor vehicle if convicted of an  
19 out-of-service violation, or 2 years if convicted of 2 out-of-service violations, or 3  
20 years if convicted of 3 or more out-of-service violations, arising from separate  
21 occurrences committed within a 10-year period while operating a commercial motor  
22 vehicle. A disqualification under this paragraph shall be in addition to any penalty  
23 imposed under s. 343.44. In this paragraph, “out-of-service violation” means  
24 violating s. 343.44 (1) (c) or a law of another jurisdiction for an offense therein which,  
25 if committed in this state, would have been a violation of s. 343.44 (1) (c), ~~by operating~~

**ASSEMBLY BILL 40****SECTION 3170**

1 ~~a commercial motor vehicle while the operator or vehicle is ordered out-of-service~~  
2 ~~under the law of this state or another jurisdiction or under federal law, if the operator~~  
3 holds a commercial driver license or is required to hold a commercial driver license  
4 to operate the commercial motor vehicle.

5 **SECTION 3171.** 343.44 (1) (c) of the statutes is amended to read:

6 343.44 (1) (c) *Operating while ordered out-of-service.* No person may operate  
7 a commercial motor vehicle while the person or the commercial motor vehicle is  
8 ordered out-of-service under the law of this state or another jurisdiction or under  
9 federal law. No person may operate a commercial motor vehicle for which the motor  
10 carrier identified on the motor vehicle's registration application as the motor carrier  
11 responsible for safety of the vehicle has been issued a federal out-of-service order  
12 for unsatisfactory safety compliance, while this federal out-of-service order is in  
13 effect.

14 **SECTION 3172.** 343.50 (1) of the statutes is renumbered 343.50 (1) (a).

15 **SECTION 3173.** 343.50 (1) of the statutes, as affected by 2007 Wisconsin Act 20  
16 and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

17 343.50 (1) (a) Subject to par. (b) and s. 343.165, the department shall issue to  
18 every qualified applicant, who has paid all required fees, an identification card as  
19 provided in this section.

20 (b) The department may not issue an identification card to a person previously  
21 issued an operator's license in another jurisdiction unless the person surrenders to  
22 the department any valid operator's license possessed by the person issued by  
23 another jurisdiction, which surrender operates as a cancellation of the license insofar  
24 as the person's privilege to operate a motor vehicle in this state is concerned. Within  
25 30 days following issuance of the identification card under this section, the

**ASSEMBLY BILL 40****SECTION 3173**

1 department shall destroy any operator's license surrendered under this paragraph  
2 and report to the jurisdiction that issued the surrendered operator's license that the  
3 license has been destroyed and the person has been issued an identification card in  
4 this state.

5 (c) The department may issue a receipt to any applicant for an identification  
6 card, which receipt shall constitute a temporary identification card while the  
7 application is being processed and shall be valid for a period not to exceed 60 days.  
8 If the application for an identification card is processed under the exception specified  
9 in s. 343.165 (7), the receipt shall include the marking specified in sub. (3) (b).

10 **SECTION 3174.** 343.50 (1) (c) of the statutes is created to read:

11 343.50 (1) (c) The department may issue a receipt to any applicant for an  
12 identification card, which receipt shall constitute a temporary identification card  
13 while the application is being processed and shall be valid for a period not to exceed  
14 60 days.

15 **SECTION 3175.** 343.50 (3) of the statutes is amended to read:

16 343.50 (3) DESIGN AND CONTENTS OF CARD. The card shall be the same size as  
17 an operator's license but shall be of a design which is readily distinguishable from  
18 the design of an operator's license and bear upon it the words "IDENTIFICATION  
19 CARD ONLY". The information on the card shall be the same as specified under s.  
20 343.17 (3). The card may serve as a record of gift under s. 157.06 (2) (t) and the holder  
21 may affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as  
22 a record of refusal under s. 157.06 (2) (u). The Except as provided in sub. (4g), the  
23 card shall contain the holder's photograph and, if applicable, shall be of the design  
24 specified under s. 343.17 (3) (a) 12.

**ASSEMBLY BILL 40****SECTION 3176**

1           **SECTION 3176.** 343.50 (3) of the statutes, as affected by 2007 Wisconsin Act 20  
2 and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

3           **343.50 (3) DESIGN AND CONTENTS OF CARD.** (a) The card shall be the same size  
4 as an operator's license but shall be of a design which is readily distinguishable from  
5 the design of an operator's license and bear upon it the words "IDENTIFICATION  
6 CARD ONLY." The information on the card shall be the same as specified under s.  
7 343.17 (3). If the issuance of the card requires the applicant to present any  
8 documentary proof specified in s. 343.14 (2) (es) 4. to 7., the card shall display, on the  
9 front side of the card, a legend identifying the card as temporary. The card shall  
10 contain physical security features consistent with any requirement under federal  
11 law. The card may serve as a record of gift under s. 157.06 (2) (t) and the holder may  
12 affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as a  
13 record of refusal under s. 157.06 (2) (u). Except as provided in sub. (4g), the card shall  
14 contain the holder's photograph and, if applicable, shall be of the design specified  
15 under s. 343.17 (3) (a) 12.

16           (b) If an identification card is issued based upon the exception specified in s.  
17 343.165 (7), the card shall, in addition to any other required legend or design, be of  
18 the design specified under s. 343.17 (3) (a) 14. and include a marking similar or  
19 identical to the marking described in s. 343.03 (3r).

20           **SECTION 3177.** 343.50 (4) of the statutes is amended to read:

21           **343.50 (4) APPLICATION.** The application for an identification card shall include  
22 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),  
23 and (er), and such further information as the department may reasonably require to  
24 enable it to determine whether the applicant is entitled by law to an identification  
25 card. The Except with respect to renewals by mail or electronic means as authorized

**ASSEMBLY BILL 40****SECTION 3177**

1 under sub. (6), and except as provided in sub. (4g), the department shall, as part of  
2 the application process for original issuance or renewal of an identification card, take  
3 a photograph of the applicant to comply with sub. (3). No application may be  
4 processed without the photograph being taken. Misrepresentations in violation of  
5 s. 343.14 (5) are punishable as provided in s. 343.14 (9).

6 **SECTION 3178.** 343.50 (4) of the statutes, as affected by 2007 Wisconsin Act 20  
7 and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

8 343.50 (4) APPLICATION. The application for an identification card shall include  
9 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),  
10 and (es), and such further information as the department may reasonably require to  
11 enable it to determine whether the applicant is entitled by law to an identification  
12 card. Except with respect to renewals described in s. 343.165 (4) (d) or renewals by  
13 mail or electronic means as authorized under sub. (6), and except as provided in sub.  
14 (4g), the department shall, as part of the application process for original issuance or  
15 renewal of an identification card, take a digital photograph including facial image  
16 capture of the applicant to comply with sub. (3). Misrepresentations in violation of  
17 s. 343.14 (5) are punishable as provided in s. 343.14 (9).

18 **SECTION 3179.** 343.50 (4g) of the statutes is created to read:

19 343.50 (4g) PHOTOGRAPH REQUIREMENT; EXCEPTION. An application for an  
20 identification card may be processed and the identification card issued or renewed  
21 without a photograph being taken of the applicant if the applicant provides to the  
22 department an affidavit stating that the applicant has a sincerely held religious  
23 belief against being photographed; identifying the religion to which he or she belongs  
24 or the tenets of which he or she adheres to; and stating that the tenets of the religion  
25 prohibit him or her from being photographed.

**ASSEMBLY BILL 40****SECTION 3180**

1           **SECTION 3180.** 343.50 (4g) of the statutes, as created by 2011 Wisconsin Act ...  
2 (this act), is repealed and recreated to read:

3           **343.50 (4g) PHOTOGRAPH REQUIREMENT; EXCEPTION.** If the application for an  
4 identification card is processed under the exception specified in s. 343.165 (7), the  
5 application may be processed and the identification card issued or renewed without  
6 a photograph being taken of the applicant if the applicant provides to the department  
7 an affidavit stating that the applicant has a sincerely held religious belief against  
8 being photographed; identifying the religion to which he or she belongs or the tenets  
9 of which he or she adheres to; and stating that the tenets of the religion prohibit him  
10 or her from being photographed.

11           **SECTION 3181.** 343.50 (6) of the statutes is amended to read:

12           **343.50 (6) RENEWAL.** At least 30 days prior to the expiration of ~~the an~~  
13 identification card, the department shall ~~mail a renewal application to the provide~~  
14 to the card holder notice of renewal of the card either by mail at the card holder's  
15 last-known address of each identification card holder or, if desired by the card holder,  
16 by any electronic means offered by the department. The department shall include  
17 with the ~~application~~ notice information, as developed by all organ procurement  
18 organizations in cooperation with the department, that promotes anatomical  
19 donations and which relates to the anatomical donation opportunity available under  
20 s. 343.175. The fee for a renewal identification card shall be \$18, which card shall  
21 be valid for 8 years, except that a card that is issued to a person who is not a United  
22 States citizen and who provides documentary proof of legal status as provided under  
23 s. 343.14 (2) (er) shall expire on the date that the person's legal presence in the United  
24 States is no longer authorized. If the documentary proof as provided under s. 343.14  
25 (2) (er) does not state the date that the person's legal presence in the United States

**ASSEMBLY BILL 40****SECTION 3181**

1 is no longer authorized, then the card shall be valid for 8 years. The department may  
2 renew an identification card by mail or by any electronic means available to the  
3 department, but the department may not make consecutive renewals by mail or  
4 electronic means.

5 **SECTION 3182.** 343.50 (6) of the statutes, as affected by 2007 Wisconsin Act 20,  
6 section 3383, and 2011 Wisconsin Act ... (this act), is repealed and recreated to read:

7 343.50 (6) RENEWAL NOTICE. At least 30 days prior to the expiration of an  
8 identification card, the department shall provide to the card holder notice of renewal  
9 of the card either by mail at the card holder's last-known address or, if desired by  
10 the card holder, by any electronic means offered by the department. If the card was  
11 issued or last renewed based upon the person's presenting of any documentary proof  
12 specified in s. 343.14 (2) (es) 4. to 7., the notice shall inform the card holder of the  
13 requirement under s. 343.165 (4) (c). The department shall include with the notice  
14 information, as developed by all organ procurement organizations in cooperation  
15 with the department, that promotes anatomical donations and which relates to the  
16 anatomical donation opportunity available under s. 343.175. The department may  
17 renew an identification card by mail or by any electronic means available to the  
18 department, but the department may not make consecutive renewals by mail or  
19 electronic means.

20 **SECTION 3183.** 345.28 (1) (a) of the statutes is amended to read:

21 345.28 (1) (a) "Authority" means a local authority, a state agency, the  
22 University of Wisconsin–Madison, any campus of the University of Wisconsin  
23 System, or any technical college district.

24 **SECTION 3184.** 345.28 (1) (b) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 3184**

1           345.28 (1) (b) “Forfeiture” includes a fine established under s. 36.11 (8), 37.11  
2 (8), or 38.14 (13).

3           **SECTION 3185.** 345.28 (1) (c) of the statutes is amended to read:

4           345.28 (1) (c) “Nonmoving traffic violation” is any parking of a vehicle in  
5 violation of a statute, an ordinance, a rule under s. 36.11 (8) or 37.11 (8) or a resolution  
6 under s. 38.14 (13).

7           **SECTION 3186.** 346.503 (1m) (g) of the statutes is amended to read:

8           346.503 (1m) (g) This subsection does not affect the authority under s. 101.13  
9 of the department of ~~commerce~~ safety and professional services to require by rule the  
10 reservation of parking spaces for use by a motor vehicle used by a physically disabled  
11 person.

12           **SECTION 3187.** 346.503 (4) of the statutes is amended to read:

13           346.503 (4) The department, after consulting with the department of  
14 ~~commerce~~ safety and professional services, shall promulgate rules governing the  
15 design, size and installation of the official traffic signs required under sub. (2) or  
16 (2m).

17           **SECTION 3188.** 348.27 (11m) (d) of the statutes is amended to read:

18           348.27 (11m) (d) The secretary of transportation may limit the application of  
19 permits issued under this subsection to specific areas of the state or to specific  
20 highways. A permit authorized under this subsection takes effect upon the mailing  
21 or delivery of a complete application and the required fee to the department. A  
22 permit authorized under this subsection is valid for up to 90 days, as determined by  
23 the secretary of transportation.

24           **SECTION 3189.** 349.13 (1j) of the statutes is amended to read:



**ASSEMBLY BILL 40****SECTION 3189**

1           349.13 (1j) The department, with respect to state trunk highways outside of  
2 corporate limits, and local authorities, with respect to highways under their  
3 jurisdiction including state trunk highways or connecting highways within  
4 corporate limits, may authorize persons to park their vehicles during specified hours  
5 on the near side of a highway adjacent to a schoolhouse located on property of the  
6 University of Wisconsin System or property of the University of Wisconsin–Madison  
7 when the persons are conducting business at the schoolhouse.

8           **SECTION 3190.** 349.137 (2) of the statutes is amended to read:

9           349.137 (2) No person may use an immobilization device to immobilize a motor  
10 vehicle to enforce restrictions against unauthorized parking except in conformity  
11 with a municipal ordinance enacted under this section or a rule adopted under s.  
12 36.11 (8) or 37.11 (8).

13           **SECTION 3191.** 349.137 (3) (intro.) of the statutes is amended to read:

14           349.137 (3) (intro.) The governing body of any municipality may by ordinance,  
15 ~~or~~ the chancellor of a campus of the University of Wisconsin System may by rule  
16 under s. 36.11 (8), or the chancellor of the University of Wisconsin–Madison may be  
17 rule under s. 37.11 (8), provide for the use of immobilization devices to enforce  
18 restrictions against unauthorized parking. Any ordinance under this subsection or  
19 rule under s. 36.11 (8) or 37.11 (8) shall do all of the following:

20           **SECTION 3192.** 349.137 (4) (b) of the statutes is amended to read:

21           349.137 (4) (b) A chancellor of a campus of the University of Wisconsin System  
22 or the chancellor of the University of Wisconsin–Madison may adopt or enforce any  
23 rule under s. 36.11 (8) or 37.11 (8) regulating the use of immobilization devices to  
24 enforce parking restrictions that is not contrary to or inconsistent with this section.

25           **SECTION 3193.** 350.12 (4) (bg) 2. of the statutes is amended to read:



**ASSEMBLY BILL 40****SECTION 3198**

1           **SECTION 3198.** 440.01 (2) (cs) of the statutes is amended to read:

2           440.01 **(2)** (cs) “Minority group member” has the meaning given in s. 560.036  
3           490.04 (1) (f).

4           **SECTION 3199.** 440.03 (1) of the statutes is amended to read:

5           440.03 **(1)** The department may promulgate rules defining uniform procedures  
6           to be used by the department, the real estate examining board, the real estate  
7           appraisers board, and all examining boards and affiliated credentialing boards  
8           attached to the department or an examining board, for receiving, filing and  
9           investigating complaints, for commencing disciplinary proceedings and for  
10          conducting hearings.

11          **SECTION 3200.** 440.03 (1m) of the statutes is amended to read:

12          440.03 **(1m)** The department may promulgate rules specifying the number of  
13          business days within which the department or any examining board or affiliated  
14          credentialing board in the department must review and make a determination on an  
15          application for a permit, as defined in s. 560.41 ~~(2)~~ 227.116 (1g), that is issued under  
16          chs. 440 to 480.

17          **SECTION 3201.** 440.03 (3q) of the statutes is amended to read:

18          440.03 **(3q)** Notwithstanding sub. (3m), the department of regulation and  
19          licensing safety and professional services shall investigate any report that it receives  
20          under s. 146.40 (4r) (em).

21          **SECTION 3202.** 440.03 (11m) (b) of the statutes is amended to read:

22          440.03 **(11m)** (b) The department real estate examining board shall deny an  
23          application for an initial credential or deny an application for credential renewal or  
24          for reinstatement of an inactive license under s. 452.12 (6) (e) if any information  
25          required under par. (a) is not included in the application form or, in the case of an

**ASSEMBLY BILL 40****SECTION 3202**

1 applicant who is an individual and who does not have a social security number, if the  
2 statement required under par. (am) is not included with the application form.

3 **SECTION 3203.** 440.03 (11m) (c) of the statutes is amended to read:

4 440.03 **(11m)** (c) The department of ~~regulation and licensing~~ safety and  
5 professional services may not disclose a social security number obtained under par.  
6 (a) to any person except the coordinated licensure information system under s.  
7 441.50 (7); the department of children and families for purposes of administering s.  
8 49.22; and, for a social security number obtained under par. (a) 1., the department  
9 of revenue for the purpose of requesting certifications under s. 73.0301 and  
10 administering state taxes.

11 **SECTION 3204.** 440.03 (12m) of the statutes is amended to read:

12 440.03 **(12m)** The department of ~~regulation and licensing~~ safety and  
13 professional services shall cooperate with the departments of justice, children and  
14 families, and health services in developing and maintaining a computer linkup to  
15 provide access to information regarding the current status of a credential issued to  
16 any person by the department of ~~regulation and licensing~~ safety and professional  
17 services, including whether that credential has been restricted in any way.

18 **SECTION 3205.** 440.03 (18) (a) of the statutes is created to read:

19 440.03 **(18)** (a) In this subsection, “veteran” has the meaning given in s. 45.01  
20 (12).

21 **SECTION 3206.** 440.13 (1) (b) of the statutes is amended to read:

22 440.13 **(1)** (b) “Memorandum of understanding” means a memorandum of  
23 understanding entered into by the department of ~~regulation and licensing~~ safety and  
24 professional services and the department of children and families under s. 49.857.

25 **SECTION 3207.** 440.13 (2) (a) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 3207**

1           440.13 (2) (a) With respect to a credential granted by the department, the  
2 department shall restrict, limit, or suspend a credential or deny an application for  
3 an initial credential ~~or for reinstatement of an inactive license under s. 452.12 (6) (e)~~  
4 if the credential holder or applicant is delinquent in paying support or fails to comply,  
5 after appropriate notice, with a subpoena or warrant issued by the department of  
6 children and families or a county child support agency under s. 59.53 (5) and related  
7 to support or paternity proceedings.

8           **SECTION 3208.** 440.13 (2) (c) of the statutes is amended to read:

9           440.13 (2) (c) With respect to a credential granted by a credentialing board, a  
10 credentialing board shall restrict, limit or suspend a credential held by a person or  
11 deny an application for an initial credential or for reinstatement of an inactive  
12 license under s. 452.12 (6) (e) when directed to do so by the department.

13           **SECTION 3209.** 440.22 (2) of the statutes is amended to read:

14           440.22 (2) In any disciplinary proceeding against a holder of a credential in  
15 which the department or an examining board, affiliated credentialing board or board  
16 in the department orders suspension, limitation or revocation of the credential or  
17 reprimands the holder, the department, examining board, affiliated credentialing  
18 board or board may, in addition to imposing discipline, assess all or part of the costs  
19 of the proceeding against the holder. Costs assessed under this subsection are  
20 payable to the department. Interest shall accrue on costs assessed under this  
21 subsection at a rate of 12% per year beginning on the date that payment of the costs  
22 are due as ordered by the department, examining board, affiliated credentialing  
23 board or board. Upon the request of the department of ~~regulation and licensing~~  
24 safety and professional services, the department of justice may commence an action  
25 to recover costs assessed under this subsection and any accrued interest.

**ASSEMBLY BILL 40****SECTION 3210**

1           **SECTION 3210.** 440.905 (1) of the statutes is amended to read:

2           440.905 (1) In addition to the other duties and powers of the board under this  
3 subchapter, the board shall advise the secretary of ~~regulation and licensing~~ safety  
4 and professional services on matters relating to cemeteries, to this chapter, or to the  
5 board.

6           **SECTION 3211.** 440.92 (2) (d) of the statutes is amended to read:

7           440.92 (2) (d) A preneed seller may not sell any undeveloped space unless the  
8 plans for the construction of the mausoleum have been submitted to the department  
9 of ~~commerce~~ safety and professional services for approval under s. 157.12 (2) (a) and  
10 the preneed sales contract includes the following language in not less than 10–point  
11 boldface type: “THE PLANS FOR CONSTRUCTING THE MAUSOLEUM SPACE  
12 HAVE BEEN SUBMITTED TO THE DEPARTMENT OF ~~COMMERCE~~ SAFETY  
13 AND PROFESSIONAL SERVICES FOR APPROVAL. THE SELLER IS  
14 RESPONSIBLE FOR ALL COSTS REQUIRED TO OBTAIN APPROVAL OF THE  
15 PLANS BY THE DEPARTMENT OF ~~COMMERCE~~ SAFETY AND  
16 PROFESSIONAL SERVICES, COMPLETE THE CONSTRUCTION, AND OBTAIN  
17 CERTIFICATION OF THE CONSTRUCTION BY THE DEPARTMENT OF  
18 ~~COMMERCE~~ SAFETY AND PROFESSIONAL SERVICES.”

19           **SECTION 3212.** 440.945 (5) (b) of the statutes is amended to read:

20           440.945 (5) (b) The department of justice or any district attorney, upon  
21 informing the department of justice, may commence an action in circuit court in the  
22 name of the state to restrain by temporary or permanent injunction any violation of  
23 this section. The court may, prior to entry of final judgment, make such orders or  
24 judgments as may be necessary to restore to any person any pecuniary loss suffered  
25 because of the acts or practices involved in the action, if proof of such loss is submitted

**ASSEMBLY BILL 40****SECTION 3212**

1 to the satisfaction of the court. The department of justice may subpoena persons and  
2 require the production of books and other documents, and may request the  
3 department of ~~regulation and licensing~~ safety and professional services to exercise  
4 its authority under par. (a) to aid in the investigation of alleged violations of this  
5 section.

6 **SECTION 3213.** 448.20 (2) of the statutes is amended to read:

7 **448.20 (2)** ~~ADVISE BOARD OF REGENTS~~ BOARD OF TRUSTEES AND BOARD OF REGENTS.  
8 The council shall advise and cooperate with the ~~board of regents~~ Board of Trustees  
9 of the University of Wisconsin–Madison and the Board of Regents of the University  
10 of Wisconsin System in establishing an educational program for physician assistants  
11 on the undergraduate level. The council shall suggest criteria for admission  
12 requirements, program goals and objectives, curriculum requirements, and criteria  
13 for credit for past educational experience or training in health fields.

14 **SECTION 3214.** 450.01 (16) (h) (intro.) of the statutes is renumbered 450.01 (16)  
15 (h) and amended to read:

16 **450.01 (16) (h)** Making therapeutic alternate drug selections, if made in  
17 accordance with written guidelines or procedures previously established by a  
18 pharmacy and therapeutics committee of a hospital and ~~approved by the hospital's~~  
19 ~~medical staff and use of the therapeutic alternate drug selection has been approved~~  
20 ~~for a patient during the period of the patient's stay within the hospital by any of the~~  
21 ~~following:~~ or by a skilled nursing facility or by an intermediate care facility for  
22 persons with mental retardation, as defined in s. 46.278 (1m) (am).

23 **SECTION 3215.** 450.01 (16) (h) 1. of the statutes is repealed.

24 **SECTION 3216.** 450.01 (16) (h) 2. of the statutes is repealed.

25 **SECTION 3217.** 452.01 (1s) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 3217**

1           452.01 **(1s)** “Board” means real estate examining board.

2           **SECTION 3218.** 452.025 (1) (a) of the statutes is amended to read:

3           452.025 **(1)** (a) A person desiring to act as a time–share salesperson shall  
4 submit to the department board an application for a certificate of registration.

5           **SECTION 3219.** 452.025 (1) (b) (intro.) of the statutes is amended to read:

6           452.025 **(1)** (b) The application for registration as a time–share salesperson  
7 shall be in the form prescribed by the department board and shall include all of the  
8 following:

9           **SECTION 3220.** 452.025 (1) (b) 4. of the statutes is amended to read:

10          452.025 **(1)** (b) 4. Any other information which that the department board  
11 reasonably requires to enable it to determine the competency of the person to  
12 transact business as a time–share salesperson in a manner which that safeguards  
13 the interests of the public.

14          **SECTION 3221.** 452.025 (3) (b) 2. (intro.) of the statutes is amended to read:

15          452.025 **(3)** (b) 2. A time–share salesperson registered under this section may  
16 complete a form purchase agreement or offer to purchase, if the form purchase  
17 agreement or offer to purchase has been approved by the department board and  
18 includes only the following:

19          **SECTION 3222.** 452.025 (4) of the statutes is amended to read:

20          452.025 **(4)** A time–share salesperson registered under this section may apply  
21 at any time to transfer employment to another licensed broker by submitting to the  
22 department board an application in the form prescribed by the department board  
23 and the transfer fee specified in s. 440.05 (7).

24          **SECTION 3223.** 452.025 (5) (a) of the statutes is amended to read:



**ASSEMBLY BILL 40****SECTION 3223**

1           452.025 (5) (a) The renewal date for certificates of registration granted by the  
2 department board under this section is specified under s. 440.08 (2) (a).

3           **SECTION 3224.** 452.03 of the statutes is amended to read:

4           **452.03 Brokers and salespersons licensed.** No person may engage in or  
5 follow the business or occupation of, or advertise or hold himself or herself out as, or  
6 act temporarily or otherwise as a broker or salesperson without a license. Licenses  
7 ~~shall be granted~~ The board may grant a license only to persons a person who are is  
8 competent to transact such businesses in a manner which that safeguards the  
9 interests of the public, and only after satisfactory proof of the person's competence  
10 has been presented to the department board.

11           **SECTION 3225.** 452.04 of the statutes is repealed.

12           **SECTION 3226.** 452.05 (title) and (1) (intro.) of the statutes are amended to read:

13           **452.05 (title) Duties and powers of department board. (1) (intro.)** In  
14 addition to the other duties and responsibilities of the department board under this  
15 chapter, the department board shall advise the secretary on matters relating to real  
16 estate practice and shall:

17           **SECTION 3227.** 452.05 (1) (b) of the statutes is amended to read:

18           452.05 (1) (b) Approve forms for use in real estate practice. The board may  
19 conduct public hearings on matters relating to the approval of forms used in real  
20 estate practice.

21           **SECTION 3228.** 452.05 (1) (c) of the statutes is amended to read:

22           452.05 (1) (c) After consultation with the council on real estate curriculum and  
23 examinations ~~and subject to the procedure under s. 452.07,~~ promulgate rules  
24 establishing criteria for the approval of educational programs and training sessions

**ASSEMBLY BILL 40****SECTION 3228**

1 under s. 452.09 (2) and approve such programs and sessions in accordance with the  
2 established criteria.

3 **SECTION 3229.** 452.05 (1) (d) of the statutes is amended to read:

4 452.05 (1) (d) After consultation with the council on real estate curriculum and  
5 examinations, ~~the board,~~ brokers and salespersons licensed under this chapter, and  
6 interested members of the public, establish criteria for the approval of continuing  
7 educational programs and courses in real estate related subjects required for  
8 renewal under s. 452.12 (5) (c) 1.

9 **SECTION 3230.** 452.05 (1m) (b) of the statutes is amended to read:

10 452.05 (1m) (b) In preparing the form for the offer to purchase commercial real  
11 property under sub. (1) (b), ~~the department~~ board shall include a statement that the  
12 seller represents to the buyer that the seller has no notice or knowledge that the  
13 commercial real property is a historic building.

14 **SECTION 3231.** 452.05 (2) of the statutes is amended to read:

15 452.05 (2) The ~~department~~ board may prepare letters and bulletins and  
16 conduct clinics disseminating information to its licensees.

17 **SECTION 3232.** 452.05 (3) of the statutes is amended to read:

18 452.05 (3) ~~The department~~ board may, ~~after consultation with the board,~~ enter  
19 into reciprocal agreements with officials of other states or territories of the United  
20 States for licensing brokers and salespersons and grant licenses to applicants who  
21 are licensed as brokers or salespersons in those states or territories according to the  
22 terms of the reciprocal agreements.

23 **SECTION 3233.** 452.06 (2) (intro.) and (b) of the statutes are consolidated,  
24 renumbered 452.06 (2) and amended to read:

**ASSEMBLY BILL 40****SECTION 3233**

1           452.06 (2) The council on real estate curriculum and examinations shall ~~do all~~  
2 of the following: (b) ~~Periodically, but not less than annually,~~ review subjects covered  
3 on examinations for licensure under this chapter and the qualifications for  
4 instructors of and performance evaluations for educational and continuing  
5 educational programs, training sessions, and courses approved under this chapter.

6           **SECTION 3234.** 452.06 (2) (a) of the statutes is repealed.

7           **SECTION 3235.** 452.07 (title) of the statutes is amended to read:

8           **452.07 (title) Rules; review of rules.**

9           **SECTION 3236.** 452.07 (1) of the statutes is amended to read:

10          452.07 (1) The ~~department~~ board shall promulgate rules for the guidance of the  
11 real estate profession and define professional conduct and unethical practice.

12          **SECTION 3237.** 452.07 (1m) of the statutes is amended to read:

13          452.07 (1m) The ~~department~~ board shall promulgate rules that specify the  
14 supervisory duties of brokers under s. 452.12 (3).

15          **SECTION 3238.** 452.07 (2) to (7) of the statutes are repealed.

16          **SECTION 3239.** 452.09 (1) (intro.) of the statutes is amended to read:

17          452.09 (1) FORM OF APPLICATION. (intro.) Any person desiring to act as a broker  
18 or salesperson shall submit to the ~~department~~ board an application for a license. The  
19 application shall be in such form as the ~~department~~ board prescribes and shall  
20 include the following:

21          **SECTION 3240.** 452.09 (1) (e) of the statutes is amended to read:

22          452.09 (1) (e) Any other information ~~which~~ that the ~~department~~ board may  
23 reasonably require to enable it to determine the competency of each applicant,  
24 including each business representative of the business entity, to transact the

**ASSEMBLY BILL 40****SECTION 3240**

1 business of a broker or salesperson in a manner ~~which~~ that safeguards the interests  
2 of the public.

3 **SECTION 3241.** 452.09 (2) (a) of the statutes is amended to read:

4 452.09 (2) (a) Except as provided in a reciprocal agreement under s. 452.05 (3),  
5 each applicant for a salesperson's license shall submit to the ~~department~~ board  
6 evidence satisfactory to the ~~department~~ board of successful completion of  
7 educational programs approved for this purpose under s. 452.05 (1) (c). The  
8 ~~department~~ board may waive the requirement under this paragraph upon proof that  
9 the applicant has received 10 academic credits in real estate or real estate related  
10 law courses from an accredited institution of higher education.

11 **SECTION 3242.** 452.09 (2) (c) 2. of the statutes is amended to read:

12 452.09 (2) (c) 2. Submit to the ~~department~~ board evidence satisfactory to the  
13 ~~department~~ board of successful completion of educational programs in business  
14 management approved for this purpose under s. 452.05 (1) (c). No educational  
15 programs applied to satisfy the requirement under subd. 1. may be applied to satisfy  
16 the requirement under this subdivision.

17 **SECTION 3243.** 452.09 (2) (d) of the statutes is amended to read:

18 452.09 (2) (d) The ~~department~~ board may waive the requirements under par.  
19 (c) upon proof that the applicant has received 20 academic credits in real estate or  
20 real estate related law courses from an accredited institution of higher education or  
21 that the applicant is licensed to practice law in this state.

22 **SECTION 3244.** 452.09 (3) (a) of the statutes is amended to read:

23 452.09 (3) (a) In determining competency, the ~~department~~ board shall require  
24 proof that the applicant for a broker's or salesperson's license has a fair knowledge  
25 of the English language; a fair understanding of the general purposes and general

**ASSEMBLY BILL 40****SECTION 3244**

1 legal effect of deeds, mortgages, land contracts of sale, leases, bills of sale, chattel  
2 mortgages, and conditional sales contracts,; and a general and fair understanding  
3 of the obligations between principal and agent, as well as of this chapter. ~~An~~ The  
4 board shall deny a license to an applicant receiving a failing grade, as established by  
5 rules of the department board, on any examination given under this section shall be  
6 denied a license, but any applicant may review his or her examination results in a  
7 manner established by rules of the department board.

8 **SECTION 3245.** 452.09 (3) (b) of the statutes is amended to read:

9 452.09 (3) (b) The department board shall determine competency under par.  
10 (a) by means of only an oral examination for any applicant who is unable to write  
11 because of a physical handicap.

12 **SECTION 3246.** 452.09 (3) (d) of the statutes is amended to read:

13 452.09 (3) (d) Except as provided in a reciprocal agreement under s. 452.05 (3),  
14 the department board may not grant a broker's license to an applicant who does not  
15 hold a salesperson's license unless the applicant passes the salesperson's  
16 examination and the broker's examination.

17 **SECTION 3247.** 452.09 (5) of the statutes is amended to read:

18 452.09 (5) APPRENTICESHIPS. Any person who is a resident of this state and 18  
19 years of age or over may, upon application filed in accordance with sub. (1), be  
20 indentured to a licensed resident broker in accordance with rules promulgated by the  
21 department board. These rules shall be promulgated so as to protect the public and  
22 may limit the real estate sales and brokerage activity of the apprentice. The  
23 department board may require an apprentice to take a preliminary examination  
24 covering general knowledge and may prescribe the character and extent of his or her  
25 work during apprenticeship. The department board may issue a temporary

**ASSEMBLY BILL 40****SECTION 3247**

1 salesperson's permit to the individual for a period not to exceed one year upon  
2 payment of the fee under s. 440.05 (6). The temporary permit is not renewable.

3 **SECTION 3248.** 452.10 (2) (b) of the statutes is amended to read:

4 452.10 (2) (b) Unless an application is withdrawn in writing before the  
5 department board has made any investigation, no part of the fee shall be returned.

6 **SECTION 3249.** 452.10 (4) (a) of the statutes is amended to read:

7 452.10 (4) (a) Any licensed salesperson or broker may transfer to the  
8 employment of a licensed broker by first paying the transfer fee specified in s. 440.05  
9 (7) and filing a transfer form with the department board.

10 **SECTION 3250.** 452.10 (6) of the statutes is amended to read:

11 452.10 (6) In the case of applications for renewals of licenses the department  
12 board may dispense with such matters contained in s. 452.09 (1) as it deems  
13 unnecessary in view of prior applications.

14 **SECTION 3251.** 452.11 (3) of the statutes is amended to read:

15 452.11 (3) Every nonresident applicant, and every resident licensee who  
16 becomes a nonresident, shall file with the department board an irrevocable consent  
17 that actions may be commenced against the applicant or licensee in the proper court  
18 of any county of the state in which a cause of action arises or in which the plaintiff  
19 resides, by the service of any process or pleading authorized by the laws of this state  
20 on the department board or any duly authorized employee. The consent shall  
21 stipulate and agree that such service is valid and binding as due service upon the  
22 applicant or licensee in all courts in this state. The consent shall be duly  
23 acknowledged and, if made by a corporation, shall be authenticated by the corporate  
24 seal.

25 **SECTION 3252.** 452.11 (4) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 3252**

1           452.11 **(4)** Any process or pleading under this section shall be served in  
2 duplicate upon the department board or its duly authorized employee. One copy  
3 shall be filed with the department board and the other immediately forwarded by  
4 certified mail to the nonresident licensee against whom the process or pleading is  
5 directed at the last address provided to the department board by the nonresident  
6 licensee. No default in any such proceeding or action may be taken unless it appears  
7 by affidavit of the secretary chairperson of the board or any duly authorized  
8 employee that a copy of the process or pleading was mailed to the nonresident  
9 licensee as required in this subsection. No judgment by default may be taken in any  
10 action or proceeding within 20 days after the date of mailing the process or pleading  
11 to the nonresident licensee.

12           **SECTION 3253.** 452.12 (1) of the statutes is amended to read:

13           452.12 **(1)** EXPIRATION. A license granted by the department board entitles the  
14 holder to act as a broker or salesperson, as the case may be, until the applicable  
15 renewal date specified under s. 440.08 (2) (a).

16           **SECTION 3254.** 452.12 (2) (c) of the statutes is amended to read:

17           452.12 **(2)** (c) Application for a business entity license shall be made on forms  
18 prescribed by the department board, listing the names and addresses of all business  
19 representatives, and shall be accompanied by the initial credential fee determined  
20 by the department under s. 440.03 (9) (a). If there is a change in any of the business  
21 representatives, the change shall be reported to the department board, on the same  
22 form, within 30 days after the effective date of the change.

23           **SECTION 3255.** 452.12 (4) of the statutes is amended to read:

24           452.12 **(4)** REGISTER OF BROKERS AND SALESPERSONS. ~~The department shall~~  
25 ~~maintain the register required by s. 440.035 (4).~~ The board shall include in the

**ASSEMBLY BILL 40****SECTION 3255**

1 register the board maintains under s. 440.035 (4) the names of all brokers and  
2 salespersons whose licenses have been revoke revoked at any time within the past 2  
3 years prior to the issuance thereof shall be included in the register. The register shall  
4 be available for purchase at cost.

5 **SECTION 3256.** 452.12 (5) (b) of the statutes is amended to read:

6 452.12 (5) (b) If an application for renewal is not filed with the department  
7 board on or before the renewal date, the applicant may not engage in any of the  
8 activities covered by the license until the license is renewed or a new license is issued.

9 **SECTION 3257.** 452.12 (5) (c) 2. of the statutes is amended to read:

10 452.12 (5) (c) 2. Not later than June 30 of each even-numbered year, the  
11 department board shall conduct an examination on those subjects required for  
12 continuing education under s. 452.05 (1) (d). Any broker or salesperson who passes  
13 the examination under this subdivision is not required to comply with subd. 1.

14 **SECTION 3258.** 452.12 (5) (d) of the statutes is created to read:

15 452.12 (5) (d) Annually, the department shall pay to the University of  
16 Wisconsin–Madison \$10 of each renewal fee received under this subsection for  
17 support of the center for urban land economics in the School of Business at the  
18 University of Wisconsin–Madison under s. 37.25 (34).

19 **SECTION 3259.** 452.12 (6) (b) of the statutes is amended to read:

20 452.12 (6) (b) Unless an applicant's license has been revoked or suspended  
21 under s. 452.14 (3), the department board may register the applicant under par. (a)  
22 as an inactive licensee upon payment of a \$15 fee.

23 **SECTION 3260.** 452.12 (6) (d) of the statutes is amended to read:

24 452.12 (6) (d) If an inactive licensee files an application for reinstatement  
25 before January 1, 1996, the department board shall reinstate the inactive licensee's



**ASSEMBLY BILL 40****SECTION 3260**

1 original license in accordance with the requirements for late renewal under s. 440.08  
2 (3).

3 **SECTION 3261.** 452.12 (6) (e) (intro.) of the statutes is amended to read:

4 452.12 (6) (e) (intro.) Except as provided in ss. 440.03 (11m) (b), 440.12 and  
5 440.13 (2) (a) (c), the department board shall reinstate an inactive licensee's original  
6 license as follows:

7 **SECTION 3262.** 452.12 (6) (e) 1. of the statutes is amended to read:

8 452.12 (6) (e) 1. If a person has registered as an inactive licensee before  
9 November 1, 1990, the department board shall reinstate the person's original license  
10 if that person applies to the department board for reinstatement of his or her original  
11 license, pays the fee specified under s. 440.05 (1), passes an examination under s.  
12 452.09 (3), and completes the education requirements established by the department  
13 board under par. (f).

