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CHAPTER 237

1981 Assembly Bill 942

Date published: April 26, 1982

**CHAPTER 237 , Laws of 1981**

AN ACT to repeal 14.80, 15.107 (1) and (4), 15.137 (3) and (4), 15.227 (2), 15.437 (1), 15.497 (1) and (3), 15.701 (1), 15.705 (1), 15.917, 20.485 (2) (ub), 36.25 (1), 44.22 (2) (f), (5) (exc. 44.22 (5) (a) 1) and (8) (b), 45.60 (title), (1), (2) (title) and (3) (title), 73.10 (10) and 93.35 (1) (a); to renumber 45.35 (3); to renumber and amend 44.22 (5) (a) 1 and (8) (a) and 45.60 (2) and (3); to amend 44.22 (4) (f) and (7), 45.28 (1) (e) and 93.35 (4) (a) and (6) (a) and (e); and to create 45.35 (3) (b) and (3m) (title) of the statutes, relating to abolishing certain councils, commissions and boards.

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

SECTION 1. 14.80 of the statutes, as affected by chapter 20, laws of 1981, is repealed.

SECTION 3. 15.107 (1) of the statutes is repealed.

SECTION 4. 15.107 (4) of the statutes is repealed.

SECTION 5. 15.137 (3) of the statutes is repealed.

SECTION 6. 15.137 (4) of the statutes is repealed.

SECTION 10. 15.227 (2) of the statutes is repealed.

SECTION 11. 15.437 (1) of the statutes is repealed.

SECTION 12. 15.497 (1) of the statutes is repealed.

SECTION 13. 15.497 (3) of the statutes is repealed.

SECTION 14. 15.701 (1) of the statutes is repealed.

SECTION 15. 15.705 (1) of the statutes is repealed.

SECTION 16. 15.917 of the statutes is repealed.

SECTION 17. 20.485 (2) (ub) of the statutes is repealed.

SECTION 18. 36.25 (1) of the statutes is repealed.

SECTION 26. 44.22 (2) (f) of the statutes is repealed.

SECTION 27. 44.22 (4) (f) of the statutes is amended to read:

44.22 (4) (f) Act in an advisory capacity to the state historical society ~~and the state negotiating board.~~

SECTION 28. 44.22 (5) (exc. 44.22 (5) (a) 1) of the statutes is repealed.

SECTION 29. 44.22 (5) (a) 1 of the statutes is renumbered 44.22 (6) (j) and amended to read:

44.22 (6) (j) Review and comment upon those actions of any agency of the state ~~referred to it by the officer~~ which may have an adverse effect upon historic properties and seek through negotiation the amelioration of adverse effects, if any, in the manner specified in subs. (7) and (8).

SECTION 30. 44.22 (7) of the statutes is amended to read:

44.22 (7) STATE AGENCY CONSIDERATION. Each agency of the state shall, in its long-range planning and facilities development consider the effects of proposed actions on historic properties identified on the inventory, the register, or otherwise known to the agency and shall during the earliest stages of planning notify the officer of any action which may

affect a historic property. To the extent practicable, the administrative procedures established under s. 1.11 shall be used in order to fulfill the requirements of this subsection. The officer ~~and the state negotiating board~~ shall participate as necessary in the consideration of environmental impact and may arrange negotiations as provided in sub. (8). When possible, efforts to ameliorate adverse effects on historic properties shall occur during the period of consideration of environmental impact.

SECTION 31. 44.22 (8) (a) of the statutes is renumbered 44.22 (8) and amended to read:

44.22 (8) NEGOTIATIONS. Upon receipt of notification from an agency of the state concerning a proposed action affecting an historic property, the officer shall, as soon as practicable, determine whether the action would adversely affect an historic property on the register, on the inventory or otherwise known to the officer or the agency and in the judgment of the officer is eligible for the register. The officer shall reach this determination within 30 days or shall notify the agency of the state in writing within such time that more time, not to exceed an additional 30 days, will be required to make adequate determinations and shall advise the agency of the reasons for requiring the extension. If there is an adverse effect, the officer may require negotiations with the agency of the state proposing such action in an attempt to ameliorate such effects. If the negotiations result in agreement as to means of ameliorating such effects, these agreements shall be incorporated in the proposed action. If no agreement is reached, the officer shall prepare a written report on the effects and the status of the negotiations. ~~Within 30 days from the time negotiations are begun, the officer shall transmit the report or agreements to the negotiating board for its review. In addition, the officer shall immediately report determinations of no adverse effect to the negotiating board for its information. The officer shall report the results of all attempts to ameliorate adverse effects to the governor and the legislature.~~

SECTION 32. 44.22 (8) (b) of the statutes is repealed.

