

1985 Assembly Bill 85

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## 1985 Wisconsin Act 29

(Vetoed in Part)

AN ACT relating to state finances and appropriations, constituting the executive budget bill of the 1985 legislature, and making appropriations.

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

SECTION 1d. 1.11 (2) (intro.) of the statutes is amended to read:

1.11 (2) (intro.) Except as provided in s. ~~145.022~~ 145.023, all agencies of the state shall:

SECTION 1g. 1.11 (2) (intro.) of the statutes, as affected by 1985 Wisconsin Act .... (this act), is amended to read:

1.11 (2) (intro.) ~~Except as provided in s. 145.023, all~~ All agencies of the state shall:

SECTION 21. 13.09 (4) of the statutes is amended to read:

13.09 (4) The joint committee on finance shall receive reports submitted under ss. 13.095, 13.105 (intro.), 13.106 (1) (intro.) and (2), 13.94 (1) (a) and (b), 16.004 (2) and (7) (b), 16.04 (1m), ~~16.40 (14)~~, 16.50 (3), 16.513 (2) to (4), 16.531 (3), 16.54 (5) and (8), 16.544 (1) and (3), 16.545 (8), 16.82 (4) (c), 16.97 (3), 20.002 (10), 20.235 (1) (g), ~~20.505 (5) (a)~~, ~~20.920 (2) (am)~~, 23.31 (1), 35.03 (6), ~~36.09 (1) (j)~~, 38.06 (3) (c), 39.16 (2) (im), 39.28 (3) (b), 44.20 (4) (b), 46.03 (18) (a), (24), (26) (intro.) and (31), 49.45 (2) (a) 8 and 16 and (b) 2, 56.018, 115.781, 146.90, 230.08 (4) (c), 234.25 (1), 234.65 (4) and 977.10.

SECTION 22. 13.101 (5m) of the statutes is created to read:

13.101 (5m) The committee may approve an employe ownership assistance loan in a specified amount exceeding \$25,000 under s. 560.16 (4).

SECTION 22c. 13.48 (1) (intro.) of the statutes is amended to read:

13.48 (1) POLICY. (intro.) The legislature finds and determines that it is necessary to improve the adequacy of the public building facilities that are required by the various state agencies including the educational institutions, for the proper performance of their duties and functions, and that it is in the interest of economy, efficiency and the public welfare that such improvement be accomplished by means of a long-range public building program, with funds to be provided by successive legislatures. The long-range program shall include the necessary lands, new buildings, and all facilities and equipment required and also the remodeling, reconstruction, maintenance and reequipping of existing buildings and facilities, as determined by the building commission. The long-range program shall also recognize the importance of historic properties as ~~defined in s. 44.22~~ and shall include a program of preservation and restoration of those historic properties under the control of the state as provided in s. 44.22, including criteria for determining which historic properties should be preserved and restored. In this subsection:

SECTION 22e. 13.48 (1) (a) 1 of the statutes is amended to read:

13.48 (1) (a) 1. Is listed on, or has been nominated by the state historical society for listing on, the national register of historic places in Wisconsin; ~~or~~

SECTION 22n. 13.48 (1) (a) 2 of the statutes is amended to read:

\* 1985 Assembly Bill 85 was approved by the Governor "in part" on July 17, 1985, and the parts approved became 1985 Wisconsin Act 29, published on July 19, 1985. The vetoes of parts 2-G and 4-U objected to by the Governor ("veto item") were overruled by the Assembly on October 9 and 10 and by the Senate on October 16, 1985.

Item 2-G: *Wisconsin higher education corporation* — see SECTIONS 148m, 153m, 2054m, 3056 (7) and 3204 (56) (c).

Item 4-U: *Joint committee on finance: review of pay plan supplements* — see SECTIONS 609, 609g and 609r.

If additional vetoed items of 1985 Assembly Bill 85 are reviewed by the Legislature and are overruled by the required two-thirds vote of each house to become law "notwithstanding the objections of the Governor", such parts will be published at the front of Volume-2, *Laws of Wisconsin 1985* covering the action of the 1985-86 Legislature in calendar year 1986.

13.48 (1) (a) 2. Is included in a district which is listed on, or has been nominated by the state historical society for listing on, the national register of historic places in Wisconsin, and has been determined by the state historical society to contribute to the historic significance of the district; or

SECTION 22r. 13.48 (1) (a) 3 of the statutes is created to read:

13.48 (1) (a) 3. Is included on a list of properties which have been determined by the state historical society to be eligible for listing on the national register of historic places in Wisconsin.

SECTION 22w. 13.48 (1) (b) of the statutes is repealed.

SECTION 23. 13.48 (2) (b) 2 of the statutes is amended to read:

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

3. The building commission may lease space in ~~such~~ buildings described under subd. 2 to other governmental bodies or to nonprofit associations organized for public purposes and shall charge ~~such~~ those bodies or associations an annual rental which shall be not less than the cost of operating, maintaining and amortizing the construction cost of ~~such~~ the leased space.

SECTION 24. 13.48 (2) (b) 4 of the statutes is created to read:

13.48 (2) (b) 4. Notwithstanding subd. 3, the building commission may lease space in buildings described under subd. 2 to day care providers and, whether or not a day care provider operates for profit, may charge it an annual rent determined by the building commission.

SECTION 25. 13.48 (2) (j) of the statutes is created to read:

13.48 (2) (j) No later than the first day of the 7th month after the effective date of each biennial budget act, the secretary of employment relations shall report to the building commission, in writing, regarding the desirability of including plans for day care facility space in the plans for any construction or major remodeling project, enumerated in the state building program in the biennial budget act, for any state office building. Based upon the report of the secretary of employment relations, the building commission may direct that plans for day care facility space be included

in the plans for that construction or major remodeling project.

SECTION 26. 13.485 of the statutes is created to read:

**13.485 Parking structure funding.** (1) The parking facility that is enumerated for construction in the 1985-87 authorized state building program and that is located in Milwaukee county on Lake Michigan may be the subject of an agreement under sub. (4) and s. 59.07 (143) and may be funded from the proceeds of revenue obligations issued subject to and in accordance with subch. II of ch. 18.

(2) The building commission may, under s. 18.56 (5) and (9) (j), deposit in a separate and distinct fund, outside the state treasury, in an account maintained by a trustee, fees and charges derived from the facilities or from agreements entered into under sub. (4). The fees and charges deposited are the trustee's moneys in accordance with the agreement between this state and the trustee or in accordance with the resolution pledging the fees and charges to the repayment of revenue obligations issued under this section.

(3) The building commission may pledge fees and charges received or to be received in the fund established in sub. (2) to secure revenue obligations issued under this section and the building commission shall have all other powers necessary and convenient to distribute the pledged fees and charges and to distribute the proceeds of revenue obligations in accordance with subch. II of ch. 18.

(4) The building commission may enter into agreements with the federal government or its agencies, political subdivisions of this state or private individuals or entities to insure, guaranty or in any other manner provide security for the revenue obligations issued under this section or to construct, operate, maintain or manage the facilities under sub. (1).

(5) Revenue obligations may be contracted by the building commission if it reasonably appears to the building commission that all obligations incurred under this section can be fully paid from moneys received or anticipated and pledged to be received on a timely basis. Revenue obligations issued under this section may not exceed \$14,541,200 in principal amount, excluding obligations issued to fund, refund or refinance outstanding revenue obligations.

SECTION 27. 13.489 (4) of the statutes is renumbered 13.489 (4) (a).

SECTION 28. 13.489 (4) (b) of the statutes is created to read:

13.489 (4) (b) The commission may include in the report in par. (a) its designation of highway improvement projects under s. 84.013 (6m) as major highway projects.

SECTION 29. 13.489 (5) of the statutes is amended to read:

13.489 (5) SUBMITTAL OF PROJECTS TO THE COMMISSION. The department of transportation may not construct ~~any portion of~~ a major highway project, as

defined in s. 84.013 (1) (a), or, within any 6-year period, construct a highway project consisting of separate contiguous projects which do not individually qualify as major highway projects but which in their entirety would constitute a major highway project without first submitting the project to the commission for its recommendations and report and without specific authorization under s. 84.013 (3), except as provided in s. 84.013 (6).

SECTION 29m. 13.49 (6m) of the statutes is created to read:

13.49 (6m) RECOMMENDED AMOUNT OF DEBT AND OBLIGATIONS. The committee shall submit to the presiding officer of each house of the legislature on or before May 1 of each odd-numbered year a joint resolution setting forth a recommended maximum principal amount of state debt and revenue obligations to be incurred during the fiscal biennium beginning on the succeeding July 1, exclusive of any debt or obligations incurred to refund existing debt or obligations. Adoption of the recommendation does not preclude incurrance of debt or obligations in addition to the amount specified in the resolution.

SECTION 29r. 13.53 (1) of the statutes is amended to read:

13.53 (1) CREATION. There is created a joint legislative audit committee consisting of the cochairpersons of the joint committee on finance, 2 other majority and 2 minority party senators and 2 other majority and 2 minority party representatives to the assembly, appointed as are the members of standing committees in their respective houses. In making the appointments of the members from each house other than the cochairpersons of the joint committee on finance, each house shall designate a cochairperson. The committee shall be staffed as are other standing committees of the legislature. The committee shall meet as often as necessary to perform its duties and functions.

SECTION 30. 13.63 (1) of the statutes is amended to read:

13.63 (1) LICENSES; FEES; ELIGIBILITY. An application for a license to act as a lobbyist may be obtained from and filed with the secretary of state. Upon approval of the application and payment of the license fee ~~of \$15~~ under s. 13.75 (1) to the secretary of state, a license shall be issued which entitles the licensee to practice lobbying on behalf of one principal. A lobbyist shall pay an additional \$15 license fee under s. 13.75 (1) for each additional principal which the lobbyist represents. The license shall expire on December 31 of each even-numbered year. No application may be disapproved by the secretary of state except an application for a license by a person who is ineligible for licensure under s. 13.69 (4) or lobbyist whose license has been revoked under s. 13.69 (7) and only for the period of such ineligibility or revocation. Denial of a license may be reviewed under ch. 227.

SECTION 31. 13.70 (5) of the statutes is amended to read:

13.70 (5) Any principal who or which anticipates making expenditures or incurring obligations in an aggregate amount of ~~more than \$250~~ but not in excess of \$500 in a calendar year for the purpose of engaging in lobbying activities which are not exempt under this section may so indicate on a verified statement filed with the secretary of state. The statement shall disclose the name, address and telephone number of the principal and a brief description of each cause or interest for which the principal employs a lobbyist. The statement shall also disclose the name and business address of any lobbyist who is employed by such principal to engage in lobbying activities which are not exempt under this section. A statement filed under this subsection expires at midnight on December 31 of each year. Any principal and any lobbyist acting on behalf of a principal making such a statement is not subject to licensing under s. 13.63, registration under s. 13.64, or the reporting requirements under s. 13.67 or 13.68, if the statement is true. The statement may be revoked at any time by the principal and the principal and any lobbyist employed by the principal are then subject to such requirements as of the date of revocation. The statement shall be revoked no later than 10 days after the date the aggregate expenditures or obligations in the calendar year for the purpose of engaging in such lobbying activities exceed \$500. The fee paid under s. 13.75 (3) for filing a statement under this subsection shall be credited toward payment of the fee under s. 13.75 (2) if the fee under s. 13.75 (2) is paid within the same year.

SECTION 32. 13.75 of the statutes is created to read:

13.75 Fees. The secretary of state shall charge and collect for the following purposes the following amounts:

- (1) Obtaining a license under s. 13.63 (1), \$25.
- (2) Filing the registration of principal and lobbyist form under s. 13.64, \$50.
- (3) Filing a verified statement under s. 13.70 (5), \$10.

SECTION 32b. 13.81 (1) of the statutes is amended to read:

13.81 (1) CREATION. There is created a legislative council of ~~19~~ 20 members consisting of the speaker and deputy speaker of the assembly, the president of the senate, the senate and assembly majority and minority leaders, the 2 cochairpersons of the joint committee on finance, the ranking minority member of the joint committee on finance from each house, and ~~3~~ 4 senators and 5 representatives to the assembly appointed as are the members of standing committees in their respective houses. The terms of all members shall expire on May 1 of each odd-numbered year.

SECTION 32c. 13.83 (3) (b) 2 of the statutes is amended to read:

13.83 (3) (b) 2. ~~Four senators and 4 representatives to the assembly~~ Eight legislator members of the senate

and assembly, including at least one member of the majority party and at least one member of the minority party from each house, appointed by the legislative council.

SECTION 32m. 13.90 (1) (i) of the statutes is created to read:

13.90 (1) (i) Determine and approve a parking plan for the state capitol park consistent with s. 16.843.

SECTION 32s. 13.90 (1) (j) of the statutes is created to read:

13.90 (1) (j) Designate the individuals authorized to sign joint purchasing contracts for the senate and assembly and the legislative service agencies under s. 16.74 (2).

SECTION 33. 13.93 (1) (a) of the statutes is amended to read:

13.93 (1) (a) Shall formulate and prepare a definite plan for the order, classification, arrangement, printing and binding of the statutes ~~and session laws, and between and during sessions of the legislature~~ prepare and at each session of the legislature present bills to the law revision committee of the legislative council, ~~in the bill or bills as may be thought best, containing such consolidation, revision and other matter relating to the statutes or any portion thereof as can be completed from as time to time permits.~~

SECTION 34. 13.93 (1) (q) of the statutes is created to read:

13.93 (1) (q) Shall specify the time of submission and the form of the note prepared by the commissioner of insurance under s. 601.21 and shall include the note in ch. 609 of each biennial edition of the Wisconsin statutes.

SECTION 35k. 13.94 (intro.) of the statutes is amended to read:

**13.94 Legislative audit bureau.** (intro.) There is created a bureau to be known as the "Legislative Audit Bureau", headed by a chief known as the "State Auditor". The bureau shall be strictly nonpartisan and shall at all times observe the confidential nature of any audit currently being performed. Subject to s. 230.35 (4) (a) and (f), the state auditor or designated employes shall at all times with or without notice have access to all departments and to any books, records or other documents maintained by the departments and relating to their expenditures, revenues, operations and structure except as provided in sub. (4) and except that access to documents of counties, cities, villages, towns or school districts is limited to work performed in connection with audits authorized under sub. (1) (m). In the discharge of any duty imposed by law, the state auditor may subpoena witnesses, administer oaths and take testimony and cause the deposition of witnesses to be taken as prescribed for taking depositions in civil actions in circuit courts.

SECTION 35L. 13.94 (1) (b) of the statutes is amended to read:

13.94 (1) (b) Audit the records of every state department, board, commission, independent agency

or authority at least once each 5 years and audit the records of other departments as defined in sub. (4) when the state auditor deems it advisable or when he or she is so directed and, in conjunction therewith, reconcile the records of the department audited with those of the department of administration. Audits of the records of a county, city, village, town or school district may be performed only as provided in par. (m). Within 30 days after completion of any such audit, the bureau shall file with the joint legislative audit committee, the appropriate standing committees of the legislature, the joint committee on legislative organization, the governor, the department of administration, the legislative reference bureau, the joint committee on finance, the legislative fiscal bureau and the department audited, a detailed report thereof, including its recommendations for improvement and efficiency and including specific instances, if any, of illegal or improper expenditures.

SECTION 35m. 13.94 (1) (e) of the statutes is amended to read:

13.94 (1) (e) Make such special examinations of the accounts and financial transactions of any department, agency or officer as the governor, legislature, joint legislative audit committee or joint committee on legislative organization directs. If the governor directs that such an examination be conducted, the order from the governor shall provide for reimbursement of the legislative audit bureau's costs in making the examination from the appropriation under s. 20.525 (1) (a). No order from the governor for an examination under this paragraph may take precedence over an examination already scheduled by the legislative audit bureau without approval of the joint legislative audit committee. Examinations of the accounts and transactions of a county, city, village, town or school district may be performed only as authorized in par. (m).

SECTION 35n. 13.94 (1) (g) of the statutes is amended to read:

13.94 (1) (g) Require each state department, board, commission, independent agency or authority to file with the bureau on or before September 1 of each year a report on all receivables due the state as of the preceding June 30 which were occasioned by activities of the reporting unit. The report may also be required of other departments ~~as defined in sub. (4)~~, except counties, cities, villages, towns and school districts. The report shall show the aggregate amount of such receivables according to fiscal year of origin and collections thereon during the fiscal year preceding the report. The state auditor may require any department to file with the bureau a detailed list of the receivables comprising the aggregate amounts shown on the reports prescribed by this paragraph.