14 **SECTION 3263.** 452.12 (6) (e) 2. of the statutes is amended to read:

15 452.12 (6) (e) 2. If a person has registered as an inactive licensee on or after  
16 November 1, 1990, the department board shall reinstate the person's original license  
17 if that person applies to the department board for reinstatement of his or her original  
18 license, pays the renewal fee determined by the department under s. 440.03 (9) (a)  
19 for the original license and completes 12 hours of continuing education as established  
20 by the department board under par. (f). A person who is eligible for reinstatement  
21 of his or her original license under this subdivision shall complete the requirements  
22 for reinstatement under this subdivision before January 1, 1996, or within 5 years  
23 after the date on which the person registered as an inactive licensee, whichever is  
24 later.

25 **SECTION 3264.** 452.12 (6) (e) 3. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 3264**

1           452.12 (6) (e) 3. If a person who is eligible for reinstatement of his or her  
2 original license under subd. 2. does not complete the requirements for reinstatement  
3 within the time specified under subd. 2., the department board shall reinstate the  
4 original license of that person if he or she meets the requirements specified under  
5 subd. 1.

6           **SECTION 3265.** 452.12 (6) (f) of the statutes is amended to read:

7           452.12 (6) (f) The department board shall promulgate rules establishing the  
8 education requirements that applicants for reinstatement of original licenses under  
9 par. (e) must satisfy.

10          **SECTION 3266.** 452.13 (2) (b) 1. of the statutes is amended to read:

11          452.13 (2) (b) 1. Register with the department of ~~regulation and licensing~~  
12 safety and professional services the name and address of the depository institution  
13 and the number of the interest-bearing common trust account.

14          **SECTION 3267.** 452.13 (2) (b) 2. of the statutes is amended to read:

15          452.13 (2) (b) 2. Notify the department of ~~regulation and licensing~~ safety and  
16 professional services when any of the information required under subd. 1. is  
17 changed.

18          **SECTION 3268.** 452.13 (2) (b) 3. of the statutes is amended to read:

19          452.13 (2) (b) 3. Furnish the department of ~~regulation and licensing~~ safety and  
20 professional services with a letter authorizing the department of ~~regulation and~~  
21 ~~licensing~~ safety and professional services and the ~~department of commerce~~  
22 Wisconsin Housing and Economic Development Authority to examine and audit the  
23 interest-bearing common trust account whenever the department of ~~regulation and~~  
24 ~~licensing~~ safety and professional services or the ~~department of commerce~~ Wisconsin  
25 Housing and Economic Development Authority considers it necessary.

**ASSEMBLY BILL 40****SECTION 3269**

1           **SECTION 3269.** 452.13 (2) (bm) of the statutes is amended to read:

2           452.13 (2) (bm) The department of ~~regulation and licensing~~ safety and  
3           professional services shall forward to the ~~department of commerce~~ Wisconsin  
4           Housing and Economic Development Authority the information and documents  
5           furnished under par. (b).

6           **SECTION 3270.** 452.13 (2) (d) of the statutes is amended to read:

7           452.13 (2) (d) The ~~department of commerce~~ Wisconsin Housing and Economic  
8           Development Authority is the beneficial owner of the interest accruing to the  
9           interest-bearing common trust account, minus any service charges or fees.

10          **SECTION 3271.** 452.13 (2) (e) 1. of the statutes is amended to read:

11          452.13 (2) (e) 1. Annually, before February 1, remit to the ~~department of~~  
12          ~~commerce~~ Wisconsin Housing and Economic Development Authority the total  
13          interest or dividends, minus service charges or fees, earned on the average daily  
14          balance in the interest-bearing common trust account during the 12 months ending  
15          on the previous December 31. A depository institution is not required to remit any  
16          amount if the total interest or dividends for that period is less than \$10 before any  
17          deduction for service charges or fees.

18          **SECTION 3272.** 452.13 (2) (e) 2. of the statutes is amended to read:

19          452.13 (2) (e) 2. When the interest remittance is sent, furnish to the  
20          ~~department of commerce~~ Wisconsin Housing and Economic Development Authority  
21          and to the broker maintaining the interest-bearing common trust account a  
22          statement that includes the name of the broker for whose account the remittance is  
23          made, the rate of interest applied, the amount of service charges or fees deducted,  
24          if any, and the account balance for the period that the statement covers.

25          **SECTION 3273.** 452.13 (2) (f) 2. of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 3273**

1           452.13 (2) (f) 2. May not assess a service charge or fee for an interest-bearing  
2 common trust account against the ~~department of commerce~~ Wisconsin Housing and  
3 Economic Development Authority.

4           **SECTION 3274.** 452.13 (2) (f) 3. of the statutes is amended to read:

5           452.13 (2) (f) 3. May deduct a service charge or fee from the interest earned by  
6 an interest-bearing common trust account, and if a balance remains, may deduct the  
7 remaining charge or fee from the interest earned on any other interest-bearing  
8 common trust account maintained in that depository institution, before remitting  
9 interest to the ~~department of commerce~~ Wisconsin Housing and Economic  
10 Development Authority.

11           **SECTION 3275.** 452.13 (5) of the statutes is amended to read:

12           452.13 (5) RULES. In consultation with the ~~department of regulation and~~  
13 ~~licensing, the department of commerce~~ Wisconsin Housing and Economic  
14 Development Authority, the department of safety and professional services shall  
15 promulgate rules necessary to administer this section.

16           **SECTION 3276.** 452.14 (1) of the statutes is amended to read:

17           452.14 (1) The ~~department~~ board shall, upon motion of the ~~board~~ secretary or  
18 his or her designee or upon its own determination, conduct investigations and, as  
19 appropriate, may hold hearings and make findings, if the board or the department  
20 receives credible information that a broker, salesperson, or time-share salesperson  
21 has violated this chapter or any rule promulgated under this chapter.

22           **SECTION 3277.** 452.14 (2) of the statutes is amended to read:

23           452.14 (2) The ~~department~~ shall present the findings of any investigation of  
24 a licensee or registrant to the ~~board~~ for its consideration. The ~~department~~ shall upon  
25 ~~motion of the board, and~~ board may, ~~upon its own determination,~~ commence

**ASSEMBLY BILL 40****SECTION 3277**

1 disciplinary proceedings on any matter under investigation concerning a licensee or  
2 registrant. ~~No investigation of a licensee or registrant may be closed without motion~~  
3 ~~of the board.~~

4 **SECTION 3278.** 452.14 (3) (L) of the statutes is amended to read:

5 452.14 (3) (L) Violated any provision of this chapter or any rule promulgated  
6 under this chapter;

7 **SECTION 3279.** 452.17 (2) of the statutes is amended to read:

8 452.17 (2) Any person who engages in or follows the business or occupation of,  
9 or advertises or holds himself or herself out as or acts temporarily or otherwise as,  
10 a time-share salesperson in this state without being registered with the ~~department~~  
11 board shall be prosecuted by the district attorney in the county where the violation  
12 occurs and may be fined not less than \$25 nor more than \$200 or imprisoned not less  
13 than 10 days nor more than 6 months or both.

14 **SECTION 3280.** 452.22 (2) of the statutes is amended to read:

15 452.22 (2) The certificate of the secretary chairperson of the board or his or her  
16 designee to the effect that a specified individual or business entity is not or was not  
17 on a specified date the holder of a broker's, salesperson's, or time-share salesperson's  
18 license or registration, or that a specified license or registration was not in effect on  
19 a date specified, or as to the issuance, limitation, suspension, or revocation of any  
20 license or registration or the reprimand of any license or registration holder thereof,  
21 the filing or withdrawal of any application or its existence or nonexistence, is prima  
22 facie evidence of the facts ~~therein~~ stated in the certificate for all purposes in any  
23 action or proceedings.

24 **SECTION 3281.** 462.01 (3) of the statutes is amended to read:

1 462.01 (3) “Department” means the department of regulation and licensing  
2 safety and professional services.

3 SECTION 3282. Chapter 490 of the statutes is created to read:

4 CHAPTER 490

5 BUSINESS ASSISTANCE PROGRAMS

6 490.01 Definitions. In this chapter:

7 (1) “Department” means the department of safety and professional services.

8 (2) “Secretary” means the secretary of safety and professional services.

9 SECTION 3283. 551.403 (2) (a) 2. of the statutes is amended to read:

10 551.403 (2) (a) 2. Institutional investors, except any institutional investor  
11 described in s. 551.102 (11) (k), (m), or (o).

12 SECTION 3284. 551.403 (2) (a) 2m. of the statutes is amended to read:

13 551.403 (2) (a) 2m. Accredited investors as defined in Rule 501 (a) (1), ~~(2)~~, or  
14 ~~(3), (7) or (8)~~ adopted under the Securities Act of 1933.

15 SECTION 3285. Chapter 560 (title) of the statutes is repealed.

16 SECTION 3286. Subchapter I (title) of chapter 560 [precedes 560.001] of the  
17 statutes is repealed.

18 SECTION 3287. 560.001 of the statutes is repealed.

19 SECTION 3288. 560.01 (title), (1) and (2) of the statutes are repealed.

20 SECTION 3289. 560.01 (3) of the statutes is renumbered 238.04 (14) and  
21 amended to read:

22 238.04 (14) FOREIGN OFFICE AGREEMENTS. ~~The department may enter~~ Enter into  
23 agreements regarding compensation, space, and other administrative matters as are  
24 necessary to operate departmental offices in other states and foreign countries. Such  
25 agreements shall be subject to the approval of the secretary of administration.

**ASSEMBLY BILL 40**

1           **SECTION 3290.** 560.02 of the statutes is repealed.

2           **SECTION 3291.** 560.03 (title) of the statutes is repealed.

3           **SECTION 3292.** 560.03 (intro.) of the statutes is repealed.

4           **SECTION 3293.** 560.03 (1) of the statutes is repealed.

5           **SECTION 3294.** 560.03 (2) of the statutes is repealed.

6           **SECTION 3295.** 560.03 (3) of the statutes is repealed.

7           **SECTION 3296.** 560.03 (4) of the statutes is repealed.

8           **SECTION 3297.** 560.03 (4m) of the statutes is repealed.

9           **SECTION 3298.** 560.03 (5) of the statutes is repealed.

10          **SECTION 3299.** 560.03 (6) of the statutes is repealed.

11          **SECTION 3300.** 560.03 (8) of the statutes is repealed.

12          **SECTION 3301.** 560.03 (9) of the statutes is repealed.

13          **SECTION 3302.** 560.03 (10) of the statutes is repealed.

14          **SECTION 3303.** 560.03 (11) of the statutes is repealed.

15          **SECTION 3304.** 560.03 (16) of the statutes is repealed.

16          **SECTION 3305.** 560.03 (17) of the statutes is renumbered 238.25 and amended

17          to read:

18            **238.25 Assistance to loan recipients.** Assist The corporation shall assist  
19          new businesses and small businesses receiving economic development loans under  
20          s. 234.65 (1) (a) or the assistance of the Wisconsin Housing and Economic  
21          Development Authority in locating sources of venture capital and in obtaining the  
22          state and federal licenses and permits necessary for business operations.

23          **SECTION 3306.** 560.03 (18) of the statutes is repealed.

24          **SECTION 3307.** 560.03 (19) of the statutes is repealed.

25          **SECTION 3308.** 560.03 (20) of the statutes is repealed.

**ASSEMBLY BILL 40****SECTION 3309**

1           **SECTION 3309.** 560.03 (21) of the statutes is repealed.

2           **SECTION 3310.** 560.03 (22) of the statutes is repealed.

3           **SECTION 3311.** 560.03 (23) of the statutes is repealed.

4           **SECTION 3312.** 560.03 (25) of the statutes is repealed.

5           **SECTION 3313.** 560.03 (26) of the statutes is repealed.

6           **SECTION 3314.** 560.031 of the statutes is repealed.

7           **SECTION 3315.** 560.032 of the statutes is renumbered 238.10 and amended to  
8 read:

9           **238.10 Allocation of volume cap on tax-exempt bonds. (1) ALLOCATION.**

10 The ~~department, by rule,~~ corporation shall establish under 26 USC 146 and  
11 administer a system for the allocation of the volume cap on the issuance of private  
12 activity bonds, as defined under 26 USC 141 (a), among all municipalities, as defined  
13 in s. 67.01 (5), and any corporation formed on behalf of those municipalities, and  
14 among this state, the Wisconsin Health and Educational Facilities Authority, the  
15 Wisconsin Aerospace Authority, and the Wisconsin Housing and Economic  
16 Development Authority.

17           **(2) AMENDMENT TO ALLOCATION.** At any time prior to December 31 in any year,  
18 the ~~department~~ corporation may promulgate adopt rules to revise the allocation  
19 system established for that year under sub. (1), except that any revision under this  
20 subsection does not apply to any allocation under which the recipient of that  
21 allocation has adopted a resolution authorizing the issuance of a private activity  
22 bond, as defined in 26 USC 141 (a).

23           **(3) CONDITIONS.** The ~~department~~ corporation may establish, ~~by rule,~~ any  
24 procedure for, and place any condition upon, the granting of an allocation under this  
25 section which the ~~department~~ corporation deems to be in the best interest of the state



**ASSEMBLY BILL 40****SECTION 3315**

1 including, ~~but not limited to,~~ a requirement that a cash deposit, at a rate established  
2 by the department in the rules corporation, be a condition for an allocation.

3 **(4)** CERTIFICATION. If the secretary corporation receives notice of the issuance  
4 of a bond under an allocation under subs. (1) to (3), the secretary corporation shall  
5 certify that that bond meets the requirements of 26 USC 146.

6 **SECTION 3316.** 560.033 of the statutes is repealed.

7 **SECTION 3317.** 560.0335 of the statutes is renumbered 490.02.

8 **SECTION 3318.** 560.034 of the statutes is renumbered 238.11, and 238.11 (1),  
9 (2), (3) and (5) (intro.), as renumbered, are amended to read:

10 238.11 **(1)** The department corporation shall prescribe the notice forms to be  
11 used under ss. 66.1103 (4m) (a) 1. and 234.65 (3) (a). The department corporation  
12 shall include on the forms a requirement for information on the number of jobs the  
13 person submitting the notice expects to be eliminated, created, or maintained on the  
14 project site and elsewhere in this state by the project which is the subject of the  
15 notice. The department corporation shall prescribe the forms to be used under ss.  
16 66.1103 (4m) (b) and 234.65 (3r).

17 **(2)** If the department corporation receives a notice under s. 66.1103 (4m) (a),  
18 the department corporation shall estimate, no later than 20 days after receipt of the  
19 notice, whether the project which ~~which~~ that is the subject of the notice is expected to  
20 eliminate, create, or maintain jobs on the project site and elsewhere in this state and  
21 the net number of jobs expected to be eliminated, created, or maintained as a result  
22 of the project.

23 **(3)** If the department corporation receives a notice under s. 234.65 (3) (a), the  
24 department corporation shall estimate, no later than 20 days after receipt of the  
25 notice, whether the project which is the subject of the notice is expected to eliminate,

**ASSEMBLY BILL 40****SECTION 3318**

1 create, or maintain jobs on the project site and elsewhere in this state and the net  
2 number of jobs expected to be eliminated, created, or maintained as a result of the  
3 project.

4 **(5)** (intro.) The department corporation shall issue an estimate made:

5 **SECTION 3319.** 560.035 of the statutes is renumbered 490.03.

6 **SECTION 3320.** 560.036 of the statutes is renumbered 490.04.

7 **SECTION 3321.** 560.037 of the statutes is renumbered 490.06, and 490.06 (1)  
8 (intro.) of the statutes, as renumbered, is amended to read:

9 490.06 **(1)** (intro.) Subject to sub. (3), the department may make grants from  
10 the appropriation under s. ~~20.143~~ 20.165 (1) (fw) to the women's business initiative  
11 corporation to fund its operating costs if all of the following apply:

12 **SECTION 3322.** 560.04 of the statutes is repealed.

13 **SECTION 3323.** 560.045 of the statutes is repealed.

14 **SECTION 3324.** 560.047 of the statutes is repealed.

15 **SECTION 3325.** 560.05 of the statutes is repealed.

16 **SECTION 3326.** 560.07 of the statutes is repealed.

17 **SECTION 3327.** 560.075 of the statutes is renumbered 238.12, and 238.12 (2),  
18 as renumbered, is amended to read:

19 238.12 **(2)** The department corporation may not award a grant or loan under  
20 this chapter to a person or certify a person to receive tax benefits unless the  
21 department corporation enters into an agreement with the person that requires the  
22 person to repay the grant, loan, or tax benefits if, within 5 years after receiving the  
23 grant or loan or being certified to receive tax benefits, the person ceases to conduct  
24 in this state the economic activity for which the person received the grant or loan or

**ASSEMBLY BILL 40****SECTION 3327**

1 for which the person was certified to receive tax benefits and commences  
2 substantially the same economic activity outside this state.

3 **SECTION 3328.** 560.08 (1), (2) (intro.), (a), (b), (c), (d), (e), (f), (g), (h), (i) and (j)  
4 of the statutes are repealed.

5 **SECTION 3329.** 560.08 (2) (m) of the statutes is renumbered 238.26 and  
6 amended to read:

7 **238.26 Report to investment board.** No later than September 30 of each  
8 even-numbered year, the corporation shall submit to the investment board a report  
9 describing the types of investments in businesses in this state ~~which~~ that will have  
10 the greatest likelihood of enhancing economic development in this state.

11 **SECTION 3330.** 560.081 of the statutes is repealed.

12 **SECTION 3331.** 560.082 of the statutes is repealed.

13 **SECTION 3332.** 560.09 of the statutes is repealed.

14 **SECTION 3333.** 560.097 of the statutes is renumbered 238.15 and amended to  
15 read:

16 **238.15 Notification of position openings; compliance.** The department  
17 corporation shall monitor compliance with the position-opening notification  
18 requirements under ss. 66.1103 (6m) and 106.16.

19 **SECTION 3334.** 560.11 of the statutes is repealed.

20 **SECTION 3335.** 560.125 (title) and (1) to (3) of the statutes are renumbered  
21 101.45 (title) and (1) to (3).

22 **SECTION 3336.** 560.125 (4) (a) to (e) of the statutes are renumbered 101.45 (4)  
23 (a) to (e), and 101.45 (4) (d), as renumbered, is amended to read:

**ASSEMBLY BILL 40****SECTION 3336**

1           101.45 (4) (d) In any fiscal year, the department may not pay to any one  
2 applicant more than 20 percent of the amount appropriated under s. 20.143 (3)  
3 20.165 (2) (sm) for the fiscal year.

4           **SECTION 3337.** 560.125 (4) (f) and (g) of the statutes are repealed.

5           **SECTION 3338.** 560.125 (5) to (6) of the statutes are renumbered 101.45 (5) to  
6 (6).

7           **SECTION 3339.** 560.126 of the statutes is repealed.

8           **SECTION 3340.** 560.128 of the statutes is repealed.

9           **SECTION 3341.** 560.13 (1), (2), (3), (5) and (6m) of the statutes are renumbered  
10 238.13 (1), (2), (3), (5) and (6m), and 238.13 (2) (a) (intro.) and (b) 1., (3) (intro.) and  
11 (f) and (5), as renumbered, are amended to read:

12           238.13 (2) (a) (intro.) ~~Subject to subs. (4) and (5), from the appropriation under~~  
13 ~~s. 20.143 (1) (qm) the department~~ The corporation may make a grant to a person if  
14 all of the following apply:

15           (b) 1. The contribution required under par. (a) 3. may be in cash or in-kind.  
16 Cash contributions may be of private or public funds, ~~excluding funds obtained under~~  
17 ~~the program under s. 560.17 or under any program under subch. II or V of this~~  
18 chapter. In-kind contributions shall be limited to actual remediation services.

19           (3) (intro.) The ~~department~~ corporation may consider the following criteria in  
20 making awards under this section:

21           (f) Any other factors considered by the ~~department~~ corporation to be relevant  
22 to assessing the viability and feasibility of the project.

23           (5) Before the ~~department~~ corporation awards a grant under this section, the  
24 ~~department~~ corporation shall consider the recommendations of the department of  
25 administration and the department of natural resources.

**ASSEMBLY BILL 40****SECTION 3342**

1           **SECTION 3342.** 560.13 (4) of the statutes is repealed.

2           **SECTION 3343.** 560.13 (6) of the statutes is repealed.

3           **SECTION 3344.** 560.138 of the statutes is repealed.

4           **SECTION 3345.** 560.139 of the statutes is repealed.

5           **SECTION 3346.** 560.145 of the statutes is repealed.

6           **SECTION 3347.** 560.15 of the statutes is repealed.

7           **SECTION 3348.** 560.155 of the statutes is repealed.

8           **SECTION 3349.** 560.157 of the statutes is repealed.

9           **SECTION 3350.** 560.165 of the statutes is repealed.

10          **SECTION 3351.** 560.167 of the statutes is repealed.

11          **SECTION 3352.** 560.17 of the statutes is repealed.

12          **SECTION 3353.** 560.19 of the statutes is repealed.

13          **SECTION 3354.** 560.203 of the statutes is repealed.

14          **SECTION 3355.** 560.204 of the statutes is renumbered 238.14 and amended to

15 read:

16           **238.14 Hardware and software used to maintain medical records. (1)**

17 The ~~department~~ corporation shall implement a program to certify health care

18 providers as eligible for the electronic medical records credit under ss. 71.07 (5i),

19 71.28 (5i), and 71.47 (5i).

20           **(2)** If the ~~department~~ corporation certifies a health care provider under sub.

21 (1), the ~~department~~ corporation shall determine the amount of credits to allocate to

22 the health care provider. The total amount of electronic medical records credits

23 allocated to health care providers in any year may not exceed \$10,000,000.

**ASSEMBLY BILL 40****SECTION 3355**

1           **(3)** The department corporation shall inform the department of revenue of  
2 every health care provider certified under sub. (1) and the amount of credits allocated  
3 to the health care provider.

4           **(4)** The department corporation, in consultation with the department of  
5 revenue, shall ~~promulgate~~ adopt rules to administer this section.

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~~ 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),

**ASSEMBLY BILL 40****SECTION 3356**

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,

**ASSEMBLY BILL 40****SECTION 3356**

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.



**ASSEMBLY BILL 40****SECTION 3356**

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 3359.** 560.2055 (3) (intro.) and (c) of the statutes are renumbered  
22          238.16 (3) (intro.) and (c) and 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

**ASSEMBLY BILL 40****SECTION 3359**

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 (c) In a tier I county or municipality or a tier II county or municipality, the  
4 person increases net employment in the person's business and improves the  
5 job-related skills of any eligible employee, trains any eligible employee on the use  
6 of job-related new technologies, or provides job-related training to any eligible  
7 employee whose employment with the person represents the employee's first  
8 full-time job.

9 **SECTION 3360.** 560.2055 (3) (a) of the statutes is repealed.

10 **SECTION 3361.** 560.2055 (3) (b) of the statutes is repealed.

11 **SECTION 3362.** 560.2055 (4) (title) and (a) of the statutes are renumbered  
12 238.16 (4) (title) and (a).

13 **SECTION 3363.** 560.2055 (4) (b) 1. (intro.) of the statutes is renumbered 238.16  
14 (4) (b) 1. and amended to read:

15 238.16 (4) (b) 1. The ~~department~~ corporation may award to a person certified  
16 under sub. (2) tax benefits for each eligible employee in an amount equal to ~~up to~~ 10  
17 percent of the wages paid by the person to that employee ~~if that employee earned~~  
18 ~~wages in the year for which the tax benefit is claimed equal to one of the following:~~  
19 or \$10,000, whichever is less.

20 **SECTION 3364.** 560.2055 (4) (b) 1. a. and b. of the statutes are repealed.

21 **SECTION 3365.** 560.2055 (4) (b) 2. and (c) of the statutes are renumbered 238.16  
22 (4) (b) 2. and (c) and amended to read:

23 238.16 (4) (b) 2. The ~~department~~ corporation may award to a person certified  
24 under sub. (2) tax benefits in an amount to be determined by the ~~department~~ by rule

**ASSEMBLY BILL 40****SECTION 3365**

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:

**ASSEMBLY BILL 40****SECTION 3366**

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 238.17 and amended to  
5 read:

6           **238.17 Food processing plant and food warehouse investment credit.**

7           **(1)** The ~~department of commerce~~ corporation shall implement a program to certify  
8 taxpayers as eligible for the food processing plant and food warehouse investment  
9 credit under ss. 71.07 (3rn), 71.28 (3rn), and 71.47 (3rn).

10           **(2)** If the ~~department of commerce~~ corporation certifies a taxpayer under sub.  
11 (1), the ~~department of commerce~~ corporation shall determine the amount of credits  
12 to allocate to that taxpayer. The total amount of food processing plant and food  
13 warehouse investment credits allocated to taxpayers in fiscal year 2009–10 may not  
14 exceed \$600,000 and the total amount of food processing plant and food warehouse  
15 investment credits allocated to taxpayers in fiscal year 2010–11, and in each fiscal  
16 year thereafter, may not exceed \$700,000.

17           **(3)** The ~~department of commerce~~ corporation shall inform the department of  
18 revenue of every taxpayer certified under sub. (1) and the amount of credits allocated  
19 to the taxpayer.

20           **(4)** The ~~department of commerce~~ corporation, in consultation with the  
21 department of revenue, shall ~~promulgate~~ adopt 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.

**ASSEMBLY BILL 40****SECTION 3369**

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.

**ASSEMBLY BILL 40****SECTION 3370**

1           **SECTION 3370.** 560.208 of the statutes is renumbered 238.19 and amended to  
2 read:

3           **238.19 Meat processing facility investment credit. (1)** The department  
4 of commerce corporation shall implement a program to certify taxpayers as eligible  
5 for the meat processing facility investment credit under ss. 71.07 (3r), 71.28 (3r), and  
6 71.47 (3r).

7           **(2)** If the department of commerce corporation certifies a taxpayer under sub.  
8 (1), the department of commerce corporation shall determine the amount of credits  
9 to allocate to that taxpayer. The total amount of meat processing facility investment  
10 credits allocated to taxpayers in fiscal year 2009–10 may not exceed \$300,000 and  
11 the total amount of meat processing facility investment credits allocated to  
12 taxpayers in fiscal year 2010–11, and in each fiscal year thereafter, may not exceed  
13 \$700,000.

14           **(3)** The department of commerce corporation shall inform the department of  
15 revenue of every taxpayer certified under sub. (1) and the amount of credits allocated  
16 to the taxpayer.

17           **(4)** The department of commerce corporation, in consultation with the  
18 department of revenue, shall promulgate adopt rules to administer this section.

19           **SECTION 3371.** 560.2085 of the statutes is renumbered 238.20, and 238.20 (1)  
20 (intro.), (2) and (3), as renumbered, are amended to read:

21           **238.20 (1)** (intro.) The department corporation shall implement a program to  
22 certify qualified new business ventures for purposes of s. 71.05 (24). A business  
23 desiring certification shall submit an application to the department corporation in  
24 each taxable year for which the business desires certification. Subject to sub. (2), a

**ASSEMBLY BILL 40****SECTION 3371**

1 business may be certified under this subsection, and may maintain such  
2 certification, only if the business is engaged in one of the following:

3 (2) The ~~department~~ corporation may not certify a business under sub. (1) if the  
4 business is engaged in real estate development, insurance, banking, lending,  
5 lobbying, political consultation, professional services provided by attorneys,  
6 accountants, business consultants, physicians, or health care consultants, wholesale  
7 or retail sales, leisure, hospitality, transportation, or construction.

8 (3) (a) The ~~department~~ corporation shall maintain a list of businesses certified  
9 under sub. (1) and shall permit public access to the lists through the ~~department's~~  
10 corporation's Internet Web site.

11 (b) The ~~department of commerce~~ corporation shall notify the department of  
12 revenue of every certification issued under sub. (1) and the date on which a  
13 certification under sub. (1) is revoked or expires.

14 **SECTION 3372.** 560.209 of the statutes is renumbered 238.21 and amended to  
15 read:

16 **238.21 Woody biomass harvesting and processing credit.** (1) The  
17 ~~department of commerce~~ corporation shall implement a program to certify taxpayers  
18 as eligible for the woody biomass harvesting and processing credit under ss. 71.07  
19 (3rm), 71.28 (3rm), and 71.47 (3rm).

20 (2) If the ~~department of commerce~~ corporation certifies a taxpayer under sub.  
21 (1), the ~~department of commerce~~ corporation shall determine the amount of credits  
22 to allocate to that taxpayer. The total amount of woody biomass harvesting and  
23 processing credits allocated to taxpayers in any fiscal year may not exceed \$900,000.  
24 In each fiscal year, the ~~department of commerce~~ corporation shall allocate \$450,000  
25 in tax credits to businesses that, individually, have no more than \$5,000,000 in gross

**ASSEMBLY BILL 40****SECTION 3372**

1 receipts from doing business in this state for the taxable year in which the credit is  
2 claimed.

3 **(3)** ~~The department of commerce~~ corporation shall inform the department of  
4 revenue of every taxpayer certified under sub. (1) and the amount of credits allocated  
5 to the taxpayer.

6 **(4)** ~~The department of commerce~~ corporation, in consultation with the  
7 department of revenue, shall ~~promulgate~~ adopt rules to administer this section.

8 **SECTION 3373.** 560.21 of the statutes is repealed.

9 **SECTION 3374.** 560.25 of the statutes is repealed.

10 **SECTION 3375.** 560.255 of the statutes is repealed.

11 **SECTION 3376.** 560.27 of the statutes is repealed.

12 **SECTION 3377.** 560.275 of the statutes is repealed.

13 **SECTION 3378.** 560.276 of the statutes is repealed.

14 **SECTION 3379.** 560.277 of the statutes is repealed.

15 **SECTION 3380.** 560.28 of the statutes is repealed.

16 **SECTION 3381.** 560.285 of the statutes is repealed.

17 **SECTION 3382.** 560.29 of the statutes is repealed.

18 **SECTION 3383.** Subchapter II (title) of chapter 560 [precedes 560.30] of the  
19 statutes is repealed.

20 **SECTION 3384.** 560.30 of the statutes is repealed.

21 **SECTION 3385.** 560.301 of the statutes is repealed.

22 **SECTION 3386.** 560.302 of the statutes is repealed.

23 **SECTION 3387.** 560.303 of the statutes is repealed.

24 **SECTION 3388.** 560.304 of the statutes is repealed.

25 **SECTION 3389.** 560.305 of the statutes is repealed.



**ASSEMBLY BILL 40****SECTION 3390**

1           **SECTION 3390.** Subchapter III (title) of chapter 560 [precedes 560.41] of the  
2 statutes is repealed.

3           **SECTION 3391.** 560.41 of the statutes is repealed.

4           **SECTION 3392.** 560.42 of the statutes is repealed.

5           **SECTION 3393.** 560.43 of the statutes is repealed.

6           **SECTION 3394.** 560.44 of the statutes is repealed.

7           **SECTION 3395.** 560.45 of the statutes is renumbered 490.05, and 490.05 (1), as  
8 renumbered, is amended to read:

9           490.05 (1) The department may award a grant from the appropriations under  
10 s. ~~20.143~~ 20.165 (1) (ie), (ig), (im), and (ir) to a business for innovation and research  
11 assistance.

12           **SECTION 3396.** Subchapter IV (title) of chapter 560 [precedes 560.51] of the  
13 statutes is repealed.

14           **SECTION 3397.** 560.51 of the statutes is repealed.

15           **SECTION 3398.** 560.53 of the statutes is repealed.

16           **SECTION 3399.** 560.54 of the statutes is repealed.

17           **SECTION 3400.** Subchapter V (title) of chapter 560 [precedes 560.60] of the  
18 statutes is repealed.

19           **SECTION 3401.** 560.60 of the statutes is repealed.

20           **SECTION 3402.** 560.602 of the statutes is repealed.

21           **SECTION 3403.** 560.605 of the statutes is repealed.

22           **SECTION 3404.** 560.607 of the statutes is repealed.

23           **SECTION 3405.** 560.61 of the statutes is repealed.

24           **SECTION 3406.** 560.68 of the statutes is repealed.

**ASSEMBLY BILL 40****SECTION 3407**

1           **SECTION 3407.** Subchapter VI (title) of chapter 560 [precedes 560.70] of the  
2 statutes is repealed.

3           **SECTION 3408.** 560.70 (intro.), (2), (2g), (2m), (3), (4), (4m), (5), (6) and (7) of the  
4 statutes are renumbered 238.30 (intro.), (2), (2g), (2m), (3), (4), (4m), (5), (6) and (7),  
5 and 238.30 (intro.), (2g), (2m) (b), (4) and (7) (b) 1. and 2., (c) and (d), as renumbered,  
6 are amended to read:

7           **238.30 Definitions.** (intro.) In this section and ss. ~~560.71 to 560.795~~ 238.31  
8 to 238.395:

9           **(2g)** “Eligible activity” means an activity described under s. ~~560.702~~ 238.302.

10           **(2m)** (b) The ~~department may by rule specify~~ corporation may adopt a rule  
11 specifying circumstances under which the ~~department~~ corporation may grant  
12 exceptions to the requirement under par. (a) that a full-time job means a job in which  
13 an individual, as a condition of employment, is required to work at least 2,080 hours  
14 per year, but under no circumstances may a full-time job mean a job in which an  
15 individual, as a condition of employment, is required to work less than 37.5 hours per  
16 week.

17           **(4)** “Local governing body” means the governing body of one or more cities,  
18 villages, towns, or counties or the elected governing body of a federally recognized  
19 American Indian tribe or band in this state.

20           **(7)** (b) 1. Except as provided in subd. 2., in s. ~~560.795~~ 238.395, “tax benefits”  
21 means the development zones investment credit under ss. 71.07 (2di), 71.28 (1di),  
22 and 71.47 (1di) and the development zones credit under ss. 71.07 (2dx), 71.28 (1dx),  
23 71.47 (1dx), and 76.636. With respect to the development opportunity zones under  
24 s. ~~560.795~~ 238.395 (1) (e) and (f), “tax benefits” also means the development zones  
25 capital investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm).

**ASSEMBLY BILL 40****SECTION 3408**

1           2. With respect to the development opportunity zones under s. ~~560.795~~ 238.395  
2           (1) (g) and (h), “tax benefits” means the development zone credits under ss. 71.07  
3           (2dx), 71.28 (1dx), 71.47 (1dx), and 76.636 and the development zones capital  
4           investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm).

5           (c) In s. ~~560.798~~ 238.398, “tax benefits” means the development zones capital  
6           investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm) and the  
7           development zones credits under ss. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx), and 76.636.

8           (d) In ss. ~~560.701 to 560.706~~ 238.301 to 238.306, “tax benefits” means the  
9           economic development tax credit under ss. 71.07 (2dy), 71.28 (1dy), 71.47 (1dy), and  
10          76.637.

11          **SECTION 3409.** 560.70 (1) of the statutes is repealed.

12          **SECTION 3410.** 560.701 of the statutes is renumbered 238.301, and 238.301 (1)  
13          (intro.) and (e), (2) (a) and (b) and (3) (intro.), (b), (c), (d) and (f), as renumbered, are  
14          amended to read:

15          238.301 **(1)** APPLICATION. (intro.) Any person may apply to the department  
16          corporation on a form prepared by the department corporation for certification under  
17          this section. The application shall include all of the following:

18          (e) Other information required by the department corporation or the  
19          department of revenue.

20          **(2)** (a) The department corporation may certify a person who submits an  
21          application under sub. (1) if, after conducting an investigation, the department  
22          corporation determines that the person is conducting or intends to conduct at least  
23          one eligible activity.

24          (b) The department corporation shall provide a person certified under this  
25          section and the department of revenue with a copy of the certification.

**ASSEMBLY BILL 40****SECTION 3410**

1           **(3) CONTRACT.** (intro.) A person certified under this section shall enter into a  
2 written contract with the department corporation. The contract shall include  
3 provisions that detail all of the following:

4           (b) Whether any of the eligible activities will occur in an economically  
5 distressed area, as designated by the department corporation under s. 560.704  
6 238.304 (1).

7           (c) Whether any of the eligible activities will benefit members of a targeted  
8 group, as determined by the department corporation under s. 560.704 238.304 (2).

9           (d) A compliance schedule that includes a sequence of anticipated actions to be  
10 taken or goals to be achieved by the person before the person may receive tax benefits  
11 under s. 560.703 238.303.

12           (f) If feasible, a determination of the tax benefits the person will be authorized  
13 to claim under s. 560.703 238.303 (2) if the person fulfills the terms of the contract.

14           **SECTION 3411.** 560.702 of the statutes is renumbered 238.302, and 238.302  
15 (intro.), (1), (2) and (3), as renumbered, are amended to read:

16           **238.302 Eligible activities.** (intro.) A person who conducts or proposes to  
17 conduct any of the following may be certified under s. 560.701 238.301 (2):

18           **(1) JOB CREATION PROJECT.** A project that creates and maintains for a period of  
19 time established by the department corporation by rule full-time jobs in addition to  
20 any existing full-time jobs provided by the person.

21           **(2) CAPITAL INVESTMENT PROJECT.** A project that involves a significant  
22 investment of capital, as defined by the department corporation by rule under s.  
23 560.706 238.306 (2) (b), by the person in new equipment, machinery, real property,  
24 or depreciable personal property.

**ASSEMBLY BILL 40****SECTION 3411**

1           **(3) EMPLOYEE TRAINING PROJECT.** A project that involves significant investments  
2 in the training or reeducation of employees, as defined by the department  
3 corporation by rule under s. ~~560.706~~ 238.306 (2) (c), by the person for the purpose of  
4 improving the productivity or competitiveness of the business of the person.

5           **SECTION 3412.** 560.703 (title) of the statutes is renumbered 238.303 (title).

6           **SECTION 3413.** 560.703 (1) (a) of the statutes, as affected by 2011 Wisconsin Act  
7 4, is renumbered 238.303 (1) (a) and amended to read:

8           238.303 (1) (a) Except as provided in pars. (am) and (b), and subject to a  
9 reallocation by the department corporation pursuant to rules promulgated adopted  
10 under s. ~~560.205~~ 238.15 (3) (d), the total tax benefits available to be allocated by the  
11 department corporation under ss. ~~560.701 to 560.706~~ 238.301 to 238.306 may not  
12 exceed the sum of the tax benefits remaining to be allocated under ss. s. 560.71 to  
13 560.785, 2009 stats., s. 560.797, 2009 stats., s. 560.798, 2009 stats., s. 560.7995, 2009  
14 stats., and s. 560.96, 2009 stats., on March 6, 2009, plus \$25,000,000.

15           **SECTION 3414.** 560.703 (1) (am) of the statutes, as created by 2011 Wisconsin  
16 Act 4, is renumbered 238.303 (1) (am) and amended to read:

17           238.303 (1) (am) Before the department corporation allocates the additional  
18 \$25,000,000 in tax benefits specified in par. (a), the department corporation shall  
19 submit its plan for such allocation to the joint committee on finance. If the  
20 cochairpersons of the committee do not notify the department corporation within 14  
21 working days after the date of the department's corporation's submittal that the  
22 committee has scheduled a meeting for the purpose of reviewing the plan, the plan  
23 may be implemented and the additional amount may be allocated as proposed by the  
24 department corporation. If, within 14 working days after the date of the  
25 department's corporation's submittal, the cochairpersons of the committee notify the

**ASSEMBLY BILL 40****SECTION 3414**

1 department corporation that the committee has scheduled a meeting for the purpose  
2 of reviewing the proposed plan, the plan may be implemented and the additional  
3 amount allocated only upon approval of the committee.