SECTION 33. 45.28 (1) (e) of the statutes is amended to read:

45.28 (1) (e) The department shall adopt rules relating to the distribution of grants under this program. These rules shall include the establishment of selection procedures, uniform need determination procedures, standard single and married student educational budgets for various institutions and such other rules as the department deems necessary to assure uniform administration of the program. Rules relating to need determination under this paragraph shall be adopted in conformance with guidelines established by the ~~council on Vietnam era veterans education grants board of veterans affairs~~. The student budgets used in the determination of need shall be established at least annually and shall adequately recognize the unique and additional needs of veterans and their families.

SECTION 34. 45.35 (3) of the statutes is renumbered 45.35 (3) (a).

SECTION 35. 45.35 (3) (b) of the statutes is created to read:

45.35 (3) (b) The board shall establish guidelines for the department's rules under s. 45.28 (1) (e) relating to procedures for uniform need determination for Vietnam era veterans educational grants.

SECTION 36. 45.35 (3m) (title) of the statutes is created to read:

45.35 (3m) (title) CAMP RANDALL MEMORIAL.

SECTION 37. 45.60 (title), (1), (2) (title) and (3) (title) of the statutes are repealed.

SECTION 38. 45.60 (2) and (3) of the statutes are renumbered 45.35 (3m) (a) and (b) and amended to read:

45.35 (3m) (a) The ~~veterans memorial council board~~ board may approve, recommend and veto any proposed plans, modifications and changes or policies with respect to established state memorials, including the Camp Randall memorial park, Madison, Wisconsin, as described in chapter 28, laws of 1913, and any future veterans state memorials; and recommend the creation and establishment of veterans state memorials.

(b) No structures other than the Camp Randall memorial building project shall be placed or erected upon ~~said~~ Camp Randall memorial park unless authorized by the legislature; nor shall ~~said~~ the park be used for any purpose other than those authorized in chapter 28, laws of 1913. If the Camp Randall memorial building is removed, the premises on which ~~said building~~ it is located shall revert to Camp Randall memorial park.

SECTION 39. 73.10 (10) of the statutes is repealed.

SECTION 40. 93.35 (1) (a) of the statutes is repealed.

SECTION 41. 93.35 (4) (a) of the statutes is amended to read:

93.35 (4) (a) The department, ~~with the advice of the council,~~ shall prescribe by rule, the procedure and criteria for issuance of professional weather modification licenses under this section. The criteria shall be consistent with qualifications recognized by national or international professional and scientific associations concerned with weather modification and meteorology and shall carry out the purposes of this section.

SECTION 42. 93.35 (6) (a) of the statutes is amended to read:

93.35 (6) (a) The department, ~~with the advice of the council,~~ shall prescribe, by rule, the procedure and criteria for issuance of weather modification permits under this section. The criteria shall be designed to carry out the purposes of this section.

SECTION 43. 93.35 (6) (e) of the statutes is amended to read:

93.35 (6) (e) In order to carry out the objectives and purposes of this section, the department may, ~~with the advice of the council,~~ condition and limit permits as to primary target area, time of the operation, materials and methods to be used in conducting the operation, emergency shutdown procedure and any other operational requirements as may be established by the department ~~with the advice of the council.~~

SECTION 46. **Nonstatutory provisions; historical society.**

(1) HISTORIC PRESERVATION NEGOTIATING BOARD. (a) *Rules.* Rules promulgated by the historic preservation negotiating board prior to the effective date of this act shall remain in effect until modified, amended or repealed by the historical society.

(b) *Actions and proceedings.* All administrative and adjudicative actions and proceedings by or against the historic preservation negotiating board which are pending on the effective date of this act shall be treated as actions and proceedings by or against the historical society.

SECTION 50. **Effective dates.** This act takes effect on the first day of the first month occurring after publication.

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