SECTION 35o. 13.94 (1) (m) of the statutes is created to read:

13.94 (1) (m) Audit the records of any county, city, village, town or school district at the direction of the

joint legislative audit committee. The committee may not direct more than 3 such audits in any calendar year.

SECTION 35p. 13.94 (1s) of the statutes is amended to read:

13.94 (1s) **CHARGES FOR REQUESTED AUDITS.** The legislative audit bureau may charge any department for the reasonable cost of auditing services which are performed at the request of a department or at the request of the federal government which the bureau is not required to perform under sub. (1) (a) to (e) or (k) or any other law. This subsection does not apply to counties, cities, villages, towns or school districts.

SECTION 35q. 13.94 (4) (a) 3 of the statutes is created to read:

13.94 (4) (a) 3. Any county, city, village, town or school district.

SECTION 36. 14.011 (4) of the statutes is repealed.

SECTION 37. 14.015 (title) of the statutes is amended to read:

**14.015 (title) Same; attached boards.**

SECTION 38. 14.015 (3) of the statutes is repealed.

SECTION 39. 14.06 of the statutes is created to read:

**14.06 Change in private activity bond limits.** Annually from September 1 to the bonding year deadline, as defined in s. 66.522 (1) (am), the governor, by executive order, may authorize a change in the bond limits specified under ss. 39.37 (4m), 66.522 (2) (a) 2, 231.03 (6w) and 234.18 (2m). The annual aggregate of such changes may not exceed \$100,000,000.

SECTION 39m. 14.20 of the statutes is created to read:

**14.20 Economic stabilization.** (1) **LEGISLATIVE PURPOSE.** The purpose of this section is to provide temporary assistance to areas of the state which become economically distressed due to plant closings, indefinite layoffs or farm sales resulting in a precipitous increase in unemployment, so that the economics of the areas may adjust to the disparity between the population and employment base with minimum hardship to the population and maximum enhancement of the employment base of the areas.

(2) **ELIGIBILITY.** The governor shall, by executive order, adopt specific criteria whereby a county or city may apply for assistance under this section. To be initially eligible for assistance, a county or city must have, as of the end of the latest month preceding the date of application for which statistics are available, a total civilian seasonally unadjusted rate of unemployment exceeding 20%, as determined by the department of industry, labor and human relations, and must have experienced an increase in such unemployment of at least 80% during the last 12 complete months for which statistics are available preceding the date of the application.

(3) **DISTRIBUTION OF ASSISTANCE.** The amount of assistance payable to any county or city shall be deter-

mined by the governor, subject to the approval of the council on economic adjustment. Assistance shall be made available at times specified by the governor, after consultation with public officials in the qualifying county or city and approval by the council.

(4) **USE OF ASSISTANCE.** Assistance provided under this section shall be utilized, to the maximum extent possible, to capitalize on existing community and state resources. However, assistance may be utilized to provide additional resources if necessary.

(5) **PLANNING.** No assistance may be provided under this section until the eligible recipient provides to the governor and the council on economic adjustment a plan addressing the specific nature of the need. The plan shall provide for human resource development and assistance as well as economic expansion and development to adjust the employment base of the county or city to a level sufficient to support the population.

(6) **QUALIFYING PERIOD.** A county or city which qualifies for assistance under sub. (2) shall remain eligible for assistance through the end of the month during which the department of industry, labor and human relations determines that the total civilian seasonally unadjusted rate of unemployment for the county or city does not exceed 20%, or for a period of 4 years from the date of initial eligibility determination, whichever first occurs.

(7) This section does not apply after December 31, 1986.

SECTION 40. 14.28 (title) of the statutes is repealed.

SECTION 41. 14.28 (1) of the statutes is repealed.

SECTION 42. 14.28 (2) of the statutes is repealed.

SECTION 43. 14.28 (3) (a) (intro.) of the statutes is renumbered 101.26 (2) (a) (intro.).

SECTION 44. 14.28 (3) (a) 1 of the statutes is repealed.

SECTION 45. 14.28 (3) (a) 2 of the statutes is renumbered 101.26 (2) (a) 1.

SECTION 46. 14.28 (3) (a) 3 of the statutes is renumbered 101.26 (2) (a) 2, and 101.26 (2) (a) 2. (intro.), as renumbered, is amended to read:

101.26 (2) (a) 2. (intro.) "Eligible youth participant" means an individual between the ages of 14 and 21 who is either of the following:

SECTION 47. 14.28 (3) (a) 4 of the statutes is renumbered 101.26 (2) (a) 3.

SECTION 48. 14.28 (3) (b) of the statutes is renumbered 101.26 (2) (b) and amended to read:

101.26 (2) (b) ~~The governor's employment and training office~~ In carrying out its responsibilities under this section, the department shall coordinate services authorized under 29 USC 1533 and provided by the department of public instruction, and the board of vocational, technical and adult education and ~~community-based organizations~~ to provide programs to help eligible youth participants, at least 75% of whom

shall be economically disadvantaged, ~~obtain high school diplomas or equivalent educational credentials individuals.~~ At least 50% of the federal moneys received under 29 USC 1602 (b) (1) shall be used for programs under this subsection.

SECTION 49. 14.281 (title) of the statutes is repealed.

SECTION 50. 14.281 (1) of the statutes is renumbered 101.26 (3) (a) and amended to read:

101.26 (3) (a) To ensure that a the governor's coordination and special services plan proposed by the state job training coordinating council and each job training plan proposed by a private industry council designated in this state pursuant to the federal job training partnership act, P.L. 97-300, coordinates 29 USC 1501 to 1781, coordinate with and considers consider programs and services provided or proposed by other bodies with a direct interest in employment and, training and human resources utilization and respond to concerns of interested citizens, employment and training service providers and members of the business community, the state job training coordinating council and each private industry council shall make its their proposed job training plan plans available to the public and after reasonable notice hold at least one public hearing regarding the plan before submitting it submittal to the governor and the appropriate standing committees of the legislature under sub. (2). Such a par. (c). The state job training coordinating council or private industry council shall provide notice of the public hearing and a copy of the proposed plan or a summary of it to the appropriate standing committees under par. (b). The public hearing shall be held sufficiently in advance of the date the each council must submit the its plan to the governor to permit the council to address concerns raised at the its hearing. The public hearing shall be held at a reasonable time in a place accessible to the public, including handicapped persons.

SECTION 51. 14.281 (2) of the statutes is renumbered 101.26 (3) (c), and 101.26 (3) (c) (intro.) and 3, as renumbered, are amended to read:

101.26 (3) (c) (intro.) After the public hearing under sub. (1) par. (a), the state job training coordinating council or the private industry council shall submit its proposed job training plan to the governor and to the standing committees dealing with education, economic development and employment and any other appropriate standing committee in each house of the legislature, according to procedures established by the governor's employment and training office department. The state job training coordinating council or the private industry council shall include all of the following with the proposed plan submitted to the governor:

3. A discussion of testimony presented in opposition to the council's proposed job training plan, including whether the council has addressed or will address the opposing parties' concerns and a justifica-

tion of any decision by the council not to address those concerns.

SECTION 52. 14.367 of the statutes is created to read:

**14.367 Same; council.** (1) UNIFORM COMMERCIAL CODE STATEWIDE LIEN SYSTEM COUNCIL. (a) There is created in the office of the secretary of state a uniform commercial code statewide lien system council. The council shall consist of the director of the Wilson street regional data processing service center or the director's designee and the following members appointed by the secretary of state for 6-year terms:

1. Two members appointed from persons nominated by the Wisconsin registers of deeds association.
2. One member appointed from persons nominated by the Wisconsin federation of cooperatives.
3. One member to represent the legal community of this state.
4. One member to represent the business community of this state.
5. One member to represent the financial services community of this state.

(b) The council shall advise the secretary of state on the uniform commercial code statewide lien system under s. 409.410.

SECTION 53. 14.38 (9) of the statutes is amended to read:

14.38 (9) FURNISH CERTIFIED COPIES. Make a copy of any law, resolution, deed, bond, record, document or paper deposited or kept in his or her office, upon request therefor, attach thereto his or her certificate, with the greater or lesser seal affixed, and collect therefor 50 cents per page and \$2 \$5 for such certificate; if a copy is not to be certified and if the reproduction is performed by the office of the secretary of state, then collect a fee to cover the actual and necessary cost of reproduction and actual and necessary cost of transcription required to produce the copy, ~~if any or \$2, whichever is greater;~~ also to record any document authorized or required by law to be recorded in his or her office, and to charge therefor a fee of ~~25 cents per folio \$1 per page.~~ The fee for certified copies of appointments, certificates of incorporations or amendments, licenses of foreign corporations, or similar certificates, and for certificates as to results of search of the records and files of his or her office, when a printed form is used, shall be \$3 \$5, but when a specially prepared form is required the fee shall be \$4 \$10. Telegraphic reports as to results of record searches shall be \$2 \$5 plus the cost of the telegram.

SECTION 54. 14.38 (13) of the statutes is created to read:

14.38 (13) UNIFORM COMMERCIAL CODE STATEWIDE LIEN SYSTEM. Establish and maintain, in consultation with the uniform commercial code statewide lien system council, computer and any other services necessary to support the uniform commercial code statewide lien system under s. 409.410.

SECTION 55. 14.38 (14) (intro.) of the statutes is amended to read:

14.38 (14) NAME OF DRAFTSMAN ON DOCUMENTS. (intro.) No articles of incorporation, articles of amendment, articles of merger or consolidation, statement of intention to dissolve, articles of dissolution, restated articles of incorporation, certificate of abandonment, or statement of revocation of voluntary dissolution, provided for pursuant to ch. 180, 181, 185 or 187 and no certificate of limited partnership, certificate of amendment, restated certificate of limited partnership or certificate of cancellation, provided for pursuant to ch. 179, shall be filed by the secretary of state unless the name of the person individual who, or the governmental agency which, drafted such document is printed, typewritten, stamped or written thereon in a legible manner. A document complies with this subsection if it contains a statement in the following form: "This document was drafted by .... (Name)". This subsection shall not apply to a document executed prior to December 1, 1967, or to:

SECTION 57. 14.58 (1) (intro.) of the statutes is amended to read:

14.58 (1) HAVE CUSTODY OF MONEYS. (intro.) Receive and have charge of all moneys paid into the treasury and any other moneys received by officers and employes of state agencies, and pay out the moneys as directed by law, except as provided in ss. ~~20.370 (9) (ms), 16.52 (7), 20.907 (5) (b), 20.920 and 20.929.~~ Checks, share drafts or other drafts on depositories in which moneys may be deposited shall be signed in one of the following methods:

SECTION 58. 14.58 (4) of the statutes is renumbered 14.58 (4) (a) and amended to read:

14.58 (4) (a) Pay out of the treasury, on demand, upon the warrants of the department of administration, except as provided in s. 20.929, such sums only as are authorized by law to be so paid, if there are appropriate funds therein to pay the same, ~~except when in the judgment of the state treasurer balances in state public depository accounts are temporarily in excess of that required, the treasurer, with the concurrence of the secretary of administration, may authorize the preparation of a warrant in excess of the funds contained in the investment fund for the purpose of investment only, and, when any sum is required to be paid out of a particular fund, pay it out of such fund only; and upon each such warrant, when payment is made in currency, take the receipt indorsed on or annexed thereto, of the payee therein named or an authorized agent or assignee. The state treasurer shall accept telephone advice believed by the treasurer to be genuine from any public depository, as defined in s. 34.01 (5), stating that a specified amount of money has been deposited with such public depository for the credit of the state treasurer, and shall act upon such telephone advice as though it had been in writing.~~

SECTION 59. 14.58 (4) (b) of the statutes is created to read:

14.58 (4) (b) When in the judgment of the state treasurer balances in state public depository accounts are temporarily in excess of that required under par. (a), the treasurer, with the concurrence of the secretary of administration, may authorize the preparation of a warrant in excess of the funds contained in the investment fund for the purpose of investment only. The earnings attributable to the investment of temporary excess balances shall be distributed as provided in sub. (19).

SECTION 60. 14.58 (19) of the statutes is amended to read:

14.58 (19) APPORTION INTEREST. Apportion at least quarterly the ~~total~~ interest earned on state moneys in all depositories among the several funds as provided in s. 25.14 (3), except that earnings attributable to the investment of temporary excess balances under sub. (4) (b) shall be distributed according to a formula prescribed by the depository selection board. To the maximum extent deemed administratively feasible by the depository selection board, the formula shall approximate the distribution of earnings among funds which would occur if earnings were allocated in proportion to each fund's actual contribution to the earnings. Interest so apportioned shall be added to and become a part of such funds.

SECTION 61. 14.58 (21) of the statutes is created to read:

14.58 (21) From moneys received under s. 59.20 (8) and (8m), deposit in the general fund an amount necessary for the payment of charges under ss. 23.49 and 85.14.

SECTION 61e. 15.01 (4) of the statutes is amended to read:

15.01 (4) "Council" means a part-time body appointed to function on a continuing basis for the study, and recommendation of solutions and policy alternatives, of the problems arising in a specified functional area of state government, except the council on criminal justice has the powers and duties specified in s. 16.969 and the council on economic adjustment has the powers specified in s. 14.20.

SECTION 61s. 15.04 (1) (d) of the statutes is amended to read:

15.04 (1) (d) *Biennial report.* Submit a report on or before October 15 of each odd-numbered year to the governor and the legislature on the performance and operations of the department or independent agency during the preceding biennium, and projecting the goals and objectives of the department or independent agency as developed for the program budget report. The secretary of administration may prescribe the format of the report and may require such other information deemed appropriate. Each department or independent agency shall provide a copy of its biennial report to legislators upon request. Any department or independent agency may issue such additional reports on its findings and recommendations as its operations require. A department or independent

agency may, on or before October 15, submit an annual report prepared by it, in place of the biennial report required under this paragraph, if the submission of the annual reports is approved by the secretary of administration.

SECTION 62. 15.04 (2) of the statutes is amended to read:

15.04 (2) DEPUTY. Each secretary of a department or head of an independent agency under s. 230.08 (2) (L) may appoint a deputy who shall serve at the pleasure of the secretary, or agency head outside the classified service. The deputy shall exercise the powers, duties and functions of the secretary or head in the absence of the secretary or head, and shall perform such other duties as the secretary or head prescribes. The adjutant general may appoint 2 deputies as provided in s. 21.18 (1). In this subsection "secretary" includes the attorney general and the state superintendent of public instruction.

SECTION 64m. 15.06 (3) (a) 2 of the statutes is amended to read:

15.06 (3) (a) 2. The members, ~~except the chairperson,~~ of the tax appeals commission who are appointed on a part-time basis.

SECTION 64q. 15.07 (1) (a) 5 of the statutes is created to read:

15.07 (1) (a) 5. The member of the educational communications board appointed under s. 15.57 (5) shall be appointed as provided in that section.

SECTION 64u. 15.07 (1) (b) 13 of the statutes is created to read:

15.07 (1) (b) 13. State fair park board.

SECTION 65. 15.07 (2) (g) of the statutes is amended to read:

15.07 (2) (g) ~~The administrator of the division of law enforcement services~~ A representative of the department of justice designated by the attorney general shall serve as nonvoting secretary to the law enforcement standards board.

SECTION 66. 15.101 (10) of the statutes is repealed.

SECTION 68. 15.105 (1) of the statutes is amended to read:

15.105 (1) TAX APPEALS COMMISSION. There is created a tax appeals commission which is attached to the department of administration under s. 15.03. Members shall be appointed solely on the basis of fitness to perform the duties of their office, and shall be experienced in tax matters. The commission shall meet at the call of the ~~chairman~~ chairperson or at the call of a majority of its members. The chairman chairperson shall not serve on or under any committee of a political party. The commission shall include but not be limited to a small claims division.

SECTION 69. 15.105 (9) of the statutes is repealed.

SECTION 70. 15.105 (11) (e) of the statutes is repealed.

SECTION 70g. 15.107 (1m) (a) of the statutes is amended to read:

15.107 (1m) (a) ~~Four~~ Three members nominated by the Wisconsin hospital association, ~~one of whom shall be a registered nurse.~~

SECTION 70r. 15.107 (1m) (e) of the statutes is created to read:

15.107 (1m) (e) One member nominated by the Wisconsin nurses association. This member shall be a registered nurse.