4 **SECTION 3415.** 560.703 (1) (b), (2) and (3) of the statutes are renumbered  
5 238.303 (1) (b), (2) and (3) and amended to read:

6 238.303 (1) (b) The department corporation may submit to the joint committee  
7 on finance a request in writing to exceed the total tax benefits specified in par. (a).  
8 The department corporation shall submit with its request a justification for seeking  
9 an increase under this paragraph. The joint committee on finance, following its  
10 review, may approve or disapprove an increase in the total tax benefits available to  
11 be allocated under ss. ~~560.701 to 560.706~~ 238.301 to 238.306.

12 (2) AUTHORITY TO CLAIM TAX BENEFITS. The department corporation may  
13 authorize a person certified under s. ~~560.701~~ 238.301 (2) to claim tax benefits only  
14 after the person has submitted a report to the department corporation that  
15 documents to the satisfaction of the department corporation that the person has  
16 complied with the terms of the contract under s. ~~560.701~~ 238.301 (3) and the  
17 requirements of any applicable rules ~~promulgated~~ adopted under s. ~~560.706~~ 238.306  
18 (2).

19 (3) NOTICE OF ELIGIBILITY. The department corporation shall provide to the  
20 person and to the department of revenue a notice of eligibility to receive tax benefits  
21 that reports the amount of tax benefits for which the person is eligible.

22 **SECTION 3416.** 560.704 of the statutes is renumbered 238.304, and 238.304  
23 (intro.) and (1), as renumbered, are amended to read:

24 **238.304 Eligible activities in economically distressed areas and**  
25 **benefiting members of targeted groups.** (intro.) The department corporation

**ASSEMBLY BILL 40****SECTION 3416**

1 may authorize a person certified under s. ~~560.701~~ 238.301 (2) to claim additional tax  
2 benefits under s. ~~560.703~~ 238.303 if, after conducting an investigation, the  
3 department corporation determines any of the following:

4 (1) The person conducts at least one eligible activity in an area designated by  
5 the department corporation as economically distressed. In designating an area as  
6 economically distressed under this subsection, the department corporation shall  
7 follow the methodology established by rule under s. ~~560.706~~ 238.306 (2) (e).

8 **SECTION 3417.** 560.705 of the statutes is renumbered 238.305, and 238.305  
9 (intro.), (1) and (2), as renumbered, are amended to read:

10 **238.305 Revocation of certification.** (intro.) The department corporation  
11 shall revoke the certification of a person who does any of the following:

12 (1) Supplies false or misleading information to obtain certification under s.  
13 ~~560.701~~ 238.301 (2).

14 (2) Supplies false or misleading information to obtain tax benefits under s.  
15 ~~560.703~~ 238.303.

16 **SECTION 3418.** 560.706 of the statutes is renumbered 238.306, and 238.306  
17 (intro.), (1) (a) and (b), (2) (a), (b), (c), (d), (e) (intro.), (f), (g), (h), (i) and (k) and (3),  
18 as renumbered, are amended to read:

19 **238.306 Responsibilities of the department corporation.** (intro.) The  
20 department corporation shall do all of the following:

21 (1) (a) Annually verify information submitted to the department of revenue  
22 under ss. 71.07 (2dy), 71.28 (1dy), 71.47 (1dy), and 76.637 by persons certified under  
23 s. ~~560.701~~ 238.301 (2) and eligible to receive tax benefits under s. ~~560.703~~ 238.303.

24 (b) Notify and obtain written approval from the secretary chief executive officer  
25 of the corporation for any certification under sub. (2) (j).

**ASSEMBLY BILL 40****SECTION 3418**

1           **(2)** (a) A schedule of hourly wage ranges to be paid, and health insurance  
2 benefits to be provided, to an employee by a person certified under s. ~~560.701~~ 238.301  
3 (2) and the corresponding per employee tax benefit for which a person certified under  
4 s. ~~560.701~~ 238.301 (2) may be eligible.

5           (b) A definition of “significant investment of capital” for purposes of s. ~~560.702~~  
6 238.302 (2), together with a corresponding schedule of tax benefits for which a person  
7 who is certified under s. ~~560.701~~ 238.301 (2) and who conducts a project described  
8 in s. ~~560.702~~ 238.302 (2) may be eligible. The department corporation shall include  
9 in the definition required under this paragraph a schedule of investments that takes  
10 into consideration the size or nature of the business.

11           (c) A definition of “significant investments in the training or reeducation of  
12 employees” for purposes of s. ~~560.702~~ 238.302 (3), together with a corresponding  
13 schedule of tax benefits for which a person who is certified under s. ~~560.701~~ 238.301  
14 (2) and who conducts a project under s. ~~560.702~~ 238.302 (3) may be eligible.

15           (d) A schedule of tax benefits for which a person who is certified under s.  
16 ~~560.701~~ 238.301 (2) and who conducts a project that will result in the location or  
17 retention of a person’s corporate headquarters in Wisconsin may be eligible.

18           (e) (intro.) The methodology for designating an area as economically distressed  
19 under s. ~~560.704~~ 238.304 (1). The methodology under this paragraph shall require  
20 the department corporation to consider the most current data available for the area  
21 and for the state on the following indicators:

22           (f) A schedule of additional tax benefits for which a person who is certified  
23 under s. ~~560.701~~ 238.301 (2) and who conducts an eligible activity described under  
24 s. ~~560.704~~ 238.304 may be eligible.



**ASSEMBLY BILL 40****SECTION 3418**

1 (g) Reporting requirements, minimum benchmarks, and outcomes expected of  
2 a person certified under s. ~~560.701~~ 238.301 (2) before that person may receive tax  
3 benefits under s. ~~560.703~~ 238.303.

4 (h) Policies, criteria, and methodology for allocating a portion of the tax benefits  
5 available under s. ~~560.703~~ 238.303 to rural areas.

6 (i) Policies, criteria, and methodology for allocating a portion of the tax benefits  
7 available under s. ~~560.703~~ 238.303 to small businesses.

8 (k) Procedures for implementing ss. ~~560.701 to 560.706~~ 238.301 to 238.306.

9 **(3)** REPORTING. Annually, 6 months after the report has been submitted under  
10 s. ~~560.01 (2) (am)~~ 238.07 (2), submit to the joint legislative audit committee and to  
11 the appropriate standing committees of the legislature under s. 13.172 (3) a  
12 comprehensive report assessing the program under ss. ~~560.701 to 560.706~~ 238.301  
13 to 238.306. The report under this subsection shall update the applicable information  
14 provided in the report under s. ~~560.01 (2) (am)~~ 238.07 (2).

15 **SECTION 3419.** 560.71 of the statutes is renumbered 238.31, and 238.31 (1)  
16 (intro.), (ac), (am), (b), (d) and (e) (intro.), 3. and 4. a., c. and d., (1m) (intro.), (a) and  
17 (h), (2) and (3) (intro.), as renumbered, are amended to read:

18 238.31 **(1)** (intro.) The department corporation may designate an area as a  
19 development zone if all of the following apply:

20 (ac) The department corporation has invited a local governing body to nominate  
21 the area under s. ~~560.715~~ 238.315.

22 (am) A local governing body nominates the area as described in s. ~~560.72~~  
23 238.32.

24 (b) The department corporation has evaluated the local governing body's  
25 application as described in s. ~~560.725~~ 238.325.

**ASSEMBLY BILL 40****SECTION 3419**

1 (d) The area meets the applicable requirements under s. ~~560.735 or 560.737~~  
2 238.335.

3 (e) (intro.) The ~~department~~ corporation determines all of the following:

4 3. That economic development in the area is not likely to occur or continue  
5 without the ~~department's~~ corporation's designation of the area as a development  
6 zone.

7 4. a. The unemployment rate in the area is higher than the state average for  
8 the 18 months immediately preceding the date on which the application under s.  
9 ~~560.72~~ 238.32 (2) or (3) was submitted to the ~~department~~ corporation.

10 c. The percentage of households in the area receiving unemployment insurance  
11 under ch. 108, relief funded by a relief block grant under ch. 49, or aid to families with  
12 dependent children under s. 49.19 is higher than the state average.

13 d. In the 36 months immediately preceding the date on which the application  
14 under s. ~~560.72~~ 238.32 (2) or (3) was submitted to the ~~department~~ corporation, a  
15 number of workers in the area were permanently laid off by their employer or became  
16 unemployed as a result of a business action subject to s. 109.07 (1m).

17 **(1m)** (intro.) In making a determination under sub. (1) (e), the ~~department~~  
18 corporation shall consider all of the following:

19 (a) The extent of poverty, unemployment, or other factors contributing to  
20 general economic hardship in the area.

21 (h) Any other factors that the ~~department~~ corporation considers relevant.

22 **(2)** In determining whether an area meets the requirements under sub. (1) (e)  
23 or s. ~~560.735~~ 238.335, the ~~department~~ corporation may rely on any data provided by  
24 the local governing body ~~which~~ that the ~~department~~ corporation determines is  
25 relevant.

**ASSEMBLY BILL 40****SECTION 3419**

1           **(3)** (intro.) The department corporation shall do all of the following:

2           **SECTION 3420.** 560.715 of the statutes is renumbered 238.315 and amended to  
3 read:

4           **238.315 Invitation to nominate area.** If the department corporation  
5 determines that an area has experienced or is about to experience economic distress,  
6 the department corporation may invite local governing bodies in the area to  
7 nominate the area as a development zone.

8           **SECTION 3421.** 560.72 of the statutes is renumbered 238.32, and 238.32 (1)  
9 (intro.), (2) (intro.), (c), (d), (f) and (i), (3) and (5), as renumbered, are amended to read:

10           238.32 **(1)** (intro.) A local governing body may nominate an area as a  
11 development zone, if the department corporation has invited the governing body to  
12 nominate the area under s. 560.715 238.315 and if the governing body does all of the  
13 following:

14           **(2)** (intro.) A local governing body may nominate the area as a development  
15 zone by submitting an application to the department corporation in a form prescribed  
16 by the department corporation. The application shall include all of the following:

17           (c) Evidence that the area meets at least 3 of the criteria under s. 560.71 238.31  
18 (1) (e) 4.

19           (d) Evidence that the area meets the applicable requirements of s. 560.735  
20 238.335.

21           (f) A description of past and present economic development activities in the  
22 area under local, state, or federal programs.

23           (i) Any other information required by the department corporation.

**ASSEMBLY BILL 40****SECTION 3421**

1           **(3)** Two or more local governing bodies may submit a joint application  
2 nominating an area as a development zone, subject to s. ~~560.735~~ 238.335 (2), if each  
3 local governing body complies with subs. (1) and (2).

4           **(5)** The department corporation may permit a local governing body to revise an  
5 application that the department corporation determines is inadequate or  
6 incomplete.

7           **SECTION 3422.** 560.725 of the statutes is renumbered 238.325 and amended to  
8 read:

9           **238.325 Evaluation by department corporation.** **(1)** The department  
10 corporation shall evaluate applications received under s. ~~560.72~~ 238.32 (2) and (3).

11           **(2)** Subject to s. ~~560.735~~ 238.335 (5), the department corporation may reduce  
12 the size of an area nominated as a development zone, if the department corporation  
13 determines the boundaries as proposed by the local governing body in an application  
14 under s. ~~560.72~~ 238.32 (2) or (3) are inconsistent with the purpose of the development  
15 zone program. Any nominated area which is reduced under this subsection need not  
16 comply with s. ~~560.735~~ 238.335 (1) and (4).

17           **(3)** After evaluating an application submitted under s. ~~560.72~~ 238.32 (2) or (3),  
18 the department corporation may approve the application, subject to any reduction  
19 in the size of the nominated area under sub. (2). If the department corporation  
20 approves the application, the department corporation shall designate the area as a  
21 development zone, subject to s. ~~560.71~~ 238.31, and notify the local governing body.

22           **SECTION 3423.** 560.735 of the statutes is renumbered 238.335, and 238.335 (1)  
23 (a) and (c), (2), (5) (a) and (b), (6) (a) 1. and 2. and (c), (6r) and (7), as renumbered, are  
24 amended to read:

**ASSEMBLY BILL 40****SECTION 3423**

1           238.335 (1) (a) The area contains less than 10% of the valuation of the property  
2 of the city, village, or town, as determined under s. 70.57, in which the area is located.

3           (c) If the area is located within a village, town, or city other than a 1st class city,  
4 the population of the area is not less than 1,000 nor more than 10,000, as estimated  
5 under s. 16.96.

6           (2) If an area is located within the boundaries of 2 or more cities, villages, or  
7 towns, the property value of the cities, villages, or towns under sub. (1) (a) shall be  
8 combined for the purposes of sub. (1).

9           (5) (a) The area has a continuous border following natural or man-made  
10 boundaries such as streets, highways, rivers, municipal limits, or limits of a  
11 reservation.

12           (b) The area consists of contiguous blocks, census blocks, or similar units.

13           (6) (a) 1. Each of the areas has a continuous border following natural or  
14 man-made boundaries and consists of contiguous blocks, census blocks, or similar  
15 units.

16           2. Each area meets at least 3 of the criteria listed in s. ~~560.71~~ 238.31 (1) (e) 4.

17           (c) If an application is submitted by the governing body of a county under s.  
18 ~~560.72~~ 238.32 (2) or (3), up to 4 separate areas may be nominated or designated as  
19 one development zone, if par. (a) 1. to 3. applies.

20           (6r) Subject to the population limit under sub. (6m), if an area that is  
21 nominated or designated as a development zone is comprised of one or more entire  
22 counties and a city, village, or town is partially located in the area and partially  
23 located outside of the area, the entire city, village, or town shall be part of the  
24 nominated or designated area.

**ASSEMBLY BILL 40****SECTION 3423**

1           (7) The ~~department~~ corporation may waive the requirements of this section in  
2 a particular case, if the ~~department~~ corporation determines that application of the  
3 requirement is impractical with respect to a particular development zone.

4           **SECTION 3424.** 560.737 of the statutes is repealed.

5           **SECTION 3425.** 560.74 of the statutes is renumbered 238.34, and 238.34 (1), (2),  
6 (3) (intro.) and (a), (4), (5) and (6), as renumbered, are amended to read:

7           238.34 (1) Except as provided under sub. (6), at any time after a development  
8 zone is designated by the ~~department~~ corporation, a local governing body may submit  
9 an application to change the boundaries of the development zone. If the boundary  
10 change reduces the size of a development zone, the local governing body shall explain  
11 why the area excluded should no longer be in a development zone. The ~~department~~  
12 corporation may require the local governing body to submit additional information.

13           (2) The ~~department~~ corporation may approve an application for a boundary  
14 change if the development zone, as affected by the boundary changes, meets the  
15 applicable requirements of s. 560.735 238.335 and 3 of the criteria under s. 560.71  
16 238.31 (1) (e) 4.

17           (3) (intro.) If the ~~department~~ corporation approves an application for a  
18 boundary change under sub. (2), it shall do all of the following:

19           (a) Redetermine the limit on the tax benefits for the development zone  
20 established under s. 560.745 238.345 (2) (a).

21           (4) The change in the boundaries or tax benefits limit of a development zone  
22 shall be effective on the day the ~~department~~ corporation notifies the local governing  
23 body under sub. (3) (b).

24           (5) No change in the boundaries of a development zone may affect the duration  
25 of an area as a development zone under s. 560.745 238.345 (1) (a). The ~~department~~

**ASSEMBLY BILL 40****SECTION 3425**

1 corporation may consider a change in the boundary of a development zone when  
2 evaluating an application for an extension of the designation of an area as a  
3 development zone under s. ~~560.745~~ 238.345 (1) (b).

4 **(6)** The ~~department~~ corporation may not accept any applications under sub. (1)  
5 to change the boundaries of a development zone designated under s. ~~560.71~~ 238.31  
6 on or after March 6, 2009.

7 **SECTION 3426.** 560.745 of the statutes is renumbered 238.345, and 238.345 (1)  
8 (a) and (b), (2) (a), (am), (b), (c) 1. and 2. and (d) and (3), as renumbered, are amended  
9 to read:

10 238.345 **(1)** (a) The designation of an area as a development zone shall be  
11 effective for 240 months, beginning on the day the department notifies the local  
12 governing body under s. ~~560.725~~ 238.325 (3) of the designation.

13 (b) The local governing body may apply to the ~~department~~ corporation for one  
14 60-month extension of the designation. The ~~department~~ corporation shall  
15 promulgate adopt rules establishing criteria for approving an extension of a  
16 designation of an area as a development zone under this subsection. No applications  
17 may be accepted by the ~~department~~ corporation under this paragraph on or after  
18 March 6, 2009.

19 **(2)** (a) When the ~~department~~ corporation designates a development zone under  
20 s. ~~560.71~~ 238.31, it shall establish a limit for tax benefits for the development zone  
21 determined by allocating to the development zone a portion of \$38,155,000.

22 (am) Notwithstanding par. (a), the ~~department~~ corporation may increase the  
23 established limit for tax benefits for a development zone. The ~~department~~  
24 corporation may not increase the limit for tax benefits established for any  
25 development zone designated under s. ~~560.71~~ 238.31 on or after March 6, 2009.

**ASSEMBLY BILL 40****SECTION 3426**

1 (b) Annually the ~~department~~ corporation shall estimate the amount of forgone  
2 state revenue because of tax benefits claimed by persons in each development zone.

3 (c) 1. Ninety days after the day on which the ~~department~~ corporation  
4 determines that the forgone tax revenues under par. (b) will equal or exceed the limit  
5 for the development zone established under par. (a) or (am).

6 2. The day that the ~~department~~ corporation withdraws its designation of an  
7 area as a development zone under sub. (3).

8 (d) The ~~department~~ corporation shall immediately notify the local governing  
9 body of a change in the expiration date of the development zone under par. (c).

10 **(3)** The ~~department~~ corporation may withdraw the designation of an area as  
11 a development zone if any of the following ~~apply~~ applies:

12 (a) No person is certified as eligible to receive tax benefits under s. ~~560.765~~  
13 238.365 (3) during the 12-month period beginning on the day the area is designated  
14 as a development zone and the ~~department~~ corporation determines that the local  
15 governing body that nominated the zone is not in compliance with s. ~~560.763~~ 238.363.

16 (b) No person is certified as eligible to receive tax benefits under s. ~~560.765~~  
17 238.365 (3) during the 24-month period beginning on the day the area is designated  
18 a development zone.

19 **SECTION 3427.** 560.75 of the statutes is renumbered 238.35, and 238.35 (intro.),  
20 (6), (7), (8) and (10), as renumbered, are amended to read:

21 **238.35 Additional duties of the ~~department~~ corporation.** (intro.) The  
22 ~~department~~ corporation shall do all of the following:

23 **(6)** Notify University of ~~Wisconsin~~ Wisconsin–Madison and University of  
24 Wisconsin System small business development centers, the Wisconsin housing and  
25 development centers, the central administration of the University of



**ASSEMBLY BILL 40****SECTION 3427**

1 Wisconsin–Madison campus and all University of Wisconsin System campuses and  
2 regional planning commissions about the development zone program and encourage  
3 those entities to provide advice to the ~~department~~ corporation or local governing  
4 bodies on ways to improve the development zone program.

5 (7) Prepare forms for the certification described under s. ~~560.765~~ 238.365 (5).

6 (8) Annually verify information submitted to the ~~department~~ corporation  
7 under s. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx), or 76.636.

8 (10) Enter into an agreement with the local governing body of a 1st class city  
9 where a development zone is designated under s. ~~560.71~~ 238.31 (3) (c) 1. to provide  
10 efficient administration of the development zone program within the development  
11 zone.

12 **SECTION 3428.** 560.763 of the statutes is renumbered 238.363, and 238.363 (1)  
13 (intro.) and (c) and (4), as renumbered, are amended to read:

14 238.363 (1) (intro.) If an area nominated by a local governing body is designated  
15 as a development zone under s. ~~560.71~~ 238.31, the local governing body shall do all  
16 of the following:

17 (c) Assist the ~~department~~ corporation in the administration of the  
18 development zone program.

19 (4) The local governing body of a 1st class city where a development zone is  
20 designated under s. ~~560.71~~ 238.31 (3) (c) 1. shall enter into an agreement with the  
21 ~~department~~ corporation to provide efficient administration of the development zone  
22 program within the development zone.

23 **SECTION 3429.** 560.765 of the statutes is renumbered 238.365, and 238.365  
24 (intro.), (2), (3) (intro.), (b), (c), (e) and (j) and (5) (e), (g) and (h), as renumbered, are  
25 amended to read:

**ASSEMBLY BILL 40****SECTION 3429**

1           **238.365 Certification for tax benefits.** (intro.) The ~~department~~ corporation  
2 shall do all of the following:

3           **(2)** Determine whether a person applying for tax benefits engages or will  
4 engage in economic activity which ~~that~~ violates s. ~~560.78~~ 238.38 (1).

5           **(3)** (intro.) Subject to s. ~~560.78~~ 238.38, certify persons who are eligible to claim  
6 tax benefits while an area is designated as a development zone, according to the  
7 following criteria:

8           (b) The person's commitment not to engage in economic activity that violates  
9 s. ~~560.78~~ 238.38 (1).

10           (c) The number of full-time jobs that will be created, retained, or substantially  
11 upgraded as a result of the person's economic activity in relation to the amount of tax  
12 benefits estimated for the person under sub. (4).

13           (e) The amount the person proposes to invest in a business, or spend on the  
14 construction, rehabilitation, repair, or remodeling of a building, located within the  
15 development zone.

16           (j) Any other criteria established under rules ~~promulgated~~ adopted by the  
17 ~~department~~ corporation.

18           **(5)** (e) The estimated number of full-time jobs that will be created, retained,  
19 or significantly upgraded in the development zone because of the person's business.

20           (g) The limit under s. ~~560.768~~ 238.368 on tax benefits the person may claim  
21 while an area is designated as a development zone.

22           (h) Other information required by the ~~department~~ corporation or the  
23 department of revenue.

**ASSEMBLY BILL 40****SECTION 3430**

1           **SECTION 3430.** 560.768 of the statutes is renumbered 238.368, and 238.368 (1)  
2           (a) and (b), (2) (intro.) and (b) and (3) (a) (intro.) and 1. and (b), as renumbered, are  
3           amended to read:

4           238.368 **(1)** (a) The department corporation shall establish a limit on the  
5           maximum amount of tax benefits a person certified under s. ~~560.765~~ 238.365 (3) may  
6           claim while an area is designated as a development zone.

7           (b) When establishing a limit on tax benefits under par. (a), the department  
8           corporation shall do all of the following:

9           1. Consider all of the criteria described in s. ~~560.765~~ 238.365 (3) (a) to (e).

10          2. Establish a limit which does not greatly exceed a recommended limit,  
11          established under rules ~~promulgated~~ adopted by the department corporation based  
12          on the cost, number and types of full-time jobs that will be created, retained, or  
13          upgraded, including full-time jobs available to members of the targeted population,  
14          as a result of the economic activity of the person certified under s. ~~560.765~~ 238.365  
15          (3).

16          **(2)** (intro.) The department corporation may, upon request, increase a limit on  
17          tax benefits established under sub. (1) if the department corporation does all of the  
18          following:

19          (b) Revises the certification required under s. ~~560.765~~ 238.365 (5) and provides  
20          a copy of the revised form to the department of revenue and the person whose limit  
21          is increased under this subsection.

22          **(3)** (a) (intro.) The department corporation may reduce a limit established  
23          under sub. (1) or (2) if the department corporation determines that any of the  
24          following applies:

**ASSEMBLY BILL 40****SECTION 3430**

1           1. The limit is not consistent with the criteria listed under s. ~~560.765~~ 238.365  
2 (3) (a) to (e).

3           (b) The ~~department~~ corporation shall notify the department of revenue and the  
4 person whose limit on tax benefits is reduced under par. (a) and provide a written  
5 explanation to the person of the reasons for reducing the limit.

6           **SECTION 3431.** 560.77 of the statutes is renumbered 238.37, and 238.37 (1)  
7 (intro.) and (b) and (2), as renumbered, are amended to read:

8           238.37 (1) (intro.) The ~~department~~ corporation shall revoke the certification of  
9 a person certified under s. ~~560.765~~ 238.365 (3) if the person does any of the following:

10           (b) Becomes subject to revocation under s. ~~560.78~~ 238.38 (1).

11           (2) The ~~department~~ corporation shall notify the department of revenue within  
12 30 days of revoking a certification under sub. (1).

13           **SECTION 3432.** 560.78 of the statutes is renumbered 238.38, and 238.38 (1)  
14 (intro.), (1m), (2) (intro.) and (a) and (3) (a) and (b), as renumbered, are amended to  
15 read:

16           238.38 (1) (intro.) Except as provided in subs. (2) and (3), no person may be  
17 certified under s. ~~560.765~~ 238.365 (3), or a person's certification may be revoked  
18 under s. ~~560.77~~ 238.37, if the proposed new business, expansion of an existing  
19 business, or other proposed economic activity in a development zone would do or does  
20 any of the following:

21           (1m) No person may be certified under s. ~~560.765~~ 238.365 (3) on or after March  
22 6, 2009.

23           (2) (intro.) Subsection (1) does not apply if, after a hearing, the ~~department~~  
24 corporation, or the local governing body under sub. (3) (a), determines that any of the  
25 following applies:

**ASSEMBLY BILL 40****SECTION 3432**

1 (a) The total number of full-time jobs provided by the person in this state would  
2 be reduced if the person were not certified under s. ~~560.765~~ 238.365 (3) or if the  
3 person's certification were revoked.

4 **(3)** (a) Except as provided in pars. (b) and (c), if the economic activity for which  
5 a person is seeking certification under s. ~~560.765~~ 238.365 (3) is the relocation of a  
6 business into a development zone from a location that is outside the development  
7 zone but within the limits of a city, village, town, or federally recognized American  
8 Indian reservation in which that development zone is located, the local governing  
9 body that nominated that area as a development zone under s. ~~560.72~~ 238.32 shall  
10 determine whether sub. (2) (a) or (b) applies.

11 (b) Only the ~~department~~ corporation may determine whether sub. (2) (a) or (b)  
12 applies to a business relocation described in par. (a) if the business relocation would  
13 likely result in the loss of full-time jobs at or transfer of employees from a business  
14 location that is in this state but outside the limits of any city, village, town, or  
15 federally recognized American Indian reservation in which the development zone is  
16 located.

17 **SECTION 3433.** 560.785 of the statutes is renumbered 238.385, and 238.385 (1)  
18 (intro.), (b), (bm) and (c) (intro.) and (2) (intro.), (b) and (c), as renumbered, are  
19 amended to read:

20 238.385 (1) (intro.) For the development zone program under ss. ~~560.70 and~~  
21 ~~560.71 to 560.78~~ 238.30 and 238.31 to 238.38, the development opportunity zone  
22 program under s. ~~560.795~~ 238.395, and the enterprise development zone program  
23 under s. ~~560.797~~ 238.397, the ~~department~~ corporation shall promulgate adopt rules  
24 that further define a person's eligibility for tax benefits. The rules shall do at least  
25 all of the following:

**ASSEMBLY BILL 40****SECTION 3433**

1 (b) Allow a person to claim up to \$8,000 in tax benefits during the time that an  
2 area is designated as a development zone, as a development opportunity zone, or as  
3 an enterprise development zone for creating a full-time job that is filled by a member  
4 of the target population.

5 (bm) Allow a person to claim up to \$8,000 in tax benefits during the time that  
6 an area is designated as an enterprise development zone for retaining a full-time job  
7 if the department corporation determines that the person made a significant capital  
8 investment to retain the full-time job.

9 (c) (intro.) Allow a person to claim up to \$6,000 in tax benefits during the time  
10 that an area is designated as a development zone, as a development opportunity  
11 zone, or as an enterprise development zone for any of the following:

12 **(2)** (intro.) The department corporation may by rule specify circumstances  
13 under which the department corporation may grant exceptions to any of the  
14 following:

15 (b) The requirement under ss. ~~560.70~~ 238.30 (2m) and ~~560.797~~ 238.397 (1) (am)  
16 that an individual's pay must equal at least 150% of the federal minimum wage.

17 (c) The requirement under ss. ~~560.70~~ 238.30 (2m) and ~~560.797~~ 238.397 (1) (am)  
18 that an individual's position must be regular, nonseasonal, and full-time and that  
19 the individual must be required to work at least 2,080 hours per year, including paid  
20 leave and holidays.

21 **SECTION 3434.** 560.795 of the statutes is renumbered 238.395, and 238.395 (1)  
22 (a), (b), (c), (d), (e), (f), (g) and (h), (2) (c), (d) and (e), (3) (a), (b) 1., 2., 3., 4., 5., 6., 7.,  
23 8. and 9., (c) and (d), (4) (a) (intro.) and (b) and (5) (a) (intro.), 2. and 3., (b), (c), (d),  
24 (e) (intro.) and 3. and (f), as renumbered, are amended to read:

**ASSEMBLY BILL 40****SECTION 3434**

1           238.395 (1) (a) An area in the city of Beloit, the legal description of which is  
2 provided to the department corporation by the local governing body of the city of  
3 Beloit.

4           (b) An area in the city of West Allis, the legal description of which is provided  
5 to the department corporation by the local governing body of the city of West Allis.

6           (c) An area in the city of Eau Claire, the legal description of which is provided  
7 to the department corporation by the local governing body of the city of Eau Claire.

8           (d) An area in the city of Kenosha, the legal description of which is provided to  
9 the department corporation by the local governing body of the city of Kenosha.

10          (e) An area in the city of Milwaukee, the legal description of which is provided  
11 to the department corporation by the local governing body of the city of Milwaukee.

12          (f) For the Gateway Project, an area in the city of Beloit, the legal description  
13 of which is provided to the department corporation by the local governing body of the  
14 city of Beloit.

15          (g) An area in the city of Janesville, the legal description of which is provided  
16 to the department corporation by the local governing body of the city of Janesville.

17          (h) An area in the city of Kenosha, the legal description of which is provided to  
18 the department corporation by the local governing body of the city of Kenosha.

19          (2) (c) Annually, the department corporation shall estimate the amount of  
20 forgone state revenue because of tax benefits claimed by ~~corporations or~~ persons in  
21 each development opportunity zone.

22          (d) 1. Notwithstanding pars. (a) and (e), the designation of an area as a  
23 development opportunity zone shall expire 90 days after the day on which the  
24 department corporation determines that the forgone tax revenues under par. (c) will  
25 equal or exceed the limit for the development opportunity zone.

**ASSEMBLY BILL 40****SECTION 3434**

1           2. The department corporation shall immediately notify the local governing  
2 body of the city in which the development opportunity zone is located of a change in  
3 the expiration date of the development opportunity zone under this paragraph.

4           (e) 1. The department corporation may extend the designation of an area under  
5 sub. (1) (g) as a development opportunity zone for an additional 60 months if the  
6 department corporation determines that an extension under this subdivision would  
7 support economic development within the city. If the department corporation  
8 extends the designation of the area as a development opportunity zone, the limit for  
9 tax benefits for the development opportunity zone under sub. (1) (g) is increased by  
10 \$5,000,000.

11           2. The department corporation may extend the designation of an area under  
12 sub. (1) (h) as a development opportunity zone for an additional 60 months if the  
13 department corporation determines that an extension under this subdivision would  
14 support economic development within the city. If the department corporation  
15 extends the designation of the area as a development opportunity zone, the limit for  
16 tax benefits for the development opportunity zone under sub. (1) (h) is increased by  
17 \$5,000,000.

18           **(3)** (a) 1. Any ~~corporation~~ person that is conducting or that intends to conduct  
19 economic activity in a development opportunity zone under sub. (1) (a) or (b) and  
20 that, in conjunction with the local governing body of the city in which the  
21 development opportunity zone is located, submits a project plan as described in par.  
22 (b) to the department corporation no later than 6 months after April 23, 1994, shall  
23 be entitled to claim tax benefits while the area is designated as a development  
24 opportunity zone.



**ASSEMBLY BILL 40****SECTION 3434**

1           2. Any ~~corporation~~ person that is conducting or that intends to conduct  
2 economic activity in a development opportunity zone under sub. (1) (c) and that, in  
3 conjunction with the local governing body of the city in which the development  
4 opportunity zone is located, submits a project plan as described in par. (b) to the  
5 ~~department~~ corporation no later than 6 months after April 28, 1995, shall be entitled  
6 to claim tax benefits while the area is designated as a development opportunity zone.

7           3. Any ~~corporation~~ person that is conducting or that intends to conduct  
8 economic activity in a development opportunity zone under sub. (1) (d) and that, in  
9 conjunction with the local governing body of the city in which the development  
10 opportunity zone is located, submits a project plan as described in par. (b) to the  
11 ~~department~~ corporation no later than July 1, 2000, shall be entitled to claim tax  
12 benefits while the area is designated as a development opportunity zone.

13           4. Any person that is conducting or that intends to conduct economic activity  
14 in a development opportunity zone under sub. (1) (e), (f), (g), or (h) and that, in  
15 conjunction with the local governing body of the city in which the development  
16 opportunity zone is located, submits a project plan as described in par. (b) to the  
17 ~~department~~ corporation shall be entitled to claim tax benefits while the area is  
18 designated as a development opportunity zone.

19           (b) 1. The name and address of the ~~corporation's~~ or person's business for which  
20 tax benefits will be claimed.

21           2. The appropriate federal tax identification number of the ~~corporation~~ or  
22 person.

23           3. The names and addresses of other locations outside of the development  
24 opportunity zone where the ~~corporation~~ or person conducts business and a  
25 description of the business activities conducted at those locations.

**ASSEMBLY BILL 40****SECTION 3434**

1           4. The amount that the ~~corporation or~~ person proposes to invest in a business,  
2 or spend on the construction, rehabilitation, repair, or remodeling of a building,  
3 located within the development opportunity zone.

4           5. The estimated total investment of the ~~corporation or~~ person in the  
5 development opportunity zone.

6           6. The number of full-time jobs that will be created, retained, or substantially  
7 upgraded as a result of the ~~corporation's or~~ person's economic activity in relation to  
8 the amount of tax benefits estimated for the ~~corporation or~~ person.

9           7. The ~~corporation's or~~ person's plans to make reasonable attempts to hire  
10 employees from the targeted population.

11           8. A description of the commitment of the local governing body of the city in  
12 which the development opportunity zone is located to the ~~corporation's or~~ person's  
13 project.

14           9. Other information required by the ~~department~~ corporation or the  
15 department of revenue.

16           (c) The ~~department~~ corporation shall notify the department of revenue of all  
17 ~~corporations or~~ persons entitled to claim tax benefits under this subsection.

18           (d) The ~~department~~ corporation annually shall verify information submitted  
19 to the ~~department~~ corporation under s. 71.07 (2di), (2dm), or (2dx), 71.28 (1di), (1dm),  
20 or (1dx), 71.47 (1di), (1dm), or (1dx), or 76.636.

21           **(4)** (a) (intro.) The ~~department~~ corporation shall revoke the entitlement of a  
22 ~~corporation or~~ person to claim tax benefits under sub. (3) if the ~~corporation or~~ person  
23 does any of the following:

24           (b) The ~~department~~ corporation shall notify the department of revenue within  
25 30 days after revoking an entitlement under par. (a).

**ASSEMBLY BILL 40****SECTION 3434**

1           (5) (a) (intro.) The ~~department~~ corporation may certify for tax benefits a person  
2 that is conducting economic activity in the development opportunity zone under sub.  
3 (1) (e) or (f) and that is not otherwise entitled to claim tax benefits if all of the  
4 following apply:

5           2. The ~~department~~ corporation determines that the economic activity of the  
6 other person under subd. 1. would not have occurred but for the involvement of the  
7 person to be certified for tax benefits under this subsection.

8           3. The person to be certified for tax benefits under this subsection will pass the  
9 benefits through to the other person conducting the economic activity under subd.  
10 1., as determined by the ~~department~~ corporation.

11           (b) A person intending to claim tax benefits under this subsection shall submit  
12 to the ~~department~~ corporation an application, in the form required by the  
13 ~~department~~ corporation, containing information required by the ~~department~~  
14 corporation and by the department of revenue.

15           (c) The ~~department~~ corporation shall notify the department of revenue of all  
16 persons certified to claim tax benefits under this subsection.

17           (d) The ~~department~~ corporation annually shall verify information submitted  
18 to the ~~department~~ corporation under s. 71.07 (2dm) or (2dx), 71.28 (1dm) or (1dx),  
19 71.47 (1dm) or (1dx), or 76.636.

20           (e) (intro.) The ~~department~~ corporation shall revoke the entitlement of a person  
21 to claim tax benefits under this subsection if the person does any of the following:

22           3. Does not pass the benefits through to the other person conducting the  
23 economic activity under par. (a) 1., as determined by the ~~department~~ corporation.

24           (f) The ~~department~~ corporation shall notify the department of revenue within  
25 30 days after revoking an entitlement under par. (e).

**ASSEMBLY BILL 40****SECTION 3435**

1           **SECTION 3435.** 560.797 of the statutes is renumbered 238.397, and 238.397 (1)  
2 (am), (c) and (d), (2) (a) (intro.), 3. and 4. a. and d. and (b) (intro.), 1. and 8., (bg) (intro.)  
3 and 2., (br) (intro.), (c), (d) and (e), (3) (a), (b) 4., 6. and 11. and (c), (4) (a), (c), (d), (f)  
4 and (g), (5) (a), (b), (c) and (d) 1. and 2. and (6) (a) (intro.) and (b), as renumbered, are  
5 amended to read:

6           238.397 **(1)** (am) “Full-time job” has the meaning given in s. ~~560.70~~ 238.30  
7 (2m).

8           (c) “Target population” has the meaning given in s. ~~560.70~~ 238.30 (6).

9           (d) “Tax benefits” has the meaning given in s. ~~560.70~~ 238.30 (7).

10          **(2)** (a) (intro.) Subject to pars. (c), (d), and (e), the ~~department~~ corporation may  
11 designate an area as an enterprise development zone for a project if the ~~department~~  
12 corporation determines all of the following:

13           3. That the project is not likely to occur or continue without the ~~department’s~~  
14 corporation’s designation of the area as an enterprise development zone.

15           4. a. The unemployment rate in the area is higher than the state average for  
16 the 18 months immediately preceding the date on which the application under sub.  
17 (3) was submitted to the ~~department~~ corporation.

18           d. In the 36 months immediately preceding the date on which the application  
19 under sub. (3) was submitted to the ~~department~~ corporation, a number of workers  
20 in the area were permanently laid off by their employer or became unemployed as  
21 a result of a business action subject to s. 109.07 (1m).

22           (b) (intro.) In making a determination under par. (a), the ~~department~~  
23 corporation shall consider all of the following:

24           1. The extent of poverty, unemployment, or other factors contributing to  
25 general economic hardship in the area.

**ASSEMBLY BILL 40****SECTION 3435**

1           8. Any other factors that the department corporation considers relevant.

2           (bg) (intro.) Notwithstanding par. (a) and subject to pars. (c), (d), and (e), the  
3   department corporation may designate an area as an enterprise development zone  
4   for a project if the department corporation determines all of the following:

5           2. That the project is not likely to occur or continue without the department's  
6   corporation's designation of the area as an enterprise development zone.

7           (br) (intro.) In making a determination under par. (bg), the department  
8   corporation shall consider all of the following:

9           (c) The department corporation may not designate as an enterprise  
10   development zone, or as any part of an enterprise development zone, an area that is  
11   located within the boundaries of an area that is designated as a development  
12   opportunity zone under s. 560.795 238.395, the designation of which is in effect.

13          (d) The department corporation may not designate more than 98 enterprise  
14   development zones unless the department corporation obtains the approval of the  
15   joint committee on finance to do so. Of the enterprise development zones that the  
16   department corporation designates, at least 10 shall be designated under par. (bg).

17          (e) The department corporation may not designate any area as an enterprise  
18   development zone on or after March 6, 2009.

19          **(3)** (a) A person that conducts or that intends to conduct a project and that  
20   desires to have the area in which the project is or is to be conducted designated as  
21   an enterprise development zone for the purpose of claiming tax benefits may submit  
22   to the department corporation an application and a project plan.

23          (b) 4. The amount that the person proposes to invest in a business; to spend on  
24   the construction, rehabilitation, repair, or remodeling of a building; or to spend on  
25   the removal or containment of, or the restoration of soil or groundwater affected by,

**ASSEMBLY BILL 40****SECTION 3435**

1 environmental pollution; in the area proposed to be designated as an enterprise  
2 development zone.

3 6. The estimated number of full-time jobs that will be created, retained, or  
4 substantially upgraded as a result of the person's project in relation to the amount  
5 of tax benefits estimated for the person.

6 11. Any other information required by the department corporation or the  
7 department of revenue.

8 (c) The department corporation may not accept or approve any applications or  
9 project plans submitted under par. (a) on or after March 6, 2009.

10 (4) (a) Except as provided in par. (h), if the department corporation approves  
11 a project plan under sub. (3) and designates the area in which the person submitting  
12 the project plan conducts or intends to conduct the project as an enterprise  
13 development zone under the criteria under sub. (2), the department corporation shall  
14 certify the person as eligible for tax benefits.

15 (c) When the department corporation designates an area as an enterprise  
16 development zone for a project, the department corporation shall notify the  
17 governing body of any city, village, town, or federally recognized American Indian  
18 tribe or band in which the area is located of the area's designation.

19 (d) The department corporation shall notify the department of revenue of all  
20 persons entitled to claim tax benefits under this section, except that the department  
21 corporation shall notify the office of the commissioner of insurance of all persons  
22 entitled to claim the credit under s. 76.636.

23 (f) The tax benefits for which a person is certified as eligible under this  
24 subsection are not transferable to another person, business, or location, except to the  
25 extent permitted under section 383 of the internal revenue code.

**ASSEMBLY BILL 40****SECTION 3435**

1           (g) The ~~department~~ corporation annually shall verify information submitted  
2 to the ~~department~~ corporation under s. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx), or  
3 76.636.

4           (5) (a) When the ~~department~~ corporation designates an area as an enterprise  
5 development zone under this section, the ~~department~~ corporation shall specify the  
6 length of time, not to exceed 84 months, that the designation is effective, subject to  
7 par. (d) and sub. (6).

8           (b) When the ~~department~~ corporation designates an area as an enterprise  
9 development zone under this section, the ~~department~~ corporation shall establish a  
10 limit, not to exceed \$3,000,000, for tax benefits for the enterprise development zone.

11           (c) Annually, the ~~department~~ corporation shall estimate the amount of forgone  
12 state revenue because of tax benefits claimed by persons in each enterprise  
13 development zone.

14           (d) 1. Notwithstanding the length of time specified by the ~~department~~  
15 corporation under par. (a), the designation of an area as an enterprise development  
16 zone shall expire 90 days after the day on which the ~~department~~ corporation  
17 determines that the forgone tax revenues under par. (c) will equal or exceed the limit  
18 established for the enterprise development zone.

19           2. The ~~department~~ corporation shall immediately notify the department of  
20 revenue and the governing body of any city, village, town, or federally recognized  
21 American Indian tribe or band in which the enterprise development zone is located  
22 of a change in the expiration date of the enterprise development zone under this  
23 paragraph.

**ASSEMBLY BILL 40****SECTION 3435**

1           **(6)** (a) (intro.) The department corporation shall revoke the entitlement of a  
2 person to claim tax benefits under this section, and the designation of the area as an  
3 enterprise development zone shall expire, if the person does any of the following:

4           (b) The department corporation shall notify the department of revenue within  
5 30 days after revoking an entitlement under par. (a).

6           **SECTION 3436.** 560.798 of the statutes is renumbered 238.398, and 238.398 (2)  
7 (a) and (b), (3) (a) and (b), (4) (a) (intro.) and (b) and (5) (intro.) and (e), as renumbered,  
8 are amended to read:

9           238.398 **(2)** (a) Except as provided under par. (c), the department corporation  
10 may designate one area in the state as an agricultural development zone. The area  
11 must be located in a rural municipality. An agricultural business that is located in  
12 an agricultural development zone and that is certified by the ~~department~~ corporation  
13 under sub. (3) is eligible for tax benefits as provided in sub. (3).

14           (b) The designation of an area as an agricultural development zone shall be in  
15 effect for 10 years from the time that the ~~department~~ corporation first designates the  
16 area. Not more than \$5,000,000 in tax benefits may be claimed in an agricultural  
17 development zone, except that the ~~department~~ corporation may allocate the amount  
18 of unallocated airport development zone tax credits, as provided under s. ~~560.7995~~  
19 238.3995 (3) (b), to agricultural development zones for which the \$5,000,000  
20 maximum allocation is insufficient. The ~~department~~ corporation may change the  
21 boundaries of an agricultural development zone during the time that its designation  
22 is in effect. A change in the boundaries of an agricultural development zone does not  
23 affect the duration of the designation of the area or the maximum tax benefit amount  
24 that may be claimed in the agricultural development zone.



**ASSEMBLY BILL 40****SECTION 3436**

1           **(3)** (a) Except as provided under par. (c), the department corporation may  
2 certify for tax benefits in an agricultural development zone a new or expanding  
3 agricultural business that is located in the agricultural development zone. In  
4 determining whether to certify a business under this subsection, the department  
5 corporation shall consider, among other things, the number of jobs that will be  
6 created or retained by the business.

7           (b) When the department corporation certifies an agricultural business under  
8 this subsection, the department corporation shall establish a limit on the amount of  
9 tax benefits that the business may claim. The department corporation shall enter  
10 into an agreement with the business that specifies the limit on the amount of tax  
11 benefits that the business may claim and reporting requirements with which the  
12 business must comply.

13           **(4)** (a) (intro.) The ~~department of commerce~~ corporation shall notify the  
14 department of revenue of all the following:

15           (b) The department corporation shall annually verify information submitted  
16 to the department corporation under s. 71.07 (2dm) or (2dx), 71.28 (1dm) or (1dx),  
17 71.47 (1dm) or (1dx), or 76.636.

18           **(5)** (intro.) The department corporation shall promulgate adopt rules for the  
19 operation of this section, including rules related to all the following:

20           (e) The exchange of information between the ~~department of commerce~~  
21 corporation and the department of revenue.

22           **SECTION 3437.** 560.799 of the statutes is renumbered 238.399, and 238.399 (1)  
23 (am) 2., (3) (a), (b) (intro.), (bm) and (c), (5) (intro.), (b), (c) 1. a. and b., 2. b. and c., (d)  
24 1. and (e), (5m) and (6) (a), (b) (intro.), (c), (d), (e), (f) and (g) (intro.) and 1. (intro.),  
25 as renumbered, are amended to read:

**ASSEMBLY BILL 40****SECTION 3437**

1           238.399 (1) (am) 2. The department corporation may by rule specify  
2 circumstances under which the department corporation may grant exceptions to the  
3 requirement under subd. 1. that a full-time employee means an individual who, as  
4 a condition of employment, is required to work at least 2,080 hours per year, but  
5 under no circumstances may a full-time employee mean an individual who, as a  
6 condition of employment, is required to work less than 37.5 hours per week.

7           **(3) DESIGNATION OF ENTERPRISE ZONES; CRITERIA.** (a) The department corporation  
8 may designate not more than 12 enterprise zones.

9           (b) (intro.) In determining whether to designate an area under par. (a), the  
10 department corporation shall consider all of the following:

11           (bm) The department corporation shall specify whether an enterprise zone  
12 designated under par. (a) is located in a tier I county or municipality or a tier II county  
13 or municipality.

14           (c) The department corporation shall, to the extent possible, give preference to  
15 the greatest economic need.

16           **(5) CERTIFICATION.** (intro.) The department corporation may certify for tax  
17 benefits any of the following:

18           (b) A business that relocates to an enterprise zone from outside this state, if the  
19 business offers compensation and benefits to its employees working in the zone for  
20 the same type of work that are at least as favorable as those offered to its employees  
21 working outside the zone, as determined by the department corporation.

22           (c) 1. a. The business enters into an agreement with the department  
23 corporation to claim tax benefits only for years during which the business maintains  
24 the increased level of personnel.

**ASSEMBLY BILL 40****SECTION 3437**

1           b. The business offers compensation and benefits for the same type of work to  
2 its employees working in the enterprise zone that are at least as favorable as those  
3 offered to its employees working in this state but outside the zone, as determined by  
4 the department corporation.

5           2. b. The business enters into an agreement with the department corporation  
6 to claim tax benefits only for years during which the business maintains the capital  
7 investment.

8           c. The business offers compensation and benefits for the same type of work to  
9 its employees working in the zone that are at least as favorable as those offered to  
10 its employees working in this state but outside the zone, as determined by the  
11 department corporation.

12           (d) 1. The business is an original equipment manufacturer with a significant  
13 supply chain in the state, as determined by the department corporation by rule.

14           (e) A business located in an enterprise zone if the business purchases tangible  
15 personal property, items, property, or goods under s. 77.52 (1) (b), (c), or (d), or  
16 services from Wisconsin vendors, as determined by the department corporation.

17           **(5m)** ADDITIONAL TAX BENEFITS FOR SIGNIFICANT CAPITAL EXPENDITURES. If the  
18 department corporation determines that a business certified under sub. (5) makes  
19 a significant capital expenditure in the enterprise zone, the department corporation  
20 may certify the business to receive additional tax benefits in an amount to be  
21 determined by the department corporation, but not exceeding 10 percent of the  
22 business' capital expenditures. The department corporation shall, in a manner  
23 determined by the department corporation, allocate the tax benefits a business is  
24 certified to receive under this subsection over the remainder of the time limit of the  
25 enterprise zone under sub. (4).

**ASSEMBLY BILL 40****SECTION 3437**

1           **(6)** (a) ~~The department of commerce~~ corporation shall notify the department  
2 of revenue when the ~~department of commerce~~ corporation certifies a business to  
3 receive tax benefits.

4           (b) (intro.) The ~~department~~ corporation shall revoke a certification under sub.  
5 (5) if the business does any of the following:

6           (c) The ~~department of commerce~~ corporation shall notify the department of  
7 revenue within 30 days of a revocation under par. (b).

8           (d) The ~~department~~ corporation may require a business to repay any tax  
9 benefits the business claims for a year in which the business failed to maintain  
10 employment or capital investment levels required by an agreement under sub. (5) (c).

11           (e) The ~~department~~ corporation shall determine the maximum amount of the  
12 tax credits under ss. 71.07 (3w), 71.28 (3w), and 71.47 (3w) that a certified business  
13 may claim and shall notify the department of revenue of this amount.

14           (f) The ~~department~~ corporation shall annually verify the information  
15 submitted to the ~~department~~ corporation under ss. 71.07 (3w), 71.28 (3w), or 71.47  
16 (3w).

17           (g) (intro.) The ~~department~~ corporation shall ~~promulgate~~ adopt rules specifying  
18 all of the following by rule:

19           1. (intro.) The definitions of a tier I county or municipality and a tier II county  
20 or municipality. The ~~department~~ corporation may consider all of the following  
21 information when establishing the definitions required under this subdivision:

22           **SECTION 3438.** 560.7995 of the statutes is renumbered 238.3995, and 238.3995  
23 (1) (b) and (c), (2) (a) (intro.) and 4., (b) (intro.) and 8., (c) 1. and 2. and (d), (3) (a), (b),  
24 (c) and (d) 1. and 2., (4) (a) (intro.) and 10., (am), (ar), (b) 1., (c) (intro.) and (d) and  
25 (5), as renumbered, are amended to read:

**ASSEMBLY BILL 40****SECTION 3438**

1           238.3995 (1) (b) “Full-time job” has the meaning given in s. ~~560.70~~ 238.30 (2m).

2           (c) “Target population” has the meaning given in s. ~~560.70~~ 238.30 (6).

3           (2) (a) (intro.) Subject to pars. (c) and (e), the ~~department~~ corporation may  
4 designate an area as an airport development zone if the ~~department~~ corporation  
5 determines all of the following:

6           4. That the airport development project is not likely to occur or continue  
7 without the ~~department’s~~ corporation designation of the area as an airport  
8 development zone.

9           (b) (intro.) In making a determination under par. (a), the ~~department~~  
10 corporation shall consider all of the following:

11           8. Any other factors that the ~~department~~ corporation considers relevant.

12           (c) 1. The ~~department~~ corporation may not designate as an airport development  
13 zone, or as any part of an airport development zone, an area that is located within  
14 the boundaries of an area that is designated as a development zone under s. ~~560.71~~  
15 238.31, as a development opportunity zone under s. ~~560.795~~ 238.395, or as an  
16 enterprise development zone under s. ~~560.797~~ 238.397.

17           2. The ~~department~~ corporation shall give the department of transportation the  
18 opportunity to review and comment on any proposed designation under this  
19 subsection and the department of transportation may deny any such designation if  
20 the department of transportation determines that the designation would  
21 compromise the airport’s safety or utility. The department of transportation may  
22 also review and comment on any land use or compatibility issues related to any  
23 proposed designation under this subsection.

24           (d) Notwithstanding pars. (a) to (c), and except as provided in par. (e), the  
25 ~~department~~ corporation shall designate as an airport development zone the area

**ASSEMBLY BILL 40****SECTION 3438**

1 within the boundaries of Adams, Fond du Lac, Green Lake, Juneau, Langlade,  
2 Lincoln, Marathon, Marquette, Menominee, Oneida, Portage, Price, Shawano,  
3 Taylor, Waupaca, Waushara, Winnebago, Wood, and Vilas counties.

4 (3) (a) When the department corporation designates an area as an airport  
5 development zone, the department corporation shall specify the length of time, not  
6 to exceed 84 months, that the designation is effective, subject to par. (d). The  
7 department corporation shall notify each person certified for tax benefits in an  
8 airport development zone, the department of revenue, the department of  
9 transportation, the Wisconsin Housing and Economic Development Authority, and  
10 the governing body of each county, city, village, town, and federally recognized  
11 American Indian tribe or band in which territory of the airport development zone is  
12 located of the designation of and expiration date of the airport development zone.

13 (b) When the department corporation designates an area as an airport  
14 development zone, the department corporation shall establish a limit, not to exceed  
15 \$3,000,000, for tax benefits applicable to the airport development zone, except that  
16 the department corporation shall limit the amount of tax benefits applicable to the  
17 airport development zone designated under sub. (2) (d) to \$750,000. The total tax  
18 benefits applicable to all airport development zones may not exceed \$9,000,000, less  
19 any amount allocated to technology zones under s. ~~560.96~~ 238.23 (2) (b) and to  
20 agricultural development zones under s. ~~560.798~~ 238.398 (2) (b), and except that the  
21 total amount allocated to all technology zones under s. ~~560.96~~ 238.23 (2) (b) and to  
22 all agricultural development zones under s. ~~560.798~~ 238.398 (2) (b), may not exceed  
23 \$6,000,000. The department corporation may not reallocate amounts as provided  
24 under this paragraph on or after January 1, 2010, except that the department  
25 corporation may, after 48 months from the month of any designation under this

**ASSEMBLY BILL 40****SECTION 3438**

1 section, evaluate the area designated as an airport development zone and reallocate  
2 the amount of available tax benefits.

3 (c) Annually, the ~~department~~ corporation shall estimate the amount of forgone  
4 state revenue because of tax benefits claimed by persons in each airport development  
5 zone.

6 (d) 1. Notwithstanding the length of time specified by the ~~department~~  
7 corporation under par. (a), the designation of an area as an airport development zone  
8 shall expire 90 days after the day on which the ~~department~~ corporation determines  
9 that the forgone tax revenues estimated under par. (c) will equal or exceed the limit  
10 established for the airport development zone.

11 2. The ~~department~~ corporation shall immediately notify each person certified  
12 for tax benefits in an airport development zone, the department of revenue, the  
13 department of transportation, the Wisconsin Housing and Economic Development  
14 Authority, and the governing body of each county, city, village, town, and federally  
15 recognized American Indian tribe or band in which territory of the airport  
16 development zone is located of a change in the expiration date of the airport  
17 development zone under this paragraph.

18 (4) (a) (intro.) A person that intends to operate a place of business in an airport  
19 development zone may submit to the ~~department~~ corporation an application and a  
20 business plan. The business plan shall include all of the following:

21 10. Any other information required by the ~~department~~ corporation or the  
22 department of revenue.

23 (am) A person that intends to operate a business in the airport development  
24 zone designated under sub. (2) (d) may submit to the ~~department~~ corporation an  
25 application and a business plan that includes all of the information required under

**ASSEMBLY BILL 40****SECTION 3438**

1 par. (a). In approving business plans submitted under this paragraph, the  
2 department corporation shall give higher priority to airport development projects  
3 located or proposed to be located in ~~a distressed area, as defined in s. 560.605 (7) (b)~~  
4 areas that have high levels of unemployment, areas that have a low median  
5 household income, areas where significant number of workers have been  
6 permanently laid off, areas in which an employer has given public notice of a plant  
7 closing or a substantial reduction in force that will result in a significant number of  
8 workers in the area being permanently laid off, and areas affected by other factors  
9 that indicate they are distressed areas, as determined by the corporation.

10 (ar) The department corporation may not accept or approve any applications  
11 or business plans submitted under par. (a) on or after March 6, 2009.

12 (b) 1. Except as provided in subd. 2., if the department corporation approves  
13 a business plan under par. (a) or (am), the department corporation shall certify the  
14 person as eligible for tax benefits. The department corporation shall notify the  
15 department of revenue within 30 days of certifying a person under this paragraph.

16 (c) (intro.) The department corporation shall revoke a person's certification  
17 under par. (b) when the designation of the applicable airport development zone  
18 expires or if the person does any of the following:

19 (d) The department corporation shall notify the department of revenue within  
20 30 days after revoking a certification under par. (c).

21 **(5) VERIFICATION OF INFORMATION.** The department corporation annually shall  
22 verify information submitted to the department corporation under ss. 71.07 (2dm)  
23 and (2dx), 71.28 (1dm) and (1dx), and 71.47 (1dm) and (1dx) as it relates to airport  
24 development zones.



**ASSEMBLY BILL 40****SECTION 3439**

1           **SECTION 3439.** Subchapter VIII (title) of chapter 560 [precedes 560.86] of the  
2 statutes is repealed.

3           **SECTION 3440.** 560.86 of the statutes is repealed.

4           **SECTION 3441.** 560.87 of the statutes is repealed.

5           **SECTION 3442.** 560.875 of the statutes is repealed.

6           **SECTION 3443.** Subchapter IX (title) of chapter 560 [precedes 560.90] of the  
7 statutes is repealed.

8           **SECTION 3444.** 560.90 of the statutes is repealed.

9           **SECTION 3445.** 560.905 of the statutes is repealed.

10          **SECTION 3446.** 560.92 of the statutes is repealed.

11          **SECTION 3447.** 560.93 of the statutes is repealed.

12          **SECTION 3448.** 560.96 of the statutes is renumbered 238.23, and 238.23 (2) (a)  
13 and (b), (3) (a) (intro.), (b) (intro.), (c) and (d), (4) (a) (intro.) and (b) and (5) (intro.),  
14 (e) and (g), as renumbered, are amended to read:

15           238.23 (2) (a) Except as provided in par. (c), the department corporation may  
16 designate up to 8 areas in the state as technology zones. A business that is located  
17 in a technology zone and that is certified by the department corporation under sub.  
18 (3) is eligible for a tax credit as provided in sub. (3).

19           (b) The designation of an area as a technology zone shall be in effect for 10 years  
20 from the time that the department corporation first designates the area. Not more  
21 than \$5,000,000 in tax credits may be claimed in a technology zone, except that the  
22 department corporation may allocate the amount of unallocated airport  
23 development zone tax credits, as provided under s. ~~560.7995~~ 238.3995 (3) (b), to  
24 technology zones for which the \$5,000,000 maximum allocation is insufficient. The  
25 department corporation may change the boundaries of a technology zone during the

**ASSEMBLY BILL 40****SECTION 3448**

1 time that its designation is in effect. A change in the boundaries of a technology zone  
2 does not affect the duration of the designation of the area or the maximum tax credit  
3 amount that may be claimed in the technology zone.

4 (3) (a) (intro.) Except as provided in par. (e), the department corporation may  
5 certify for tax credits in a technology zone a business that satisfies all of the following  
6 requirements:

7 (b) (intro.) In determining whether to certify a business under this subsection,  
8 the department corporation shall consider all of the following:

9 (c) When the department corporation certifies a business under this  
10 subsection, the department corporation shall establish a limit on the amount of tax  
11 credits that the business may claim. Unless its certification is revoked, and subject  
12 to the limit on the tax credit amount established by the department corporation  
13 under this paragraph, a business that is certified may claim a tax credit for 3 years,  
14 except that a business that experiences growth, as determined for that business by  
15 the department corporation under par. (d) and sub. (5) (e), may claim a tax credit for  
16 up to 5 years.

17 (d) The department corporation shall enter into an agreement with a business  
18 that is certified under this subsection. The agreement shall specify the limit on the  
19 amount of tax credits that the business may claim, the extent and type of growth,  
20 which shall be specific to the business, that the business must experience to extend  
21 its eligibility for a tax credit, the business' baseline against which that growth will  
22 be measured, any other conditions that the business must satisfy to extend its  
23 eligibility for a tax credit, and reporting requirements with which the business must  
24 comply.

**ASSEMBLY BILL 40****SECTION 3448**

1           **(4)** (a) (intro.) The ~~department of commerce~~ corporation shall notify the  
2 department of revenue of all the following:

3           (b) The ~~department~~ corporation shall annually verify information submitted  
4 to the ~~department~~ corporation under ss. 71.07 (2di), (2dm), (2dx), and (3g), 71.28  
5 (1di), (1dm), (1dx), and (3g), and 71.47 (1di), (1dm), (1dx), and (3g).

6           **(5)** (intro.) The ~~department~~ corporation shall ~~promulgate~~ adopt rules for the  
7 operation of this section, including rules related to all the following:

8           (e) Standards for extending a business's certification, including what  
9 measures, in addition to job creation, the ~~department~~ corporation will use to  
10 determine the growth of a specific business and how the ~~department~~ corporation will  
11 establish baselines against which to measure growth.

12           (g) The exchange of information between the ~~department of commerce~~  
13 corporation and the department of revenue.

14           **SECTION 3449.** Subchapter X (title) of chapter 560 [precedes 560.9801] of the  
15 statutes is repealed.

16           **SECTION 3450.** 560.9801 of the statutes is renumbered 234.5601, and 234.5601  
17 (2) (a), as renumbered, is amended to read:

18           234.5601 **(2)** (a) A housing authority organized under s. 59.53 (22), 61.73,  
19 66.1201, or 66.1213 or ~~ch. 234~~ this chapter.

20           **SECTION 3451.** 560.9802 of the statutes is renumbered 234.5602, and 234.5602  
21 (1) (a) and (b), (3) and (4), as renumbered, are amended to read:

22           234.5602 **(1)** (a) The ~~department~~ authority shall prepare a comprehensive  
23 5-year state housing strategy plan. The ~~department~~ authority shall submit the plan  
24 to the federal department of housing and urban development.

**ASSEMBLY BILL 40****SECTION 3451**

1 (b) In preparing the plan, the department authority may obtain input from  
2 housing authorities, community-based organizations, the private housing industry  
3 and others interested in housing assistance and development.

4 (3) The department authority shall annually update the state housing strategy  
5 plan.

6 (4) Before October 1 of each year, the department authority shall submit the  
7 state housing strategy plan to the governor and to the chief clerk of each house of the  
8 legislature for distribution to the legislature under s. 13.172 (2).

9 **SECTION 3452.** 560.9803 of the statutes is renumbered 234.5603, and 234.5603  
10 (1) (intro.) and (a), (2) (intro.) and (e) 7. and (3), as renumbered, are amended to read:

11 234.5603 (1) (intro.) The department authority shall do all of the following:

12 (a) Subject to sub. (2), make grants or loans, directly or through agents  
13 designated under s. ~~560.9804~~ 234.5604, from the appropriation under s. ~~20.143 (2)~~  
14 20.490 (7) (b) to persons or families of low or moderate income to defray housing costs  
15 of the person or family.

16 (2) (intro.) In connection with grants and loans under sub. (1), the department  
17 authority shall do all of the following:

18 (e) 7. Other persons or families that the department authority determines have  
19 particularly severe housing problems.

20 (3) (a) The department authority may make grants or loans under sub. (1) (a)  
21 directly or through agents designated under s. ~~560.9804~~ 234.5604.

22 (b) The department authority may administer and disburse funds from a grant  
23 or loan under sub. (1) (a) on behalf of the recipient of the grant or loan.

24 **SECTION 3453.** 560.9804 of the statutes is renumbered 234.5604, and 234.5604  
25 (1) and (2) (intro.), as renumbered, are amended to read:

**ASSEMBLY BILL 40****SECTION 3453**

1           234.5604 **(1)** The department authority may enter into an agreement with an  
2 agent designated under sub. (2) to allow the designated agent to do any of the  
3 following:

4           (a) Award grants and loans under s. ~~560.9803~~ 234.5603 (1) and (2) subject to  
5 the approval of the department authority.

6           (b) Disburse the funds for grants and loans to persons or families of low or  
7 moderate income on terms approved by the department authority.

8           (c) On terms approved by the department authority, administer and disburse  
9 funds from a grant or loan under s. ~~560.9803~~ 234.5603 on behalf of the recipient of  
10 the grant or loan.

11           **(2)** (intro.) The department authority may designate any of the following as  
12 agents:

13           **SECTION 3454.** ~~560.9805~~ of the statutes is renumbered 234.5605, and 234.5605  
14 (1) (intro.), (2) (intro.) and (c) (intro.) and (4), as renumbered, are amended to read:

15           234.5605 **(1)** (intro.) The department authority may make grants to a  
16 community-based organization, organization operated for profit, or housing  
17 authority to improve the ability of the community-based organization, organization  
18 operated for profit, or housing authority to provide housing opportunities, including  
19 housing-related counseling services, for persons or families of low or moderate  
20 income. The grants may be used to partially defray any of the following:

21           **(2)** (intro.) The department authority may not make a grant under sub. (1)  
22 unless all of the following apply:

23           (c) (intro.) The department authority determines that the grant to the  
24 particular community-based organization, organization operated for profit, or  
25 housing authority is appropriate because of any of the following:

**ASSEMBLY BILL 40****SECTION 3454**

1           **(4)** To ensure the development of housing opportunities, the department  
2 authority shall coordinate the use of grants provided under this section with projects  
3 undertaken by housing authorities, organizations operated for profit, and  
4 community-based organizations.

5           **SECTION 3455.** 560.9806 (1), (2) and (3) of the statutes are renumbered  
6 234.5606 (1), (2) and (3), and 234.5606 (2) (a) and (3) (intro.) and (d), as renumbered,  
7 are amended to read:

8           234.5606 **(2)** (a) From the appropriation under s. ~~20.143 (2)~~ 20.490 (7) (fm), the  
9 department authority may award a grant to an eligible applicant for the purpose of  
10 providing transitional housing and associated supportive services to homeless  
11 individuals and families if the conditions under par. (b) are satisfied. The  
12 department authority shall ensure that the funds for the grants are reasonably  
13 balanced among geographic areas of the state, consistent with the quality of  
14 applications submitted.

15           **(3)** (intro.) Each recipient of a grant under this section shall annually provide  
16 all of the following information to the department authority:

17           (d) Any other information that the department authority determines to be  
18 necessary to evaluate the effectiveness of the transitional housing program operated  
19 by the recipient.

20           **SECTION 3456.** 560.9806 (4) of the statutes is repealed.

21           **SECTION 3457.** 560.9807 of the statutes is renumbered 234.5607 and amended  
22 to read:

23           **234.5607 Grants to alleviate homelessness. (1)** GRANTS. From moneys  
24 available under s. ~~20.143 (2)~~ 20.490 (7) (h), the department authority shall make

**ASSEMBLY BILL 40****SECTION 3457**

1 grants to organizations, including organizations operated for profit, that provide  
2 shelter or services to homeless individuals or families.

3 **(2)** SUPPLEMENTAL FUNDS. The ~~department~~ authority shall ensure that grants  
4 awarded under sub. (1) are not used to supplant other state funds available for  
5 homelessness prevention or services to homeless individuals or families.

6 **(2m)** REPORT. Annually, the ~~department~~ authority shall submit a report to the  
7 speaker of the assembly, the president of the senate and to the appropriate standing  
8 committees under s. 13.172 (3) that summarizes how much money was received in  
9 the previous year and how that money was distributed.

10 **(3)** RULES. The ~~department~~ authority shall ~~promulgate~~ adopt rules  
11 establishing procedures and eligibility criteria for grants under this section.

12 **SECTION 3458.** 560.9808 of the statutes is renumbered 234.5608, and 234.5608  
13 (2) (a) and (b) (intro.), (3) (b), (3m), (4) (intro.) and (5) (intro.), as renumbered, are  
14 amended to read:

15 234.5608 **(2)** (a) From the appropriations under s. ~~20.143 (2)~~ 20.490 (7) (fm) and  
16 (h), the ~~department~~ authority shall award grants to eligible applicants for the  
17 purpose of supplementing the operating budgets of agencies and shelter facilities  
18 that have or anticipate a need for additional funding because of the renovation or  
19 expansion of an existing shelter facility, the development of an existing building into  
20 a shelter facility, the expansion of shelter services for homeless persons, or an  
21 inability to obtain adequate funding to continue the provision of an existing level of  
22 services.

23 (b) (intro.) The ~~department~~ authority shall allocate funds from the  
24 appropriations under s. ~~20.143 (2)~~ 20.490 (7) (fm) and (h) for temporary shelter for  
25 homeless individuals and families as follows:

**ASSEMBLY BILL 40****SECTION 3458**

1           **(3)** (b) Applications shall be submitted in the form required by the ~~department~~  
2 authority and shall be accompanied by the current or proposed operating budget or  
3 both, as required by the ~~department~~ authority, of each shelter facility or agency  
4 ~~which~~ that will, directly or indirectly, receive any of the grant money, and an  
5 explanation of why the shelter facility or agency has or anticipates a need for  
6 additional funding.

7           **(3m)** GRANT ELIGIBILITY. In awarding grants under this section, the ~~department~~  
8 authority shall consider whether the community in which an eligible applicant  
9 provides services has a coordinated system of services for homeless individuals and  
10 families.

11           **(4)** (intro.) ~~RULE-MAKING~~ RULES REQUIRED. The ~~department~~ authority shall  
12 ~~promulgate by rule~~ adopt rules establishing both of the following:

13           **(5)** (intro.) PROHIBITED USES. The ~~department~~ authority may not provide a grant  
14 for any of the following purposes:

15           **SECTION 3459.** 560.9809 of the statutes is renumbered 234.5609, and 234.5609  
16 (1), (2) and (3) (intro.), as renumbered, are amended to read:

17           234.5609 **(1)** The ~~department~~ authority may administer housing programs,  
18 including the housing improvement grant program and the initial rehabilitation  
19 grant program, that are funded by a community development block grant, 42 USC  
20 5301 to 5320.

21           **(2)** The ~~department~~ authority may ~~promulgate~~ adopt rules to administer this  
22 section.

23           **(3)** (intro.) Notwithstanding sub. (2), the ~~department~~ authority shall  
24 ~~promulgate~~ adopt rules that specify that an applicant for funds under a program  
25 under this section shall be eligible to receive funds under the program in the year



**ASSEMBLY BILL 40****SECTION 3459**

1 following the year for which the applicant submits an application, without having to  
2 submit another application for that following year, if all of the following apply:

3 **SECTION 3460.** 560.9810 of the statutes is repealed.

4 **SECTION 3461.** 560.9811 of the statutes is renumbered 234.5611, and 234.5611  
5 (2), as renumbered, is amended to read:

6 234.5611 (2) From the appropriation under s. ~~20.143 (2)~~ 20.490 (7) (fr), the  
7 department authority may not award more than \$45,000 in each fiscal year to  
8 applying public or nonprofit private entities for the costs of providing certain mental  
9 health services to homeless individuals with serious and persistent mental illness.  
10 Entities that receive funds awarded by the department authority under this  
11 subsection shall provide the mental health services required under 42 USC  
12 290cc–24. The amount that the department authority awards to an applying entity  
13 may not exceed 50% of the amount of matching funds required under 42 USC  
14 290cc–23.

15 **SECTION 3462.** 560.9815 of the statutes is renumbered 234.5615 and amended  
16 to read:

17 **234.5615 Federal housing assistance programs.** Notwithstanding s. 16.54  
18 (2) (a), the department authority shall administer federal funds made available to  
19 this state under the Stewart B. McKinney homeless assistance act housing  
20 assistance programs, 42 USC 11361 to 11402.

21 **SECTION 3463.** 563.03 (1) of the statutes is amended to read:

22 563.03 (1) “Adult family home” has the meaning given in s. 50.01 (1) ~~(a) or (b)~~.

23 **SECTION 3464.** 563.05 (3) of the statutes is amended to read:

24 563.05 (3) The department may promulgate rules specifying the number of  
25 business days within which the department must review and make a determination

**ASSEMBLY BILL 40****SECTION 3464**

1 on an application for a permit, as defined in s. ~~560.41 (2)~~ 227.116 (1g), that is issued  
2 under this chapter.

3 **SECTION 3465.** 565.01 (4d) of the statutes is amended to read:

4 565.01 **(4d)** “Minority business” means a business certified by the department  
5 of ~~commerce~~ safety and professional services under s. ~~560.036~~ 490.04 (2).

6 **SECTION 3466.** 565.01 (4e) of the statutes is amended to read:

7 565.01 **(4e)** “Minority group member” has the meaning given in s. ~~560.036~~  
8 490.04 (1) (f).

9 **SECTION 3467.** 601.93 (2) of the statutes is amended to read:

10 601.93 **(2)** Every insurer doing a fire insurance business in this state shall,  
11 before March 1 in each year, file with the commissioner a statement, showing the  
12 amount of premiums upon fire insurance due for the preceding calendar year.  
13 Return premiums may be deducted in determining the premium on which the fire  
14 department dues are computed. Payments of quarterly installments of the total  
15 estimated payment for the then current calendar year under this subsection are due  
16 on or before April 15, June 15, September 15 and December 15. On March 1 the  
17 insurer shall pay any additional amounts due for the preceding calendar year.  
18 Overpayments will be credited on the amount due April 15. The commissioner shall,  
19 prior to May 1 each year, report to the department of ~~commerce~~ safety and  
20 professional services the amount of dues paid under this subsection and to be paid  
21 under s. 101.573 (1).

22 **SECTION 3468.** 607.02 (1) of the statutes is amended to read:

23 607.02 **(1)** TYPES OF POLICIES PERMITTED. Subject to ~~sub.~~ subs. (2) and (3), the  
24 life fund may issue to any resident of the state any kind of life insurance with any  
25 riders or endorsements thereto that would be filed with the commissioner for

**ASSEMBLY BILL 40****SECTION 3468**

1 issuance by private insurers authorized to do a life insurance business in this state.  
2 Coverages may be combined and granted in the same policy by the life fund to the  
3 same extent as by a private life insurer.

4 **SECTION 3469.** 607.02 (3) of the statutes is created to read:

5 607.02 (3) CLOSED ENROLLMENT. On and after the effective date of this  
6 subsection .... [LRB inserts date], all of the following apply:

7 (a) The life fund may not accept applications for life insurance coverage under  
8 the life fund.

9 (b) Life insurance policies for life insurance coverage under the life fund may  
10 be issued only on the basis of applications received before the effective date of this  
11 paragraph .... [LRB inserts date].

12 **SECTION 3470.** 609.805 of the statutes is repealed.

13 **SECTION 3471.** 610.70 (1) (a) of the statutes is amended to read:

14 610.70 (1) (a) “Health care provider” means any person licensed, registered,  
15 permitted or certified by the department of health services or the department of  
16 regulation and licensing safety and professional services to provide health care  
17 services, items or supplies in this state.

18 **SECTION 3472.** 632.10 (1) of the statutes is amended to read:

19 632.10 (1) “Building and safety standards” means the requirements of chs. 101  
20 and 145 and of any rule promulgated by the department of commerce safety and  
21 professional services under ch. 101 or 145, and standards of a 1st class city relating  
22 to the health and safety of occupants of buildings.

23 **SECTION 3473.** 632.895 (17) of the statutes is repealed.

24 **SECTION 3474.** 704.05 (5) (a) 2. of the statutes is amended to read:

**ASSEMBLY BILL 40**

**SECTION 3474**

1           704.05 (5) (a) 2. Give the tenant notice, personally or by ordinary mail  
2 addressed to the tenant’s last-known address, of the landlord’s intent to dispose of  
3 the personal property by sale or other appropriate means if the property is not  
4 repossessed by the tenant. If the tenant fails to repossess the property within 30 days  
5 after the date of personal service or the date of the mailing of the notice, the landlord  
6 may dispose of the property by private or public sale or any other appropriate means.  
7 The landlord may deduct from the proceeds of sale any costs of sale and any storage  
8 charges if the landlord has first stored the personalty under subd. 1. If the proceeds  
9 minus the costs of sale and minus any storage charges are not claimed within 60 days  
10 after the date of the sale of the personalty, the landlord is not accountable to the  
11 tenant for any of the proceeds of the sale or the value of the property. The landlord  
12 shall send the proceeds of the sale minus the costs of the sale and minus any storage  
13 charges to the department of administration for deposit in the appropriation under  
14 s. ~~20.143 (2)~~ 20.490 (7) (h).

15           **SECTION 3475.** 709.03 (form) C. 8. of the statutes is amended to read:

16           **709.03** (form)

17 C. 8. I am aware of underground or aboveground fuel       ....       ....       ....  
18 storage tanks on the property. (If "yes", the  
19 owner, by law, may have to register the tanks  
20 with the department of ~~commerce~~ safety and  
professional services at P.O. Box 7970, Madison,  
21 Wisconsin, 53707, whether the tanks are in use  
22 or not. Regulations of the department of ~~com-~~  
~~merce~~ safety and professional services may  
require the closure or removal of unused tanks.