SECTION 73. 15.107 (7) of the statutes is amended to read:

15.107 (7) RADIOACTIVE WASTE POLICY COUNCIL. There is created in the department of administration a radioactive waste policy council. The radioactive waste policy council consists of not more than 11 members appointed for 3-year terms by the radioactive waste review board to serve at the pleasure of the board. At least 6 of the members shall be residents of the territory north of a line running east and west through the southern limit of the city of Stevens Point. The chairperson of the radioactive waste policy council may not vote on the appointment of members to the radioactive waste policy council. The members shall include public members, representatives of local units of government and representatives of American Indian tribes. The board shall appoint public members to represent a broad diversity of opinion regarding the long-term disposal of high-level radioactive waste and transuranic waste. The board shall appoint representatives of local units of government from different parts of the state. ~~This subsection is effective until January 1, 1987.~~

SECTION 74. 15.107 (8) of the statutes is amended to read:

15.107 (8) RADIOACTIVE WASTE TECHNICAL COUNCIL. There is created in the department of administration a radioactive waste technical council consisting of the secretary of the department of health and social services, the secretary of the department of natural resources, the secretary of the department of transportation, the attorney general, the administrator of the division of emergency government in the department of administration, the head of the subunit responsible for state planning and energy in the department of administration, the state geologist, the chairperson of the public service commission and the president of the university of Wisconsin system or their designees. In addition, the radioactive waste review board may appoint 2 additional members with technical expertise in fields related to the long-term disposal of high-level radioactive waste and transuranic waste. ~~This subsection is effective until January 1, 1987.~~

SECTION 74m. 15.135 (1) of the statutes is amended to read:

15.135 (1) STATE FAIR PARK BOARD. There is created a state fair park board which is attached to the department of agriculture, trade and consumer protection under s. 15.03. The board shall consist of ~~3~~ 5 members



appointed to serve at the pleasure of the governor for 5-year terms.

SECTION 75. 15.151 (2) of the statutes is created to read:

15.151 (2) EMPLOYE OWNERSHIP BOARD. The employe ownership board shall have the program responsibilities specified for the board under s. 560.16.

SECTION 75m. 15.155 (2) of the statutes is created to read:

15.155 (2) EMPLOYE OWNERSHIP BOARD. There is created an employe ownership board attached to the department of development under s. 15.03 consisting of the secretary of development or his or her designee, a representative from the labor community and another member appointed by the governor, the director of the small business development center at the university of Wisconsin-extension or the director's designee and the executive director of the community development finance authority.

SECTION 76. 15.157 (2) of the statutes is amended to read:

15.157 (2) COUNCIL ON TOURISM. There is created in the department of development a council on tourism consisting of 15 members. The council shall advise the department on matters relating to tourism. Nominations for ~~such~~ appointments to the council shall be sought from but not limited to multicounty regional associations engaged in promoting tourism, statewide associations of businesses engaged in tourism-related enterprises, metropolitan area visitor and convention bureaus and other persons or organizations associated with the tourism industry including tourist facilities user groups and environmental protection groups in the state.

SECTION 77. 15.157 (3) of the statutes is repealed.

SECTION 78. 15.157 (5) (a) (intro.) of the statutes is amended to read:

15.157 (5) (a) (intro.) There is created in the department of development a council for economic adjustment consisting of the following 8 members:

SECTION 79. 15.157 (5) (a) 6 of the statutes is repealed.

SECTION 80m. 15.197 (16) of the statutes, as affected by chapter 111, laws of 1979, sections 2m and 18 (2) and 1983 Wisconsin Act 204, is repealed and recreated to read:

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

the problems and treatment of victims of domestic abuse.

SECTION 81. 15.197 (17) of the statutes is repealed.

SECTION 81m. 15.197 (18) of the statutes is created to read:

15.197 (18) COUNCIL ON HEALTH CARE COVERAGE FOR THE UNINSURED. There is created a council on health care coverage for the uninsured which is attached to the department of health and social services under s. 15.03. The council shall consist of 9 members who shall be appointed by and serve at the pleasure of the governor.

SECTION 82. 15.251 (1) of the statutes is repealed.

SECTION 83. 15.251 (2) of the statutes is repealed.

SECTION 84. 15.253 (1) of the statutes is repealed.

SECTION 85. 15.253 (2) of the statutes is repealed.

SECTION 86. 15.341 (4) of the statutes is renumbered 15.101 (19).

SECTION 87. 15.345 (4) of the statutes is renumbered 15.105 (18), and 15.105 (18) (a) and (b), as renumbered, are amended to read:

15.105 (18) (a) *Creation*. There is created a Wisconsin conservation corps board which is attached to the department of ~~natural resources~~ administration under s. 15.03.

(b) *Membership*. The Wisconsin conservation corps board consists of 7 members appointed by the governor from various areas of the state in a manner designed to provide regional, environmental and agricultural representation.

SECTION 87h. 15.347 (1) of the statutes is created to read:

15.347 (1) GREAT LAKES FISH AND WATER RESOURCES COUNCIL. (a) There is created in the department of natural resources a Great Lakes fish and water resources council consisting of:

1. Three licensed, active commercial fishers, appointed from a list submitted by the Wisconsin commercial fishermen's association.

2. Three active sports fishers.

3. An employe of the University of Wisconsin system, appointed by the board of regents of the University of Wisconsin system.

4. An employe of the department of natural resources appointed by the secretary of natural resources.

5. An employe of the department of health and social services, appointed by the secretary of health and social services.

6. An employe of the department of agriculture, trade and consumer protection, appointed by the secretary of agriculture, trade and consumer protection.

7. A person employed by the paper industry.

8. A member of the conservation congress.

9. A member of an environmental organization of this state.

10. A public member appointed by the governor.

(b) The members under par. (a) 1, 2 and 7 to 10 shall serve terms expiring on July 1, 1989.

(c) Paragraphs (a) and (b) do not apply after July 1, 1989.

SECTION 87m. 15.347 (11) of the statutes is amended to read:

15.347 (11) (title) OFF-THE-ROAD VEHICLE COUNCIL. There is created in the department of natural resources ~~a motorcycle recreation~~ an off-the-road vehicle council consisting of 7 members, appointed by the natural resources board for staggered 3-year terms, who are knowledgeable in off-the-road sporting and recreational needs of the ~~motorcyclist drivers of motorcycles and all-terrain vehicles.~~

SECTION 88. 15.377 (2) of the statutes is created to read:

15.377 (2) GOVERNOR'S COUNCIL ON BUSINESS AND EDUCATION PARTNERSHIPS. There is created in the department of public instruction a council on business and education partnerships consisting of representatives of private business and industry, agriculture, organized labor, the vocational, technical and adult education system and the public school system. A majority of the members shall be representatives of private business and industry. Council members shall be appointed for 3-year terms.

SECTION 89. 15.377 (3) of the statutes is created to read:

15.377 (3) COUNCIL ON INSTRUCTIONAL TELECOMMUNICATIONS. There is created in the department of public instruction a council on instructional telecommunications. The state superintendent of public instruction shall appoint one member to represent each of the cooperative educational service agencies, from nominations made by the boards of control of the cooperative educational service agencies, and 2 members to represent private primary and secondary educational institutions. Council members shall be appointed for 4-year terms.

SECTION 89g. 15.377 (7) of the statutes is created to read:

15.377 (7) COUNCIL ON SUICIDE PREVENTION. There is created a council on suicide prevention in the department of public instruction. The council shall consist of 2 persons appointed by the state superintendent of public instruction, at least one of whom is not an employe of the department of public instruction, 2 persons appointed by the secretary of health and social services, at least one of whom is not an employe of the department of health and social services, one person and one physician appointed jointly by the state superintendent of public instruction and the secretary of health and social services and one member of the council on criminal justice appointed by the chairperson of that council. Members shall be appointed for terms expiring on July 1, 1989.

SECTION 89h. 15.377 (7) of the statutes, as created by 1985 Wisconsin Act ... (this act), is repealed.

SECTION 90. 15.435 (1) (f) of the statutes is amended to read:

15.435 (1) (f) *Executive secretary.* An executive secretary shall be appointed ~~to serve at the pleasure of in the classified service by the board.~~

SECTION 90c. 15.57 (1) of the statutes is amended to read:

15.57 (1) The ~~governor~~ secretary of administration, the state superintendent of public instruction, the president of the university of Wisconsin system and the director of the board of vocational, technical and adult education, or their designees.

SECTION 90g. 15.57 (2) of the statutes is amended to read:

15.57 (2) ~~Four~~ Two public members appointed for 4-year terms.

SECTION 90n. 15.57 (3) of the statutes is repealed and recreated to read:

15.57 (3) One representative of public schools and one representative of private schools, appointed for 4-year terms.

SECTION 90v. 15.57 (5) of the statutes is created to read:

15.57 (5) One member appointed by the board of regents of the university of Wisconsin system for a 4-year term.

SECTION 90w. 15.57 (6) of the statutes is created to read:

15.57 (6) The chairpersons of the council on instructional telecommunications, the council on public radio and the council on public television.

SECTION 90y. 15.577 of the statutes is created to read:

**15.577 Same; councils.** (1) COUNCIL ON PUBLIC RADIO. There is created in the educational communications board a council on public radio consisting of the members of the board of the Wisconsin public radio association.

(2) COUNCIL ON PUBLIC TELEVISION. There is created in the educational communications board a council on public television consisting of 5 members appointed for 4-year terms. The members shall be appointed from recommendations made by local television support groups.

SECTION 93m. 15.701 (3) of the statutes is created to read:

15.701 (3) DIVISION OF MUSEUM. The division of museum shall have the program-responsibilities specified for the division under s. 44.205.

SECTION 94. 15.703 (1) of the statutes is amended to read:

15.703 (1) DIVISION OF HISTORIC SITES. There is created a division of historic sites which is attached to the historical society under s. 15.03. The administrator of the division of historic sites ~~in the historical society shall act as the business manager and shall be~~

appointed outside the classified service by the director of the historical society, with the advice and consent of the executive committee of the board of curators of the historical society, to serve at the ~~board's~~ director's pleasure.

SECTION 94b. 15.703 (2) of the statutes is created to read:

15.703 (2) **DIVISION OF MUSEUM.** There is created a division of museum attached to the historical society under s. 15.03. The administrator of the division of museum shall be appointed outside the classified service by the director of the historical society, with the advice and consent of the executive committee of the board of curators of the historical society, to serve at the director's pleasure.

SECTION 94m. 15.76 (intro.) of the statutes is amended to read:

**15.76 Investment board; creation.** (intro.) There is created a state of Wisconsin investment board, to be known for statutory purposes as the investment board. The investment board shall consist of ~~7~~ **8** members, as follows:

SECTION 94s. 15.76 (2) of the statutes is amended to read:

15.76 (2) ~~Four~~ **Five** members appointed for staggered 6-year terms, ~~who 4 of whom~~ shall have had at least 10 years' experience in making investments, but any person having a financial interest in or whose employer is primarily a dealer or broker in securities or mortgage or real estate investments is not eligible for appointment, and any member who acquires such an interest or accepts such appointment shall thereupon vacate his membership.

SECTION 96. 15.915 (2) of the statutes is amended to read:

15.915 (2) **LABORATORY OF HYGIENE BOARD.** There is created in the university of Wisconsin system a laboratory of hygiene under the direction and supervision of the laboratory of hygiene board. The board shall consist of the president of the university of Wisconsin system, the chancellor of the university of Wisconsin-Madison, the secretary of health and social services and an employe of the department of health and social services appointed by such secretary, the secretary of natural resources and an employe of the department of natural resources appointed by such secretary, the secretary of agriculture, trade and consumer protection, and a representative of local public health agencies, but not from the department of health and social services, appointed by the governor for a 3-year term, or their designees, none of whom shall be employes of the laboratory. The director of the laboratory shall serve as a nonvoting member of the board.

SECTION 98. 15.917 of the statutes is created to read:

**15.917 Same; councils.** (1) **COUNCIL ON PUBLIC BROADCASTING.** There is created in the university of Wisconsin system a council on public broadcasting consisting of the chairpersons of the council on

instructional telecommunications, the council on public radio and the council on public television; the 2 members of the educational communications board that represent the university of Wisconsin system; and 2 members appointed from recommendations made by Friends of WHA, 2 members appointed from recommendations made by university of Wisconsin system radio stations and 2 public members, all appointed for 4-year terms.

SECTION 99. 15.94 (3) of the statutes is amended to read:

15.94 (3) ~~Nine members, of whom 3 shall be employers~~ One employer of labor, 3 shall be employes one employe who does not have employing or discharging power and 3 shall be persons, one person whose principal occupation is farming and who ~~are~~ is actually engaged in the operation of farms and 6 additional members appointed for ~~staggered~~ 6-year terms.

SECTION 100. 16.004 (9) of the statutes is created to read:

16.004 (9) **AGREEMENTS TO MAINTAIN AN ACCOUNTING FOR OPERATING NOTES.** The secretary may enter into agreements to maintain an accounting of, forecast and administer those moneys that are in the process of collection by the state and that are pledged for the repayment of operating notes issued under subch. III of ch. 18, in accordance with resolutions of the building commission authorizing the issuance of the operating notes.

SECTION 100g. 16.007 (6) (b) 2 of the statutes is amended to read:

16.007 (6) (b) 2. Payment of a refund of state inheritance tax which has been overpaid by any taxpayer or for which a valid claim has been filed under s. 72.15 (6).

SECTION 100m. 16.009 (1) (em) of the statutes is created to read:

16.009 (1) (em) Monitor, evaluate and make recommendations concerning long-term care services received by clients of the long-term support community options program under s. 46.27.

SECTION 100p. 16.009 (1) (j) of the statutes is created to read:

16.009 (1) (j) Provide information to consumers regarding insurance policies available to supplement federal medicare insurance coverage.

SECTION 101. 16.08 (15) of the statutes is repealed.

SECTION 103m. 16.20 (3m) of the statutes is created to read:

16.20 (3m) **Reporting requirement for donations.** The board shall submit an annual report to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2) that identifies, for each gift, grant or bequest credited under s. 20.399 (3) (g), the name of the individual or organization making it and the amount of and the manner in which it is utilized.

SECTION 104m. 16.20 (12) (am) of the statutes is created to read:

16.20 (12) (am) A priority of the board shall be expanding its employment of persons who are receiving public assistance.

SECTION 105. 16.40 (14) of the statutes is created to read:

16.40 (14) COMMITTEES. Perform administrative services required to properly account for the finances of committees created by law or executive order. The governor may authorize each committee to make expenditures from the appropriation under s. 20.505 (3) (a) not exceeding \$2,000. The governor shall report such authorized expenditures to the joint committee on finance at the next quarterly meeting of the committee. If the governor desires to authorize expenditures of more than \$2,000 by a committee, the governor shall submit to the joint committee on finance for its approval a complete budget for all expenditures made or to be made by the committee. If the joint committee on finance approves expenditures of more than \$2,000 by a committee, the governor may authorize the expenditures to be made from the appropriation under s. 20.505 (3) (a).

SECTION 106. 16.40 (15) of the statutes is created to read:

16.40 (15) BADGER STATE GAMES ASSISTANCE. Provide, from the appropriation under s. 20.505 (1) (f), financial assistance for the operation of the 1985 badger state games.

SECTION 107. 16.40 (15) of the statutes, as created by 1985 Wisconsin Act .... (this act), is repealed.

SECTION 108. 16.40 (16) of the statutes is created to read:

16.40 (16) MAINTAIN AN ACCOUNTING FOR OPERATING NOTES. Maintain an accounting of, forecast and administer those moneys pledged for the repayment of operating notes issued under subch. III of ch. 18, in accordance with agreements entered into by the secretary under s. 16.004 (9).

SECTION 108m. 16.40 (17) of the statutes is created to read:

16.40 (17) INTERSTATE BODIES. Perform administrative services required to properly account for dues and related expenses for state participation in national or regional interstate governmental bodies specified in s. 20.505 (3) (a) or determined by the governor.

SECTION 109. 16.405 (1) of the statutes is amended to read:

16.405 (1) At any time the department determines that a deficiency will occur in the funds of the state which will not permit the state to meet its operating obligations in a timely manner, it may prepare a request for the issuance of operating notes under subch. III of ch. 18 and, subject to sub. (2), may submit the request to the building commission.