~~26~~  
23           **SECTION 3476.** 758.19 (4) of the statutes is amended to read:

~~27~~  
24           758.19 (4) The director of state courts may develop, promote, coordinate and  
~~28~~  
25 implement circuit court automated information systems that are compatible among

**ASSEMBLY BILL 40****SECTION 3476**

1 counties using the moneys appropriated under s. 20.680 (2) (j) and (kg). If the  
2 director of state courts provides funding to counties as part of the development and  
3 implementation of this system, the director of state courts may provide funding to  
4 counties with 1 or 2 circuit court judges for a minicomputer system only up to the  
5 level of funding that would have been provided had the county implemented a  
6 microcomputer system. In those counties with 1 or 2 circuit court judges, any costs  
7 incurred to implement a minicomputer system not funded under this subsection  
8 shall be paid by the county. Those counties may use that minicomputer system for  
9 county management information needs in addition to the circuit court automated  
10 information system use.

11 **SECTION 3477.** 758.19 (8) (a) (intro.) of the statutes is amended to read:

12 758.19 **(8)** (a) (intro.) From the appropriation appropriations under s. 20.625  
13 (1) (c) and (k), the director of state courts shall reimburse counties up to 4 times each  
14 year for the actual expenses paid for interpreters required by circuit courts to assist  
15 persons with limited English proficiency under s. 885.38 (8) (a) 1. The amount of the  
16 maximum hourly reimbursement for court interpreters shall be as follows:

17 **SECTION 3478.** 767.215 (5) (a) (intro.) of the statutes is amended to read:

18 767.215 **(5)** (a) (intro.) ~~When~~ Except as provided in par. (am), when the petition  
19 under this section is filed with the court, the party filing the petition shall submit a  
20 separate form, furnished by the court, containing all of the following:

21 **SECTION 3479.** 767.215 (5) (a) 2. of the statutes is amended to read:

22 767.215 **(5)** (a) 2. The name, date of birth, and social security number of each  
23 minor child of the parties and of each child who was born to the wife during the  
24 marriage and who is a minor.

25 **SECTION 3480.** 767.215 (5) (am) of the statutes is created to read:

**ASSEMBLY BILL 40****SECTION 3480**

1           767.215 (5) (am) In an action to determine the paternity of a child, the party  
2 who filed the petition shall submit the form under par. (a) within 5 days after  
3 paternity is adjudicated.

4           **SECTION 3481.** 767.215 (5) (b) of the statutes is amended to read:

5           767.215 (5) (b) A form submitted under this subsection shall be maintained  
6 with the confidential information required under s. ~~767.54~~ 767.127 or maintained  
7 separately from the case file. The form may be disclosed only to the parties and their  
8 attorneys, a county child support enforcement agency, and any other person  
9 authorized by law or court order to have access to the information on the form.

10          **SECTION 3482.** 767.511 (6) (intro.) of the statutes is amended to read:

11          767.511 (6) INTEREST ON ARREARAGE. (intro.) A party ordered to pay child  
12 support under this section shall pay simple interest at the rate of 1% per month on  
13 any amount in arrears that is equal to or greater than the amount of child support  
14 due in one month. If the party no longer has a current obligation to pay child support,  
15 interest at the rate of 1% per month shall accrue on the total amount of child support  
16 in arrears, if any. Interest under this subsection is in lieu of interest computed under  
17 s. 807.01 (4), 814.04 (4), or 815.05 (8) and is paid to the department or its designee  
18 under s. 767.57. Except as provided in s. 767.57 (1m) and except as required under  
19 federal statutes or regulations, the department or its designee shall apply all  
20 payments received for child support as follows:

21          **SECTION 3483.** 767.521 (intro.) of the statutes is amended to read:

22          **767.521 Action by state for child support.** (intro.) The state or its delegate  
23 under s. 49.22 (7) shall bring an action for support of a minor child under s. 767.001  
24 (1) (f) or for paternity determination and child support under s. 767.80 if the child's  
25 right to support is assigned to the state under s. 49.775 (2) (bm), 2009 stats., or s.

**ASSEMBLY BILL 40****SECTION 3483**

1 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.145 (2) (s), 49.19 (4) (h) 1. b., or 49.775  
2 49.395 (2) (bm) and all of the following apply:

3 **SECTION 3484.** 778.25 (1) (a) 5. of the statutes is amended to read:

4 778.25 (1) (a) 5. Under administrative rules promulgated by the board of  
5 regents Board of Regents of the University of Wisconsin System under s. 36.11 (1) (c)  
6 or the Board of Trustees of the University of Wisconsin–Madison under s. 37.11 (1m)  
7 (c) brought against an adult in circuit court or against a minor in the court assigned  
8 to exercise jurisdiction under chs. 48 and 938.

9 **SECTION 3485.** 801.50 (5) of the statutes is amended to read:

10 801.50 (5) Venue of an action for certiorari to review a probation, extended  
11 supervision, or parole revocation, a denial by ~~the earned release review commission~~  
12 a program review committee under s. ~~302.1135 (5)~~ 302.113 (9g) of a petition for  
13 modification of a bifurcated sentence, or a refusal of parole shall be the county in  
14 which the relator was last convicted of an offense for which the relator was on  
15 probation, extended supervision, or parole or for which the relator is currently  
16 incarcerated.

17 **SECTION 3486.** 809.30 (1) (c) of the statutes is amended to read:

18 809.30 (1) (c) “Postconviction relief” means an appeal or a motion for  
19 postconviction relief in a criminal case, other than an appeal, motion, or petition  
20 under ss. 302.113 (7m), ~~302.1135~~ or (9g), 973.19, 973.195, 973.198, 974.06, or 974.07  
21 (2). In a ch. 980 case, the term means an appeal or a motion for postcommitment  
22 relief under s. 980.038 (4).

23 **SECTION 3487.** 812.30 (9) of the statutes is amended to read:

24 812.30 (9) “Need–based public assistance” means aid to families with  
25 dependent children, relief funded by a relief block grant under ch. 49, relief provided

**ASSEMBLY BILL 40****SECTION 3487**

1 by counties under s. 59.53 (21), medical assistance, supplemental security income,  
2 ~~food stamps~~ supplemental nutrition assistance program benefits, or benefits  
3 received by veterans under s. 45.40 (1m) or under 38 USC 501 to 562.

4 **SECTION 3488.** 812.44 (4) 2. (form) of the statutes is amended to read:

5 812.44 (4) 2. (form) You receive aid to families with dependent children, relief  
6 funded by a relief block grant under ch. 49, relief provided by counties under section  
7 s. 59.53 (21) of the Wisconsin Statutes, medical assistance, supplemental security  
8 income, ~~food stamps~~ supplemental nutrition assistance program benefits, or  
9 veterans benefits based on need under 38 USC 501 to 562 or section 45.351 (1) of the  
10 Wisconsin Statutes, or have received these benefits within the past 6 months.

11 **SECTION 3489.** 812.44 (5) 2. (form) of the statutes is amended to read:

12 812.44 (5) 2. (form) I receive, am eligible for, or have within 6 months received,  
13 aid to families with dependent children, relief funded by a relief block grant under  
14 ch. 49, relief provided by counties under section 59.53 (21) of the Wisconsin Statutes,  
15 medical assistance, supplemental security income, ~~food stamps~~ supplemental  
16 nutrition assistance program benefits, or veterans benefits based on need under 38  
17 USC 501 to 562 or section 45.351 (1) of the Wisconsin Statutes.

18 **SECTION 3490.** 814.29 (1) (d) 1. of the statutes is amended to read:

19 814.29 (1) (d) 1. That the person is a recipient of means-tested public  
20 assistance, including aid to families with dependent children, relief funded by a relief  
21 block grant under ch. 49, relief provided by counties under s. 59.53 (21), medical  
22 assistance, supplemental security income, ~~food stamps~~ supplemental nutrition  
23 assistance program benefits, or benefits received by veterans under s. 45.40 (1m) or  
24 under 38 USC 501 to 562.

25 **SECTION 3491.** 815.18 (3) (o) of the statutes is amended to read:



**ASSEMBLY BILL 40****SECTION 3491**

1           815.18 (3) (o) *Tuition units.* Tuition units purchased under s. ~~14.63~~ 16.64.

2           **SECTION 3492.** 815.18 (3) (p) of the statutes is amended to read:

3           815.18 (3) (p) *College savings accounts.* An interest in a college savings account  
4 under s. ~~14.64~~ 16.641.

5           **SECTION 3493.** 885.237 (2) of the statutes is amended to read:

6           885.237 (2) Notwithstanding s. 341.04, the fact that an automobile or motor  
7 truck having a registered weight of 8,000 pounds or less is located on a highway, as  
8 defined in s. 340.01 (22), and is not displaying valid registration plates, a temporary  
9 operation plate, or other evidence of registration as provided under s. 341.18 (1) is  
10 prima facie evidence, for purposes of ch. 341, that the vehicle is an unregistered or  
11 improperly registered vehicle. This subsection does not apply to violations of  
12 ordinances enacted under s. 341.65, but this subsection does apply to violations of  
13 ordinances enacted under s. 341.65, 2003 stats.

14           **SECTION 3494.** 887.23 (1) of the statutes is amended to read:

15           887.23 (1) WHO MAY REQUIRE. The department of health services, the  
16 department of corrections, the state superintendent of public instruction, the Board  
17 of Trustees of the University of Wisconsin–Madison, or the ~~board of regents~~ Board  
18 of Regents of the University of Wisconsin System may order the deposition of any  
19 witness to be taken concerning any institution under his, her or its government or  
20 superintendence, or concerning the conduct of any officer or agent thereof, or  
21 concerning any matter relating to the interests thereof. Upon presentation of a  
22 certified copy of such order to any municipal judge, notary public or court  
23 commissioner, the officer shall take the desired deposition in the manner provided  
24 for taking depositions to be used in actions. When any officer or agent of any  
25 institution is concerned and will be affected by the testimony, 2 days' written notice

**ASSEMBLY BILL 40****SECTION 3494**

1 of the time and place of taking the deposition shall be given him or her. Any party  
2 interested may appear in person or by counsel and examine the witness touching the  
3 matters mentioned in the order. The deposition, duly certified, shall be delivered to  
4 the authority which ordered it.

5 **SECTION 3495.** 891.45 (1) (b) of the statutes is amended to read:

6 891.45 (1) (b) “Municipal fire fighter” includes any person designated as  
7 primarily a fire fighter under s. 60.553 (2), 61.66 (2), or 62.13 (2e) (b) and any person  
8 under s. 60.553, 61.66, or 62.13 (2e) whose duties as a fire fighter during the 5–year  
9 qualifying period took up at least two–thirds of his or her working hours.

10 **SECTION 3496.** 891.453 (1) (c) of the statutes is amended to read:

11 891.453 (1) (c) “Fire fighter” means a state, county, or municipal fire fighter  
12 who is covered under s. 891.45 and any person under s. 60.553, 61.66, or 62.13 (2e)  
13 whose duties as a fire fighter took up at least two–thirds of his or her working hours.

14 **SECTION 3497.** 891.453 (1) (d) of the statutes is amended to read:

15 891.453 (1) (d) “Law enforcement officer” means any person employed by the  
16 state or by a county or a municipality for the purpose of detecting and preventing  
17 crime and enforcing laws or ordinances, who is authorized to make arrests for  
18 violations of the laws or ordinances which he or she is employed to enforce. “Law  
19 enforcement officer” includes a person under s. 60.553, 61.66, or 62.13 (2e) whose  
20 duties as a police officer took up at least two–thirds of his or her working hours.

21 **SECTION 3498.** 891.455 (1) of the statutes is amended to read:

22 891.455 (1) In this section, “state, county, or municipal fire fighter” means a  
23 fire fighter who is covered under s. 891.45 and any person under s. 60.553, 61.66, or  
24 62.13 (2e) whose duties as a fire fighter during the 10–year qualifying period  
25 specified in sub. (2) took up at least two–thirds of his or her working hours.

**ASSEMBLY BILL 40****SECTION 3499**

1           **SECTION 3499.** 893.82 (2) (d) 4. of the statutes is created to read:

2           893.82 **(2)** (d) 4. An officer, director, employee, or agent of the Board of Trustees  
3 of the University of Wisconsin–Madison.

4           **SECTION 3500.** 893.82 (9) of the statutes is created to read:

5           893.82 **(9)** For purposes of this section, any employee of the state of Minnesota  
6 performing services for this state pursuant to a valid agreement between this state  
7 and the state of Minnesota providing for interchange of employees or services is  
8 considered to have the same status as an employee of this state performing the same  
9 services for this state, and any employee of this state who performs services for the  
10 state of Minnesota pursuant to such an agreement is considered to have the same  
11 status as when performing the same services for this state in any action brought  
12 under the laws of this state.

13           **SECTION 3501.** 893.925 (2) (a) of the statutes is amended to read:

14           893.925 **(2)** (a) An action to recover damages for mining–related injuries under  
15 s. 107.32 shall be brought within 3 years of the date on which the death or injury  
16 occurs unless the department of ~~commerce~~ safety and professional services gives  
17 written notice within the time specified in this subsection that a claim has been filed  
18 with it under sub. (1), in which case an action based on the claim may be brought  
19 against the person to whom the notice is given within one year after the final  
20 resolution, including any appeal, of the claim or within the time specified in this  
21 subsection, whichever is longer.

22           **SECTION 3502.** 895.07 (13) of the statutes is amended to read:

23           895.07 **(13)** BROCHURE. The department of ~~commerce~~ safety and professional  
24 services shall prepare a brochure explaining the process under this section and shall  
25 provide that brochure to contractors.

**ASSEMBLY BILL 40****SECTION 3503**

1           **SECTION 3503.** 895.441 (5) of the statutes is amended to read:

2           895.441 **(5)** SILENCE AGREEMENTS. Any provision in a contract or agreement  
3 relating to the settlement of any claim by a patient against a therapist that limits  
4 or eliminates the right of the patient to disclose sexual contact by the therapist to a  
5 subsequent therapist, the department of ~~regulation and licensing~~ safety and  
6 professional services, the department of health services, the injured patients and  
7 families compensation fund peer review council, or a district attorney is void.

8           **SECTION 3504.** 895.46 (10) of the statutes is created to read:

9           895.46 **(10)** Any employee of the state of Minnesota who is named as a  
10 defendant and who is found liable as a result of performing services for this state  
11 under a valid agreement between this state and the state of Minnesota providing for  
12 interchange of employees or services shall be indemnified by this state to the same  
13 extent as an employee of this state performing the same services for this state  
14 pursuant to this section.

15           **SECTION 3505.** 895.46 (11) of the statutes is created to read:

16           895.46 **(11)** An officer, director, employee, or agent of the Board of Trustees of  
17 the University of Wisconsin–Madison is a state officer, employee, or agent for the  
18 purposes of this section.

19           **SECTION 3506.** 895.515 (1) (b) of the statutes is amended to read:

20           895.515 **(1)** (b) “Institution of higher education” means an institution within  
21 the University of Wisconsin System, the University of Wisconsin–Madison, a  
22 technical college, or a private, nonprofit institution of higher education located in  
23 this state.

24           **SECTION 3507.** 895.517 (1) (d) of the statutes is repealed.

25           **SECTION 3508.** 895.517 (2) of the statutes is amended to read:

**ASSEMBLY BILL 40****SECTION 3508**

1           895.517 **(2)** Any person who donates or sells, at a price not exceeding overhead  
2 and transportation costs, solid waste, or a material that is separated from mixed soil  
3 waste, to a materials reuse program that is operated by a charitable organization,  
4 or municipality or responsible unit is immune from civil liability for the death of or  
5 injury to an individual or the damage to property caused by the solid waste or  
6 material donated or sold by the person.

7           **SECTION 3509.** 908.03 (6m) (c) 3. of the statutes is amended to read:

8           908.03 **(6m)** (c) 3. If upon a properly authorized request of an attorney, the  
9 health care provider refuses, fails, or neglects to supply within 2 business days a  
10 legible certified duplicate of its records for the fees established under s. 146.83 ~~(1f)~~  
11 ~~(e) or (d) or (1h) (b) or (c), whichever are applicable par. (e).~~

12           **SECTION 3510.** 908.03 (6m) (e) of the statutes is created to read:

13           908.03 **(6m)** (e) *Fees.* The department of health services shall, by rule,  
14 prescribe uniform fees that are based on an approximation of actual costs. The fees,  
15 plus applicable tax, are the maximum amount that a health care provider may  
16 charge for certified duplicate patient health care records. The rule shall also allow  
17 the health care provider to charge for actual postage or other actual delivery costs.  
18 For duplicate patient health care records and duplicate X-ray reports or the referral  
19 of X-rays to another health care provider that are requested before commencement  
20 of an action, s. 146.83 (1c) (b) and (c) and (3f) applies.

21           **SECTION 3511.** 911.01 (4) (c) of the statutes is amended to read:

22           911.01 **(4)** (c) *Miscellaneous proceedings.* Proceedings for extradition or  
23 rendition; sentencing, granting, or revoking probation, modification of a bifurcated  
24 sentence under s. 302.1135 302.113 (9g), adjustment of a bifurcated sentence under  
25 s. 973.195 (1r), ~~release to extended supervision under s. 302.113 (2) (b) or 304.06 (1)~~

**ASSEMBLY BILL 40****SECTION 3511**

1 ~~or discharge under s. 973.01 (4m) or 973.198~~; issuance of subpoenas or warrants  
2 under s. 968.375, arrest warrants, criminal summonses, and search warrants;  
3 hearings under s. 980.09 (2); proceedings under s. 971.14 (1r) (c); or proceedings with  
4 respect to pretrial release under ch. 969 except where habeas corpus is utilized with  
5 respect to release on bail or as otherwise provided in ch. 969; and proceedings under  
6 s. 165.76 (6) to compel provision of a biological specimen for deoxyribonucleic acid  
7 analysis.

8 **SECTION 3512.** 938.02 (14m) of the statutes is repealed.

9 **SECTION 3513.** 938.13 (6m) of the statutes is amended to read:

10 938.13 **(6m)** SCHOOL DROPOUT. The juvenile is a school dropout, as defined in  
11 s. ~~118.153 (1) (b)~~ 115.001 (2m).

12 **SECTION 3514.** 938.20 (2) (f) 2. of the statutes is amended to read:

13 938.20 **(2)** (f) 2. Make a determination of whether the juvenile is a child at risk,  
14 as defined in s. ~~118.153 (1) (a)~~ 115.001 (1m), unless that determination has been  
15 made within the current school semester. ~~If a juvenile is determined to be a child at~~  
16 ~~risk under this subdivision, the school administrator shall provide a program for the~~  
17 ~~juvenile according to the plan developed under s. 118.153 (2) (a).~~

18 **SECTION 3515.** 938.245 (2) (a) 4. of the statutes is amended to read:

19 938.245 **(2)** (a) 4. 'Alcohol and other drug abuse treatment and education.' That  
20 the juvenile participate in an alcohol and other drug abuse outpatient treatment  
21 program, ~~a court-approved pupil assistance program provided by the juvenile's~~  
22 ~~school board~~, or a court-approved alcohol or other drug abuse education program, if  
23 an alcohol and other drug abuse assessment under subd. 3. recommends outpatient  
24 treatment, intervention, or education. ~~The juvenile's participation in a~~

**ASSEMBLY BILL 40****SECTION 3515**

1 ~~court-approved pupil assistance program is subject to the approval of the juvenile's~~  
2 ~~school board.~~

3 **SECTION 3516.** 938.295 (1g) of the statutes is amended to read:

4 938.295 **(1g)** REPORT OF RESULTS AND RECOMMENDATIONS. If the court orders an  
5 alcohol or other drug abuse assessment under sub. (1), the approved treatment  
6 facility shall, within 14 days after the order, report the results of the assessment to  
7 the court, except that, if requested by the facility and if the juvenile is not held in  
8 secure or nonsecure custody, the court may extend the period for assessment for not  
9 more than 20 additional working days. The report shall include a recommendation  
10 as to whether the juvenile is in need of treatment, intervention, or education relating  
11 to the use or abuse of alcohol beverages, controlled substances, or controlled  
12 substance analogs and, if so, shall recommend a service plan and appropriate  
13 treatment from an approved treatment facility, ~~intervention from a court-approved~~  
14 ~~pupil assistance program,~~ or education from a court-approved alcohol or other drug  
15 abuse education program.

16 **SECTION 3517.** 938.32 (1g) (b) of the statutes is amended to read:

17 938.32 **(1g)** (b) That the juvenile participate in a ~~court-approved pupil~~  
18 ~~assistance program provided by the juvenile's school board or a court-approved~~  
19 alcohol or other drug abuse education program. ~~The juvenile's participation in a~~  
20 ~~court-approved pupil assistance program is subject to the approval of the juvenile's~~  
21 ~~school board.~~

22 **SECTION 3518.** 938.34 (7d) (a) 1. of the statutes is amended to read:

23 938.34 **(7d)** (a) 1. A nonresidential educational program, ~~including a program~~  
24 ~~for children at risk under s. 118.153,~~ provided by the school district in which the  
25 juvenile resides.

**ASSEMBLY BILL 40****SECTION 3519**

1           **SECTION 3519.** 938.34 (14s) (b) 3. of the statutes is amended to read:

2           938.34 (14s) (b) 3. Participate in ~~a court-approved pupil assistance program~~  
3           ~~provided by the juvenile's school board or an alcohol or other drug abuse education~~  
4           ~~program. The juvenile's participation in a court-approved pupil assistance program~~  
5           ~~under this subdivision is subject to the approval of the juvenile's school board.~~

6           **SECTION 3520.** 938.34 (14s) (d) of the statutes is amended to read:

7           938.34 (14s) (d) If the juvenile completes the alcohol or other drug abuse  
8           ~~treatment program, court-approved pupil assistance program or court-approved~~  
9           ~~alcohol or other drug abuse education program, the approved treatment facility,~~  
10           ~~court-approved pupil assistance program or court-approved alcohol or other drug~~  
11           ~~abuse education program shall, with the written informed consent of the juvenile or,~~  
12           ~~if the juvenile has not attained the age of 12, the written informed consent of the~~  
13           ~~juvenile's parent, notify the agency primarily responsible for providing services to~~  
14           ~~the juvenile that the juvenile has complied with the order and the court shall notify~~  
15           ~~the juvenile of whether or not the original dispositional order will be reinstated.~~

16           **SECTION 3521.** 938.34 (14s) (e) of the statutes is amended to read:

17           938.34 (14s) (e) If an approved treatment facility, ~~court-approved pupil~~  
18           ~~assistance program or court-approved alcohol or other drug abuse education~~  
19           ~~program, with the written informed consent of the juvenile or, if the juvenile has not~~  
20           ~~attained the age of 12, the written informed consent of the juvenile's parent, notifies~~  
21           ~~the agency primarily responsible for providing services to the juvenile that a juvenile~~  
22           ~~is not participating in, or has not satisfactorily completed, a recommended alcohol~~  
23           ~~or other drug abuse treatment program, a court-approved pupil assistance program~~  
24           ~~or a court-approved alcohol or other drug abuse education program, the court shall~~  
25           ~~impose the original disposition under par. (a) or (am).~~



**ASSEMBLY BILL 40****SECTION 3522**

1           **SECTION 3522.** 938.343 (10) (c) of the statutes is amended to read:

2           938.343 **(10)** (c) Participate in ~~a court-approved pupil assistance program~~  
3           ~~provided by the juvenile's school board or in a court-approved alcohol or other drug~~  
4           ~~abuse education program. The juvenile's participation in a court-approved pupil~~  
5           ~~assistance program under this paragraph is subject to the approval of the juvenile's~~  
6           ~~school board.~~

7           **SECTION 3523.** 938.344 (2g) (a) 3. of the statutes is amended to read:

8           938.344 **(2g)** (a) 3. Participate in ~~a court-approved pupil assistance program~~  
9           ~~provided by the juvenile's school board or in a court-approved alcohol or other drug~~  
10          ~~abuse education program. The juvenile's participation in a court-approved pupil~~  
11          ~~assistance program under this subdivision is subject to the approval of the juvenile's~~  
12          ~~school board.~~

13          **SECTION 3524.** 938.344 (2g) (c) of the statutes is amended to read:

14          938.344 **(2g)** (c) If the juvenile completes the alcohol or other drug abuse  
15          ~~treatment program, court-approved pupil assistance program or court-approved~~  
16          ~~alcohol or other drug abuse education program, the approved treatment facility,~~  
17          ~~court-approved pupil assistance program or court-approved alcohol or other drug~~  
18          ~~abuse education program shall, with the written informed consent of the juvenile or,~~  
19          ~~if the juvenile has not attained the age of 12, the written informed consent of the~~  
20          ~~juvenile's parent, notify the agency primarily responsible for providing services to~~  
21          ~~the juvenile that the juvenile has complied with the order and the court shall notify~~  
22          ~~the juvenile of whether or not the penalty will be reinstated.~~

23          **SECTION 3525.** 938.344 (2g) (d) of the statutes is amended to read:

24          938.344 **(2g)** (d) If an approved treatment facility, ~~court-approved pupil~~  
25          ~~assistance program, or court-approved alcohol or other drug abuse education~~

**ASSEMBLY BILL 40****SECTION 3525**

1 program, with the written informed consent of the juvenile or, if the juvenile has not  
2 attained the age of 12, the written informed consent of the juvenile's parent, notifies  
3 the agency primarily responsible for providing services to the juvenile that a juvenile  
4 is not participating, or has not satisfactorily completed, a recommended alcohol or  
5 other drug abuse treatment program, ~~a court-approved pupil assistance program,~~  
6 or a court-approved alcohol or other drug abuse education program, the court shall  
7 hold a hearing to determine whether to impose the penalties under sub. (2), (2b), (2d),  
8 or (2e).

9 **SECTION 3526.** 938.345 (2) of the statutes is amended to read:

10 938.345 (2) SCHOOL DROPOUTS AND HABITUAL TRUANTS. If the court finds that a  
11 juvenile is in need of protection or services based on the fact that the juvenile is a  
12 school dropout, as defined in s. ~~118.153 (1) (b)~~ 115.001 (2m), or based on habitual  
13 truancy, and the court also finds that the juvenile has dropped out of school or is a  
14 habitual truant as a result of the juvenile's intentional refusal to attend school rather  
15 than the failure of any other person to comply with s. 118.15 (1) (a) and (am), the  
16 court, instead of or in addition to any other disposition imposed under sub. (1), may  
17 enter an order permitted under s. 938.342.

18 **SECTION 3527.** 938.78 (2) (g) of the statutes is amended to read:

19 938.78 (2) (g) Paragraph (a) does not prohibit an agency from disclosing  
20 information about an individual in its care or legal custody on the written request  
21 of the department of ~~regulation and licensing~~ safety and professional services or of  
22 any interested examining board or affiliated credentialing board in that department  
23 for use in any investigation or proceeding relating to any alleged misconduct by any  
24 person who is credentialed or who is seeking credentialing under ch. 448, 455 or 457.  
25 Unless authorized by an order of the court, the department of ~~regulation and~~

**ASSEMBLY BILL 40****SECTION 3527**

1     ~~licensing~~ safety and professional services and any examining board or affiliated  
2     credentialing board in that department shall keep confidential any information  
3     obtained under this paragraph and may not disclose the name of or any other  
4     identifying information about the individual who is the subject of the information  
5     disclosed, except to the extent that redisclosure of that information is necessary for  
6     the conduct of the investigation or proceeding for which that information was  
7     obtained.

8             **SECTION 3528.** 940.20 (7) (a) 3. of the statutes is amended to read:

9             940.20 (7) (a) 3. “Health care provider” means any person who is licensed,  
10     registered, permitted or certified by the department of health services or the  
11     department of ~~regulation and licensing~~ safety and professional services to provide  
12     health care services in this state.

13            **SECTION 3529.** 940.207 (title) of the statutes is amended to read:

14            **940.207 (title) Battery or threat to department of ~~commerce~~ safety and**  
15     **professional services or department of workforce development employee.**

16            **SECTION 3530.** 940.207 (2) (intro.) of the statutes is amended to read:

17            940.207 (2) (intro.) Whoever intentionally causes bodily harm or threatens to  
18     cause bodily harm to the person or family member of any department of ~~commerce~~  
19     safety and professional services or department of workforce development official,  
20     employee or agent under all of the following circumstances is guilty of a Class H  
21     felony:

22            **SECTION 3531.** 940.207 (2) (a) of the statutes is amended to read:

23            940.207 (2) (a) At the time of the act or threat, the actor knows or should have  
24     known that the victim is a department of ~~commerce~~ safety and professional services

**ASSEMBLY BILL 40****SECTION 3531**

1 or department of workforce development official, employee or agent or a member of  
2 his or her family.

3 **SECTION 3532.** 940.22 (1) (a) of the statutes is amended to read:

4 940.22 (1) (a) “Department” means the department of ~~regulation and licensing~~  
5 safety and professional services.

6 **SECTION 3533.** 946.13 (12) (b) (intro.) of the statutes is amended to read:

7 946.13 (12) (b) (intro.) Subsection (1) does not apply to a contract between a  
8 research company and the University of Wisconsin System or any institution or  
9 college campus within the system for purchase of goods or services, including  
10 research, if all of the following apply:

11 **SECTION 3534.** 946.13 (13) of the statutes is created to read:

12 946.13 (13) (a) In this subsection, “research company” means an entity engaged  
13 in commercial activity that is related to research conducted by an employee or officer  
14 of the University of Wisconsin–Madison or to a product of such research.

15 (b) Subsection (1) does not apply to a contract between a research company and  
16 the University of Wisconsin–Madison for purchase of goods or services, including  
17 research, if all of the following apply:

18 1. The contract is approved by a University of Wisconsin–Madison employee  
19 or officer responsible for evaluating and managing potential conflicts of interest.

20 2. Either of the following apply:

21 a. The contract together with all other contracts between the same parties  
22 require less than \$250,000 in payments over a 24–month period.

23 b. The University of Wisconsin–Madison submits the contract to the Board of  
24 Trustees of the University of Wisconsin–Madison and, within 45 days, the Board of

**ASSEMBLY BILL 40****SECTION 3534**

1 Trustees determines that the contract benefits the state and any conflicts of interest  
2 are appropriately managed by the University of Wisconsin–Madison.

3 (c) Paragraphs (a) and (b) apply regardless of the date on which a contract was  
4 entered into.

5 **SECTION 3535.** 950.04 (1v) (f) of the statutes is amended to read:

6 950.04 (1v) (f) To have the ~~earned release review~~ parole commission make a  
7 reasonable attempt to notify the victim of applications for parole ~~or release to~~  
8 ~~extended supervision~~, as provided under s. 304.06 (1).

9 **SECTION 3536.** 950.04 (1v) (g) of the statutes is amended to read:

10 950.04 (1v) (g) To have reasonable attempts made to notify the victim of  
11 hearings or court proceedings, as provided under ss. 302.113 (9g) (g) 2., 302.114 (6),  
12 938.27 (4m) and (6), 938.273 (2), 971.095 (3) and 972.14 (3) (b).

13 **SECTION 3537.** 950.04 (1v) (gm) of the statutes is amended to read:

14 950.04 (1v) (gm) To have reasonable attempts made to notify the victim of an  
15 ~~offender who submits a petition~~ petitions for sentence adjustment as provided under  
16 s. 973.195 (1r) (d), ~~an offender who applies for release to extended supervision under~~  
17 ~~s. 302.113 (2) (b), 302.1135, or 304.06 (1), or an offender who applies for a reduction~~  
18 ~~under s. 973.01 (4m) or 973.198.~~

19 **SECTION 3538.** 950.04 (1v) (nt) of the statutes is amended to read:

20 950.04 (1v) (nt) To attend a hearing on a petition for modification of a  
21 bifurcated sentence and provide a statement concerning modification of the  
22 bifurcated sentence, as provided under s. ~~302.1135 (4)~~ 302.113 (9g) (d).

23 **SECTION 3539.** 951.01 (3f) of the statutes is amended to read:

24 951.01 (3f) “Fire department” includes a volunteer fire department and a  
25 department under s. 60.553, 61.66, or 62.13 (2e).

**ASSEMBLY BILL 40****SECTION 3540**

1           **SECTION 3540.** 961.01 (20g) of the statutes is amended to read:

2           961.01 **(20g)** “Public housing project” means any housing project or  
3 development administered by a housing authority, as defined in s. ~~560.9801~~ 234.5601  
4 (2).

5           **SECTION 3541.** 961.36 (1m) of the statutes is amended to read:

6           961.36 **(1m)** At the request of the department of ~~regulation and licensing~~ safety  
7 and professional services or a board, examining board or affiliated credentialing  
8 board in the department of ~~regulation and licensing~~ safety and professional services,  
9 the controlled substances board shall provide advice and assistance in matters  
10 related to the controlled substances law to the department or to the board, examining  
11 board or affiliated credentialing board in the department making the request for  
12 advice or assistance.

13           **SECTION 3542.** 973.01 (3d) of the statutes is repealed.

14           **SECTION 3543.** 973.01 (4) of the statutes is amended to read:

15           973.01 **(4)** ~~EXTENSION~~ NO GOOD TIME; EXTENSION OR REDUCTION OF TERM OF  
16 IMPRISONMENT. A person sentenced to a bifurcated sentence under sub. (1) shall serve  
17 the term of confinement in prison portion of the sentence without reduction for good  
18 behavior. The term of confinement in prison portion is subject to extension under s.  
19 302.113 (3) and, if applicable, to reduction under s. 302.045 (3m), 302.05 (3) (c) 2. a.,  
20 302.113 (9g), or 973.195 (1r), or ~~adjustment under s. 302.113 (2) (b), 302.1135 (6) (a),~~  
21 or ~~304.06 (1) or 973.198.~~

22           **SECTION 3544.** 973.01 (4m) of the statutes is repealed.

23           **SECTION 3545.** 973.01 (7) of the statutes is amended to read:

24           973.01 **(7)** ~~DISCHARGE~~ NO DISCHARGE. The department of corrections shall may  
25 not discharge a person who is serving a bifurcated sentence from custody, control and

**ASSEMBLY BILL 40****SECTION 3545**

1 supervision ~~when~~ until the person has served the entire bifurcated sentence, ~~as~~  
2 ~~modified under sub. (4m) or s. 302.113 (2) (b) or (9h), 302.1135, or 304.06 (1), if~~  
3 ~~applicable.~~

4 **SECTION 3546.** 973.031 of the statutes is repealed.

5 **SECTION 3547.** 973.045 (1r) (a) (intro.) of the statutes is amended to read:

6 973.045 **(1r)** (a) (intro.) The clerk shall record any crime victim and witness  
7 surcharge imposed under sub. (1) in ~~2~~ parts as follows:

8 **SECTION 3548.** 973.045 (1r) (a) 2. of the statutes is amended to read:

9 973.045 **(1r)** (a) 2. Part B equals ~~\$27~~ \$20 for each misdemeanor offense or count  
10 and ~~\$27~~ \$20 for each felony offense or count.

11 **SECTION 3549.** 973.045 (1r) (a) 3. of the statutes is created to read:

12 973.045 **(1r)** (a) 3. Part C equals \$7 for each misdemeanor offense or count and  
13 \$7 for each felony offense or count.

14 **SECTION 3550.** 973.045 (2m) of the statutes, as affected by 2009 Wisconsin Act  
15 28, section 3391c, is amended to read:

16 973.045 **(2m)** (a) The secretary of administration shall credit to the  
17 appropriation account under s. 20.455 (5) (gc) ~~the first \$20 of part B of the crime~~  
18 ~~victim and witness surcharge.~~

19 (b) The secretary of administration shall credit to the appropriation account  
20 under s. 20.455 (5) (g) part A ~~of the crime victim and witness surcharge and any part~~  
21 ~~of part B~~ C of the crime victim and witness surcharge ~~that remains after the secretary~~  
22 ~~of administration complies with par. (a).~~

23 **SECTION 3551.** 973.045 (3) (c) of the statutes is created to read:

**ASSEMBLY BILL 40****SECTION 3551**

1           973.045 **(3)** (c) The person paying the crime victim and witness surcharge shall  
2 pay all of the moneys due under part A and part B before he or she pays any of the  
3 moneys due under part C.

4           **SECTION 3552.** 973.05 (2m) (dg) of the statutes is created to read:

5           973.05 **(2m)** (dg) To payment of part C of the crime victim and witness  
6 assistance surcharge until paid in full.

7           **SECTION 3553.** 973.09 (3) (d) of the statutes is repealed.

8           **SECTION 3554.** 973.195 (1r) (a) of the statutes is amended to read:

9           973.195 **(1r)** (a) An Except as provided in s. 973.198, an inmate who is serving  
10 a sentence imposed under s. 973.01 ~~before October 1, 2009~~, for a crime other than a  
11 Class B felony may petition the sentencing court to adjust the sentence if the inmate  
12 has served at least the applicable percentage of the term of confinement in prison  
13 portion of the sentence. If an inmate is subject to more than one sentence imposed  
14 under this section, the sentences shall be treated individually for purposes of  
15 sentence adjustment under this subsection.

16           **SECTION 3555.** 973.195 (1r) (j) of the statutes is repealed.

17           **SECTION 3556.** 973.198 of the statutes is created to read:

18           **973.198 Sentence adjustment; positive adjustment time. (1)** Subject to  
19 sub. (2), an inmate who is serving a sentence imposed under s. 973.01 on or after  
20 October 1, 2009, but before the effective date of this subsection .... [LRB inserts date],  
21 and who has earned positive adjustment time under s. 302.113, 2009 stats., or under  
22 s. 304.06, 2009 stats., may petition the sentencing court to adjust the sentence under  
23 this section.

24           **(2)** When the department of corrections determines that an inmate has served  
25 the confinement portion of his or her sentence less positive adjustment time earned



**ASSEMBLY BILL 40****SECTION 3556**

1 between October 1, 2009, and the effective date of this subsection .... [LRB inserts  
2 date], the inmate may petition the sentencing court to adjust his or her sentence  
3 based on the number of days of positive adjustment time the inmate claims that he  
4 or she has earned.

5 (3) Within 60 days of receipt of a petition filed under sub. (2), the sentencing  
6 court shall either deny the petition or hold a hearing and issue an order relating to  
7 the inmate's sentence adjustment and release to extended supervision.

8 (4) At the hearing under sub. (3), the court may consider the inmate's conduct  
9 in prison, his or her level of risk of reoffending, based on a verified, objective  
10 instrument, and the nature of the offense committed by the inmate.

11 (5) If the court determines that the inmate has earned positive adjustment  
12 time, the court may reduce the term of confinement in prison by the amount of time  
13 remaining in the term of confinement in prison portion of the sentence, less up to 30  
14 days, and shall lengthen the term of extended supervision so that the total length of  
15 the bifurcated sentence originally imposed does not change.

16 (6) An inmate who submits a petition under this section may not apply for  
17 adjustment of the same sentence under s. 973.195.

18 **SECTION 3557.** 974.07 (4) (b) of the statutes is amended to read:

19 974.07 (4) (b) Notwithstanding the limitation on the disclosure of mailing  
20 addresses from completed information cards submitted by victims under ss. 51.37  
21 (10) (dx), 301.046 (4) (d), 301.048 (4m) (d), 301.38 (4), 302.105 (4), 304.06 (1) (f),  
22 304.063 (4), 938.51 (2), 971.17 (6m) (d), and 980.11 (4), the department of corrections,  
23 the ~~earned release review~~ parole commission, and the department of health services  
24 shall, upon request, assist clerks of court in obtaining information regarding the

**ASSEMBLY BILL 40****SECTION 3557**

1 mailing address of victims for the purpose of sending copies of motions and notices  
2 of hearings under par. (a).