SECTION 110. 16.405 (2) of the statutes is amended to read:

16.405 (2) ~~Requests of the~~ The department may not submit a request to the building commission under sub. (1) shall be unless the request is signed by the secretary and the governor, and approved by the joint committee on finance, and shall include an agreement to maintain an accounting of those moneys in the process of collection by the state to be pledged for the repayment of the requested operating notes in such manner as required in a resolution authorizing the issuance of operating notes.

SECTION 111. 16.405 (3) of the statutes is repealed.

SECTION 112. 16.501 of the statutes is created to read:

16.501 Forward Wisconsin, inc.; funds. No funds appropriated under s. 20.143 (1) (bm) may be expended until the department of development submits to the secretary a report setting forth the amount of private contributions received by Forward Wisconsin, inc., since the date the department of development last submitted a report under this section. After receiving the report, the secretary may approve the expenditure of funds up to the amount set forth in the report. Total funds expended in any fiscal year may not exceed the amounts in the schedule under s. 20.143 (1) (bm).

SECTION 113. 16.51 (7) of the statutes is amended to read:

16.51 (7) AUDIT CLAIMS FOR EXPENSES IN CONNECTION WITH PRISONERS. Receive, examine, determine and audit claims, duly certified and approved by the department of health and social services, from the county clerk of any county in behalf of the county, which are presented for payment to reimburse the county for certain expenses incurred or paid by it in reference to all matters growing out of actions and proceedings involving prisoners in state prisons, as defined in s. 53.01, including prisoners transferred to ~~central state hospital or a mental health institute~~ for observation or treatment, when the proceedings are commenced in counties in which the prisons are located by a district attorney or by the prisoner as a postconviction remedy or a matter involving the prisoner's status as a prisoner. Expenses shall only include the amounts as were necessarily incurred and actually paid and shall be no more than the legitimate cost would be to any other county had the offense or crime occurred therein.

SECTION 114. 16.517 of the statutes is created to read:

16.517 Adjustments of program revenue positions and funding levels. No later than 30 days after the effective date of each biennial budget act, the department shall provide to the joint committee on finance a report indicating any initial modifications that are necessary to the appropriation levels established under that act for program revenue and program revenue-service appropriations as defined in s. 20.001 (2) (b) and (c) or to the number of full-time equivalent

positions funded from program revenue and program revenue-service appropriations authorized by that act to account for any additional funding or positions authorized under ss. 16.505 (2) and 16.515 in the fiscal year immediately preceding the biennium of the budget and not included in authorizations under the biennial budget act but which should be included as continued budget authorizations in the biennium of the budget. Such modifications shall be limited to adjustment of the appropriation or position levels to the extent required to account for higher base levels for the fiscal year immediately preceding the biennium of the budget due to appropriation or position increases authorized under ss. 16.505 (2) and 16.515 subsequent to October 1 of the fiscal year immediately preceding the biennium of the budget and prior to June 30 of that fiscal year. If the cochairpersons of the committee do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposed modifications within 14 working days after the date of the department's report, the modifications may be made. If, within 14 working days after the date of the department's report, the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposed modifications, the department may not make the modifications until the committee approves the report.

SECTION 114m. 16.52 (6) (a) of the statutes is amended to read:

16.52 (6) (a) ~~All~~ Except as authorized in s. 16.74, all purchase orders, contracts, or printing orders shall, before any liability is incurred thereon, be submitted to the secretary for his or her approval as to legality of purpose and sufficiency of appropriated and allotted funds therefor. In all cases the date of the contract or order governs the fiscal year to which the contract or order is chargeable, unless the secretary determines that the purpose of the contract or order is to prevent lapsing of appropriations or to otherwise circumvent budgetary intent. Upon such approval, the secretary shall immediately encumber all contracts or orders, and indicate the fiscal year to which they are chargeable.

SECTION 115. 16.52 (7) of the statutes is amended to read:

16.52 (7) (title) PETTY CASH ACCOUNT. A With the approval of the secretary, each agency which is authorized to maintain a contingent fund under s. 20.920 may establish a petty cash fund in an amount not exceeding \$2,500 from the general program operations appropriations may be established for such agencies as the secretary determines account from its contingent fund. The procedure for operation and maintenance of petty cash funds accounts and the character of expenditures therefrom shall be prescribed by the secretary. In this subsection, "agency" means an office, department, independent agency, institution of higher education, association, society or

other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in ch. 231, 233 or 234.

SECTION 116. 16.53 (1) (a) of the statutes is amended to read:

16.53 (1) (a) *Audit.* The secretary is responsible for auditing claims against the state, when payment thereof out of the state treasury is authorized by law. ~~Such, except as provided in ss. 16.77 (1) and 20.920.~~ The audit may be on a sample basis in accordance with generally accepted auditing standards. The secretary may delegate in writing the audit function to the head of any department agency under terms and standards established by the secretary. The delegation shall be by mutual agreement and notice of the agreement shall be reported to the state auditor. If the secretary finds, through sample auditing, review of procedures, controls and any other audit techniques he deems necessary, that the delegated function is not being performed according to the established auditing standards, he the secretary shall in writing withdraw the delegated authority. In this subsection, "agency" has the meaning given under s. 16.52 (7).

SECTION 117. 16.53 (5) of the statutes is amended to read:

16.53 (5) WARRANTS; WHAT TO SPECIFY. The secretary shall draw ~~his~~ a warrant on the state treasurer payable to the claimant for the amount allowed by ~~him~~ the secretary upon every claim audited under sub. (1), except as authorized in s. ~~20.370 (9) (ms)~~ 16.52 (7), 20.920 or 20.929, specifying from what fund to be paid, the particular law which authorizes the same claim to be paid out of the state treasury, and at the secretary's discretion the post-office address of the payee; and he. The secretary shall not credit the treasurer for any sum of money paid out by him the treasurer otherwise than upon such warrants.

SECTION 118. 16.53 (10) (a) of the statutes is amended to read:

16.53 (10) (a) If an emergency arises which requires the department to draw vouchers for payments which will be in excess of available moneys in any state fund, the secretary, in consultation with the state treasurer, and after notifying the joint committee on finance under par. (b), may prorate and establish priority schedules for all payments within each fund, including those payments for which a specific payment date is provided by statute, except as otherwise provided in this paragraph. The secretary shall draw all vouchers according to the preference provided in this paragraph. All direct or indirect payments of principal or interest on state bonds and notes issued under subch. I of ch. 18 have first priority. All direct or indirect payments of principal or interest on state notes issued under subch. III of ch. 18 have 2nd priority. No payment having a 1st or 2nd priority may be prorated or reduced under this subsection. All state employe pay-

rolls have 3rd priority. ~~Before the effective date of the 1985 biennial budget act, the~~ The secretary shall draw all remaining vouchers according to a priority determined by the secretary. ~~Commencing on the effective date of the 1985 biennial budget act, the secretary shall draw all remaining vouchers according to the following preference. All payments to local units of government which are required by statute to be made on a specific date and all aid payments to individuals have 4th priority. All remaining payments have 5th priority.~~ The secretary shall maintain records of all claims prorated under this subsection and shall provide written notice to the state treasurer when a potential cash flow emergency is anticipated.

SECTION 119. 16.53 (10) (d) of the statutes is repealed.

SECTION 120m. 16.54 (2) (b) of the statutes is amended to read:

16.54 (2) (b) ~~Notwithstanding 1983 Wisconsin Act 27, section 2020 (1), before using any of the funds disbursed by the federal government to the governor under 42 USC 8621 to 8629, the department of health and social services shall submit to the joint committee on finance the proposed state plan under 42 USC 8624~~ (e) Upon presentation by the department of health and social services to the joint committee on finance of alternatives to the benefits payable under s. 49.80 (6) from funds received under 42 USC 8621 to 8629, the joint committee on finance may revise the eligibility criteria under s. 49.80 (5) or benefit payments under s. 49.80 (6) and the department shall implement those revisions. Benefits or eligibility criteria so revised shall take into account and be consistent with the requirements of federal regulations promulgated under 42 USC 8621 to 8629. If funds received under 42 USC 8621 to 8629 total less than \$66,880,000 in federal fiscal year 1986 or in federal fiscal year 1987, the department of health and social services shall submit to the joint committee on finance a plan for expenditure of the funds. The department of health and social services may not use the funds unless the committee approves the plan.

SECTION 121. 16.54 (9) of the statutes is renumbered 16.54 (9) (d) and amended to read:

16.54 (9) (d) ~~The department of administration shall coordinate the development of a statewide indirect cost allocation plan to be used by all departments~~ agencies as part of their indirect cost allocation plans prepared as part of the for federal grant application process. All departments applications. Upon request of the department, all agencies shall prepare individual, specific, indirect cost allocation plans in accordance with federal regulations and procedures established by the secretary. Departments shall annually file a copy of their updated indirect cost allocation plans with the secretary submit the plans to the department. Upon request of the department, all agencies shall prepare and submit to the department updated indirect cost allocation plans. The secretary

may modify any plan to bring it into compliance with applicable state laws or procedures established under s. 16.52 or this section, and to maintain consistency between the plans of the ~~various departments~~ agencies.

SECTION 122. 16.54 (9) (a), (b) and (c) of the statutes are created to read:

16.54 (9) (a) In this subsection:

1. "Agency" means an office, department, independent agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in ch. 231, 233 or 234.

2. "Indirect cost reimbursement" means moneys received by an agency from the federal government as reimbursement for indirect costs of administration of a federal grant or contract for which no specific use is mandated by the federal government.

(b) An indirect cost reimbursement may be utilized for administrative purposes, program purposes, funding of positions, payment of federal aid disallowances under s. 16.544, or other purposes authorized by law. If an indirect cost reimbursement is not utilized for such a purpose, the head of the agency receiving the reimbursement shall request the department to transfer the reimbursement to the general fund as general purpose revenue -- earned. All transfers and other expenditures are subject to approval of the secretary under s. 16.50 (2) and the governor under this section.

(c) All moneys received as indirect cost reimbursements shall be deposited in the account for the proper appropriation under ss. 20.115 to 20.855 for receipt of indirect cost reimbursements.

SECTION 122a. 16.70 (intro.) of the statutes is amended to read:

**16.70 Purchasing; definitions.** (intro.) In this subchapter ss. 16.70 to 16.77:

SECTION 122am. 16.70 (1) of the statutes is renumbered 16.70 (3).

SECTION 122b. 16.70 (1) of the statutes is created to read:

16.70 (1) "Agency" means an office, department, agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the legislature, the courts and the community development finance authority, but not including any other authority.

SECTION 122bm. 16.70 (2) of the statutes is renumbered 16.70 (7).

SECTION 122c. 16.70 (2) of the statutes is created to read:

16.70 (2) "Authority" means a body created under ch. 231, 233 or 234.

SECTION 122cm. 16.70 (2m) of the statutes is renumbered 16.70 (8).

SECTION 122d. 16.70 (3) of the statutes is repealed.

SECTION 122dm. 16.70 (4) of the statutes is renumbered 16.70 (9) and amended to read:

16.70 (9) "Officer" includes ~~each requisitioning officer of the legislature and the person or persons at the head of any such department, board, institution, commission or body~~ each agency, by whatever title ~~any such the~~ person or persons may be elsewhere designated.

SECTION 122e. 16.70 (4) of the statutes is created to read:

16.70 (4) "Executive branch agency" means an agency in the executive branch but does not include the building commission.

SECTION 122em. 16.70 (5) of the statutes is renumbered 16.70 (10).

SECTION 122f. 16.70 (5) and (6) of the statutes are created to read:

16.70 (5) "Judicial branch agency" means an agency created under ch. 757 or 758 or an agency created by order of the supreme court.

(6) "Legislative service agency" means an agency created under ch. 13 which is authorized, or the head of which is authorized, to appoint subordinate staff, except the building commission.

SECTION 122fm. 16.71 (1) of the statutes is amended to read:

16.71 (1) ~~The~~ Except as authorized in s. 16.74, the department shall purchase and may delegate to special designated agents the authority to purchase all necessary materials, supplies, equipment, all other permanent personal property and miscellaneous capital, and contractual services and all other expense of a consumable nature for all ~~offices~~ agencies. In making any delegation, the department shall require the agent to adhere to all requirements imposed upon the department in making purchases under this subchapter. All ~~such~~ materials, services and other things and expense furnished to any ~~such office~~ agency shall be charged to the proper ~~appropriations~~ appropriation of the ~~departments~~ agency to which furnished, ~~as provided in s. 20.505.~~

SECTION 122g. 16.72 (1) and (4) (a) of the statutes are amended to read:

16.72 (1) The department of administration shall check or have checked, as to quantity and quality, the delivery to agencies of all purchases made under s. 16.71.

(4) (a) Except as provided in s. 16.74 or as otherwise provided in this subchapter and the rules adopted pursuant thereto, all supplies, materials, equipment and contractual services shall be purchased for and furnished to any office agency only upon requisition to the department. The department shall prescribe the form, contents, number and disposition of requisitions

and shall prescribe rules as to time and manner of submitting such requisitions for processing. No ~~office~~ agency or officer may engage any person to perform contractual services without the specific prior approval of the department for each such engagement. Purchases of supplies, materials, equipment or contractual services by the legislature, the courts or legislative service or judicial branch agencies do not require approval under this paragraph.

SECTION 122gm. 16.74 of the statutes is created to read:

**16.74 Legislative and judicial branch purchasing. (1)**

All supplies, materials, equipment, permanent personal property and contractual services required within the legislative branch shall be purchased by the joint committee on legislative organization or by the house or legislative service agency utilizing the supplies, materials, equipment, property or services. All supplies, materials, equipment, permanent personal property and contractual services required within the judicial branch shall be purchased by the director of state courts or the judicial branch agency utilizing the supplies, materials, equipment, property or services.

(2) (a) Requisitions for legislative branch purchases shall be signed by the cochairpersons of the joint committee on legislative organization or their designees for the legislature, by an individual designated by either house of the legislature for the house, or by the head of any legislative service agency, or the designee of that individual, for the legislative service agency. Requisitions for judicial branch purchases shall be signed by the director of state courts or by an individual designated by the director for the courts, or by the head of any judicial branch agency, or the designee of that individual, for the judicial branch agency.

(b) Contracts for purchases by the senate or assembly shall be signed by an individual designated by the organization committee of the house making the purchase. Contracts for other legislative branch purchases shall be signed by an individual designated by the joint committee on legislative organization. Contracts for purchases by the judicial commission or judicial council shall be signed by an individual designated by the commission or council, respectively. Contracts for other judicial branch purchases shall be signed by an individual designated by the director of state courts.

(3) Each legislative and judicial officer who is authorized to make purchases or engage services under this section may prescribe the form of requisitions or contracts for the purchases and engagements. Requisitions and contracts shall be maintained by the officer and shall be subject to inspection and copying under subch. II of ch. 19. No such requisition or contract need be filed with the department.

(4) Each legislative and judicial officer shall file all bills and statements for purchases and engagements made by the officer under this section with the secretary, who shall audit and authorize payment of all

lawful bills and statements. No bill or statement for any purchase or engagement for the legislature, the courts or any legislative service or judicial branch agency may be paid until the bill or statement is approved by the requisitioning or contracting officer under sub. (2).

(5) The department, upon request, shall make recommendations and furnish assistance to the courts, to either house of the legislature or to any legislative service or judicial branch agency regarding purchasing procedure. The department, upon request, shall process requisitions for purchases submitted by the courts, the legislature or any legislative service or judicial branch agency and shall procure materials, supplies, equipment, property and services for the courts, the legislature and legislative service and judicial branch agencies in accordance with the purchasing procedure prescribed for executive branch agencies under this subchapter.

(6) All stationery and printing purchased under this section shall be procured from the lowest responsible bidder.