3 **SECTION 3558.** 976.03 (23) (c) of the statutes is amended to read:

4 976.03 **(23)** (c) The application shall be verified by affidavit, shall be executed  
5 in duplicate and shall be accompanied by 2 certified copies of the indictment  
6 returned, or information and affidavit filed, or of the complaint made to a judge,  
7 stating the offense with which the accused is charged, or of the judgment of  
8 conviction or of the sentence. The prosecuting officer, ~~earned release review parole~~  
9 commission, warden or sheriff may also attach such further affidavits and other  
10 documents in duplicate as he, she or it deems proper to be submitted with the  
11 application. One copy of the application, with the action of the governor indicated  
12 by endorsement thereon, and one of the certified copies of the indictment, complaint,  
13 information and affidavits, or of the judgment of conviction or of the sentence shall  
14 be filed in the office of the governor to remain of record in that office. The other copies  
15 of all papers shall be forwarded with the governor's requisition.

16 **SECTION 3559.** 977.01 (2) of the statutes is amended to read:

17 977.01 **(2)** "Public assistance" means relief provided by counties under s. 59.53  
18 (21), Wisconsin works Works under ss. 49.141 to 49.161, medical assistance under  
19 subch. IV of ch. 49, low-income energy assistance under s. 16.27, weatherization  
20 assistance under s. 16.26, and the ~~food stamp~~ supplemental nutrition assistance  
21 program under 7 USC 2011 to ~~2029~~ 2036.

22 **SECTION 3560.** 977.05 (4) (jm) of the statutes is amended to read:

23 977.05 **(4)** (jm) At the request of an inmate determined by the state public  
24 defender to be indigent or upon referral of ~~the department of corrections~~ a court  
25 under s. ~~302.1135 (10)~~ 302.113 (9g) (j), represent the inmate in proceedings for

**ASSEMBLY BILL 40****SECTION 3560**

1 modification of a bifurcated sentence under s. ~~302.1135~~ before the earned release  
2 review commission 302.113 (9g) before a program review committee and the  
3 sentencing court, if the state public defender determines the case should be pursued.

4 **SECTION 3561.** 978.05 (6) (b) of the statutes is amended to read:

5 978.05 **(6)** (b) Enforce the provisions of all general orders of the department of  
6 commerce safety and professional services relating to the sale, transportation and  
7 storage of explosives.

8 **SECTION 3562.** 990.01 (7g) of the statutes is amended to read:

9 990.01 **(7g)** FIRE CHIEF. “Fire chief” or “chief of a fire department” includes the  
10 chief of a department under s. 60.553, 61.66, or 62.13 (2e).

11 **SECTION 3563.** 990.01 (7m) of the statutes is amended to read:

12 990.01 **(7m)** FIRE DEPARTMENT. “Fire department” includes a department under  
13 s. 60.553, 61.66, or 62.13 (2e).

14 **SECTION 3564.** 990.01 (7r) of the statutes is amended to read:

15 990.01 **(7r)** FIRE FIGHTER. “Fire fighter” includes a person serving under s.  
16 60.553, 61.66, or 62.13 (2e).

17 **SECTION 3565.** 990.01 (28g) of the statutes is amended to read:

18 990.01 **(28g)** POLICE CHIEF. “Police chief” or “chief of a police department”  
19 includes the chief of a department under s. 60.553, 61.66, or 62.13 (2e).

20 **SECTION 3566.** 990.01 (28m) of the statutes is amended to read:

21 990.01 **(28m)** POLICE DEPARTMENT. “Police department” includes a department  
22 under s. 60.553, 61.66, or 62.13 (2e).

23 **SECTION 3567.** 990.01 (28r) of the statutes is amended to read:

24 990.01 **(28r)** POLICE OFFICER. “Police officer” includes a person serving under  
25 s. 60.553, 61.66, or 62.13 (2e).

**ASSEMBLY BILL 40****SECTION 3568**

1           **SECTION 3568.** 2009 Wisconsin Act 333, section 20 (2) is amended to read:

2           [2009 Wisconsin Act 333] Section 20 (2) PUBLISH NOTICE IN THE WISCONSIN  
3 ADMINISTRATIVE REGISTER THAT FUNDING IS NOT AVAILABLE. If, after making the  
4 determination under subsection (1m), the department of children and families  
5 determines that federal moneys from the Temporary Assistance for Needy Families  
6 Emergency Fund under the American Recovery and Reinvestment Act of 2009 are  
7 no longer available to support an expansion of trial jobs under section 49.147 (3) of  
8 the statutes, as affected by this act, ~~and the project under section 49.162 of the~~  
9 ~~statutes, as affected by this act,~~ the department shall publish a notice in the  
10 Wisconsin Administrative Register that states the date on which the federal moneys  
11 may no longer be obtained.

12           **SECTION 3569.** 2009 Wisconsin Act 333, section 20 (5) is amended to read:

13           [2009 Wisconsin Act 333] Section 20 (5) ADDITIONAL FUNDING FOR PROGRAMS. If  
14 any other federal funding becomes available for the ~~programs~~ program under  
15 sections section 49.147 (3) and ~~49.162~~ of the statutes, as affected by this act, the  
16 department of children and families shall take any actions that may be necessary to  
17 obtain the funding and use it for ~~those programs~~ that program.

18           **SECTION 3570.** 2009 Wisconsin Act 333, section 22 (2) is amended to read:

19           [2009 Wisconsin Act 333] Section 22 (2) The repeal of sections section 49.147 (3)  
20 (cm) and ~~(dm)~~ and ~~49.162 (3) (am)~~ and ~~(d)~~ of the statutes and the amendment of  
21 sections section 49.147 (3) (a) (by SECTION 4) and ~~49.162 (3) (a) (by SECTION 10)~~ of the  
22 statutes take effect on the date stated in the notice published by the department of  
23 children and families under SECTION 20 (2) of this act.

24           **SECTION 9101. Nonstatutory provisions; Administration.**

25           (1) YOUTH DIVERSION GRANT REDUCTIONS.

**ASSEMBLY BILL 40****SECTION 9101**

1 (a) Notwithstanding the amount specified under section 16.964 (8) (a) of the  
2 statutes, the office of justice assistance in the department of administration shall  
3 reduce the amount of money allocated under section 16.964 (8) (a) of the statutes by  
4 \$85,900 in each of fiscal years 2011–12 and 2012–13.

5 (b) Notwithstanding the amount specified under section 16.964 (8) (b) of the  
6 statutes, the office of justice assistance in the department of administration shall  
7 reduce the amount of money distributed under section 16.964 (8) (b) of the statutes  
8 by \$18,400 in each of fiscal years 2011–12 and 2012–13.

9 (c) Notwithstanding the amounts specified under section 16.964 (8) (c) of the  
10 statutes, the office of justice assistance in the department of administration shall  
11 reduce the amount of money allocated for each of the 4 contracts that are funded with  
12 moneys from the appropriation accounts under section 20.505 (6) (d) and (kj) of the  
13 statutes by \$25,650 in each of fiscal years 2011–12 and 2012–13 and shall reduce the  
14 amount of money allocated for the contract that is funded only with moneys from the  
15 appropriation account under section 20.505 (6) (kj) of the statutes by \$18,100 in each  
16 of fiscal years 2011–12 and 2012–13.

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.

25 (3) ELIMINATION OF OFFICE OF THE WISCONSIN COVENANT SCHOLARS PROGRAM.

**ASSEMBLY BILL 40****SECTION 9101**

1           (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
2 liabilities of the office of the Wisconsin Covenant Scholars Program shall become the  
3 assets and liabilities of the higher educational aids board.

4           (b) *Tangible personal property.* On the effective date of this paragraph, all  
5 tangible personal property, including records, of the office of the Wisconsin Covenant  
6 Scholars Program is transferred to the higher educational aids board.

7           (c) *Contracts.* All contracts entered into by the office of the Wisconsin Covenant  
8 Scholars Program in effect on the effective date of this paragraph remain in effect  
9 and are transferred to the higher educational aids board. The higher educational  
10 aids board shall carry out any obligations under such a contract until the contract  
11 is modified or rescinded by the higher educational aids board to the extent allowed  
12 under the contract.

13           (d) *Rules and orders.* All rules promulgated by the office of the Wisconsin  
14 Covenant Scholars Program that are in effect on the effective date of this paragraph  
15 remain in effect until their specified expiration dates or until amended or repealed  
16 by the higher educational aids board. All orders issued by the office of the Wisconsin  
17 Covenant Scholars Program that are in effect on the effective date of this paragraph  
18 remain in effect until their specified expiration dates or until modified or rescinded  
19 by the higher educational aids board.

20           (e) *Pending matters.* Any matter pending with the office of the Wisconsin  
21 Covenant Scholars Program on the effective date of this paragraph is transferred to  
22 the higher educational aids board and all materials submitted to or actions taken by  
23 the office of the Wisconsin Covenant Scholars Program with respect to the pending  
24 matter are considered as having been submitted to or taken by the higher  
25 educational aids board.

**ASSEMBLY BILL 40****SECTION 9101**

1           (4) ELIMINATION OF CERTAIN VACANT POSITIONS IN THE EXECUTIVE BRANCH OF STATE  
2 GOVERNMENT.

3           (a) In this subsection, “state agency” means any office, department, or  
4 independent agency in the executive branch of state government.

5           (b) Notwithstanding section 16.505 (1), during the 2011–13 fiscal biennium,  
6 the secretary of administration may abolish any full–time equivalent position at any  
7 state agency if the position is vacant and if the secretary of administration  
8 determines that filling the position is not required for the state agency to carry out  
9 its duties and exercise its powers.

10           **SECTION 9102. Nonstatutory provisions; Aging and Long–Term Care**  
11 **Board.**

12           **SECTION 9103. Nonstatutory provisions; Agriculture, Trade and**  
13 **Consumer Protection.**

14           **SECTION 9104. Nonstatutory provisions; Arts Board.**

15           (1) ELIMINATION OF PERCENT FOR ART PROGRAM. Notwithstanding the repeal of  
16 section 44.57 (4) and (5) (a) and (b) of the statutes by this act, any contract entered  
17 into by the arts board under section 44.57 (4), 2009 stats., for the procurement of a  
18 work of art that is in effect on the day before the effective date of this subsection  
19 remains in effect. The arts board shall carry out any obligation under the contract,  
20 unless the contract is modified or rescinded as permitted under the contract, and  
21 shall ensure that the work of art procured under the contract is properly executed  
22 and installed as required under section 44.57 (5) (a) and (b), 2009 stats.

23           (2) PLACEMENT OF ARTS BOARD IN DEPARTMENT OF TOURISM.

24           (a) *Employee transfers.* All incumbent employees holding positions in the arts  
25 board are transferred on the effective of this paragraph to the department of tourism.

**ASSEMBLY BILL 40****SECTION 9104**

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 9105. Nonstatutory provisions; Board for People with**  
8 **Developmental Disabilities.**

9           **SECTION 9106. Nonstatutory provisions; Building Commission.**

10           **SECTION 9107. Nonstatutory provisions; Child Abuse and Neglect**  
11 **Prevention Board.**

12           **SECTION 9108. Nonstatutory provisions; Children and Families.**

13           (1) CLIENT ASSISTANCE FOR REEMPLOYMENT AND ECONOMIC SUPPORT.

14           (a) *Positions and employees.* On the effective date of this paragraph, 3 positions  
15 and the incumbent employee or employees, if any, holding those positions in the  
16 department of children and families performing duties that are primarily related to  
17 automation security for the Client Assistance for Reemployment and Economic  
18 Support system, as determined by the secretary of administration, are transferred  
19 to the department of health services.

20           (b) *Employee status.* Any employee transferred under paragraph (a) has all the  
21 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
22 statutes in the department of health services that he or she enjoyed in the  
23 department of children and families immediately before the transfer.  
24 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who  
25 has attained permanent status in class is required to serve a probationary period.



**ASSEMBLY BILL 40****SECTION 9109**

1           **SECTION 9109. Nonstatutory provisions; Circuit Courts.**

2           **SECTION 9110. Nonstatutory provisions; Commerce.**

3           (1) HOUSING ASSISTANCE TRANSFER.

4           (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
5 liabilities of the department of commerce primarily related to the functions of the  
6 department under subchapter X of chapter 560, 2009 stats., as determined by the  
7 secretary of administration, shall become the assets and liabilities of the Wisconsin  
8 Housing and Economic Development Authority.

9           (b) *Tangible personal property.* On the effective date of this paragraph, all  
10 tangible personal property, including records, of the department of commerce that  
11 is primarily related to the functions of the department under subchapter X of chapter  
12 560, 2009 stats., as determined by the secretary of administration, is transferred to  
13 the Wisconsin Housing and Economic Development Authority.

14           (c) *Contracts.* All contracts entered into by the department of commerce in  
15 effect on the effective date of this paragraph that are primarily related to the  
16 functions of the department under subchapter X of chapter 560, 2009 stats., as  
17 determined by the secretary of administration, remain in effect and are transferred  
18 to the Wisconsin Housing and Economic Development Authority. The Wisconsin  
19 Housing and Economic Development Authority shall carry out any obligations under  
20 such a contract until the contract is modified or rescinded by the Wisconsin Housing  
21 and Economic Development Authority to the extent allowed under the contract.

22           (2) TRANSFER OF BUSINESS ASSISTANCE PROGRAMS.

23           (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
24 liabilities of the department of commerce primarily related to disabled  
25 veteran-owned business certifications, woman-owned business certifications,

**ASSEMBLY BILL 40****SECTION 9110**

1 minority business certifications, women’s business initiative corporation grants,  
2 small business innovation research assistance grants, or diesel truck idling  
3 reduction grants, as determined by the secretary of administration, shall become the  
4 assets and liabilities of the department of safety and professional services.

5 (b) *Employee transfers.* All positions and all incumbent employees holding  
6 those positions in the department of commerce performing duties primarily related  
7 to disabled veteran–owned business certifications, woman–owned business  
8 certifications, minority business certifications, women’s business initiative  
9 corporation grants, small business innovation research assistance grants, or diesel  
10 truck idling reduction grants, as determined by the secretary of administration, are  
11 transferred on the effective date of this paragraph to the department of safety and  
12 professional services.

13 (c) *Employee status.* Employees transferred under paragraph (b) have all the  
14 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
15 statutes in the department of safety and professional services that they enjoyed in  
16 the department of commerce immediately before the transfer. Notwithstanding  
17 section 230.28 (4) of the statutes, no employee so transferred who has attained  
18 permanent status in class is required to serve a probationary period.

19 (d) *Tangible personal property.* On the effective date of this paragraph, all  
20 tangible personal property, including records, of the department of commerce that  
21 is primarily related to disabled veteran–owned business certifications,  
22 woman–owned business certifications, minority business certifications, women’s  
23 business initiative corporation grants, small business innovation research  
24 assistance grants, or diesel truck idling reduction grants, as determined by the

**ASSEMBLY BILL 40****SECTION 9110**

1 secretary of administration, is transferred to the department of safety and  
2 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 disabled  
5 veteran-owned business certifications, woman-owned business certifications,  
6 minority business certifications, women's business initiative corporation grants,  
7 small business innovation research assistance grants, or diesel truck idling  
8 reduction grants, as determined by the secretary of administration, remain in effect  
9 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 disabled veteran-owned business certifications, woman-owned  
15 business certifications, minority business certifications, women's business initiative  
16 corporation grants, small business innovation research assistance grants, or diesel  
17 truck idling reduction grants, that are in effect on the effective date of this  
18 subsection, remain in effect until their specified expiration dates or until amended  
19 or repealed by the department of safety and professional services. All orders issued  
20 by the department of commerce relating to such business certifications or grants that  
21 are in effect on the effective date of this subsection remain in effect until their  
22 specified expiration dates or until modified or rescinded by the department of safety  
23 and professional services.

24 (g) *Pending matters.* Any matter pending with the department of commerce  
25 on the effective date of this paragraph that is primarily related to disabled

**ASSEMBLY BILL 40****SECTION 9110**

1 veteran-owned business certifications, woman-owned business certifications,  
2 minority business certifications, women's business initiative corporation grants,  
3 small business innovation research assistance grants, or diesel truck idling  
4 reduction grants, as determined by the secretary of administration, is transferred to  
5 the department of safety and professional services 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 safety and  
8 professional services.

9 (3) TRANSFER OF THE DIVISIONS OF SAFETY AND BUILDINGS AND ENVIRONMENTAL AND  
10 REGULATORY SERVICES.

11 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
12 liabilities of the department of commerce primarily related to the functions of the  
13 division of safety and buildings and the division of environmental and regulatory  
14 services, as determined by the secretary of administration, shall become the assets  
15 and liabilities of the department of safety and professional services.

16 (b) *Employee transfers.* All positions and all incumbent employees holding  
17 those positions in the department of commerce performing duties primarily related  
18 to the functions of the division of safety and buildings and the division of  
19 environmental and regulatory services, as determined by the secretary of  
20 administration, are transferred on the effective date of this paragraph to the  
21 department of safety and professional services.

22 (c) *Employee status.* Employees transferred under paragraph (b) have 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 safety and professional services that they enjoyed in  
25 the department of commerce immediately before the transfer. Notwithstanding

**ASSEMBLY BILL 40****SECTION 9110**

1 section 230.28 (4) of the statutes, no employee so transferred who has attained  
2 permanent status in class is required to serve a probationary period.

3 (d) *Tangible personal property.* On the effective date of this paragraph, all  
4 tangible personal property, including records, of the department of commerce that  
5 is primarily related to the functions of the division of safety and buildings and the  
6 division of environmental and regulatory services, as determined by the secretary of  
7 administration, is transferred to the department of safety and professional services.

8 (e) *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 division of safety and buildings and the division of environmental  
11 and regulatory services, as determined by the secretary of administration, remain  
12 in effect and are transferred to the department of safety and professional services.  
13 The department of safety and professional services shall carry out any obligations  
14 under such a contract until the contract is modified or rescinded by the department  
15 of safety and professional services to the extent allowed under the contract.

16 (f) *Rules and orders.* All rules promulgated by the department of commerce  
17 that are in effect on the effective date of this paragraph and that are primarily related  
18 to the functions of the division of safety and buildings and the division of  
19 environmental and regulatory services, as determined by the secretary of  
20 administration, remain in effect until their specified expiration dates or until  
21 amended or repealed by the department of safety and professional services. All  
22 orders issued by the department of commerce that are in effect on the effective date  
23 of this paragraph and that are primarily related to the functions of the division of  
24 safety and buildings and the division of environmental and regulatory services, as  
25 determined by the secretary of administration, remain in effect until their specified

**ASSEMBLY BILL 40****SECTION 9110**

1 expiration dates or until modified or rescinded by the department of safety and  
2 professional services.

3 (g) *Pending matters.* Any matter pending with the department of commerce  
4 on the effective date of this paragraph that is primarily related to the functions of the  
5 division of safety and buildings and the division of environmental and regulatory  
6 services, as determined by the secretary of administration, is transferred to the  
7 department of safety and professional services and all materials submitted to or  
8 actions taken by the department of commerce with respect to the pending matters  
9 are considered as having been submitted to or taken by the department of safety and  
10 professional services.

11 (4) TRANSFER OF CERTAIN ADMINISTRATIVE POSITIONS FROM THE DEPARTMENT OF  
12 COMMERCE.

13 (a) The positions, and the incumbent employees holding those positions, in the  
14 division of administrative services in the department of commerce that the secretary  
15 of administration determines shall be transferred to the department of safety and  
16 professional services, are transferred on the effective date of this paragraph.

17 (b) Employees transferred under paragraph (a) have all the rights and the  
18 same status under subchapter V of chapter 111 and chapter 230 of the statutes in the  
19 department of safety and professional services that they enjoyed in the department  
20 of commerce immediately before the transfer. Notwithstanding section 230.28 (4) of  
21 the statutes, no employee so transferred who has attained permanent status in class  
22 is required to serve a probationary period.

23 (5) REALLOCATION OF FUNDING WITHIN THE DEPARTMENT OF SAFETY AND  
24 PROFESSIONAL SERVICES.

25 (a) In this subsection:

**ASSEMBLY BILL 40****SECTION 9110**

1           1. “Schedule” means the schedule under section 20.005 of the statutes, as  
2 affected by this act.

3           2. “Secretary” means the secretary of administration.

4           (b) Before July 1, 2013, the secretary may transfer moneys from any  
5 appropriation under section 20.165 of the statutes, as affected by this act, to any  
6 other appropriation under section 20.165 of the statutes, as affected by this act, and  
7 may increase or decrease the amounts shown in the schedule for any appropriation  
8 under section 20.165 of the statutes, as affected by this act, if necessary to reallocate  
9 funding in accordance with the transfer of functions or personnel from the  
10 department of commerce to the department of safety and professional services,  
11 except that the secretary may not adjust the amounts shown in the schedule in a  
12 manner so that the total amounts appropriated under the adjusted appropriations  
13 exceed the total amounts shown in the schedule for those appropriations on the  
14 effective date of this act. The secretary shall submit a report to the joint committee  
15 on finance before July 1, 2013, that identifies the actions taken by the secretary  
16 under this subsection.

17           (6) ECONOMIC DEVELOPMENT TRANSFER.

18           (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
19 liabilities of the department of commerce primarily related to the functions of the  
20 department under subchapters I, II, III, IV, V, VI, VIII, and IX of chapter 560, 2009  
21 stats., as determined by the secretary of administration, shall become the assets and  
22 liabilities of the Wisconsin Economic Development Corporation.

23           (b) *Tangible personal property.* On the effective date of this paragraph, all  
24 tangible personal property, including records, of the department of commerce that  
25 is primarily related to the functions of the department under subchapters I, II, III,

**ASSEMBLY BILL 40****SECTION 9110**

1 IV, V, VI, VIII, and IX of chapter 560, 2009 stats., except the tangible personal  
2 property, including records, transferred to the department of agriculture, trade and  
3 consumer protection under subsection (7) (a) and except the tangible personal  
4 property, including records, transferred to the department of administration under  
5 subsection (8) (b), as determined by the secretary of administration, is transferred  
6 to the Wisconsin Economic Development Corporation.

7 (c) *Contracts.* All contracts entered into by the department of commerce in  
8 effect on the effective date of this paragraph that are primarily related to the  
9 functions of the department under subchapters I, II, III, IV, V, VI, VIII, and IX of  
10 chapter 560, 2009 stats., as determined by the secretary of administration, remain  
11 in effect and are transferred to the Wisconsin Economic Development Corporation.  
12 The Wisconsin Economic Development Corporation shall carry out any obligations  
13 under such a contract until the contract is modified or rescinded by the Wisconsin  
14 Economic Development Corporation to the extent allowed under the contract.

15 (7) DAIRY MANUFACTURING FACILITY INVESTMENT CREDIT; TRANSFER.

16 (a) *Tangible personal property.* On the effective date of this paragraph, all  
17 tangible personal property, including records, of the department of commerce that  
18 is primarily related to the functions of the department of commerce with respect to  
19 section 560.207, 2009 stats., as determined by the secretary of administration, is  
20 transferred to the department of agriculture, trade and consumer protection.

21 (b) *Rules.* All rules promulgated by the department of commerce under section  
22 560.207 (4), 2009 stats., that are in effect on the effective date of this paragraph  
23 remain in effect until their specified expiration date or until amended or repealed by  
24 the department of agriculture, trade and consumer protection.

25 (8) RURAL HOSPITAL LOAN GUARANTEE; TRANSFER.



**ASSEMBLY BILL 40****SECTION 9110**

1           (a) *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 the functions of the department of commerce with respect to  
4 section 231.35, 2009 stats., as determined by the secretary of administration, is  
5 transferred to the department of administration.

6           (b) *Rules.* All rules promulgated by the department of commerce under section  
7 231.35 (7), 2009 stats., that are in effect on the effective date of this paragraph  
8 remain in effect until their specified expiration date or until amended or repealed by  
9 the department of administration.

10           **SECTION 9111. Nonstatutory provisions; Corrections.**

11           **SECTION 9112. Nonstatutory provisions; Court of Appeals.**

12           **SECTION 9113. Nonstatutory provisions; District Attorneys.**

13           (1) ASSISTANT DISTRICT ATTORNEY SALARIES. The offices of the district attorneys  
14 shall work with the office of state employment relations to allocate the moneys  
15 appropriated under section 20.475 (1) (kg) of the statutes, as created by this act.

16           **SECTION 9114. Nonstatutory provisions; Educational Communications**  
17 **Board.**

18           **SECTION 9115. Nonstatutory provisions; Employee Trust Funds.**

19           **SECTION 9116. Nonstatutory provisions; Employment Relations**  
20 **Commission.**

21           **SECTION 9117. Nonstatutory provisions; Financial Institutions.**

22           **SECTION 9118. Nonstatutory provisions; Government Accountability**  
23 **Board.**

24           **SECTION 9119. Nonstatutory provisions; Governor.**

**ASSEMBLY BILL 40****SECTION 9120**

1           **SECTION 9120. Nonstatutory provisions; Health and Educational**  
2           **Facilities Authority.**

3           **SECTION 9121. Nonstatutory provisions; Health Services.**

4           (1) FAMILY CARE ENROLLMENT. Notwithstanding section 46.286 (3) (a) of the  
5           statutes, in a county where the family care benefit, as described in section 46.286 of  
6           the statutes, is available on June 20, 2011, or the effective date of this subsection,  
7           whichever is later, the department of health services may not enroll more persons in  
8           care management organizations, as defined in section 46.2805 (1) of the statutes, to  
9           receive the family care benefit than the number of persons receiving the family care  
10          benefit in that county on June 20, 2011, or the effective date of this subsection,  
11          whichever is later. This subsection does not apply after June 30, 2013.

12          (2) FAMILY CARE PARTNERSHIP ENROLLMENT.

13          (a) *Definition.* In this subsection, “family care partnership program” means an  
14          integrated health and long-term care program operated under an amendment to the  
15          state medical assistance plan, as authorized in 42 USC 1396n (i).

16          (b) *Enrollment.* In a county where the family care partnership program is  
17          available on June 20, 2011, or the effective date of this paragraph, whichever is later,  
18          the department of health services may not enroll more persons in the family care  
19          partnership program than the number of persons participating in the family care  
20          partnership program in that county on June 20, 2011, or the effective date of this  
21          paragraph, whichever is later. This paragraph does not apply after June 30, 2013.

22          (3) PROGRAM FOR ALL-INCLUSIVE CARE FOR THE ELDERLY ENROLLMENT. In a county  
23          that administers the program for all-inclusive care for the elderly under 42 USC  
24          1396u-4 on June 20, 2011, or the effective date of this subsection, whichever is later,  
25          the department of health services may not enroll more persons in the program for

**ASSEMBLY BILL 40****SECTION 9121**

1 all-inclusive care for the elderly than the number of persons enrolled in that county  
2 on June 20, 2011, or the effective date of this subsection, whichever is later. This  
3 subsection does not apply after June 30, 2013.

4 (4) SELF-DIRECTED SERVICES OPTION TO RECEIVE LONG-TERM CARE SERVICES  
5 ENROLLMENT.

6 (a) *Definition.* In this subsection, the “self-directed services option” means the  
7 program operated under a waiver from the secretary of the federal department of  
8 health and human services under 42 USC 1396n (c) that allows participants to  
9 self-manage publicly funded long-term care services.

10 (b) *Enrollment.* In a county where the self-directed services option is available  
11 on June 20, 2011, or the effective date of this paragraph, whichever is later, the  
12 department of health services may not enroll more persons in the self-directed  
13 services option than the number of persons participating in the self-directed services  
14 option in that county on June 20, 2011, or the effective date of this paragraph,  
15 whichever is later. This paragraph does not apply after June 30, 2013.

16 (5) EXPANSION OF FAMILY CARE. Beginning on July 1, 2011, and ending on June  
17 30, 2013, the department of health services may not propose to contract with entities  
18 to administer the family care benefit, as described in section 46.286 of the statutes,  
19 in a county in which the family care benefit is not available on July 1, 2011, unless  
20 the department of health services determines that administering the family care  
21 benefit in such a county would be more cost-effective than the county’s current  
22 mechanism for delivering long-term care services.

23 (6) TRANSFER OF INCOME MAINTENANCE ADMINISTRATION TO INCOME MAINTENANCE  
24 ADMINISTRATION UNIT.

25 (a) *Definitions.* In this subsection:

**ASSEMBLY BILL 40****SECTION 9121**

1           1. “County” means a county administering income maintenance programs, as  
2 defined in section 49.78 (1) (b) of the statutes on the effective date of this subdivision.

3           2. “Department” means the department of health services.

4           3. “Income maintenance programs” has the meaning given in section 49.78 (1)  
5 (b) of the statutes.

6           4. “Unit” has the meaning given in section 49.78 (1) (f) of the statutes, as created  
7 by this act.

8           (b) *Transition Plan.* On the effective date of this paragraph, the department  
9 shall begin to transition the administration of the income maintenance programs  
10 from counties to the unit. The department shall develop a transition plan that  
11 includes a deadline by which each county must transfer to the department all records  
12 in the possession of the county that are related to the administration of income  
13 maintenance programs.

14           (c) *Delegation of administrative functions to counties.* Notwithstanding section  
15 49.78 of the statutes, as affected by this act, before May 1, 2012, the department may  
16 delegate some or all of the administrative functions related to income maintenance  
17 programs to counties, on a county by county basis. If the department delegates  
18 administrative functions related to income maintenance programs to a county, the  
19 county shall continue to perform the delegated administrative functions until the  
20 department notifies the county that the unit is prepared to assume responsibility for  
21 the administrative functions. The department and a county to which the department  
22 delegates administrative functions related to income maintenance programs shall  
23 enter into a contract relating to the county’s administrative functions and  
24 reimbursement for the reasonable costs of performing those administrative  
25 functions. Reimbursements to counties that continue to administer income

**ASSEMBLY BILL 40****SECTION 9121**

1 maintenance programs shall be considered costs incurred by the unit to administer  
2 income maintenance programs.

3 (7) ELIMINATION OF MILWAUKEE COUNTY ENROLLMENT SERVICES UNIT.

4 (a) *Date of transfer to unit.* The department of health services shall determine  
5 when the income maintenance administration unit established under section 49.78  
6 (1m) of the statutes, as created by this act, is prepared to take over income  
7 maintenance administration responsibilities in Milwaukee County and shall notify  
8 the legislative reference bureau of that date. The legislative reference bureau shall  
9 publish a notice in the Wisconsin Administrative Register that specifies that date.

10 (b) *Unreimbursed expenditure.* In the calendar year in which the income  
11 maintenance program administration unit takes over income maintenance program  
12 administration responsibilities in Milwaukee County, Milwaukee County's  
13 unreimbursed required minimum expenditure under section 49.825 (2) (d) 2. of the  
14 statutes shall be prorated on the basis of the length of time the Milwaukee County  
15 enrollment services unit administers the programs under section 49.825 (2) (a) 1. of  
16 the statutes.

17 (8) FOOD STAMP PROGRAM TRANSFER TO DEPARTMENT OF CHILDREN AND FAMILIES.

18 (a) *Employee transfers.* The classified positions, and incumbent employees  
19 holding positions, in the department of health services relating primarily to the food  
20 stamp program under section 49.79, 2009 stats., as determined by the secretary of  
21 administration, are transferred to the department of children and families. Upon  
22 determination of these employees, the secretary of administration may transfer  
23 moneys between the general purpose revenue appropriations for the department of  
24 health services and the department of children and families, between the program  
25 revenue appropriations for the department of health services and the department of

**ASSEMBLY BILL 40****SECTION 9121**

1 children and families, between the program revenue–service appropriations for the  
2 department of health services and the department of children and families, between  
3 the appropriations of given segregated funds for the department of health services  
4 and the department of children and families, and between the federal revenue  
5 appropriations for the department of health services and the department of children  
6 and families, if necessary to adjust previously allocated costs in accordance with the  
7 transfer of personnel and administrative functions.

8 (b) *Employee status.* Employees transferred under paragraph (a) shall have the  
9 same rights and status under subchapter V of chapter 111 and chapter 230 of the  
10 statutes in the department of children and families that they enjoyed in the  
11 department of health services immediately before the transfer. Notwithstanding  
12 section 230.28 (4) of the statutes, no employee so transferred who has attained  
13 permanent status in class is required to serve a probationary period.

14 (c) *Tangible personal property.* On the effective date of this paragraph, all  
15 tangible personal property, including records, of the department of health services  
16 that is primarily related to the food stamp program under section 49.79, 2009 stats.,  
17 as determined by the secretary of administration, shall be transferred to the  
18 department of children and families.

19 (d) *Contracts.* All contracts entered into by the department of health services  
20 in effect on the effective date of this paragraph that are primarily related to the  
21 related to the food stamp program under section 49.79, 2009 stats., as determined  
22 by the secretary of administration, remain in effect and are transferred to the  
23 department of children and families. The department of children and families shall  
24 carry out any such contractual obligations unless modified or rescinded by the  
25 department of children and families to the extent allowed under the contract.

**ASSEMBLY BILL 40****SECTION 9121**

1           (e) *Pending matters.* Any matter pending with the department of health  
2 services on the effective date of this paragraph that is primarily related to the food  
3 stamp program under section 49.79, 2009 stats., as determined by the secretary of  
4 administration, is transferred to the department of children and families and all  
5 materials submitted to or actions taken by the department of health services with  
6 respect to the pending matter are considered as having been submitted to or taken  
7 by the department of children and families.

8           (f) *Rules and orders.* All rules promulgated by the department of health  
9 services that are primarily related to the food stamp program under section 49.79,  
10 2009 stats., as determined by the secretary of administration, and that are in effect  
11 on the effective date of this paragraph remain in effect until their specified expiration  
12 dates or until amended or repealed by the department of children and families. All  
13 orders issued by the department of health services that are primarily related to the  
14 food stamp program under section 49.79, 2009 stats., as determined by the secretary  
15 of administration, and that are in effect on the effective date of this paragraph  
16 remain in effect until their specified expiration dates or until modified or rescinded  
17 by the department of children and families.

18           (9) CONGENITAL DISORDER TESTING FEES; RULES. Using the procedure under  
19 section 227.24 of the statutes, the department of health services shall promulgate  
20 rules required under section 253.13 (2) of the statutes, as affected by this act, for the  
21 period before the effective date of the permanent rules promulgated under section  
22 253.13 (2) of the statutes, as affected by this act, but not to exceed the period  
23 authorized under section 227.24 (1) (c) of the statutes, subject to extension under  
24 section 227.24 (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and  
25 (3) of the statutes, the department of health services is not required to provide

**ASSEMBLY BILL 40****SECTION 9121**

1 evidence that promulgating a rule under this subsection as an emergency rule is  
2 necessary for the preservation of public peace, health, safety, or welfare and is not  
3 required to provide a finding of emergency for a rule promulgated under this  
4 subsection.

5 (10) PATIENT HEALTH CARE RECORDS FEES; RULES. Using the procedure under  
6 section 227.24 of the statutes, the department of health services shall promulgate  
7 rules required under sections 146.83 (3f) and 908.03 (6m) (e) of the statutes, as  
8 created by this act, for the period before the effective date of the permanent rules  
9 promulgated under sections 146.83 (3f) and 908.03 (6m) (e) of the statutes, as created  
10 by this act, but not to exceed the period authorized under section 227.24 (1) (c),  
11 subject to extension under section 227.24 (2) of the statutes. Notwithstanding  
12 section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department of health services  
13 is not required to provide evidence that promulgating a rule under this subsection  
14 as an emergency rule is necessary for the preservation of public peace, health, safety,  
15 or welfare and is not required to provide a finding of emergency for a rule  
16 promulgated under this subsection.

17 (11) PRESCRIPTION DRUG ASSISTANCE FOR ELDERLY ELIGIBILITY. Notwithstanding  
18 section 49.688 (2) of the statutes, as affected by this act, a person who is participating  
19 in the program under section 49.688 of the statutes on the effective date of this  
20 subsection is not required to comply with section 49.688 (2) (a) 6. of the statutes, as  
21 created by this act, before January 1, 2012.

22 **SECTION 9122. Nonstatutory provisions; Higher Educational Aids**  
23 **Board.**

24 **SECTION 9123. Nonstatutory provisions; Historical Society.**



**ASSEMBLY BILL 40****SECTION 9124**

1           **SECTION 9124. Nonstatutory provisions; Housing and Economic**  
2           **Development Authority.**

3           **SECTION 9125. Nonstatutory provisions; Insurance.**

4           **SECTION 9126. Nonstatutory provisions; Investment Board.**

5           **SECTION 9127. Nonstatutory provisions; Joint Committee on Finance.**

6           **SECTION 9128. Nonstatutory provisions; Judicial Commission.**

7           **SECTION 9129. Nonstatutory provisions; Justice.**

8           **SECTION 9130. Nonstatutory provisions; Legislature.**

9           **SECTION 9131. Nonstatutory provisions; Lieutenant Governor.**

10          **SECTION 9132. Nonstatutory provisions; Local Government.**

11          **SECTION 9133. Nonstatutory provisions; Medical College of Wisconsin.**

12          **SECTION 9134. Nonstatutory provisions; Military Affairs.**

13          **SECTION 9135. Nonstatutory provisions; Natural Resources.**

14           (1) NONPOINT SOURCE WATER POLLUTION RULES.

15           (a) The department of natural resources shall promulgate rules under section  
16           281.16 (2) of the statutes that repeal and recreate chapter NR 151, Wisconsin  
17           Administrative Code, in effect on the effective date of this subsection. The repealed  
18           and recreated rules shall take effect 90 days after the effective date of this paragraph  
19           and shall be no more stringent than the requirements under the federal Water  
20           Pollution Control Act, 33 USC 1251 to 1387, and regulations adopted under that act.

21           (b) 1. In this paragraph:

22           a. “Covered municipality” means a municipality for which the department of  
23           natural resources granted coverage under a general permit issued under section  
24           283.35 of the statutes.

25           b. “Municipality” has the meaning given in section 281.01 (6) of the statutes.

**ASSEMBLY BILL 40****SECTION 9135**

1           c. “Storm water management program” means a program that requires a  
2 covered municipality to achieve a minimum reduction in total suspended solids for  
3 runoff from existing development that enters the waters of this state.

4           2. To the extent allowed under federal law, if the rules promulgated under  
5 paragraph (a) establish a deadline by fixing a date by which a covered municipality  
6 must develop and implement a storm water management program, the rules shall  
7 also provide that the deadline for developing and implementing a storm water  
8 management program does not apply to a covered municipality that determines that  
9 compliance with the deadline would have a significant adverse economic impact on  
10 that municipality.

11           (2) COMMERCIAL CONSTRUCTION SITE EROSION CONTROL.

12           (a) In this subsection, “commercial building site” means a building site for  
13 construction of public buildings and buildings that are places of employment.

14           (b) All rules promulgated by the department of natural resources under section  
15 281.33 (3m), 2009 stats., related to erosion control for commercial building sites that  
16 are in effect on the effective date of this paragraph, as determined by the secretary  
17 of administration, remain in effect until their specified expiration dates or until  
18 amended or repealed by the department of safety and professional services. All  
19 orders issued by the department of natural resources that are in effect on the  
20 effective date of this paragraph and that are primarily related to erosion control for  
21 commercial building sites, as determined by the secretary of administration, remain  
22 in effect until their specified expiration dates or until modified or rescinded by the  
23 department of safety and professional services.

24           (c) Any matter pending with the department of natural resources on the  
25 effective date of this paragraph that is primarily related to its commercial building

**ASSEMBLY BILL 40****SECTION 9135**

1 site erosion control responsibilities under section 281.33 (3m), 2009 stats., as  
2 determined by the secretary of administration, is transferred to the department of  
3 safety and professional services and all materials submitted to or actions taken by  
4 the department of natural resources with respect to the pending matters are  
5 considered as having been submitted to or taken by the department of safety and  
6 professional services.

7 (d) Any delegation of the authority to act under section 281.33 (3m), 2009 stats.,  
8 made by the department of natural resources to a county, city, village, or town that  
9 is in effect on the effective date of this paragraph remains in effect until revoked by  
10 the department of safety and professional services.

11 **SECTION 9136. Nonstatutory provisions; Public Defender Board.**

12 **SECTION 9137. Nonstatutory provisions; Public Instruction.**

13 (1) STUDENT INFORMATION SYSTEM. The state superintendent shall submit its  
14 plan to the governor for the expenditure of moneys appropriated under section  
15 20.255 (1) (e) of the statutes, as created by this act, in the 2011–12 fiscal year by  
16 October 1, 2011.

17 (2) SPECIAL ADJUSTMENT AIDS. Notwithstanding section 121.105 (2) of the  
18 statutes, for state aid distributed in the 2011–12 school year, the department of  
19 public instruction shall calculate the aid adjustment under that section using 90  
20 percent instead of 85 percent in section 121.105 (2) (am) 1. and 2. of the statutes.

21 **SECTION 9138. Nonstatutory provisions; Public Lands, Board of**  
22 **Commissioners of.**

23 **SECTION 9139. Nonstatutory provisions; Public Service Commission.**

24 **SECTION 9140. Nonstatutory provisions; Regulation and Licensing.**

**ASSEMBLY BILL 40****SECTION 9140**

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.

**ASSEMBLY BILL 40****SECTION 9140**

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           **SECTION 9141. Nonstatutory provisions; Revenue.**

11           **SECTION 9142. Nonstatutory provisions; Secretary of State.**

12           (1) TRANSFER OF TRADEMARK AND NOTARY FUNCTIONS TO THE DEPARTMENT OF  
13 FINANCIAL INSTITUTIONS; TRANSITIONAL PROVISIONS.

14           (a) *Definitions.* In this subsection:

15           1. “Department” means the department of financial institutions.

16           2. “Office” means the office of the secretary of state.

17           3. “Relating to the office’s trademark or notary functions” means relating to the  
18 office’s functions and duties under section 137.01, 2009 stats., or chapter 132, 2009  
19 stats.

20           (b) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
21 liabilities of the office relating to the office’s trademark or notary functions shall  
22 become the assets and liabilities of the department.

23           (c) *Staff.*

24           1. On the effective date of this subdivision, 1.0 FTE PR position relating to the  
25 office’s trademark or notary functions and the incumbent employee, identified by the

**ASSEMBLY BILL 40****SECTION 9142**

1 secretary of administration, holding that position in the office are transferred to the  
2 department.

3 2. The employee transferred under subdivision 1. to the division has all of the  
4 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
5 statutes in the division that he or she enjoyed in the office immediately before the  
6 transfer. Notwithstanding section 230.28 (4) of the statutes, the employee so  
7 transferred who has attained permanent status in class is not required to serve a  
8 probationary period.

9 3. On the effective date of this subdivision, the remaining 1.0 FTE PR position  
10 of the office relating to the office's trademark or notary functions not transferred  
11 under subdivision 1. is deauthorized.

12 (d) *Tangible personal property.* On the effective date of this paragraph, all  
13 tangible personal property, including records, of the office relating to the office's  
14 trademark or notary functions is transferred to the department.

15 (e) *Contracts.* All contracts entered into by the office, in effect on the effective  
16 date of this paragraph, relating to the office's trademark or notary functions remain  
17 in effect and are transferred to the department. The department shall carry out any  
18 obligations under such a contract until the contract is modified or rescinded by the  
19 department to the extent allowed under the contract.

20 (f) *Rules and orders.*

21 1. All rules promulgated by the office relating to the office's trademark or  
22 notary functions that are in effect on the effective date of this subdivision remain in  
23 effect until their specified expiration dates or until amended or repealed by the  
24 department.

**ASSEMBLY BILL 40****SECTION 9142**

1           2. All orders issued by the office relating to the office's trademark or notary  
2 functions that are in effect on the effective date of this subdivision remain in effect  
3 until their specified expiration dates or until modified or rescinded by the  
4 department.

5           (g) *Pending matters.* Any matter relating to the office's trademark or notary  
6 functions pending with the office on the effective date of this paragraph is  
7 transferred to the department, and all materials submitted to or actions taken by the  
8 office with respect to the pending matter are considered as having been submitted  
9 to or taken by the department.

10           (h) *Department of administration to arbitrate disputes.* In the case of  
11 disagreement between the secretary of financial institutions and the secretary of  
12 state with respect to any matter specified in paragraph (c), (d), (e), (f), or (g), the  
13 department of administration shall determine the matter and shall develop a plan  
14 for an orderly transfer.

15           (2) TRANSFER OF ADMINISTRATIVE SERVICES FUNCTIONS TO DEPARTMENT OF  
16 ADMINISTRATION.

17           (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
18 liabilities of the office of the secretary of state that are primarily related to  
19 administrative services, as determined by the secretary of administration, shall  
20 become the assets and liabilities of the department of administration.

21           (b) *Tangible personal property.* On the effective date of this paragraph, all  
22 tangible personal property, including records, of the office of the secretary of state  
23 that are primarily related to administrative services, as determined by the secretary  
24 of administration, shall become the tangible personal property of the department of  
25 administration.

**ASSEMBLY BILL 40****SECTION 9142**

1           (c) *Contracts.* All contracts entered into by the office of the secretary of state  
2 in effect on the effective date of this paragraph that are primarily related to  
3 administrative services, as determined by the secretary of administration, remain  
4 in effect and are transferred to the department of administration. The department  
5 of administration shall carry out any obligations under such a contract until the  
6 contract is modified or rescinded by the department of administration to the extent  
7 allowed under the contract.

8           (d) *Rules and orders.* All rules promulgated by the office of the secretary of state  
9 in effect on the effective date of this paragraph that are primarily related to  
10 administrative services, as determined by the secretary of administration, remain  
11 in effect until their specified expiration date or until amended or repealed by the  
12 department of administration. All orders issued 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 until their specified expiration date or until modified or rescinded by the  
16 department of administration.

17           (e) *Pending matters.* Any matter pending with the office of the secretary of state  
18 on the effective date of this paragraph that is primarily related to administrative  
19 services, as determined by the secretary of administration, is transferred to the  
20 department of administration and all materials submitted to or actions taken by the  
21 office of the secretary of state with respect to the pending matter are considered as  
22 having been submitted to or taken by the department of administration.

23           **SECTION 9143. Nonstatutory provisions; State Employment Relations,**  
24 **Office of.**

25           **SECTION 9144. Nonstatutory provisions; State Fair Park Board.**



**ASSEMBLY BILL 40****SECTION 9145**

1           **SECTION 9145. Nonstatutory provisions; Supreme Court.**

2           **SECTION 9146. Nonstatutory provisions; Technical College System.**

3           **SECTION 9147. Nonstatutory provisions; Tourism.**

4           **SECTION 9148. Nonstatutory provisions; Transportation.**

5           (1) CERTIFICATES OF TITLE. Notwithstanding chapter 342 of the statutes, as  
6 affected by this act, beginning on the effective date of this subsection, the department  
7 of transportation may, for 6 months after the effective date of this subsection, issue  
8 and deliver certificates of title under applicable provisions of chapter 342 of the  
9 statutes that are in effect on the day before the effective date of this subsection.

10          (2) MASS TRANSIT OPERATING AIDS. In submitting information under section  
11 16.42 of the statutes for purposes of the 2013–15 biennial budget act, the department  
12 of transportation shall include recommended changes to the distribution  
13 percentages and funding amounts of the urban mass transit operating assistance  
14 program under section 85.20 of the statutes, as affected by this act, in response to any  
15 changes in federal aid due to the 2010 decennial federal census.

16          **SECTION 9149. Nonstatutory provisions; Treasurer.**

17          (1) TRANSFER OF COLLEGE SAVINGS PROGRAMS DUTIES TO THE DEPARTMENT OF  
18 ADMINISTRATION.

19          (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
20 liabilities of the office of the state treasurer that are primarily related to the state  
21 treasurer’s performance of duties under sections 14.63, 14.64, and 14.65, 2009 stats.,  
22 as determined by the secretary of administration, shall become the assets and  
23 liabilities of the department of administration.

24          (b) *Staff.*

**ASSEMBLY BILL 40****SECTION 9149**

1           1. On the effective date of this subdivision, 1.0 FTE SEG position in the office  
2 of the state treasurer, and the incumbent employee holding that position, funded  
3 from the appropriation under section 20.585 (2) (tm), 2009 stats., and responsible for  
4 the performance of duties related to the college savings program, is transferred to the  
5 department of administration to be funded from the appropriation under section  
6 20.505 (1) (th) of the statutes, as affected by this act. The secretary of administration  
7 shall identify the position.

8           2. An employee transferred under subdivision 1. to the department of  
9 administration has all of the rights and the same status under subchapter V of  
10 chapter 111 and chapter 230 of the statutes in the department of administration that  
11 he or she enjoyed in the office of the state treasurer immediately before the transfer.  
12 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who  
13 has attained permanent status in class is required to serve a probationary period.

14           (c) *Tangible personal property.* On the effective date of this paragraph, all  
15 tangible personal property, including records, of the office of the state treasurer that  
16 are primarily related to the state treasurer's performance of duties under sections  
17 14.63, 14.64, and 14.65, 2009 stats., as determined by the secretary of  
18 administration, is transferred to the department of administration.

19           (d) *Pending matters.* Any matter pending with the office of the state treasurer  
20 that is primarily related to the state treasurer's performance of duties under sections  
21 14.63, 14.64, and 14.65, 2009 stats., as determined by the secretary of  
22 administration, is transferred to the department of administration. All materials  
23 submitted to or actions taken by the office of the state treasurer with respect to the  
24 pending matter are considered as having been submitted to or taken by the  
25 department of administration.

**ASSEMBLY BILL 40****SECTION 9149**

1           (e) *Contracts.* All contracts entered into by the office of the state treasurer in  
2 effect on the effective date of this paragraph 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, remain in effect and are  
5 transferred to the department of administration. The department of administration  
6 shall carry out any obligations under those contracts unless modified or rescinded  
7 by the department of administration to the extent allowed under the contract.

8           (f) *Rules and orders.* All rules promulgated by the office of the state treasurer  
9 in 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 until their  
12 specified expiration dates or until amended or repealed by the department of  
13 administration. All orders issued by the office of the state treasurer in effect on the  
14 effective date of this paragraph that are primarily related to the state treasurer’s  
15 performance of duties under sections 14.63, 14.64, and 14.65, 2009 stats., as  
16 determined by the secretary of administration, remain in effect until their specified  
17 expiration dates or until modified or rescinded by the department of administration.

18           (2) TRANSFER OF LOCAL GOVERNMENT POOLED-INVESTMENT DUTIES TO THE  
19 DEPARTMENT OF ADMINISTRATION.

20           (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
21 liabilities of the office of the state treasurer that are primarily related to the state  
22 treasurer’s performance of duties under section 25.50, 2009 stats., as determined by  
23 the secretary of administration, shall become the assets and liabilities of the  
24 department of administration.

25           (b) *Staff.*

**ASSEMBLY BILL 40****SECTION 9149**

1           1. On the effective date of this subdivision, 1.0 FTE PR position in the office of  
2 the state treasurer, and the incumbent employee holding that position funded from  
3 the appropriation under section 20.585 (1) (g), 2009 stats., and responsible for the  
4 performance of duties related to the local government pooled–investment fund under  
5 section 25.50, 2009 stats., is transferred to the department of administration to be  
6 funded from the appropriation under section 20.505 (1) (gc) of the statutes, as  
7 affected by this act. The secretary of administration shall identify the position.

8           2. An employee transferred under subdivision 1. to the department of  
9 administration has all of the rights and the same status under subchapter V of  
10 chapter 111 and chapter 230 of the statutes in the department that he or she enjoyed  
11 in the office of the state treasurer immediately before the transfer. Notwithstanding  
12 section 230.28 (4) of the statutes, no employee so transferred who has attained  
13 permanent status in class is required to serve a probationary period.

14           (c) *Tangible personal property.* On the effective date of this paragraph, all  
15 tangible personal property, including records, of the office of the state treasurer that  
16 are primarily related to the state treasurer’s performance of duties under section  
17 25.50, 2009 stats., as determined by the secretary of administration, is transferred  
18 to the department of administration.

19           (d) *Pending matters.* Any matter pending with the office of the state treasurer  
20 that is primarily related to the state treasurer’s performance of duties under section  
21 25.50, 2009 stats., as determined by the secretary of administration, is transferred  
22 to the department of administration. All materials submitted to or actions taken by  
23 the office of the state treasurer with respect to the pending matter are considered as  
24 having been submitted to or taken by the department of administration.

**ASSEMBLY BILL 40****SECTION 9149**

1           (e) *Contracts.* All contracts entered into by the office of the state treasurer in  
2 effect on the effective date of this paragraph that are primarily related to the state  
3 treasurer’s performance of duties under section 25.50, 2009 stats., as determined by  
4 the secretary of administration, remain in effect and are transferred to the  
5 department of administration. The department of administration shall carry out  
6 any obligations under those contracts unless modified or rescinded by the  
7 department of administration to the extent allowed under the contract.

8           (f) *Rules and orders.* All rules promulgated by the office of the state treasurer  
9 in effect on the effective date of this paragraph that are primarily related to the state  
10 treasurer’s performance of duties under section 25.50, 2009 stats., as determined by  
11 the secretary of administration, remain in effect until their specified expiration dates  
12 or until amended or repealed by the department of administration. All orders issued  
13 by the office of the state treasurer in effect on the effective date of this paragraph that  
14 are primarily related to the state treasurer’s performance of duties under section  
15 25.50, 2009 stats., as determined by the secretary of administration, remain in effect  
16 until their specified expiration dates or until modified or rescinded by the  
17 department of administration.

18           (3) TRANSFER OF MANAGEMENT SERVICE FUNCTIONS TO DEPARTMENT OF  
19 ADMINISTRATION.

20           (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
21 liabilities of the office of the state treasurer that are primarily related to  
22 management services, as determined by the secretary of administration, shall  
23 become the assets and liabilities of the department of administration.

24           (b) *Tangible personal property.* On the effective date of this paragraph, all  
25 tangible personal property, including records, of the office of the state treasurer that

**ASSEMBLY BILL 40****SECTION 9149**

1 are primarily related to management services, as determined by the secretary of  
2 administration, shall become the tangible personal property of the department of  
3 administration.

4 (c) *Contracts.* All contracts entered into by the office of the state treasurer in  
5 effect on the effective date of this paragraph that are primarily related to  
6 management services, as determined by the secretary of administration, remain in  
7 effect and are transferred to the department of administration. The department of  
8 administration shall carry out any obligations under such a contract until the  
9 contract is modified or rescinded by the department of administration to the extent  
10 allowed under the contract.

11 (d) *Rules and orders.* All rules promulgated by the office of the state treasurer  
12 in effect on the effective date of this paragraph that are primarily related to  
13 management services, as determined by the secretary of administration, remain in  
14 effect until their specified expiration date or until amended or repealed by the  
15 department of administration. All orders issued by the office of the state treasurer  
16 in effect on the effective date of this paragraph that are primarily related to  
17 management services, as determined by the secretary of administration, remain in  
18 effect until their specified expiration date or until modified or rescinded by the  
19 department of administration.

20 (e) *Pending matters.* Any matter pending with the office of the state treasurer  
21 on the effective date of this paragraph that is primarily related to management  
22 services, as determined by the secretary of administration, is transferred to the  
23 department of administration and all materials submitted to or actions taken by the  
24 office of the state treasurer with respect to the pending matter are considered as  
25 having been submitted to or taken by the department of administration.

**ASSEMBLY BILL 40****SECTION 9150**

1           **SECTION 9150. Nonstatutory provisions; University of Wisconsin**  
2           **Hospitals and Clinics Authority.**

3           **SECTION 9151. Nonstatutory provisions; University of Wisconsin**  
4           **Hospitals and Clinics Board.**

5           **SECTION 9152. Nonstatutory provisions; University of Wisconsin**  
6           **System.**

7           (1) TRANSFER OF UNIVERSITY OF WISCONSIN-MADISON.

8           (a) *Definitions.* In this subsection:

9           1. “Authority” means the University of Wisconsin–Madison authority, as  
10          created by this act.

11          2. “Board of Trustees” means the Board of Trustees of the authority.

12          3. “Board of Regents” means the Board of Regents of the system.

13          4. “Secretary” means the secretary of administration.

14          5. “System” means the University of Wisconsin System.

15          (b) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
16          liabilities of the system, including real property and moneys in the university trust  
17          funds, that relate to the operation of the University of Wisconsin–Madison, as  
18          determined by the secretary, shall become the assets and liabilities of the authority.

19          (c) *Tangible personal property; records.* On the effective date of this paragraph,  
20          all tangible personal property, including records, of the system that relates to the  
21          operation of the University of Wisconsin–Madison, as determined by the secretary,  
22          is transferred to the authority.

23          (d) *Employees.* All incumbent employees holding positions in the system and  
24          assigned to the University of Wisconsin–Madison are transferred on the effective  
25          date of this paragraph to the authority. Until July 1, 2012, the authority shall adhere

**ASSEMBLY BILL 40****SECTION 9152**

1 to the terms of any collective bargaining agreement covering the employees that is  
2 in force on the effective date of this paragraph, including terms relating to employer  
3 payment of any employee required contributions under the Wisconsin Retirement  
4 System and employer payment of any health insurance premiums on behalf of  
5 employees. Beginning July 1, 2012, the authority shall establish the compensation  
6 and benefits of the employees under the terms of the personnel system established  
7 by the board of trustees under section 37.11 (1g) of the statutes, as created by this  
8 act.

9 (e) *Contracts and agreements.* 1. All contracts entered into by the Board of  
10 Regents in effect on the effective date of this paragraph that are primarily related  
11 to the operation of the University of Wisconsin–Madison, as determined by the  
12 secretary, remain in effect and are transferred to the Board of Trustees.

13 2. All agreements entered into between the Board of Regents and the Board of  
14 Directors of the University of Wisconsin Hospitals and Clinics Authority under  
15 section 233.04 (7) and (7m), 2009 stats., in effect on the effective date of this  
16 paragraph remain in effect and are transferred to the Board of Trustees.

17 3. The Board of Trustees shall carry out any obligations under such contracts  
18 and agreements until the contract or agreement is modified or rescinded by the  
19 Board of Trustees to the extent allowed under the contract or agreement.

20 (f) *Cooperative agreements.* Notwithstanding paragraph (e), any academic,  
21 research, or outreach program or activity that was being conducted by the University  
22 of Wisconsin–Madison by means of a cooperative agreement or memorandum of  
23 understanding with an institution within the system, the University of  
24 Wisconsin–Extension, or the University of Wisconsin Colleges immediately before  
25 the effective date of this paragraph continues regardless of any changes in the



**ASSEMBLY BILL 40****SECTION 9152**

1 structure or mechanism of funding the program or activity until the Board of  
2 Trustees and the other institution mutually agree to modify the agreement or  
3 memorandum of understanding or funds are no longer appropriated for the program  
4 or activity.

5 (g) *Rules.* The Board of Trustees shall enforce the rules promulgated by the  
6 Board of Regents under section 36.11 (1) (a), (c), and (cm) of the statutes that are in  
7 effect on the effective date of this paragraph on university property as if the Board  
8 of Trustees had promulgated them. The rules shall continue to apply until the Board  
9 of Trustees promulgates rules under section 37.11 (1m) (a), (c), and (cm) of the  
10 statutes, as affected by this act.

11 (h) *Policies and procedures.* All policies and procedures of the system that are  
12 in effect on the effective date of this paragraph, and that relate to the operation of  
13 the University of Wisconsin–Madison, and all policies and procedures of the  
14 University of Wisconsin–Madison that are in effect on the effective date of this  
15 paragraph, become policies and procedures of the authority and remain in effect  
16 until their specified expiration date or until modified or rescinded by the Board of  
17 Trustees.

18 (i) *Pending matters.* Any matter pending with the Board of Regents on the  
19 effective date of this paragraph that is primarily related to the operation of the  
20 University of Wisconsin–Madison, as determined by the secretary, is transferred to  
21 the Board of Trustees and all materials submitted to or actions taken by the Board  
22 of Regents with respect to the pending matters are considered as having been  
23 submitted to or taken by the Board of Trustees.

24 (j) *Board of Regents duties.* Notwithstanding paragraphs (b) to (i), until the  
25 Board of Trustees notifies the Board of Regents that the transfers under this

**ASSEMBLY BILL 40****SECTION 9152**

1 subsection have been completed, the Board of Regents shall provide the authority  
2 with the usual and customary services that the Board of Regents provided to the  
3 University of Wisconsin–Madison prior to the effective date of this paragraph and  
4 with any other services or resources necessary to complete the transfers under this  
5 subsection.

6 (2) PLAN FOR UNIVERSITY OF WISCONSIN–MILWAUKEE AUTHORITY.

7 (a) By October 1, 2012, the Board of Regents of the University of Wisconsin  
8 System shall submit to the secretary of administration, for his or her approval, a plan  
9 for the conversion of the University of Wisconsin–Milwaukee to an authority.

10 (b) The Board of Regents of the University of Wisconsin System shall allocate  
11 \$250,000 from the appropriation under section 20.285 (3) (a) of the statutes for  
12 development of the plan under paragraph (a). By October 1, 2011, the Board of  
13 Regents of the University of Wisconsin System shall submit to the secretary of  
14 administration a plan specifying how the board will allocate the funds. The secretary  
15 of administration may approve or modify the plan. Upon approval or modification  
16 by the secretary of administration, the board shall implement the plan as approved  
17 or modified by the secretary.

18 (3) SYSTEM ADMINISTRATION GENERAL PROGRAM OPERATIONS.

19 (a) In this subsection:

20 1. “Board” means the Board of Regents of the University of Wisconsin System.

21 2. “Reduction amount” means the difference between the total amounts shown  
22 in the schedule under section 20.005 (3) of the statutes for the appropriation under  
23 section 20.285 (3) (a) of the statutes for fiscal years 2009–10 and 2010–11 and the  
24 total amounts shown in the schedule under that appropriation for fiscal years  
25 2011–12 and 2012–13.

**ASSEMBLY BILL 40****SECTION 9152**

1 (b) No later than October 1, 2011, the board shall submit a plan to the secretary  
2 of administration specifying the board's preferences for allocating the reduction  
3 amount among general program operations of the university system administration.  
4 The secretary of administration may approve or modify the plan. Upon approval or  
5 modification by the secretary of administration, the board shall implement the plan  
6 as approved or modified by the secretary.

7 **SECTION 9153. Nonstatutory provisions; Veterans Affairs.**

8 (1) STATE APPROVAL AGENCY DESIGNATION.

9 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
10 liabilities of the department of veterans affairs primarily related to functions as the  
11 state approval agency for the education of veterans and other eligible persons, as  
12 determined by the secretary of administration, shall become the assets and liabilities  
13 of the department of safety and professional services.

14 (b) *Employee transfers.* All positions, and the incumbent employees holding  
15 those positions, in the department of veterans affairs performing duties primarily  
16 related to functions as the state approval agency for the education of veterans and  
17 other eligible persons, as determined by the secretary of administration, are  
18 transferred on the effective date of this paragraph to the department of safety and  
19 professional services.

20 (c) *Employee status.* Employees transferred under paragraph (b) have all the  
21 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
22 statutes in the department of safety and professional services that they enjoyed in  
23 the department of veterans affairs immediately before the transfer.  
24 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who  
25 has attained permanent status in class is required to serve a probationary period.

**ASSEMBLY BILL 40****SECTION 9153**

1           (d) *Tangible personal property.* On the effective date of this paragraph, all  
2 tangible personal property, including records, of the department of veterans affairs  
3 that is primarily related to functions as the state approval agency for the education  
4 of veterans and other eligible persons, as determined by the secretary of  
5 administration, is transferred to the department of safety and professional services.

6           (e) *Contracts.* All contracts entered into by the department of veterans affairs  
7 in effect on the effective date of this paragraph that are primarily related to functions  
8 as the state approval agency for the education of veterans and other eligible persons,  
9 as determined by the secretary of administration, remain in effect and are  
10 transferred to the department of safety and professional services. The department  
11 of safety and professional services shall carry out any obligations under such a  
12 contract until the contract is modified or rescinded by the department of safety and  
13 professional services to the extent allowed under the contract.

14           (f) *Rules and orders.* All rules promulgated by the department of veterans  
15 affairs that are in effect on the effective date of this paragraph and that are primarily  
16 related to functions as the state approval agency for the education of veterans and  
17 other eligible persons, as determined by the secretary of administration, remain in  
18 effect until their specified expiration dates or until amended or repealed by the  
19 department of safety and professional services. All orders issued by the department  
20 of veterans affairs that are in effect on the effective date of this paragraph and that  
21 are primarily related to functions as the state approval agency for the education of  
22 veterans and other eligible persons, as determined by the secretary of  
23 administration, remain in effect until their specified expiration dates or until  
24 modified or rescinded by the department of safety and professional services.

**ASSEMBLY BILL 40****SECTION 9153**

1           (g) *Pending matters.* Any matter pending with the department of veterans  
2           affairs on the effective date of this paragraph that is primarily related to functions  
3           as the state approval agency for the education of veterans and other eligible persons,  
4           as determined by the secretary of administration, is transferred to the department  
5           of safety and professional services and all materials submitted to or actions taken by  
6           the department of veterans affairs with respect to the pending matters are  
7           considered as having been submitted to or taken by the department of safety and  
8           professional services.

9           **SECTION 9154. Nonstatutory provisions; Workforce Development.**

10          (1) LOCAL AGENCY REIMBURSEMENT CONTRACTS.

11          (a) *Positions and employees.* On the effective date of this paragraph, one  
12          position and the incumbent employee, if any, holding that position in the department  
13          of workforce development performing duties that are primarily related to local  
14          agency reimbursement contracts for programs administered by the department of  
15          children and families, as determined by the secretary of administration, are  
16          transferred to the department of children and families.

17          (b) *Employee status.* Any employee transferred under paragraph (a) has all the  
18          rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
19          statutes in the department of children and families that he or she enjoyed in the  
20          department of workforce development immediately before the transfer.  
21          Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who  
22          has attained permanent status in class is required to serve a probationary period.

23          **SECTION 9155. Nonstatutory provisions; Other.**

24          (1) UNIVERSITY OF WISCONSIN-MADISON EMPLOYEES. Notwithstanding section  
25          230.03 (3) of the statutes, as affected by this act, the University of

**ASSEMBLY BILL 40****SECTION 9155**

1 Wisconsin–Madison authority shall be considered an agency, as defined in section  
2 230.03 of the statutes, as affected by this act, until July 1, 2012, for all purposes  
3 under chapter 230 of the statutes and all employees of the University of  
4 Wisconsin–Madison authority who were in the classified service of the state civil  
5 service and who were transferred to the authority under SECTION 9152 (1) (d) shall  
6 have all the rights and privileges offered classified employees until July 1, 2012. The  
7 department of employee trust funds shall continue to administer the program  
8 defined in section 230.12 (9) of the statutes on behalf of the employees of the  
9 University of Wisconsin–Madison under sections 37.13, 37.15, and 37.17 of the  
10 statutes, as created by this act, until June 30, 2012.

11 (2) UNIVERSITY OF WISCONSIN–MADISON BOARD OF TRUSTEES; INITIAL  
12 APPOINTMENTS. Notwithstanding the lengths of the terms specified in section 37.02  
13 (1) (a) of the statutes, as created by this act, the initial members of the Board of  
14 Trustees of the University of Wisconsin–Madison shall be initially appointed for the  
15 following terms:

16 (a) The member appointed under section 37.02 (1) (a) 1. a. of the statutes, as  
17 created by this act, the member appointed under section 37.02 (1) (a) 1. b. of the  
18 statutes, as created by this act, 2 members appointed under section 37.02 (1) (a) 1.  
19 c. of the statutes, as created by this act, a member appointed under section 37.02 (1)  
20 (a) 2. a. of the statutes, as created by this act, the member appointed under section  
21 37.02 (1) (a) 2. b. of the statutes, as created by this act, and 2 members appointed  
22 under section 37.02 (1) (a) 2. c. of the statutes, as created by this act, for terms  
23 expiring on May 1, 2014.

24 (b) Four members appointed under section 37.02 (1) (a) 1. c. of the statutes, as  
25 created by this act, 2 members appointed under section 37.02 (1) (a) 2. d. of the

**ASSEMBLY BILL 40****SECTION 9155**

1 statutes, as created by this act, and the member appointed under section 37.02 (1)

2 (a) 3. of the statutes, as created by this act, for terms expiring on May 1, 2013.

3 (c) Three members appointed under section 37.02 (1) (a) 1. c. of the statutes,

4 as created by this act, a member appointed under section 37.02 (1) (a) 2. a. of the

5 statutes, as created by this act, and 2 members appointed under section 37.02 (1) (a)

6 2. e. of the statutes, as created by this act, for terms expiring on May 1, 2012.

7 **SECTION 9201. Fiscal changes; Administration.**

8 **SECTION 9202. Fiscal changes; Aging and Long-Term Care Board.**

9 **SECTION 9203. Fiscal changes; Agriculture, Trade and Consumer**  
10 **Protection.**

11 **SECTION 9204. Fiscal changes; Arts Board.**

12 **SECTION 9205. Fiscal changes; Board for People with Developmental**  
13 **Disabilities.**

14 **SECTION 9206. Fiscal changes; Building Commission.**

15 **SECTION 9207. Fiscal changes; Child Abuse and Neglect Prevention**  
16 **Board.**

17 **SECTION 9208. Fiscal changes; Children and Families.**

18 **SECTION 9209. Fiscal changes; Circuit Courts.**

19 **SECTION 9210. Fiscal changes; Commerce.**

20 (1) PETROLEUM INSPECTION FUND TRANSFER TO THE TRANSPORTATION FUND. There  
21 is transferred from the petroleum inspection fund to the transportation fund  
22 \$19,500,000 in each fiscal year of the 2011–13 fiscal biennium.

23 (2) ECONOMIC DEVELOPMENT TRANSFER. The unencumbered balances in the  
24 appropriation accounts under section 20.143 (1) (a), (b), (bk), (bt), (c), (cf), (d), (dr),  
25 (e), (em), (er), (ew), (fi), (fj), (fy), (g), (gc), (gh), (gm), (gv), (h), (hm), (hr), (ie), (ig), (io),

**ASSEMBLY BILL 40****SECTION 9210**

1 (ir), (jp), (k), (k), (kb), (kc), (kf), (kg), (kh), (kj), and (kt) of the statutes are transferred  
2 to the appropriation account under section 20.192 (1) (k) of the statutes.

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 9211. Fiscal changes; Corrections.**

8 **SECTION 9212. Fiscal changes; Court of Appeals.**

9 **SECTION 9213. Fiscal changes; District Attorneys.**

10 **SECTION 9214. Fiscal changes; Educational Communications Board.**

11 **SECTION 9215. Fiscal changes; Employee Trust Funds.**

12 **SECTION 9216. Fiscal changes; Employment Relations Commission.**

13 **SECTION 9217. Fiscal changes; Financial Institutions.**

14 **SECTION 9218. Fiscal changes; Government Accountability Board.**

15 **SECTION 9219. Fiscal changes; Governor.**

16 **SECTION 9220. Fiscal changes; Fiscal changes; Health and Educational  
17 Facilities Authority.**

18 **SECTION 9221. Fiscal changes; Health Services.**

19 (1) MEDICAL ASSISTANCE GENERAL PURPOSE REVENUE LAPSE. Notwithstanding  
20 section 20.001 (3) (b) of the statutes, there is lapsed to the general fund from the  
21 appropriation account of the department of health services under section 20.435 (4)  
22 (b) of the statutes, as affected by the acts of 2011, no more than \$24,950,000 in the  
23 first fiscal year of the fiscal biennium in which this subsection takes effect.

24 **SECTION 9222. Fiscal changes; Higher Educational Aids Board.**

25 **SECTION 9223. Fiscal changes; Historical Society.**



**ASSEMBLY BILL 40****SECTION 9224**

1           **SECTION 9224. Fiscal changes; Housing and Economic Development**

2           **Authority.**

3           **SECTION 9225. Fiscal changes; Insurance.**

4           **SECTION 9226. Fiscal changes; Investment Board.**

5           **SECTION 9227. Fiscal changes; Joint Committee on Finance.**

6           **SECTION 9228. Fiscal changes; Judicial Commission.**

7           **SECTION 9229. Fiscal changes; Justice.**

8           **SECTION 9230. Fiscal changes; Legislature.**

9           (1) APPROPRIATION LAPSES AND REESTIMATES. The cochairpersons of the joint  
10          committee on legislative organization shall take actions during the 2011–13 and  
11          2013–15 fiscal biennia to ensure that from general purpose revenue appropriations  
12          to the legislature under section 20.765 of the statutes an amount equal to \$9,232,200  
13          is lapsed from sum certain appropriation accounts or is subtracted from the  
14          expenditure estimates for any other types of appropriations, or both, in each fiscal  
15          biennium.

16          **SECTION 9231. Fiscal changes; Lieutenant Governor.**

17          **SECTION 9232. Fiscal changes; Local Government.**

18          **SECTION 9233. Fiscal changes; Medical College of Wisconsin.**

19          **SECTION 9234. Fiscal changes; Military Affairs.**

20          **SECTION 9235. Fiscal changes; Natural Resources.**

21          (1) NONPROFIT CONSERVATION ORGANIZATION AIDS LAPSE. Notwithstanding section  
22          20.001 (3) (c) of the statutes, from the appropriation account to the department of  
23          natural resources under section 20.370 (5) (aw) of the statutes there is lapsed to the  
24          conservation fund \$14,500 in fiscal year 2011–12 and \$14,500 in fiscal year 2012–13.

**ASSEMBLY BILL 40****SECTION 9235**

1           (2) LAKE PROTECTION AIDS LAPSE. Notwithstanding section 20.001 (3) (c) of the  
2 statutes, from the appropriation account to the department of natural resources  
3 under section 20.370 (6) (ar) of the statutes there is lapsed to the conservation fund  
4 \$278,500 in fiscal year 2011–12 and \$278,500 in fiscal year 2012–13.

5           (3) RIVER PROTECTION AIDS LAPSE. Notwithstanding section 20.001 (3) (c) of the  
6 statutes, from the appropriation account to the department of natural resources  
7 under section 20.370 (6) (aw) of the statutes there is lapsed to the conservation fund  
8 \$7,000 in fiscal year 2011–12 and \$7,000 in fiscal year 2012–13.

9           (4) SOUTHEASTERN LAKES RECREATIONAL BOATING ACCESS LAPSE. Notwithstanding  
10 section 20.001 (3) (c) of the statutes, from the appropriation account to the  
11 department of natural resources under section 20.370 (7) (fr) of the statutes there is  
12 lapsed to the conservation fund \$9,400 in fiscal year 2011–12 and \$9,400 in fiscal  
13 year 2012–13.

14           (5) RECREATIONAL BOATING ACCESS LAPSE. Notwithstanding section 20.001 (3) (c)  
15 of the statutes, from the appropriation account to the department of natural  
16 resources under section 20.370 (7) (ft) of the statutes there is lapsed to the  
17 conservation fund \$18,800 in fiscal year 2011–12 and \$18,800 in fiscal year 2012–13.

18           (6) MISSISSIPPI AND ST. CROIX RIVERS MANAGEMENT LAPSE. Notwithstanding  
19 section 20.001 (3) (c) of the statutes, from the appropriation account to the  
20 department of natural resources under section 20.370 (7) (fw) of the statutes there  
21 is lapsed to the conservation fund \$5,900 in fiscal year 2011–12 and \$5,900 in fiscal  
22 year 2012–13.

23           (7) FACILITIES ACQUISITION, DEVELOPMENT AND MAINTENANCE LAPSE.  
24 Notwithstanding section 20.001 (3) (c) of the statutes, from the appropriation  
25 account to the department of natural resources under section 20.370 (7) (hq) of the

**ASSEMBLY BILL 40****SECTION 9235**

1 statutes there is lapsed to the conservation fund \$900 in fiscal year 2011–12 and \$900  
2 in fiscal year 2012–13.

3 (8) ALL-TERRAIN VEHICLE PROGRAM LAPSE. Notwithstanding section 20.001 (3) (c)  
4 of the statutes, from the appropriation account to the department of natural  
5 resources under section 20.370 (5) (cv) of the statutes there is lapsed to the  
6 conservation fund \$894,000 in fiscal year 2011–12.

7 **SECTION 9236. Fiscal changes; Public Defender Board.**

8 **SECTION 9237. Fiscal changes; Public Instruction.**

9 **SECTION 9238. Fiscal changes; Public Lands, Board of Commissioners**  
10 **of.**

11 **SECTION 9239. Fiscal changes; Public Service Commission.**

12 **SECTION 9240. Fiscal changes; Regulation and Licensing.**

13 **SECTION 9241. Fiscal changes; Revenue.**

14 **SECTION 9242. Fiscal changes; Secretary of State.**

15 **SECTION 9243. Fiscal changes; State Employment Relations, Office of.**

16 **SECTION 9244. Fiscal changes; State Fair Park Board.**

17 **SECTION 9245. Fiscal changes; Supreme Court.**

18 (1) TRANSFER TO STATE LAW LIBRARY. There is transferred from the appropriation  
19 account under section 20.455 (3) (g) of the statutes to the appropriation account  
20 under section 20.680 (4) (h) of the statutes \$41,000 in the first fiscal year of the fiscal  
21 biennium in which this subsection takes effect.

22 **SECTION 9246. Fiscal changes; Technical College System.**

23 **SECTION 9247. Fiscal changes; Tourism.**

24 **SECTION 9248. Fiscal changes; Transportation.**

25 **SECTION 9249. Fiscal changes; Treasurer.**

**ASSEMBLY BILL 40****SECTION 9250**

1           **SECTION 9250. Fiscal changes; University of Wisconsin Hospitals and**  
2           **Clinics Authority.**

3           **SECTION 9251. Fiscal changes; University of Wisconsin Hospitals and**  
4           **Clinics Board.**

5           **SECTION 9252. Fiscal changes; University of Wisconsin System.**

6           **SECTION 9253. Fiscal changes; Veterans Affairs.**

7           **SECTION 9254. Fiscal changes; Workforce Development.**

8           **SECTION 9255. Fiscal changes; Other.**

9           (1) LAPSE OF UNENCUMBERED MONEYS FROM STATE AGENCY GENERAL PURPOSE  
10 REVENUE AND PROGRAM REVENUE APPROPRIATION ACCOUNTS.

11           (a) In this subsection, “executive branch state agency” means any office,  
12 department, or independent agency in the executive branch of state government.