SECTION 122m. 16.75 (1) (a) of the statutes is amended to read:

16.75 (1) (a) All orders awarded or contracts made by the department for all materials, supplies, equipment and contractual services, except as otherwise provided in par. (c) and subs. (1m), (2), (2g), (2m), (3m), (3s), (3t), (6), (7) and (8) and ss. 16.754, ~~46.265~~, 50.05 (7) (f) and 144.48 (7), shall be awarded to the lowest responsible bidder, taking into consideration life cycle cost estimates under sub. (1m), when appropriate, the location of the ~~institution or~~ agency, the quantities of the articles to be supplied, their conformity with the specifications, and the purposes for which they are required and the date of delivery; but preference shall always be given to materials, supplies, equipment and contractual services of Wisconsin producers, distributors, suppliers and retailers. Bids may be received only in accordance with such specifications as are adopted by the department as provided in this subsection. Any or all bids may be rejected. Each bid, with the name of the bidder, shall be entered on a record, and each record with the successful bid indicated shall, after the award or letting of the contract, be opened to public inspection. Where a low bid is rejected, a complete written record shall be compiled and filed, giving the reason in full for such action. Any waiver of sealed, advertised bids as provided in sub. (2m) or (6) or of the purchasing prohibition provided in sub. (8) shall be entered on a record kept by the department and open to public inspection.

SECTION 123. 16.75 (2g) (c) of the statutes is amended to read:

16.75 (2g) (c) No notice is required for purchases by prison industries under this subsection. All other purchasing rules and procedures shall apply to prison industries purchases.

SECTION 123g. 16.75 (3m) (b) of the statutes is amended to read:

16.75 (3m) (b) The department and any agency making purchases under s. 16.74 shall attempt to ensure that 5% of the total amount expended under this subchapter in each fiscal year is paid to minority businesses. Except as provided under subs. (7) and (8), the department may purchase materials, supplies, equipment and contractual services from any minority business submitting a qualified responsible competitive bid that is no more than 5% higher than the apparent low bid or competitive proposal that is no more than 5% higher than the most advantageous offer, unless the department is required under sub. (3s) to award the order or contract to a sheltered workshop. In administering the preference for minority businesses established in this paragraph, the department and any agency making purchases under s. 16.74 shall maximize the use of minority businesses which are incorporated under ch. 180 or which have their principal place of business in this state.

SECTION 123r. 16.75 (3s) (a) of the statutes is renumbered 16.75 (3s) and amended to read:

16.75 (3s) If a sheltered workshop licensed by the department of industry, labor and human relations under s. 104.07 submits a qualified responsible competitive bid with respect to an order or contract that is no more than 2% higher than the lowest responsible bid, or a competitive proposal with respect to an order or contract that is no more than 2% higher than the most advantageous ~~offer~~ proposal, the department and any agency making purchases under s. 16.74 shall award the order or contract to that sheltered workshop. If more than one sheltered workshop submits such a bid or proposal, the department or other agency shall award the order or contract to the one submitting the lowest bid or proposal. This subsection does not apply to purchases of printing and stationery.

SECTION 124. 16.75 (6) (c) of the statutes is amended to read:

16.75 (6) (c) If the secretary determines that it is in the best interest of this state to do so, he or she may, with the approval of the governor, waive the requirements of subs. (1) to (5) and may purchase supplies, material, equipment or contractual services, other than printing and stationery, from a private source. ~~When~~ Except as provided in sub. (2g) (c), if the cost of the purchase is expected to exceed \$10,000, the department shall publish a class 2 notice under ch. 985 describing the materials, supplies, equipment or contractual services to be purchased, stating the intent to make the purchase from a private source without soliciting bids and stating the date on which the contract or purchase order will be awarded. The date shall be at least 7 days after the date of the last insertion.

SECTION 124m. 16.76 (1) of the statutes is amended to read:



16.76 (1) All contracts for materials, supplies, equipment or contractual services shall run to the state of Wisconsin, ~~and. Such contracts shall be signed by the secretary or persons an individual authorized by the department secretary, except that contracts entered into directly by the legislature, the courts or a legislative service or judicial branch agency shall be signed by an individual authorized under s. 16.74 (2) (b).~~

SECTION 125. 16.767 of the statutes is created to read:

**16.767 Setoffs.** All amounts owed by this state under this subchapter are subject to being set off under s. 73.12.

SECTION 126. 16.77 (1) of the statutes is amended to read:

16.77 (1) No bill or statement for work or labor performed under purchase orders or contracts issued by the secretary or the secretary's designated agents, and no bill or statement for supplies, materials, equipment or contractual services purchased for and delivered to any office agency may be paid until the bill or statement is approved by the secretary or one of his or her designated agents through a preaudit or postaudit process determined by the secretary. This subsection does not apply to purchases made directly by the courts, the legislature or a legislative service or judicial branch agency under s. 16.74.

SECTION 126b. 16.79 (1) of the statutes is amended to read:

16.79 (1) The department shall distribute so many copies of the ~~latest digest of the Wisconsin reports, and such volumes of the reports, as may be required to complete such sets of the reports as may be called for to supply new courts and new counties; and also such volumes of the reports as may be required by the state law librarian to make the exchanges provided for by law with other states and territories.~~

SECTION 126d. 16.82 (5) of the statutes is amended to read:

16.82 (5) Shall develop and implement a comprehensive ride-sharing program for state employes, in cooperation with the legislature, the courts and all constitutional offices, departments and independent agencies and shall promote and encourage participation in the state ride-sharing program. In addition, the department shall promote and encourage alternate means of transportation for state, municipal and federal employes and other persons in the private sector including but not limited to mass transit, bicycle commuting, car pooling and van pooling; and may provide contract group transportation of state employes from designated pickup points to work sites and return in the absence of convenient and public scheduled transportation. Nonstate employes may be permitted to participate in van pools as passengers when necessary in order to provide viable van pool service for state employes. Van pools are limited to a maximum of one-third nonstate employes for each vehicle.

The group transportation shall be provided for a fee which recovers the full cost of administration, maintenance, operation, insurance and depreciation of the group transportation program, except as provided in s. 16.843 (2) (bm). No person is deemed to be in the course of employment while utilizing the group transportation.

SECTION 126f. 16.843 (1) of the statutes is amended to read:

16.843 (1) (a) Except as provided in par. (b), the parking of automobiles motor vehicles at the curb on the capitol park side of the 4 streets surrounding the state capitol park shall be subject to any police regulation that may be enacted by the city of Madison designating the manner of such parking or limiting the length of time which automobiles can motor vehicles may be so parked in such public streets in said the city.

(b) Eight areas, for the parking of 5 automobiles in each area, motor vehicles at the curb on the capitol park side of the 4 streets surrounding the state capitol park, each area as near as lawfully permissible to each near side of the intersections of said the streets with the driveways leading to the capitol building, are reserved for the parking of automobiles motor vehicles by those persons designated in sub. (3) and only emergency police regulations or city ordinances of the city of Madison are applicable to such areas. The number of motor vehicles to be parked in each area shall be designated in a parking plan approved by the joint committee on legislative organization. The department of administration shall mark and post the areas and number the parking spaces therein. Parking of automobiles motor vehicles in these areas is permitted only by persons whose automobiles motor vehicles are identified as specified in sub. (4), and the parking therein of any other vehicle is prohibited and any violation of this prohibition shall be punished as in sub. (2).

SECTION 126h. 16.843 (2) (b) of the statutes is amended to read:

16.843 (2) (b) The department shall establish a schedule of fees for parking during the state office hours specified in s. 230.35 (4) (f) at every state-owned office building for which the department has managing authority and which is located in a municipality served by an urban mass transit system for which state operating assistance is provided under s. 85.20, if the mass transit system serves a street which passes within 500 feet of the building. The department may prescribe a schedule of fees for parking during other hours at any state-owned office building located in such a municipality. In addition, the department may establish fees for parking at other state facilities located in such a municipality. ~~Fees established under this subsection for parking at any facility shall be established so that the total amount collected equals the total cost of administration of the parking program and alternate transportation programs under s.~~

~~16.82 (5) and parking facility maintenance and operation.~~

SECTION 126p. 16.843 (2) (bm) of the statutes is created to read:

16.843 (2) (bm) Fees established under this subsection for parking at any facility shall be established so that the total amount collected equals the total costs of:

1. Administration of the parking program;
2. Promotion of alternate transportation programs under s. 16.82 (5); and
3. Parking facility maintenance and operation.

SECTION 126t. 16.843 (2) (c) (intro.) of the statutes is amended to read:

16.843 (2) (c) (intro.) Notwithstanding par. (b) (bm), except as provided in s. 13.488 (1) (L), fees need not be imposed by the department for parking at a state-owned office building in a fiscal year, if the department determines that, for any fiscal year:

SECTION 126u. 16.843 (3) (intro.) of the statutes is amended to read:

16.843 (3) (intro.) The following persons or their designees may park ~~automobiles~~ motor vehicles identified as provided by sub. (4) in assigned parking stalls and spaces in the parking areas designated in subs. (1) (b) and (2):

SECTION 126w. 16.843 (4) of the statutes is amended to read:

16.843 (4) To facilitate the administration of sub. (3), the state protective service shall procure numbered identification tags which correspond with the numbered parking stalls and spaces, and shall issue such tags to applicants eligible under sub. (3) in accordance with ~~rules promulgated~~ the parking plan approved by the joint committee on legislative organization under sub. (1).

SECTION 127. 16.85 (2) of the statutes is amended to read:

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

SECTION 127m. 16.855 (14) (a) of the statutes is amended to read:

16.855 (14) (a) On all construction projects requiring the taking of bids under sub. (2) the department

~~may take a single bid or~~ shall take both single bids and separate bids on any division of the work it designates. Contracts shall be awarded according to the division of work selected for bidding and, except as provided in sub. (10m) (a), to the lowest qualified responsible bidder or bidders that result in the lowest total construction cost for the project.

SECTION 128. 16.865 (8) of the statutes is created to read:

16.865 (8) On July 1 of each year, allocate as a charge to agencies a proportionate share of the estimated cost attributable to programs not funded from general purpose revenue to be paid from the appropriations under s. 20.865 (1) (dm), (f) and (fm). Costs may be charged to and collected from agencies on an estimated or premium basis and paid from the appropriations on an actual basis. The department shall deposit all collections in the general fund as general purpose revenue-earned. In this subsection, “agency” means an office, department, independent agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in ch. 231, 233 or 234.

SECTION 129. 16.875 of the statutes is created to read:

**16.875 Setoffs.** All amounts owed by this state under this subchapter are subject to being set off under s. 73.12.

SECTION 129c. 16.95 (9) of the statutes is created to read:

16.95 (9) Develop and submit to the governor’s office and to the appropriate standing committees of the legislature, as determined by the speaker of the assembly and the president of the senate on or before September 1 of each even-numbered year a 5-year and 10-year plan for the resolution of the energy needs of low-income households. The department shall consult with the public service commission, the department of health and social services and other agencies and groups related to low-income energy assistance. The department shall include in each plan, without limitation due to enumeration, items such as target populations, income eligibility, goals and funding.

SECTION 129d. 16.957 (1) (intro.) of the statutes is amended to read:

16.957 (1) (intro.) Any person other than a corporation or other than a cooperative as defined in s. 185.01 (2) or (4) owning a renewable energy resource system installed prior to January 1, 1986, may apply no later than April 15, 1986, for a refund of 10% of the total cost of the design, construction, equipment and installation of the renewable energy resource system, but not exceeding \$7,500 of such costs per system if:

SECTION 129e. 16.957 (2) of the statutes is created to read:

16.957 (2) Any person other than a sole proprietorship, partnership, corporation or cooperative as defined in s. 185.01 (2) or (4) owning a renewable energy resource system installed after December 31, 1985, may apply for a refund of \$100 per million British thermal units of estimated annual energy produced by the renewable energy resource system, but not exceeding \$2,000 per system if:

(a) The installation of the system is completed during the year for which the refund is claimed;

(b) The system is installed on the person's property in this state; and

(c) The system is certified under sub. (5b).

SECTION 129f. 16.957 (2g) of the statutes is created to read:

16.957 (2g) A person may apply for a refund under sub. (2) only if the person's primary residence is in this state and if the federal taxable income of the person and the person's spouse, in the aggregate, if the person is married, for the year immediately preceding the year of application does not exceed \$40,000.

SECTION 129fm. 16.957 (1n) of the statutes is amended to read:

16.957 (1n) For taxable years 1980 to 1985 any corporation or cooperative as defined in s. 185.01 (2) or (4) owning a renewable energy resource system installed prior to January 1, 1986, on the corporation's or cooperative's property in this state, or installed prior to January 1, 1986, on residential property in this state under a leasing agreement between the corporation or cooperative as defined in s. 185.01 (2) or (4) and the owner of the residential property, may apply no later than April 15, 1986, for a refund of an amount equal to 10% of the first \$100,000 of the total cost of the design, construction, equipment and, except for leased systems, installation of the renewable energy resource system if the system is certified under sub. (4), if the installation of the system is completed during the year for which the refund is claimed and, in the case of a corporation, if the corporation is subject to the tax imposed upon or measured by the corporation's net income under s. 71.01 (1) and (2). A corporation or cooperative may apply for a refund under this subsection for any portion of the cost of the design, construction, equipment and installation of a waste conversion system, as defined in s. 101.57 (8) (c), 1979 stats., if the cost was incurred prior to July 1, 1982.

SECTION 129g. 16.957 (2n) of the statutes is created to read:

16.957 (2n) Any sole proprietorship, partnership, corporation or cooperative as defined in s. 185.01 (2) or (4) owning a renewable energy resource system installed after December 31, 1985, on the property of the sole proprietorship, partnership, corporation or cooperative in this state, or installed on residential property in this state under a leasing agreement between the sole proprietorship, partnership, corporation or cooperative as defined in s. 185.01 (2) or (4)

and the owner of the residential property, may apply for a refund of \$100 per million British thermal units of estimated annual energy produced by the renewable energy resource system, but not exceeding \$10,000 per system, if the system is certified under sub. (5b), if the installation of the system is completed during the year for which the refund is claimed and, in the case of a sole proprietorship, partnership or corporation, if the sole proprietorship, partnership or corporation is subject to the tax imposed upon or measured by the net income of the sole proprietorship, partnership or corporation under s. 71.01 (1) and (2).

SECTION 129h. 16.957 (3) of the statutes is amended to read:

16.957 (3) Applications for refund under this section shall be made to the department. If approved by the department, the amount of refund shall be certified for payment to the claimant by check from the appropriation under s. 20.505 (1) (e). Only one claim may be filed by any claimant during any year unless the claim is for a refund under sub. (2) or (2n). No Except as provided under subs. (1) (intro.) and (1n), no claim filed under this section may be allowed unless the claim is filed within one year of the year in which the costs upon which it is based were incurred.

SECTION 129j. 16.957 (4) (intro.) of the statutes is amended to read:

16.957 (4) (intro.) The department shall approve ~~the~~ a refund under sub. (1) or (1n) if:

SECTION 129k. 16.957 (5) (intro.) of the statutes is amended to read:

16.957 (5) (intro.) The department shall establish by rule performance standards for renewable energy resource systems installed prior to January 1, 1986. The performance standards shall be established to:

SECTION 129L. 16.957 (5b) of the statutes is created to read:

16.957 (5b) The department shall approve a refund under sub. (2) or (2n) if:

(a) The renewable energy resource system is a specified model which has been certified by the department as meeting the standards specified in sub. (5d); or

(b) Based on design calculations or other appropriate documentation, specified by the department by rule, and submitted by the owner of a renewable energy resource system, the system has been certified by the department as meeting the standards specified in sub. (5d).

SECTION 129m. 16.957 (5d) of the statutes is created to read:

16.957 (5d) The department shall establish by rule performance standards for renewable energy resource systems installed after December 31, 1985. The performance standards shall be established to:

(a) Produce the maximum practical amount of energy.

(b) Conform, where feasible, with national performance standards promulgated or recognized by the

federal government for renewable energy resource systems.

SECTION 129n. 16.957 (5g) of the statutes is amended to read:

16.957 (5g) The department shall inspect selected renewable energy resource systems which have been installed and certified for purposes of this section ~~or s. 71.04 (16) or 71.09 (12)~~ to ensure compliance with the standards established under ~~sub. subs. (5) and (5d)~~.

SECTION 131. 16.957 (5r) of the statutes is amended to read:

16.957 (5r) Any person who intentionally files fraudulent information with the department for purposes of obtaining the certification of a renewable energy resource system as meeting the standards established under sub. (5) for purposes of this section ~~or s. 71.04 (16) or 71.09 (12)~~ is subject to the penalties under s. 71.11 (42) or (43).

SECTION 131b. 16.957 (6) of the statutes is amended to read:

16.957 (6) If more than one person owns a renewable energy resource system which was installed prior to January 1, 1986, and which is eligible for the refund under this section, such persons may divide the refund among themselves as desired. If a business partnership owns such a system, each partner may claim the refund under sub. (1) for up to \$10,000 of costs per partner, but the total claimed by the partnership may not exceed \$50,000 of costs per system. If a refund is claimed for a renewable energy resource system under this section, subsequent owners of the system are not eligible for a refund under this section for the same system.

SECTION 131d. 16.957 (6m) of the statutes is created to read:

16.957 (6m) If more than one person owns a renewable energy resource system which is installed after December 31, 1985, and which is eligible for the refund under this section, such persons may divide the refund among themselves as desired. If a refund is claimed for a renewable energy resource system under this section, subsequent owners of the system are not eligible for a refund under this section for the same system.

SECTION 131e. 16.957 (7) of the statutes is repealed.

SECTION 131g. 16.957 (7m) of the statutes is repealed.

SECTION 131j. 16.957 (8) (a) of the statutes is amended to read:

16.957 (8) (a) "Renewable energy resource system" means a solar energy system or a wind energy system; ~~but~~ "Renewable energy resource system" does not include any:

1. Any equipment which would be present as part of a conventional energy system ~~or~~.

2. Any equipment which would be present as part of a system primarily used to heat a swimming pool.

SECTION 131m. 16.957 (8) (a) 3 of the statutes is created to read:

16.957 (8) (a) 3. A passive solar system which serves a dual purpose, as defined by the department by rule. "Dual purpose" includes, but is not limited to, a passive solar system serving also as a structural component, a greenhouse or a living space.

SECTION 131p. 16.957 (10) of the statutes is amended to read:

16.957 (10) The department shall annually prepare a summary of the number of claims under this section ~~and s. 71.04 (16)~~, including but not limited to information concerning the costs, size and type of each renewable energy resource system for which a refund or deduction is claimed.

SECTION 131r. 16.957 (12) of the statutes is amended to read:

16.957 (12) Whenever an audit of any claim filed under this section indicates that an incorrect claim was filed or that the department made a calculation error, the department shall make a determination of the correct amount and notify the claimant of the determination and the reasons therefor. Notice of the determination shall be given to the claimant within 4 years of the last day prescribed by law for filing the claim. If the claim has been paid, the refund shall be ~~reduced or canceled~~ adjusted, and the proper portion of any amount paid shall be certified to the department of revenue and recovered by assessment as income taxes are assessed and the assessment shall bear interest at 12% per year from the ~~due date of the claim~~ refund on the incorrect claim was issued except that no interest shall be recovered on an assessment made due to a calculation error of the department. Any person feeling aggrieved by the determination may, within 30 days after receipt, petition the department for redetermination. The department shall make a redetermination on the petition within 6 months after it is filed and notify the claimant. If no timely petition for redetermination is filed with the department, its determination shall be final and conclusive.

SECTION 131s. 16.957 (13) of the statutes is amended to read:

16.957 (13) The department may determine, after a hearing, that a claim is or was filed with wilful negligence. In any case in which it is determined that a claim is or was excessive and was filed with wilful negligence or fraudulent intent, the claim shall be disallowed in full and, if the claim has been paid, the refund shall be canceled and the amount paid may be certified to the department of revenue and recovered by assessment as income taxes are assessed and the assessment shall bear interest from the due date of the claim, until refunded or paid, at the rate of 1.5% per month. The In any case in which it is determined that a claim is or was excessive and was filed with fraudulent intent, the claimant in such case, and any person who assisted in the preparation or filing of the excessive claim or supplied information upon which the excessive claim was

prepared, with fraudulent intent, shall be guilty of a misdemeanor. In any case in which it is determined that a claim is or was excessive and was negligently prepared, 10% of the corrected claim shall be disallowed and, if the claim has been paid, the refund shall be reduced or canceled and the proper portion of any amount paid shall be certified to the department of revenue and recovered by assessment as income taxes are assessed and the assessment shall bear interest at 1.5% per month from the ~~due date of the claim refund on the incorrect claim was issued.~~

SECTION 131w. 16.957 (14) of the statutes is created to read:

16.957 (14) The department shall install a telephone service which allows any person in this state to call, without charge, the department for information about a refund under this section.

SECTION 132. 16.967 (title) of the statutes is amended to read:

**16.967 (title) Land resource data coordination.**

SECTION 133. 16.967 (1) of the statutes is renumbered 16.967 (2) and amended to read:

16.967 (2) (title) COORDINATION. The department shall ~~prepare, in conjunction with the state cartographer, a resources coordinate land resource data collection plan in this state.~~

SECTION 134. 16.967 (1) of the statutes is created to read:

16.967 (1) (title) DEFINITION. As used in this section, "land resource data" includes any physical, legal or environmental information or characteristics concerning land, water, groundwater or subsurface resources in this state. This term includes data related to topography, soils, soil erosion, geology, vegetation, land cover, associated natural resources, land use, land ownership, surface water, groundwater, land survey records and references, aerial photographic information, mapping information, planimetric data collection and land use controls and restrictions.

SECTION 135. 16.967 (2) of the statutes is renumbered 16.967 (3) and amended to read:

16.967 (3) (title) DEPARTMENT DUTIES. The ~~plan department shall contain recommendations for coordinate the collection of land resource data to be collected which is financed with federal and or state funding and a multiyear expenditure plan. The plan shall also contain recommended. The department shall establish~~ guidelines and standards for the collection, storage, recall and display of land resource data by public state agencies in this state and units of local government. The department may establish recommendations for the purchase of computer machinery, equipment or programs to be used with land resource data. The purpose of the plan department's coordination efforts shall be to cause data collection efforts to be carried out in a manner which is efficient and timely and which makes data available and useful to the widest possible number of public agencies and citi-

~~zens. The data plan shall consider, without limitation due to enumeration, topography, soils, land use and land cover, land survey, surface water and groundwater, geology, vegetation, aerial photographic and planimetric data collection and mapping efforts. In conjunction with plan development, the department shall maintain and distribute an inventory of land resource data available for this state.~~

SECTION 136. 16.967 (4) of the statutes is amended to read:

16.967 (4) (title) ADVICE; COOPERATION. ~~The In~~ carrying out its duties under this section, the department shall seek the advice and counsel of those public agencies from the university of Wisconsin system, state agencies, units of local government and other experts involved in collecting land resource data. Every agency of the state shall cooperate with the department in the development coordination of the land resource data collection plan and in the development of agency proposals for land resource data collection programs.

SECTION 137g. 17.10 (6) of the statutes is renumbered 17.10 (6) (a) and amended to read:

17.10 (6) (a) ~~All~~ Except as provided under par. (b), all other appointive county officers may be removed at pleasure by the officer or body that appointed them, ~~except disposition staff and intake workers appointed under ch. 48 who may be removed for cause only.~~ Removals by a body, other than the county board, consisting of 3 or more members may be made by an affirmative vote of two-thirds of all the members thereof.

SECTION 137k. 17.10 (6) (b) of the statutes is created to read:

17.10 (6) (b) The following appointive county officers may be removed for cause only:

1. Disposition staff and intake workers appointed under ch. 48.

2. Any person appointed to administer services under s. 46.22, 46.23, 51.42 or 51.437.

SECTION 139. 18.01 (4) (intro.) of the statutes, as affected by 1985 Wisconsin Act 6, is amended to read:

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

SECTION 140. 18.535 of the statutes is created to read:

**18.535 Private activity bond carry-forward.** The commission shall:

(1) Annually make the election under 26 USC 103 (n) (10) to treat as a carry-forward project for the purpose of issuing student loan bonds, as defined under s. 66.522 (1) (g):

(a) Any amount remaining when the aggregate principal amount of student loan bonds, as defined under s. 66.522 (1) (g), issued by the commission in the

same year is subtracted from the amount specified in s. 39.37 (4m).

(b) Any amount assigned to it under ss. 66.522 (2) (e), 231.03 (6w) (c) and 234.18 (2m) (c).

(2) Maintain a record of all amounts assigned to it under ss. 66.522 (2) (e), 231.03 (6w) (c) and 234.18 (2m) (c) which the commission elects to treat as a carry-forward project for the purpose of issuing student loan bonds under sub. (1). The commission shall maintain the record for the term of any student loan bond issued under the assigned amounts.

SECTION 141. 18.55 (6) of the statutes is created to read:

18.55 (6) CERTIFICATION OF NO CONSIDERATION. The commission shall provide for the certification of no consideration required under 26 USC 103 (n) (12) (A).

SECTION 142. 18.71 (4) (a) of the statutes is amended to read:

18.71 (4) (a) Created for the purpose of funding operating deficits of the state as determined under s. 16.405 (1), which must be repaid prior to the end of the fiscal year next following not later than the last day of the fiscal year during which the operating note is issued;

SECTION 143. 18.71 (5) of the statutes is repealed and recreated to read:

18.71 (5) "Public debt" or "debt" has the meaning given under s. 18.01 (4).

SECTION 144. 18.72 (4) of the statutes is amended to read:

18.72 (4) No operating note issued under this section may have a maturity date later than the effective date of the 1985 biennial budget act last day of the fiscal year during which the operating note is issued.

SECTION 145. 18.725 of the statutes is created to read:

**18.725 Limit on amount of operating notes.** The building commission may not sell operating notes under s. 18.73 (2) at any time if the amount of operating notes to be sold at that time plus the amount of operating notes outstanding at that time exceed 10% of the amounts shown in the schedule under s. 20.005 (3) of appropriations of general purpose revenues, as defined in s. 20.001 (2) (a), plus the amounts shown in the schedule of appropriations of program revenues, as defined in s. 20.001 (2) (b), both calculated as of that time and for that fiscal year.

SECTION 146. 18.73 (1) of the statutes is amended to read:

18.73 (1) AUTHORIZING RESOLUTION. No financial obligations may be incurred under this subchapter ~~or~~ nor may any evidence of operating notes be issued by the state except upon submission of a request by the department under s. 16.405 and pursuant to an authorizing resolution of the commission. Each authorizing

resolution shall state each purpose of the operating notes it authorizes, which need not be more specific but may not be more general than those purposes provided in or pursuant to law, and the maximum principal amount of the operating notes. The operating notes may be designated by any name as determined by the commission. ~~No authorizing resolution may be adopted on or after the effective date of the 1985 biennial budget act.~~

SECTION 147. 18.73 (3) of the statutes is repealed.

SECTION 148. 18.73 (4) of the statutes is amended to read:

18.73 (4) EXERCISE OF AUTHORITY. Financial obligations may be incurred and evidences of operating notes issued therefor pursuant to one or more authorizing resolutions, unless otherwise provided in the resolution or in this subchapter, at any time and from time to time, for any combination of purposes, in any specific amounts, at any rates of interest, for any term, payable at any intervals, at any place, in any manner and having any other terms or conditions deemed necessary or useful. Unless sooner exercised or unless a shorter period is provided in the resolution, every authorizing resolution shall expire 3 months after the date of its adoption or on the effective date of the 1985 biennial budget act last day of the fiscal year during which the authorizing resolution is adopted, whichever is earlier.

SECTION 148m. 19.32 (1) of the statutes is amended\* to read:

19.32 (1) "Authority" means any of the following having custody of a record: a state or local office, elected official, agency, board, commission, committee, council, department or public body corporate and politic created by constitution, law, ordinance, rule or order; a governmental or quasi-governmental corporation; *any public purpose corporation, as defined in s. 181.79 (1);* any court of law; the assembly or senate; a nonprofit corporation which receives more than 50% of its funds from a county or a municipality, as defined in s. 59.001 (3), and which provides services related to public health or safety to the county or municipality; or a formally constituted subunit of any of the foregoing.

SECTION 149. 19.43 (7) of the statutes is amended to read:

19.43 (7) ~~In any case where~~ If an official required to file has failed fails to make a timely filing, the board shall promptly thereafter notify provide notice of the delinquency to the state treasurer of such delinquency and to the chief executive of the department of which the official's office or position is a part, or to the clerk of the municipality of which the official's office is a part, or in the case of a justice, court of appeals judge or circuit judge, to the director of state courts. Upon such notification both the state treasurer and the

Partial  
Veto  
Overruled

\* The amendment was enacted on October 16, 1985, when the required two-thirds of each house of the Legislature had voted to pass vetoed item 2-G notwithstanding the objections of the Governor.

department, municipality or director shall withhold all payments for compensation, reimbursement of expenses and other obligations to such the official until the statement of economic interests is filed board notifies the officers to whom notice of the delinquency was provided that the official has complied with this section.

SECTION 150. 19.46 (title) of the statutes is amended to read:

**19.46 (title) Conflict of interest prohibited; exception.**

SECTION 151. 19.46 (1) of the statutes is repealed and recreated to read:

19.46 (1) Except in accordance with the board's advice under sub. (2) and except as otherwise provided in sub. (3), no state public official may:

(a) Take any official action substantially affecting a matter in which the official, a member of his or her immediate family, or an organization with which the official is associated has a substantial financial interest.

(b) Use his or her office or position in a way that produces or assists in the production of a substantial benefit, direct or indirect, for the official, one or more members of the official's immediate family either separately or together, or an organization with which the official is associated.

SECTION 152. 19.46 (3) of the statutes is repealed.

SECTION 153. 19.46 (4) of the statutes is renumbered 19.46 (3) and amended to read:

19.46 (3) ~~Nothing in this~~ This section prohibits does not prohibit a state public official from making decisions taking any action concerning the lawful payment of salaries, salary-related or employe benefits or reimbursement of actual and necessary expenses, or prohibit a state public official from taking official action with respect to any proposal to modify state law or the state administrative code.

SECTION 153m. 19.82 (1) of the statutes is amended\* to read:

SECTION 156. 20.005 (1) of the statutes is repealed and recreated to read:

20.005 (1) SUMMARY OF ALL FUNDS. The budget governing fiscal operations for the state of Wisconsin for all funds from July 1, 1985, to June 30, 1987, is summarized as follows: [See Figures 20.005 (1) (a) and (b) following]

19.82 (1) "Governmental body" means a state or local agency, board, commission, committee, council, department or public body corporate and politic created by constitution, statute, ordinance, rule or order; a governmental or quasi-governmental corporation; *any public purpose corporation, as defined in s. 181.79 (1);* or a formally constituted subunit of any of the foregoing, but excludes any such body or committee or subunit of such body which is formed for or meeting for the purpose of collective bargaining under subch. IV or V of ch. 111.

Partial  
Veto  
Overruled

SECTION 154. 20.002 (11) (b) of the statutes is amended to read:

20.002 (11) (b) ~~During the period commencing on February 20, 1983 and ending on the day before the effective date of the 1985 biennial budget act, the~~ The secretary of administration shall limit the total amount of any temporary ~~reallocation~~ reallocations to \$400,000,000. ~~On or after the effective date of the 1985 biennial budget act, the secretary of administration shall limit the amount of any temporary reallocation to \$200,000,000 and, on or after that date, shall reverse the reallocation as soon as balances allow or within 90 days or by the close of the fiscal year, whichever ever is earliest.~~

SECTION 155m. 20.003 (6) of the statutes is created to read:

20.003 (6) REQUIRED TRANSPORTATION FUND BALANCE. Beginning with the 1985-87 fiscal biennium, no bill directly or indirectly affecting transportation fund revenues under s. 25.40 (1) or expenditures from the transportation fund may be enacted by the legislature if the bill would cause the estimated transportation fund balance on June 30 for the fiscal biennium as projected under s. 20.005 (1) to be an amount equal to less than one percent of the total appropriations from the transportation fund for that fiscal biennium.

Partial  
Veto  
Overruled

\* The amendment was enacted on October 16, 1985, when the required two-thirds of each house of the Legislature had voted to pass vetoed item 2-G notwithstanding the objections of the Governor.