13           (b) Notwithstanding section 20.001 (3) (a) to (c) of the statutes, but subject to  
14 paragraph (e), the secretary of administration shall lapse to the general fund from  
15 the unencumbered balances of general purpose revenue and program revenue  
16 appropriations to executive branch state agencies, other than sum sufficient  
17 appropriations and appropriations of federal revenues, an amount equal to  
18 \$145,000,000 in the 2011–13 fiscal biennium and \$145,000,000 in the 2013–15 fiscal  
19 biennium. Before lapsing any moneys under this paragraph, the secretary shall  
20 develop a plan for lapsing the moneys and shall submit the plan to the joint  
21 committee on finance. If the cochairpersons of the joint committee on finance do not  
22 notify the secretary within 14 working days after the date of the submittal of the plan  
23 that the committee has scheduled a meeting to review the plan, the plan may be  
24 implemented by the secretary. If, within 14 days after the date of the submittal of  
25 the plan, the cochairpersons of the committee notify the secretary that the committee

**ASSEMBLY BILL 40****SECTION 9255**

1 has scheduled a meeting to review the plan, moneys may be lapsed only after the plan  
2 has been approved by the committee.

3 (c) Subject to paragraph (e), the secretary of administration shall lapse to the  
4 general fund, from the unencumbered balances of program revenue appropriations  
5 to the following executive branch state agencies, and the courts, the following  
6 amounts in each fiscal year of each fiscal biennium indicated:

	<b>2011–13</b>	<b>2013–15</b>
<b>Agency</b>	<b>Fiscal Bien-</b>	<b>Fiscal Bien-</b>
	<b>nium</b>	<b>nium</b>
Administration	\$ 7,461,200	\$ 7,461,200
Aging and Long-Term Care	103,700	103,700
Agriculture, Trade and Consumer Protection	1,566,600	1,566,600
Child Abuse and Neglected Prevention	369,600	369,600
Children and Families	578,000	578,000
Corrections	765,800	765,800
Courts	638,200	638,200
District Attorneys	40,800	40,800
Educational Communications Board	281,300	281,300
Employment Relations Commission	41,000	41,000
Financial Institutions	1,417,500	1,417,500
Government Accountability Board	38,600	38,600
Health Services	13,510,200	13,510,200
Insurance, Office of Commissioner of Justice	1,337,700	1,337,700
1,990,000	1,990,000	1,990,000
Military Affairs	569,800	569,800

**ASSEMBLY BILL 40**

**SECTION 9255**

1	Natural Resources	2,800,500	2,800,500
2	Office of State Employment Relations	692,600	692,600
3	Public Defender Board	117,800	117,800
4	Public Instruction	2,366,120	2,366,120
5	Public Service Commission	91,200	91,200
6	Regulation and Licensing	3,252,300	3,252,300
7	Revenue	1,107,800	1,107,800
8	Secretary of State	50,600	50,600
9	State Fair Park	20,000	20,000
10	Tourism	3,600	3,600
11	Wisconsin Technical College System	1,142,910	1,142,910
12	Workforce Development	2,978,800	2,978,800

13 (d) Subject to paragraph (e), the secretary of administration shall lapse to the  
 14 general fund, from the unencumbered balances of general purpose revenue and  
 15 program revenue appropriations to the following executive branch state agencies,  
 16 the following amounts in each fiscal year of each fiscal biennium indicated:

17		<b>2011-13</b>	<b>2013-15</b>
18	<b>Agency</b>	<b>Fiscal Bien-</b>	<b>Fiscal Bien-</b>
19		<b>nium</b>	<b>nium</b>
20	Administration	\$ 291,600	\$ 236,800
21	Aging and Long-Term Care	26,300	15,000
22	Agriculture, Trade and Consumer	273,800	130,300
23	Protection		
24	Children and Families	178,200	14,200
25	Corrections	8,701,100	133,400
26	District Attorneys	513,900	2,500

**ASSEMBLY BILL 40****SECTION 9255**

1	Educational Communications Board	20,400	–0–
2	Financial Institutions	120,000	120,000
3	Government Accountability Board	11,600	1,600
4	Health Services	1,937,000	99,300
5	Higher Educational Aids Board	6,700	–0–
6	Historical Society	89,500	11,900
7	Insurance, Office of Commissioner of	129,200	129,200
8	Justice	454,600	55,400
9	Military Affairs	84,500	31,700
10	Natural Resources	427,900	207,500
11	Public Defender Board	632,600	900
12	Public Instruction	291,700	74,000
13	Regulation and Licensing	268,500	268,500
14	Revenue	928,800	80,500
15	Secretary of State	600	600
16	State Employment Relations	1,100	1,100
17	Tourism	12,600	–0–
18	Transportation	14,400	14,400
19	Wisconsin Technical College System	23,200	8,000
20	Workforce Development	124,800	8,200

21 (e) 1. The secretary of administration may not lapse moneys under paragraphs  
22 (b), (c), and (d) if the lapse would violate a condition imposed by the federal  
23 government on the expenditure of the moneys or if the lapse would violate the federal  
24 or state constitution. The secretary also may not lapse any amount from program  
25 revenue appropriations under section 20.285 of the statutes.

26 2. For the purpose of submitting information under section 16.42 of the statutes  
27 for purposes of preparing the 2013–15 biennial budget bill, each executive branch

**ASSEMBLY BILL 40****SECTION 9255**

1 state agency subject to paragraph (d) shall adjust its base general purpose revenue  
2 appropriation levels to reflect the general purpose revenue lapses under paragraph  
3 (d).

4 **SECTION 9301. Initial applicability; Administration.**

5 (1) BIDS FOR STATE PROCUREMENT. The treatment of section 16.75 (1) (b) and (c),  
6 (2m) (b) and (c), and (6) (c) of the statutes first applies to bids or proposals solicited  
7 on the effective date of this subsection.

8 (2) COST BENEFIT ANALYSES. The treatment of sections 16.004 (15) (bm), 16.70  
9 (3g), 16.705 (2), (3), and (8), 16.75 (6) (bm), and 84.01 (13) of the statutes first applies  
10 to contracts entered into on the effective date of this subsection.

11 (3) CONTRACTING INELIGIBILITY. The treatment of section 16.705 (9) of the  
12 statutes first applies to awards for contracts given on the effective date of this  
13 subsection.

14 **SECTION 9302. Initial applicability; Aging and Long-Term Care**  
15 **Board.**

16 **SECTION 9303. Initial applicability; Agriculture, Trade and Consumer**  
17 **Protection.**

18 **SECTION 9304. Initial applicability; Arts Board.**

19 **SECTION 9305. Initial applicability; Board for People with**  
20 **Developmental Disabilities.**

21 **SECTION 9306. Initial applicability; Building Commission.**

22 **SECTION 9307. Initial applicability; Child Abuse and Neglect**  
23 **Prevention Board.**

24 **SECTION 9308. Initial applicability; Children and Families.**



**ASSEMBLY BILL 40****SECTION 9308**

1 (1) ORDER OF DISTRIBUTION OF CHILD SUPPORT PAYMENTS. The treatment of section  
2 767.511 (6) (intro.) of the statutes first applies to payments for child support that are  
3 received on the effective date of this subsection.

4 (2) SOCIAL SECURITY NUMBERS IN PATERNITY ACTIONS. The treatment of section  
5 767.215 (5) (a) (intro.) and (am) of the statutes first applies to paternity actions that  
6 are commenced on the effective date of this subsection.

7 (3) SOCIAL SECURITY NUMBERS OF MINOR CHILDREN. The treatment of section  
8 767.215 (5) (a) 2. of the statutes first applies to petitions that are filed on the effective  
9 date of this subsection.

10 (4) MISCELLANEOUS WISCONSIN WORKS PARTICIPATION CHANGES. The treatment of  
11 sections 49.147 (3) (c), (4) (as) and (b), and (5) (b) (intro.), 1m., 2., 2m., 3., and 4. and  
12 (bs), 49.148 (1) (b) 1., 1m. d., and 3. and (c), (1m) (c) (intro.), and (4) (b), 49.151 (1) (b),  
13 49.1515 (title), (2), and (3), and 49.153 (1) (am), (bm), and (c) and (2) of the statutes  
14 first applies to individuals participating in Wisconsin Works on the effective date of  
15 this subsection.

16 **SECTION 9309. Initial applicability; Circuit Courts.**

17 **SECTION 9310. Initial applicability; Commerce.**

18 **SECTION 9311. Initial applicability; Corrections.**

19 (1) SENTENCE ADJUSTMENT. The treatment of sections 15.01 (2), 15.06 (6), 15.145  
20 (1), 17.07 (3m), 20.410 (2) (title) and (a), 20.923 (4) (b) 6., 230.08 (2) (pd), 301.03 (3),  
21 301.048 (2) (am) 3., 301.21 (1m) (c) and (2m) (c), 302.042, 302.043, 302.045 (1), (2) (d),  
22 (3), and (3m) (d), 302.05 (title), (2), (3) (b), (c) 1., 2. (intro.), and 3., and (d), 302.11 (1g)  
23 (b) (intro.) and 2., (c), and (d), (1m), and (7) (c), 302.113 (1), (2) (a), (b), and (c), (3) (d)  
24 and (e), (7), (9) (am) and (c), (9g), and (9h), 302.1135, 302.114 (9) (am) and (c), 304.01  
25 (title), (1), and (2) (intro.), (b), (c), and (d), 304.06 (title), (1) (b), (bg), (bk), (bn), (br),

**ASSEMBLY BILL 40****SECTION 9311**

1 (c) (intro.), (d) 1., 2., 3m., and 4., (e), (eg), (em), (f), and (g), (1m) (intro.), (1q) (b) and  
2 (c), (1x), (2m) (d), (3), (3e), and (3m), 304.071 (1), 801.50 (5), 809.30 (1) (c), 911.01 (4)  
3 (c), 950.04 (1v) (f), (g), (gm), and (nt), 973.01 (3d), (4), (4m), and (7), 973.031, 973.09  
4 (3) (d), 973.195 (1r) (a) and (j), 973.198, 974.07 (4) (b), 976.03 (23) (c), and 977.05 (4)  
5 (jm) of the statutes, the renumbering and amendment of section 302.05 (1) of the  
6 statutes, and the creation of section 302.05 (1) (am) 1. and 2. and (b) of the statutes  
7 first apply to a person sentenced on December 31, 1999, except that the treatment  
8 of ss. 302.113 (1) and (2) (a) and (b) and 304.06 (1) (bg) does not apply to positive  
9 adjustment time earned on or after October 1, 2009, but before the effective date of  
10 this subsection by a person who was sentenced on or after October 1, 2009, but before  
11 the effective date of this subsection.

12 **SECTION 9312. Initial applicability; Court of Appeals.**

13 **SECTION 9313. Initial applicability; District Attorneys.**

14 **SECTION 9314. Initial applicability; Educational Communications**  
15 **Board.**

16 **SECTION 9315. Initial applicability; Employee Trust Funds.**

17 **SECTION 9316. Initial applicability; Employment Relations**  
18 **Commission.**

19 **SECTION 9317. Initial applicability; Financial Institutions.**

20 **SECTION 9318. Initial applicability; Government Accountability Board.**

21 **SECTION 9319. Initial applicability; Governor.**

22 **SECTION 9320. Initial applicability; Health and Educational Facilities**  
23 **Authority.**

24 **SECTION 9321. Initial applicability; Health Services.**

**ASSEMBLY BILL 40****SECTION 9321**

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           (2) FOOD STAMP TRANSFER; INCOME MAINTENANCE CONTRACTS. The treatment of  
5           section 49.78 (1) (b) of the statutes first applies to contracts for the administration  
6           of income maintenance programs in 2013.

7           (3) CONGENITAL TESTING FEES; RULES. The treatment of section 253.13 (2) of the  
8           statutes first applies to tests specified under section 253.13 of the statutes that are  
9           submitted to the state laboratory of hygiene on the effective date of this subsection.

10          (4) PATIENT HEALTH CARE RECORDS FEES; RULES. The treatment of sections 146.83  
11          (1c) (a), (b), and (c), (1d), (1f) (a), (b), (c), and (d) 1. and 2., (1g), (1h), (1k), and (3f),  
12          146.84 (2) (a) 1., and 908.03 (6m) (c) 3. and (e) of the statutes, the renumbering of  
13          section 146.83 (1m) of the statutes, and the creation of section 146.83 (1m) (b) of the  
14          statutes first apply to requests to inspect patient health care records and requests  
15          for copies of patient health care records that are made on the effective date of this  
16          subsection.

17                **SECTION 9322. Initial applicability; Higher Educational Aids Board.**

18                **SECTION 9323. Initial applicability; Historical Society.**

19                **SECTION 9324. Initial applicability; Housing and Economic**  
20                **Development Authority.**

21                **SECTION 9325. Initial applicability; Insurance.**

22           (1) CONTRACEPTIVE COVERAGE. The treatment of sections 40.51 (8) and (8m),  
23           66.0137 (4), 111.91 (2) (n), 120.13 (2) (g), 185.983 (1) (intro.), 609.805, and 632.895  
24           (17) of the statutes first applies to all of the following:

**ASSEMBLY BILL 40****SECTION 9325**

1 (a) Except as provided in paragraphs (b) and (c), disability insurance policies  
2 that are newly issued or renewed, and governmental self-insured or school district  
3 health plans that are newly established, extended, modified, or renewed, on the  
4 effective date of this paragraph.

5 (b) Disability insurance policies covering employees who are affected by a  
6 collective bargaining agreement containing provisions inconsistent with this act  
7 that are newly issued or renewed on the earlier of the following:

8 1. The day on which the collective bargaining agreement expires.

9 2. The day on which the collective bargaining agreement is extended, modified,  
10 or renewed.

11 (c) Governmental or school district self-insured health plans covering  
12 employees who are affected by a collective bargaining agreement containing  
13 provisions inconsistent with this act that are newly established, extended, modified,  
14 or renewed on the earlier of the following:

15 1. The day on which the collective bargaining agreement expires.

16 2. The day on which the collective bargaining agreement is extended, modified,  
17 or renewed.

18 **SECTION 9326. Initial applicability; Investment Board.**

19 **SECTION 9327. Initial applicability; Joint Committee on Finance.**

20 **SECTION 9328. Initial applicability; Judicial Commission.**

21 **SECTION 9329. Initial applicability; Justice.**

22 **SECTION 9330. Initial applicability; Legislature.**

23 **SECTION 9331. Initial applicability; Lieutenant Governor.**

24 **SECTION 9332. Initial applicability; Local Government.**

25 **SECTION 9333. Initial applicability; Medical College of Wisconsin.**

**ASSEMBLY BILL 40****SECTION 9334**

1           **SECTION 9334. Initial applicability; Military Affairs.**

2           **SECTION 9335. Initial applicability; Natural Resources.**

3           (1) STEWARDSHIP ACQUISITION COSTS. The treatment of section 23.0917 (7) (b), (d)  
4 (intro.), and (e) 1. of the statutes, the renumbering and amendment of section  
5 23.0917 (7) (c) of the statutes, and the creation of section 23.0917 (7) (c) 1. of the  
6 statutes first apply to applications for grants, state aid, or funding that are  
7 submitted to the department of natural resources on July 1, 2011, and that have not  
8 been approved or denied by the department of natural resources on or before the  
9 effective date of this subsection.

10          (2) STEWARDSHIP ACQUISITIONS.

11          (a) The treatment of section 23.0917 (5t) of the statutes first applies to  
12 applications for grants and state aid that are submitted to the department of natural  
13 resources on the effective date of this paragraph.

14          (b) The treatment of section 23.0917 (5t) of the statutes first applies to  
15 acquisitions that are submitted to the governor for his or her approval on the effective  
16 date of this paragraph.

17           **SECTION 9336. Initial applicability; Public Defender Board.**

18           **SECTION 9337. Initial applicability; Public Instruction.**

19          (1) RESIDENCY REQUIREMENT. The treatment of sections 111.70 (4) (m) 5. and  
20 118.205 of the statutes first applies to teachers covered by a collective bargaining  
21 agreement that is in effect on the effective date of this subsection upon the  
22 expiration, extension, renewal, or modification of the agreement.

23          (2) PUPIL TRANSPORTATION; PRIVATE SCHOOLS. The treatment of section 121.55 (3)  
24 (b) of the statutes first applies to contracts entered into under section 121.55 (3) of  
25 the statutes, as affected by this act, on the effective date of this subsection.

**ASSEMBLY BILL 40****SECTION 9337**

1           (3) EXTEND MILWAUKEE PARENTAL CHOICE PROGRAM TO MILWAUKEE COUNTY PRIVATE  
2 SCHOOLS; PUPILS. The treatment of section 119.23 (2) (a) (intro.) of the statutes, with  
3 respect to the location of a private school, first applies to pupils who participate in  
4 the program under section 119.23 of the statutes, as affected by this act, in the  
5 2012–13 school year.

6           (4) EXTEND MILWAUKEE PARENTAL CHOICE PROGRAM TO MILWAUKEE COUNTY PRIVATE  
7 SCHOOLS; PARTICIPATING PRIVATE SCHOOLS. The treatment of section 119.23 (7) (d) 1. of  
8 the statutes first applies to private schools participating in the program under  
9 section 119.23 of the statutes, as affected by this act, in the 2012–13 school year.

10           **SECTION 9338. Initial applicability; Public Lands, Board of**  
11 **Commissioners of.**

12           **SECTION 9339. Initial applicability; Public Service Commission.**

13           **SECTION 9340. Initial applicability; Regulation and Licensing.**

14           **SECTION 9341. Initial applicability; Revenue.**

15           (1) DAIRY MANUFACTURING FACILITY INVESTMENT CREDIT. The treatment of sections  
16 71.07 (3p) (c) 3., 71.28 (3p) (c) 3., and 71.47 (3p) (c) 3. of the statutes first applies to  
17 taxable years beginning after December 31, 2010.

18           (2) EXPENDITURE RESTRAINT PAYMENTS. The treatment of section 79.05 (1) (am)  
19 of the statutes first applies to payments made in 2013.

20           (3) INTEREST INCOME EXEMPTION. The treatment of sections 71.05 (1) (c) 11., 71.26  
21 (1m) (L), and 71.45 (1t) (L) of the statutes first applies to taxable years beginning on  
22 January 1, 2011.

23           (4) COMBINED REPORTING ELECTION. The treatment of section 71.255 (2m) (d) of  
24 the statutes first applies retroactively to taxable years beginning on January 1, 2009.

25           **SECTION 9342. Initial applicability; Secretary of State.**

**ASSEMBLY BILL 40****SECTION 9343**

1           **SECTION 9343. Initial applicability; State Employment Relations,**  
2           **Office of.**

3           **SECTION 9344. Initial applicability; State Fair Park Board.**

4           **SECTION 9345. Initial applicability; Supreme Court.**

5           **SECTION 9346. Initial applicability; Technical College System.**

6           (1) FEE REMISSION. The treatment of section 38.24 (7) (b) (intro.) and (8) (b) of  
7           the statutes (with respect to fees paid under federal law) first applies to a student  
8           who is enrolled in the spring 2010 semester.

9           (2) TUITION EXEMPTION FOR ALIENS. The treatment of section 38.22 (6) (e) of the  
10          statutes first applies to persons who enroll for the semester or session following the  
11          effective date of this subsection.

12          **SECTION 9347. Initial applicability; Tourism.**

13          **SECTION 9348. Initial applicability; Transportation.**

14          (1) COMMERCIAL MOTOR VEHICLES.

15          (a) The treatment of sections 341.10 (16) and (17) and 341.63 (1) (f) and (1m)  
16          of the statutes first applies with respect to notices or identifications received by the  
17          department of transportation on the effective date of this subsection.

18          (b) The treatment of sections 341.405 (3m) (c), 341.41 (7), and 341.63 (1r) of the  
19          statutes first applies to applications received by the department of transportation on  
20          the effective date of this subsection.

21          (c) The treatment of sections 343.315 (2) (h) and 343.44 (1) (c) of the statutes  
22          first applies to violations committed on the effective date of this subsection, but does  
23          not preclude the counting of other violations as prior violations for purposes of  
24          administrative action by the department of transportation or sentencing by a court.

**ASSEMBLY BILL 40****SECTION 9348**

1 (d) The treatment of section 341.63 (3) (b) of the statutes first applies with  
2 respect to federal out-of-service orders issued on the effective date of this subsection.

3 (2) CERTIFICATES OF TITLE. The renumbering and amendment of section 342.09  
4 (1) of the statutes and the creation of section 342.09 (1) (b) of the statutes first apply  
5 to applications for certificates of title that are submitted on the effective date of this  
6 subsection.

7 (3) DRIVING SKILLS TEST FEE. The renumbering and amendment of section 343.21  
8 (2) (a) of the statutes and the creation of section 343.21 (2) (a) 3. of the statutes first  
9 apply to driving skills test fees paid on the effective date of this subsection.

10 (4) REGISTRATION DECALS. The treatment of sections 341.12 (2) and (3) (c), 341.13  
11 (title), (1) (intro.), (a), and (b), (2), (3), (3m), and (4), 341.145 (1r), 341.15 (1m) and (3)  
12 (a), 341.605 (1) and (2), 341.61 (title), (1), (2), (3), (4), and (5), 341.615, 341.65 (1) (b),  
13 and 885.237 (2) of the statutes first applies with respect to vehicle registrations for  
14 which an application is received by the department of transportation on the effective  
15 date of this subsection.

16 (5) MOTOR VEHICLE ENVIRONMENTAL IMPACT FEE. The treatment of sections 25.40  
17 (1) (a) 3. and 5m., 25.46 (19), 84.59 (2) (b), and 342.14 (1), (1r), and (3) of the statutes  
18 first applies to fees collected by the department of transportation on the effective date  
19 of this subsection.

20 (6) MAJOR HIGHWAY PROJECTS. The treatment of sections 13.489 (1m) (f), (4) (d),  
21 and (4m), 84.013 (1) (a) (intro.), 1., 2. (intro.), a., and b., 2m., and 3., (2m), and (3) (ad),  
22 85.05, and 227.01 (13) (yc) (as it relates to major highway projects) of the statutes  
23 first applies to highway projects for which preliminary engineering and design work  
24 commences after the effective date of this subsection.

25 **SECTION 9349. Initial applicability; Treasurer.**



**ASSEMBLY BILL 40****SECTION 9350**

1           **SECTION 9350. Initial applicability; University of Wisconsin Hospitals**  
2           **and Clinics Authority.**

3           **SECTION 9351. Initial applicability; University of Wisconsin Hospitals**  
4           **and Clinics Board.**

5           **SECTION 9352. Initial applicability; University of Wisconsin System.**

6           (1) FEE REMISSION. The treatment of section 36.27 (3n) (b) (intro.) and (3p) (b)  
7           of the statutes (with respect to fees paid under federal law) first applies to a student  
8           who is enrolled in the spring 2010 semester.

9           (2) TUITION EXEMPTION FOR ALIENS. The treatment of section 36.27 (2) (cr) of the  
10          statutes first applies to persons who enroll for the semester or session following the  
11          effective date of this subsection.

12          **SECTION 9353. Initial applicability; Veterans Affairs.**

13          **SECTION 9354. Initial applicability; Workforce Development.**

14          **SECTION 9355. Initial applicability; Other.**

15          **SECTION 9400. Effective dates; general.** Except as otherwise provided in  
16          SECTIONS 9401 to 9455 of this act, this act takes effect on July 1, 2011, or on the day  
17          after publication, whichever is later.

18          **SECTION 9401. Effective dates; Administration.**

19          (1) CHILD CARE FACILITIES FOR STATE EMPLOYEES. The treatment of sections 13.48  
20          (2) (b) 4., and (j), 16.841, 16.85 (1) (by SECTION 267), 20.505 (5) (ka), and 20.865 (2)  
21          (am), (gm), and (qm) of the statutes takes effect on September 1, 2011.

22          **SECTION 9402. Effective dates; Aging and Long-Term Care Board.**

23          **SECTION 9403. Effective dates; Agriculture, Trade and Consumer**  
24          **Protection.**

25          **SECTION 9404. Effective dates; Arts Board.**

**ASSEMBLY BILL 40****SECTION 9405**

1           **SECTION 9405. Effective dates; Board for People with Developmental**  
2           **Disabilities.**

3           **SECTION 9406. Effective dates; Building Commission.**

4           **SECTION 9407. Effective dates; Child Abuse and Neglect Prevention**  
5           **Board.**

6           **SECTION 9408. Effective dates; Children and Families.**

7           **SECTION 9409. Effective dates; Circuit Courts.**

8           **SECTION 9410. Effective dates; Commerce.**

9           **SECTION 9411. Effective dates; Corrections.**

10          **SECTION 9412. Effective dates; Court of Appeals.**

11          **SECTION 9413. Effective dates; District Attorneys.**

12          **SECTION 9414. Effective dates; Educational Communications Board.**

13          **SECTION 9415. Effective dates; Employee Trust Funds.**

14          **SECTION 9416. Effective dates; Employment Relations Commission.**

15          **SECTION 9417. Effective dates; Financial Institutions.**

16           (1) INVESTMENT ADVISER REGISTRATION. The treatment of section 551.403 (2) (a)  
17           2. and 2m. of the statutes takes effect on October 31, 2011, or on the day after  
18           publication, whichever is later.

19          **SECTION 9418. Effective dates; Government Accountability Board.**

20           (1) PUBLIC FINANCING OF CAMPAIGNS FOR STATE OFFICE. The treatment of sections  
21           11.26 (9) (a) and (b), 11.506 (1), 11.51 (title) and (1m), 11.511 (1) (by SECTION 8), (2),  
22           (3), and (6), 11.512, 11.513, 11.517 (1), 11.522, 20.511 (1) (qm), 20.566 (1) (hp), 20.855  
23           (4) (bb), 25.421, and 71.10 (3) (title) and (c) and (3e) of the statutes, the repeal of  
24           section 11.511 (7) (b) of the statutes, and the renumbering and amendment of section

**ASSEMBLY BILL 40****SECTION 9418**

1 11.511 (7) (a) of the statutes, and the amendment of section 20.511 (1) (am) of the  
2 statutes, as renumbered, take effect on January 1, 2012.

3 (2) CAMPAIGN FUND APPROPRIATIONS. The treatment of sections 20.855 (4) (b) and  
4 (ba) and 25.42 (by SECTION 883) and 25.421 (by SECTION 885) of the statutes takes  
5 effect on January 1, 2013.

6 **SECTION 9419. Effective dates; Governor.**

7 **SECTION 9420. Effective dates; Health and Educational Facilities**  
8 **Authority.**

9 **SECTION 9421. Effective dates; Health Services.**

10 (1) ELIMINATION OF THE MILWAUKEE COUNTY ENROLLMENT SERVICES UNIT. The  
11 treatment of sections 20.435 (4) (bm) (by SECTION 637), (im), and (L), 40.02 (25) (b)  
12 2c., 40.22 (2) (m), 40.62 (2) (by SECTION 1162), 46.215 (1) (intro.) (by SECTION 1278),  
13 49.155 (1) (ah), 49.197 (2) (cm), 49.496 (4) (a) and (b) and (5), 49.497 (2) (a) and (b),  
14 49.78 (1m) (intro.) (by SECTION 1488), 49.785 (1) (intro.) (by SECTION 1503) 49.793 (2)  
15 (a) (by SECTION 1554) and (b) (by SECTION 1555), 49.825 (by SECTION 1606), 49.847 (3)  
16 (a) (by SECTION 1621) and (b) (by SECTION 1622), 49.89 (7) (a) and (f), 63.03 (2) (r),  
17 111.70 (1) (a) (by SECTION 2406) and (3m), and 230.44 (1) (h) of the statutes takes  
18 effect on the date specified in the notice published in the Wisconsin Administrative  
19 Register under SECTION 9121 (7) (a) of this act, or on May 1, 2012, whichever is earlier.

20 (2) ADMINISTRATION OF THE FUNERAL EXPENSES PROGRAM. The treatment of  
21 sections 20.435 (4) (bm) (by SECTION 638), 49.19 (5) (d), and 49.785 (1) (intro.) (by  
22 SECTION 1504), (1m) (a), (b), and (c), (2) (by SECTION 1510), and (3) (intro.) and (c) of  
23 the statutes takes effect on May 1, 2012.

**ASSEMBLY BILL 40****SECTION 9421**

1           (3) TRANSFER FOOD STAMP PROGRAM TO DEPARTMENT OF CHILDREN AND FAMILIES.

2           The treatment of section 20.435 (4) (bm) (by SECTION 639) of the statutes takes effect  
3           on January 1, 2013.

4           (4) FOOD STAMP PROGRAM TRANSFER TO DEPARTMENT OF CHILDREN AND FAMILIES.

5           The treatment of sections 16.27 (5) (c) (by SECTION 211) and (e), 20.435 (4) (L) (by  
6           SECTION 647), (nn) (by SECTION 649), (pa), and (pv), 20.437 (2) (bm), (L), (nn), and (pv),  
7           46.215 (1) (k), 46.283 (3) (k) (by SECTION 1301), 48.685 (5) (br) 5. (by SECTION 1339),  
8           49.131 (3), 49.141 (7) (c) 3., 49.143 (2) (d), 49.155 (1m) (a) 3m., 49.159 (2), 49.173 (3)  
9           (a) 2., 49.197 (1m) (by SECTION 1404), (3) (by SECTION 1407), (4) (by SECTION 1409), and  
10          (5) (by SECTION 1411), 49.22 (6), 49.32 (7) (b), (c), and (d), and (10) (a), 49.37 (1m),  
11          49.78 (1) (b), 49.79 (title), (intro.), (1) (a), (c), (f), and (g), (2), (3) (title), (5) (title), (a),  
12          and (b), (6), (7), (8m) (title), (a), and (b), and (9) (title), 2., 3., 4., and 5., and (b) (intro.),  
13          1., 2., and 3., 49.793 (title) and (2) (by SECTION 1553), 49.795 (title), (1) (intro.), (a),  
14          (b), (c), (d), and (e) (intro.), 3., 4., and 5., (2), (2m), (3), (4), (5), (6), (7), (8) (a) (intro.),  
15          1., and 2., (b) (intro.), 1., and 2, (c), (d) 1. (intro.), a., b., and c. and 1m., (e) 1. (intro.),  
16          a., and b. and 2., and (f), 49.797 (title), (1), (2) (a) and (b), (4), (5), (6) and (7), 49.84  
17          (5), 49.845 (1) (by SECTION 1611), (2) (by SECTION 1613), (4) (title) (by SECTION 1615)  
18          and (a) 1. (by SECTION 1617), 49.847 (1), (2), and (3) (by SECTION 1620), 49.85 (1), (2)  
19          (a) (intro.) and (b), (3) (a) 1. and (b) 1., 49.95 (4m) (a), 71.07 (2dx) (a) 5., 71.28 (1dx)  
20          (a) 5., 71.47 (1dx) (a) 5., 71.93 (1) (a) 3. and 4., 76.636 (1) (e) 13., 102.29 (8r), 115.347  
21          (2), 238.30 (4m) (by SECTION 2866), 812.30 (9), 812.44 (4) 2. (form) and (5) 2. (form),  
22          814.29 (1) (d) 1., and 977.01 (2), the repeal of sections 20.435 (4) (bn), 49.79 (3) (b),  
23          and 49.797 (8) of the statutes, the renumbering of section 49.795 (8) (d) 2. of the  
24          statutes, and the renumbering and amendment of sections 49.79 (3) (a) and (c), (4),

**ASSEMBLY BILL 40****SECTION 9421**

1 (8), and (9) (a) 1., 49.793 (1), and 49.795 (1) (e) 1. and 2. of the statutes and SECTION  
2 9121 (8) of this act take effect on January 1, 2013.

3 (5) CONGENITAL TESTING FEES; RULES. The treatment of section 253.13 (2) of the  
4 statutes and SECTION 9321 (3) of this act take effect on the first day of the 4th month  
5 beginning after publication.

6 (6) PATIENT HEALTH CARE RECORDS FEES; RULES. The treatment of sections 146.83  
7 (1c) (a), (b), and (c), (1d), (1f) (a), (b), (c), and (d) 1. and 2., (1g), (1h), (1k), and (3f),  
8 146.84 (2) (a) 1., and 908.03 (6m) (c) 3. and (e) of the statutes, the renumbering of  
9 section 146.83 (1m) of the statutes, the creation of section 146.83 (1m) (b) of the  
10 statutes, and SECTION 9321 (4) of this act take effect on the first day of the 4th month  
11 beginning after publication.

12 (7) FAMILY PLANNING DEMONSTRATION PROJECT. The renumbering of section 49.45  
13 (24r) (a) of the statutes and the repeal of section 49.45 (24r) (b) of the statutes take  
14 effect on January 1, 2012.

15 **SECTION 9422. Effective dates; Higher Educational Aids Board.**

16 **SECTION 9423. Effective dates; Historical Society.**

17 **SECTION 9424. Effective dates; Housing and Economic Development**  
18 **Authority.**

19 **SECTION 9425. Effective dates; Insurance.**

20 (1) CONTRACEPTIVE COVERAGE. The treatment of sections 40.51 (8) and (8m),  
21 66.0137 (4), 111.91 (2) (n), 120.13 (2) (g), 185.983 (1) (intro.), 609.805, and 632.895  
22 (17) of the statutes and SECTION 9325 (1) of this act take effect on the first day of the  
23 4th month beginning after publication.

24 **SECTION 9426. Effective dates; Investment Board.**

25 **SECTION 9427. Effective dates; Joint Committee on Finance.**

**ASSEMBLY BILL 40****SECTION 9428**

1           **SECTION 9428. Effective dates; Judicial Commission.**

2           **SECTION 9429. Effective dates; Justice.**

3           **SECTION 9430. Effective dates; Legislature.**

4           **SECTION 9431. Effective dates; Lieutenant Governor.**

5           **SECTION 9432. Effective dates; Local Government.**

6           **SECTION 9433. Effective dates; Medical College of Wisconsin.**

7           **SECTION 9434. Effective dates; Military Affairs.**

8           **SECTION 9435. Effective dates; Natural Resources.**

9           **SECTION 9436. Effective dates; Public Defender Board.**

10          **SECTION 9437. Effective dates; Public Instruction.**

11           (1) INITIAL EDUCATOR GRANT PROGRAM. The treatment of sections 20.255 (2) (kg)  
12 and 115.405 (2m) of the statutes takes effect on July 1, 2012.

13          **SECTION 9438. Effective dates; Public Lands, Board of Commissioners**  
14 **of.**

15          **SECTION 9439. Effective dates; Public Service Commission.**

16          **SECTION 9440. Effective dates; Regulation and Licensing.**

17          **SECTION 9441. Effective dates; Revenue.**

18           (1) JOBS TAX CREDIT. The treatment of section 20.835 (2) (bb) of the statutes takes  
19 effect on January 1, 2012.

20           (2) COMBINED REPORTING ELECTION. The treatment of section 71.255 (2m) (d) of  
21 the statutes takes effect retroactively on January 1, 2009.

22           (3) MODULAR AND MANUFACTURED HOMES. The treatment of section 77.54 (5) (am)  
23 of the statutes takes effect on the first day of the 3rd month beginning after  
24 publication.

**ASSEMBLY BILL 40****SECTION 9441**

1 (4) VEGETABLE OIL CONVERTED TO FUEL. The treatment of section 77.54 (11m) of  
2 the statutes takes effect on the first day of the 3rd month beginning after publication.

3 **SECTION 9442. Effective dates; Secretary of State.**

4 **SECTION 9443. Effective dates; State Employment Relations, Office of.**

5 **SECTION 9444. Effective dates; State Fair Park Board.**

6 **SECTION 9445. Effective dates; Supreme Court.**

7 **SECTION 9446. Effective dates; Technical College System.**

8 (1) FEE REMISSION. The treatment of section 38.24 (7) (b) (intro.) (by SECTION  
9 1098) and (8) (b) (by SECTION 1100) of the statutes takes effect retroactively on  
10 January 1, 2010.

11 **SECTION 9447. Effective dates; Tourism.**

12 **SECTION 9448. Effective dates; Transportation.**

13 (1) CERTIFICATES OF TITLE. The treatment of sections 218.0171 (2) (c) and (cm)  
14 2., 218.23 (1), 342.13 (1), 342.15 (1) (a) and (c) and (5), 342.20 (1), 342.22 (1) (intro.)  
15 and (2), and 342.23 (2) (a) and (b) and (4) of the statutes, the renumbering and  
16 amendment of sections 342.09 (1) of the statutes, and the creation of section 342.09  
17 (1) (b) of the statutes and SECTIONS 9148 (1) and 9348 (2) of this act take effect on  
18 January 1, 2012.

19 (2) IDENTIFICATION CARD RENEWALS. The repeal and recreation of sections 343.20  
20 (2) (a) and 343.50 (4) and (6) of the statutes takes effect on July 1, 2011, on the day  
21 after publication, or on the date on which the creation of section 343.165 of the  
22 statutes by 2007 Wisconsin Act 20 takes effect, whichever is latest.

23 (3) REGISTRATION DECALS.

24 (a) The treatment of sections 341.12 (2) and (3) (c), 343.13 (title), (1) (intro.), (a),  
25 and (b), (2), (3), (3m), and (4), 341.145 (1r), 341.15 (1m) and (3) (a), 341.605 (1) and

**ASSEMBLY BILL 40****SECTION 9448**

1 (2), 341.61 (title), (1), (2), (3), (4), and (5), 341.615, 341.65 (1) (b), and 885.237 (2) of  
2 the statutes and SECTION 9348 (1) (b) of this act take effect on the first day of the 7th  
3 month beginning after publication.

4 (b) The treatment of section 341.52 (by SECTION 3110) of the statutes takes  
5 effect on the first day of the 7th month beginning after publication.

6 (4) REAL ID NONCOMPLIANT OPERATOR'S LICENSES AND IDENTIFICATION CARDS. The  
7 treatment of sections 343.03 (3r), 343.06 (1) (L), 343.10 (7) (d), 343.11 (3) (by SECTION  
8 3150), 343.14 (3) and (3m), 343.165 (1) (intro.), (2), (3) (a), (4) (a), (c), and (d), (5), and  
9 (7), and 343.17 (3) (a) 2. and 14. of the statutes and the repeal and recreation of  
10 sections 343.17 (5) and 343.50 (1), (3), and (4g) of the statutes take effect on July 1,  
11 2011, on the day after publication, or on the date on which the creation of section  
12 343.165 of the statutes by 2007 Wisconsin Act 20 takes effect, whichever is latest.

13 (5) MASS TRANSIT OPERATING AIDS. The treatment of sections 20.395 (1) (hr), (hs),  
14 (ht), (hu), and (hw), 85.20 (4m) (a) 6. cm. (by SECTION 2247), d. (by SECTION 2249), and  
15 e., 7. a., and 8. a., and (4s) of the statutes takes effect on July 1, 2012.

16 **SECTION 9449. Effective dates; Treasurer.**

17 **SECTION 9450. Effective dates; University of Wisconsin Hospitals and**  
18 **Clinics Authority.**

19 **SECTION 9451. Effective dates; University of Wisconsin Hospitals and**  
20 **Clinics Board.**

21 **SECTION 9452. Effective dates; University of Wisconsin System.**

22 (1) FEE REMISSION. The treatment of section 36.27 (3n) (b) (intro.) (by SECTION  
23 996) and (3p) (b) (by SECTION 998) of the statutes takes effect retroactively on January  
24 1, 2010.

25 **SECTION 9453. Effective dates; Veterans Affairs.**