Figure: 20.005 (1) (a)\*

GENERAL FUND SUMMARY		
	1985-86	1986-87
<b>REVENUES</b>		
Opening Balance, July 1	\$ 349,247,200	\$ 260,230,400
Estimated Taxes	4,833,222,000	5,079,185,000
Estimated Departmental Revenues	57,098,900	58,775,800
Total Available	\$ 5,239,568,100	\$ 5,398,191,200
<b>APPROPRIATIONS</b>		
Gross Appropriations	\$ 4,966,674,300	\$ 5,226,328,700
Compensation Reserves	43,035,700	102,092,700
Less Estimated Lapses	-30,372,300	-42,056,300
Net Appropriations and Reserves	\$ 4,979,337,700	\$ 5,286,365,100
<b>BALANCES</b>		
Gross Balance	\$ 260,230,400	\$ 111,826,100
Required Statutory Balance	-0-	-101,930,000
Net Balance, June 30	\$ 260,230,400	\$ 9,896,100

**SUMMARY OF APPROPRIATIONS - ALL FUNDS**

	1985-86	1986-87
General Purpose Revenue	\$ 4,966,674,300	\$ 5,226,328,700
Federal Revenue	(2,076,188,200)	(2,168,085,200)
Program	1,822,099,500	1,914,173,500
Segregated	254,088,700	253,911,700
Program Revenue	(1,044,708,600)	(1,110,209,400)
State	901,029,100	955,704,700
Service	143,679,500	154,504,700
Segregated Revenue	(889,567,300)	(905,633,000)
State	861,019,600	877,080,200
Local	19,778,600	19,980,700
Service	8,769,100	8,572,100
<b>GRAND TOTAL</b>	<b>\$ 8,977,138,400</b>	<b>\$ 9,410,256,300</b>

Figure: 20.005 (1) (b)

**Transportation fund summary**

	1985-86	1986-87
<b>REVENUES</b>		
Opening Balance, July 1	\$ 56,535,200	\$ 37,678,000
Estimated Revenues	567,991,100	584,267,300
Total Available	\$ 624,526,300	\$ 621,945,300
<b>APPROPRIATIONS</b>		
Gross Appropriations	\$ 584,597,500	\$ 601,749,300
Compensation Reserves	5,250,800	11,829,700
Less Estimated Lapses	-3,000,000	-3,500,000
Net Appropriations and Reserves	\$ 586,848,300	\$ 610,079,000

\* Figure 20.005 (1) (a) does not reflect the effect of partial vetoes by the Governor (veto items 1-D, 1-G, 2-B, 3-P, 3-V, 3-W, 4-A, 4-J, 4-P and 4-T).



BALANCES		
Gross Balance, June 30	\$ 37,678,000	\$ 11,866,300
Required Statutory Balance	<u>-0-</u>	<u>-11,863,500</u>
Net Balance, June 30	\$ 37,678,000	\$ 2,800

SECTION 157. 20.005 (2) of the statutes is repealed and recreated to read:  
20.005 (2) STATE BORROWING PROGRAM SUMMARY. The following tabulation 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, 1985-87 FISCAL BIENNIUM		1985-87 BIENNIUM
<i>SOURCE AND PURPOSE</i>		
<i>General obligations</i>		
Building Commission		
Other public purposes		\$ 51,000,000
Capital equipment acquisition		20,000,000
Housing state departments		3,500,000
Refunding corporation debt -		
Self-amortizing		-30,320,300
Tax supported		- 8,174,700
Health and social services		
Corrections		- 8,703,000
Mental health		306,000
Self-amortizing equipment		700,000
Historical society		1,500,000
Military affairs		1,590,200
Natural resources		
Pollution abatement and sewage collection facilities; point source		55,200,000
Pollution abatement and sewage collection facilities; combined sewer overflow		73,600,000
Recreation development		2,162,500
Land acquisition		7,750,000
Land acquisition - Wisconsin heritage program		1,000,000
Administrative facilities - tax supported		135,000
Public instruction		390,000
University of Wisconsin		47,367,300
Veterans affairs		<u>99,000,000</u>
TOTAL General obligation bonds		\$318,003,000
<i>State-issued revenue obligations</i>		
Transportation		\$126,700,000
Parking structure funding		14,541,200
TOTAL State-issued revenue obligation bonds		\$141,241,200
GRAND TOTAL Bonding authority modifications		\$459,244,200

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

GENERAL OBLIGATION AND BUILDING CORPORATION DEBT SERVICE			
FISCAL YEARS 1985-86 AND 1986-87			
<i>STATUTE, AGENCY and PURPOSE</i>	<i>SOURCE</i>	<i>1985-86</i>	<i>1986-87</i>
20.225 Educational communications board			
(1) (c) Educational communications facilities	GPR	266,200	257,400
20.245 Historical society			

(2) (e) Historic sites	GPR	197,400	195,400
(4) (e) Administrative facilities	GPR	-0-	-0-
(5) (e) Museum facility	GPR	327,500	305,800
<b>20.250 Medical college of Wisconsin</b>			
(1) (e) Medical college of Wisconsin	GPR	629,600	609,300
<b>20.255 Public instruction, department of</b>			
(1) (d) Public instruction of deaf and visually handicapped	GPR	606,900	783,200
<b>20.285 University of Wisconsin system</b>			
(1) (d) University academic facilities	GPR	49,598,300	50,671,200
(1) (da) University academic facilities, building corp.	GPR	7,906,500	7,906,500
<b>20.370 Natural resources, department of</b>			
(1) (kc) Resource acquisition and development	GPR	6,445,800	6,969,800
(1) (kd) Olympic ice rink, building corp.	GPR	35,400	35,400
(4) (jb) Recreational boating	GPR	160,300	153,700
(4) (jc) Point source pollution abatement	GPR	62,425,500	73,411,300
(4) (jd) Combined sewer overflow facilities	GPR	4,467,900	11,647,100
(8) (Lb) Administrative facilities	GPR	442,000	454,600
<b>20.435 Health and social services, department of</b>			
(2) (ee) Mental health facilities	GPR	4,484,900	4,347,700
(2) (ef) Mental health facilities, building corp.	GPR	1,335,600	1,335,600
(3) (e) Correctional facilities	GPR	14,579,400	19,155,900
(3) (ec) Prison industries	GPR	-0-	-0-
(3) (ef) Correctional facilities, building corp.	GPR	271,500	271,500
(5) (e) Workshop for the blind	GPR	25,400	24,400
<b>20.455 Justice, department of</b>			
(2) (cm) State crime laboratory	GPR	348,700	337,600
<b>20.465 Military affairs, department of</b>			
(1) (d) National guard facilities	GPR	364,100	486,800
<b>20.485 Veterans affairs, department of</b>			
(1) (e) Veterans home, building corp.	GPR	22,200	22,200
(1) (f) Veterans home	GPR	315,700	341,700
<b>20.867 Building commission</b>			
(1) (b) Capitol and executive residence	GPR	834,200	863,500
(3) (a) Unallocated debt service	GPR	-0-	5,550,000
(3) (b) Other public purposes	GPR	137,100	246,000
<b>TOTAL General purpose revenue debt service</b>		<b>156,228,100</b>	<b>186,383,600</b>
<b>20.115 Agriculture, trade and consumer protection, department of</b>			
(5) (j) State fair park	PR	662,800	654,200
<b>20.285 University of Wisconsin system</b>			
(1) (gb) University self-amortizing facilities	PR	6,185,600	6,173,600
(1) (gc) University self-amortizing facilities, building corp.	PR	3,214,300	3,214,300
<b>20.435 Health and social services, department of</b>			
(3) (ko) Prison industries equipment, self-amortizing	PR	10,000	90,000

<b>20.867 Building commission</b>			
(1) (h)	State office buildings, building corp.	PR	137,000      137,000
(1) (i)	State office buildings	PR	7,014,900      6,935,400
(3) (g)	Unallocated debt service	PR	-0-      -0-
(3) (i)	Capital equipment	PR	<u>4,857,600</u> <u>5,060,600</u>
TOTAL Program Revenue Debt Service			22,082,200      22,265,100
<b>20.370 Natural resources, department of</b>			
(8) (Ls)	Administrative facilities	SEG	402,400      457,300
<b>20.395 Transportation, department of</b>			
(6) (aq)	Transportation highways program	SEG	23,909,100      23,046,600
(6) (ar)	Transportation administrative facilities	SEG	943,000      917,600
<b>20.485 Veterans affairs, department of</b>			
(3) (t)	Veterans home mortgage loans	SEG	<u>132,178,200</u> <u>128,550,700</u>
TOTAL Segregated Revenue Debt Service			157,432,700      152,972,200
GRAND TOTAL All Debt Service			335,743,000      361,620,900

SECTION 158. 20.005 (3) of the statutes is repealed and recreated to read:

20.005 (3) APPROPRIATIONS. The following tabulation lists all appropriations authorized from annual and biennial appropriations and anticipated expenditures from sum sufficient and continuing appropriations for the programs and other purposes indicated. All appropriations are authorized from the general fund unless otherwise indicated. The letter abbreviations shown designating the type of appropriation apply to both years in the schedule unless otherwise indicated. [See Figure 20.005 (3) following]

Figure: 20.005 (3)\*

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
<b>Commerce</b>				
<b>20.115 Agriculture, trade and consumer protection, department of</b>				
<b>(1) FOOD AND TRADE REGULATION</b>				
(a)	General program operations	GPR A	-0-	-0-
	Food inspection	GPR A	3,397,000	3,254,800
	Plant industry services	GPR A	486,300	486,300
	Trade and consumer protection	GPR A	1,435,900	1,441,800
	General laboratory services	GPR A	969,200	980,600
	NET APPROPRIATION		6,288,400	6,163,500
(b)	Meat and poultry inspection	GPR A	1,749,600	1,749,600
(c)	Warehouse keeper and grain dealer regulation	GPR A	156,600	156,500
(d)	Groundwater laboratory services	GPR A	92,300	122,900
(g)	Related services	PR A	75,800	75,800
(ga)	Milk standards program	PR C	110,200	124,800
(h)	Fertilizer research assessments	PR C	160,000	160,000
(ha)	Liming material research funds	PR A	16,200	16,200
(i)	Pesticide certification and			

\* In Figure 20.005 (3), "program totals" and "department totals" for ss. 20.370 (2) (eb) [veto item 3-P], 20.505 (4) (d) [veto item 4-T], 20.835 (2) (c) [veto item 4-A] and 20.835 (2) (dm) [veto items 3-V and 3-W] do not reflect the effect of partial vetoes by the Governor.

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
regulation	PR	A	305,800	305,800
(j) Weights and measures inspection	PR	A	136,800	137,000
(jm) Warehouse keeper and grain dealer regulation	PR	C	52,300	52,400
(k) Dairy trade regulation	PR	A	147,400	147,500
(L) Weather modification regulation	PR	A	500	500
(m) Federal funds	PR-F	C	2,343,000	2,344,100
(q) Automobile repair regulation	SEG	A	181,800	185,300
(s) Groundwater--standards; implementation	SEG	A	136,700	123,700
(1) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			8,286,900	8,192,500
PROGRAM REVENUE			3,348,000	3,364,100
FEDERAL	(		2,343,000)	( 2,344,100)
OTHER	(		1,005,000)	( 1,020,000)
SEGREGATED FUNDS			318,500	309,000
OTHER	(		318,500)	( 309,000)
TOTAL-ALL SOURCES			11,953,400	11,865,600
(2) ANIMAL AND PLANT HEALTH SERVICES				
(a) General program operations	GPR	A	-0-	-0-
Animal health services	GPR	A	2,692,600	2,692,600
Plant health services	GPR	A	705,000	705,000
NET APPROPRIATION			3,397,600	3,397,600
(b) Animal disease indemnities	GPR	S	105,000	105,000
(c) Pseudorabies control program; administration	GPR	A	49,600	49,600
(g) Related services	PR	A	712,400	730,600
(h) Sale of supplies	PR	A	32,500	32,500
(hm) Dead animal regulation	PR	C	7,500	7,500
(i) Mink research assessments	PR	A	6,000	6,000
(j) Dog licenses, rabies control and related services	PR	A	97,400	97,400
(m) Federal funds	PR-F	C	214,900	214,900
(2) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			3,552,200	3,552,200
PROGRAM REVENUE			1,070,700	1,088,900
FEDERAL	(		214,900)	( 214,900)
OTHER	(		855,800)	( 874,000)
TOTAL-ALL SOURCES			4,622,900	4,641,100
(3) MARKETING SERVICES				
(a) General program operations	GPR	A	-0-	-0-
Agricultural services	GPR	A	1,205,300	1,151,000
Management information services	GPR	A	681,300	704,100
NET APPROPRIATION			1,886,600	1,855,100
(g) Related services	PR	A	820,300	821,400
(h) Grain regulation--Milwaukee	PR	A	1,075,400	1,075,900
(i) Marketing orders and agreements	PR	C	24,000	24,000
(j) Grain regulation--Superior	PR	A	3,599,200	3,601,600
(k) Potato board; assessments	PR	A	355,900	355,900
(km) Potato board; gifts and grants	PR	C	8,000	8,000
(L) Market development activities; gifts and grants	PR	C	2,500	2,500
(m) Federal funds	PR-F	C	23,600	23,600

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			1,886,600	1,855,100
PROGRAM REVENUE			5,908,900	5,912,900
FEDERAL	(		23,600)	( 23,600)
OTHER	(		5,885,300)	( 5,889,300)
TOTAL-ALL SOURCES			7,795,500	7,768,000
(4) AGRICULTURAL ASSISTANCE				
(a) Aid to Wisconsin livestock breeders association	GPR	A	28,000	28,000
(b) Aids to county and district fairs	GPR	A	368,500	368,500
(e) Premium aids to world dairy expo, inc.	GPR	A	55,000	55,000
(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			451,500	451,500
TOTAL-ALL SOURCES			451,500	451,500
(5) STATE FAIR PARK				
(h) State fair operations	PR	A	6,404,700	6,491,600
(i) State fair capital improvement	PR	C	224,000	224,000
(j) State fair principal repayment and interest	PR	S	662,800	654,200
(5) PROGRAM TOTALS				
PROGRAM REVENUE			7,291,500	7,369,800
OTHER	(		7,291,500)	( 7,369,800)
TOTAL-ALL SOURCES			7,291,500	7,369,800
(7) LAND CONSERVATION AND FARMLAND PRESERVATION				
(a) General program operations	GPR	A	464,500	498,900
(b) Preliminary mapping; agricultural land preservation	GPR	B	10,000	15,000
(c) Soil and water conservation project aids	GPR	A	738,000	788,000
(d) Erosion control program	GPR	C	650,000	2,100,000
(f) Farmers fund grants	GPR	C	566,500	572,000
(g) Agricultural impact statements	PR	C	60,300	60,300
(7) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			2,429,000	3,973,900
PROGRAM REVENUE			60,300	60,300
OTHER	(		60,300)	( 60,300)
TOTAL-ALL SOURCES			2,489,300	4,034,200
(8) CENTRAL ADMINISTRATIVE SERVICES				
(a) General program operations	GPR	A	1,528,000	1,528,000
(h) Sale of supplies	PR	A	27,300	27,300
(k) Central auto pool	PR-S	C	178,400	178,400
(pz) Indirect cost reimbursements	PR-F	C	100,000	100,000
(8) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			1,528,000	1,528,000
PROGRAM REVENUE			305,700	305,700
FEDERAL	(		100,000)	( 100,000)
OTHER	(		27,300)	( 27,300)
SERVICE	(		178,400)	( 178,400)
TOTAL-ALL SOURCES			1,833,700	1,833,700
20.115 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			18,134,200	19,553,200
PROGRAM REVENUE			17,985,100	18,101,700

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
FEDERAL	(		2,681,500)	( 2,682,600)
OTHER	(		15,125,200)	( 15,240,700)
SERVICE	(		178,400)	( 178,400)
SEGREGATED FUNDS			318,500	309,000
OTHER	(		318,500)	( 309,000)
TOTAL-ALL SOURCES			36,437,800	37,963,900
<b>20.124 Banking, office of the commissioner of</b>				
<b>(1) SUPERVISION OF BANKS AND RELATED FINANCIAL INSTITUTIONS</b>				
(a) Losses on public deposits	GPR	S	-0-	-0-
(g) General program operations	PR	A	3,271,900	3,275,400
(u) State deposit fund	SEG	S	-0-	-0-
20.124 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-
PROGRAM REVENUE			3,271,900	3,275,400
OTHER	(		3,271,900)	( 3,275,400)
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	( -0-)
TOTAL-ALL SOURCES			3,271,900	3,275,400
<b>20.141 Credit unions, office of the commissioner of</b>				
<b>(1) SUPERVISION OF CREDIT UNIONS</b>				
(g) General program operations	PR	A	916,700	917,600
20.141 DEPARTMENT TOTALS				
PROGRAM REVENUE			916,700	917,600
OTHER	(		916,700)	( 917,600)
TOTAL-ALL SOURCES			916,700	917,600
<b>20.143 Development, department of</b>				
<b>(1) ECONOMIC AND COMMUNITY DEVELOPMENT</b>				
(a) General program operations	GPR	A	2,102,900	2,010,100
(b) Economic development promotion	GPR	B	162,200	162,200
(bm) Aid to Forward Wisconsin, inc.	GPR	A	500,000	400,000
(c) Planning aids	GPR	B	100,000	100,000
(ea) Preliminary mapping; agricultural land preservation	GPR	B	-0-	-0-
(f) Employe ownership assistance loans	GPR	B	75,000	-0-
(g) Gifts, grants and proceeds	PR	C	3,000	3,000
(h) Economic development and export operations	PR	A	39,200	39,200
(j) Employe ownership assistance loans	PR	C	-0-	-0-
(k) Sale of materials or services	PR-S	C	-0-	-0-
(ka) Sale of materials and services--local assistance	PR-S	C	-0-	-0-
(kb) Sale of materials and services--individuals and organizations	PR-S	C	-0-	-0-
(m) Federal aid, state operations	PR-F	C	459,900	459,900
(n) Federal aid, local assistance	PR-F	C	24,728,000	24,810,000
(o) Federal aid, individuals and organizations	PR-F	C	-0-	-0-
(x) Industrial building				

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
construction loan fund	SEG	C	-0-	-0-
(1) PROGRAM	TOTALS			
GENERAL PURPOSE REVENUES			2,940,100	2,672,300
PROGRAM REVENUE			25,230,100	25,312,100
FEDERAL	(		25,187,900)	( 25,269,900)
OTHER	(		42,200)	( 42,200)
SERVICE	(		-0-)	( -0-)
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	( -0-)
TOTAL-ALL SOURCES			28,170,200	27,984,400
(2) TOURISM DEVELOPMENT AND PROMOTION				
(a) General program operations	GPR	A	1,142,200	1,147,800
(b) Tourism marketing	GPR	B	1,414,200	1,414,200
(g) Gifts, grants and proceeds	PR	C	-0-	-0-
(k) Sale of materials or services	PR-S	C	-0-	-0-
(ka) Sale of materials and services--local assistance	PR-S	C	-0-	-0-
(kb) Sale of materials and services--individuals and organizations	PR-S	C	-0-	-0-
(m) Federal aid, state operations	PR-F	C	-0-	-0-
(n) Federal aid, local assistance	PR-F	C	-0-	-0-
(o) Federal aid, individuals and organizations	PR-F	C	-0-	-0-
(2) PROGRAM	TOTALS			
GENERAL PURPOSE REVENUES			2,556,400	2,562,000
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-)	( -0-)
OTHER	(		-0-)	( -0-)
SERVICE	(		-0-)	( -0-)
TOTAL-ALL SOURCES			2,556,400	2,562,000
(3) HOUSING ASSISTANCE				
(a) General program operations	GPR	A	178,800	-0-
(g) Gifts, grants and program services	PR	C	900	-0-
(h) Plat review	PR	A	27,500	-0-
(j) Housing loans--aids to localities	PR	C	7,500	-0-
(L) Housing loans--aids to organizations	PR	C	7,500	-0-
(m) Federal aid, state operations	PR-F	C	13,900	-0-
(o) Federal aid, individuals and organizations	PR-F	C	271,800	-0-
(w) Housing project revenue obligation repayment	SEG	C	-0-	-0-
(3) PROGRAM	TOTALS			
GENERAL PURPOSE REVENUES			178,800	-0-
PROGRAM REVENUE			329,100	-0-
FEDERAL	(		285,700)	( -0-)
OTHER	(		43,400)	( -0-)
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	( -0-)
TOTAL-ALL SOURCES			507,900	-0-
(4) EXECUTIVE AND ADMINISTRATIVE SERVICES				
(a) General program operations	GPR	A	1,842,900	1,844,400
(b) Labor training grants	GPR	B	464,000	477,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
(c) Technology development grants	GPR	B	914,500	900,000
(d) Management training	GPR	B	75,500	80,000
(g) Gifts, grants and proceeds	PR	C	5,000	5,000
(h) Plat review	PR	A	82,300	109,900
(i) Technology development grant reimbursement	PR	C	-0-	-0-
(k) Sale of materials or services	PR-S	C	154,200	154,200
(ka) Sale of materials and services--local assistance	PR-S	C	-0-	-0-
(kb) Sale of materials and services--individuals and organizations	PR-S	C	-0-	-0-
(m) Federal aid, state operations	PR-F	C	-0-	-0-
(n) Federal aid, local assistance	PR-F	C	-0-	-0-
(o) Federal aid, individuals and organizations	PR-F	C	-0-	-0-
(pz) Indirect cost reimbursements	PR-F	C	-0-	-0-
(4) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			3,296,900	3,301,400
PROGRAM REVENUE			241,500	269,100
FEDERAL	(		-0-)	-0-)
OTHER	(		87,300)	114,900)
SERVICE	(		154,200)	154,200)
TOTAL-ALL SOURCES			3,538,400	3,570,500
2 0 . 1 4 3 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			8,972,200	8,535,700
PROGRAM REVENUE			25,800,700	25,581,200
FEDERAL	(		25,473,600)	25,269,900)
OTHER	(		172,900)	157,100)
SERVICE	(		154,200)	154,200)
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	-0-)
TOTAL-ALL SOURCES			34,772,900	34,116,900
<b>20.145 Insurance, office of the commissioner of</b>				
<b>(1) SUPERVISION OF THE INSURANCE INDUSTRY</b>				
(g) General program operations	PR	A	3,573,400	3,650,000
(m) Federal funds	PR-F	C	-0-	-0-
(1) P R O G R A M T O T A L S				
PROGRAM REVENUE			3,573,400	3,650,000
FEDERAL	(		-0-)	-0-)
OTHER	(		3,573,400)	3,650,000)
TOTAL-ALL SOURCES			3,573,400	3,650,000
<b>(2) PATIENTS COMPENSATION FUND</b>				
(u) Administration	SEG	A	174,100	175,600
(v) Operations and benefits	SEG	C	15,250,000	18,350,000
(2) P R O G R A M T O T A L S				
SEGREGATED FUNDS			15,424,100	18,525,600
OTHER	(		15,424,100)	18,525,600)
TOTAL-ALL SOURCES			15,424,100	18,525,600
<b>(3) LOCAL GOVERNMENT PROPERTY INSURANCE FUND</b>				
(u) Administration	SEG	A	168,200	168,300
(v) Operations and benefits	SEG	C	1,776,500	1,876,500
(3) P R O G R A M T O T A L S				
SEGREGATED FUNDS			1,944,700	2,044,800
OTHER	(		1,944,700)	2,044,800)



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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
TOTAL-ALL SOURCES			1,944,700	2,044,800
(4) STATE LIFE INSURANCE FUND				
(u) Administration	SEG	A	227,400	232,200
(v) Operations and benefits	SEG	C	1,255,000	1,255,000
(4) P R O G R A M T O T A L S				
SEGREGATED FUNDS			1,482,400	1,487,200
OTHER	(		1,482,400)	1,487,200)
TOTAL-ALL SOURCES			1,482,400	1,487,200
(7) HEALTH INSURANCE RISK SHARING				
PLAN ADMINISTRATION				
(a) Premium reduction subsidy	GPR	B	427,300	533,000
(u) Administration	SEG	C	195,700	195,800
(7) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			427,300	533,000
SEGREGATED FUNDS			195,700	195,800
OTHER	(		195,700)	195,800)
TOTAL-ALL SOURCES			623,000	728,800
20.145 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			427,300	533,000
PROGRAM REVENUE			3,573,400	3,650,000
FEDERAL	(		-0-)	-0-)
OTHER	(		3,573,400)	3,650,000)
SEGREGATED FUNDS			19,046,900	22,253,400
OTHER	(		19,046,900)	22,253,400)
TOTAL-ALL SOURCES			23,047,600	26,436,400
<b>20.155 Public service commission</b>				
(1) REGULATION OF PUBLIC UTILITIES				
(g) Utility regulation	PR	A	6,651,000	6,616,900
(m) Federal funds	PR-F	C	75,700	75,700
20.155 D E P A R T M E N T T O T A L S				
PROGRAM REVENUE			6,726,700	6,692,600
FEDERAL	(		75,700)	75,700)
OTHER	(		6,651,000)	6,616,900)
TOTAL-ALL SOURCES			6,726,700	6,692,600
<b>20.165 Regulation and licensing, department of</b>				
(1) PROFESSIONAL REGULATION				
(g) General program operations	PR	A	4,770,800	4,787,100
(h) Technical assistance; nonstate agencies and organizations	PR	C	-0-	-0-
(k) Technical assistance; state agencies	PR-S	C	-0-	-0-
(m) Federal funds	PR-F	C	-0-	-0-
20.165 D E P A R T M E N T T O T A L S				
PROGRAM REVENUE			4,770,800	4,787,100
FEDERAL	(		-0-)	-0-)
OTHER	(		4,770,800)	4,787,100)
SERVICE	(		-0-)	-0-)
TOTAL-ALL SOURCES			4,770,800	4,787,100
<b>20.175 Savings and loan, office of the commissioner of</b>				
(1) SUPERVISION OF SAVINGS AND LOAN ASSOCIATIONS				
(g) General program operations	PR	A	814,700	821,900
20.175 D E P A R T M E N T T O T A L S				
PROGRAM REVENUE			814,700	821,900
OTHER	(		814,700)	821,900)

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
TOTAL-ALL SOURCES			814,700	821,900
<b>20.185 Securities, office of the commissioner of</b>				
(1) SECURITIES AND FRANCHISE				
INVESTMENT REGULATION				
(g) General program operations	PR	A	1,139,400	1,153,100
20.185 DEPARTMENT TOTALS				
PROGRAM REVENUE			1,139,400	1,153,100
OTHER	(		1,139,400)	( 1,153,100)
TOTAL-ALL SOURCES			1,139,400	1,153,100

Commerce

FUNCTIONAL AREA TOTALS

GENERAL PURPOSE REVENUES			27,533,700	28,621,900
PROGRAM REVENUE			64,999,400	64,980,600
FEDERAL	(		28,230,800)	( 28,028,200)
OTHER	(		36,436,000)	( 36,619,800)
SERVICE	(		332,600)	( 332,600)
SEGREGATED FUNDS			19,365,400	22,562,400
FEDERAL	(		-0-)	( -0-)
OTHER	(		19,365,400)	( 22,562,400)
SERVICE	(		-0-)	( -0-)
LOCAL	(		-0-)	( -0-)
TOTAL-ALL SOURCES			111,898,500	116,164,900

Education

**20.215 Arts board**

(1) SUPPORT OF ARTS PROJECTS

(a) General program operations	GPR	A	272,000	277,400
(b) State aid for the arts	GPR	A	739,900	764,600
(c) Portraits of governors	GPR	B	10,000	10,000
(d) Challenge grant program	GPR	A	132,300	132,300
(g) Gifts and grants; state operations	PR	C	2,500	2,500
(h) Gifts and grants; aids to individuals and organizations	PR	C	-0-	-0-
(k) Funds received from other state agencies	PR-S	C	-0-	-0-
(m) Federal grants; state operations	PR-F	C	169,300	163,900
(o) Federal grants; aids to individuals and organizations	PR-F	C	348,000	348,000

20.215 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES			1,154,200	1,184,300
PROGRAM REVENUE			519,800	514,400
FEDERAL	(		517,300)	( 511,900)
OTHER	(		2,500)	( 2,500)
SERVICE	(		-0-)	( -0-)
TOTAL-ALL SOURCES			1,674,000	1,698,700

**20.225 Educational communications board**

(1) INSTRUCTIONAL TECHNOLOGY

(a) General program operations	GPR	A	3,455,200	2,794,100
(b) Utilities and heating	GPR	A	520,700	539,700
(c) Principal repayment and interest	GPR	S	266,200	257,400
(d) Milwaukee area technical college	GPR	A	-0-	500,000
(f) Programming	GPR	A	1,740,600	1,819,900

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
(g) Gifts, grants and leases	PR	C	3,722,300	3,720,800
(h) Instructional material	PR	A	123,300	123,300
(m) Federal grants	PR-F	C	366,700	366,700
20.225 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			5,982,700	5,911,100
PROGRAM REVENUE			4,212,300	4,210,800
FEDERAL			( 366,700) (	( 366,700)
OTHER			( 3,845,600) (	( 3,844,100)
TOTAL-ALL SOURCES			10,195,000	10,121,900

**20.235 Higher educational aids board**

**(1) STUDENT SUPPORT ACTIVITIES**

(b) Tuition grants	GPR	A	11,644,400	11,868,400
(c) Loan forgiveness for critical manpower occupations	GPR	S	25,000	10,000
(d) Dental education contract	GPR	A	1,328,200	1,107,700
(e) Minnesota-Wisconsin student reciprocity agreement	GPR	S	-0-	-0-
(fb) Indian student assistance	GPR	A	1,014,500	1,060,200
(fe) Wisconsin higher education grants	GPR	A	13,972,400	16,281,900
(fg) Minority undergraduate grants program	GPR	A	-0-	500,000
(g) Student loans	PR	A	-0-	-0-
(gn) Medical student loans	PR	A	-0-	-0-
(i) Gifts and grants	PR	C	-0-	-0-
(m) Federal aid; grants	PR-F	C	-0-	-0-
(n) Federal aid; grants overdrafts	PR-F	C	-0-	-0-
(no) Federal aid; aids to individuals and organizations	PR-F	C	1,584,000	1,584,000

**(1) PROGRAM TOTALS**

GENERAL PURPOSE REVENUES			27,984,500	30,828,200
PROGRAM REVENUE			1,584,000	1,584,000
FEDERAL	(		1,584,000) (	1,584,000)
OTHER	(		-0-) (	-0-)
TOTAL-ALL SOURCES			29,568,500	32,412,200

**(2) ADMINISTRATION**

(aa) General program operations	GPR	A	-0-	-0-
(ba) Student loan interest	GPR	S	125,000	125,000
(bb) Student loan interest, loans sold or conveyed	GPR	S	-0-	-0-
(bc) Write-off of uncollectible student loans	GPR	A	-0-	-0-
(ga) Student interest payments	PR	C	300,000	300,000
(gb) Student interest payments, loans sold or conveyed	PR	C	-0-	-0-
(ha) Medical loan collections, interest and principal	PR	C	-0-	-0-
(hb) Centralized lender collections; interest and principal	PR	C	-0-	-0-
(ia) Student loans; collection and administration	PR	C	6,973,100	7,106,900
(ja) Write-off of defaulted student loans	PR	A	-0-	-0-
(ma) Federal interest payments	PR-F	C	75,000	75,000
(mb) Federal interest payments, loans sold or conveyed	PR-F	C	-0-	-0-

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
(n) Federal aid; state operations	PR-F	C	2,255,500	2,048,000
(qa) Student loan revenue obligation repayment	SEG	C	-0-	-0-
(qb) Wisconsin health education loan revenue obligation repayment	SEG	C	153,400	157,500
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			125,000	125,000
PROGRAM REVENUE			9,603,600	9,529,900
FEDERAL	(		2,330,500)	( 2,123,000)
OTHER	(		7,273,100)	( 7,406,900)
SEGREGATED FUNDS			153,400	157,500
OTHER	(		153,400)	( 157,500)
TOTAL-ALL SOURCES			9,882,000	9,812,400
20.235 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			28,109,500	30,953,200
PROGRAM REVENUE			11,187,600	11,113,900
FEDERAL	(		3,914,500)	( 3,707,000)
OTHER	(		7,273,100)	( 7,406,900)
SEGREGATED FUNDS			153,400	157,500
OTHER	(		153,400)	( 157,500)
TOTAL-ALL SOURCES			39,450,500	42,224,600

**20.245 Historical society**

(1) RESEARCH SERVICES

(a) General program operations	GPR	A	1,868,000	1,868,400
(b) Distribution of the history of Wisconsin	GPR	C	-0-	-0-
(g) Admissions, sales and other receipts	PR	A	290,300	290,300
(h) Gifts and grants	PR	C	33,400	33,400
(i) Circus world museum sales	PR	C	-0-	-0-
(m) General program operations; federal funds	PR-F	C	277,600	277,600
(r) Endowment income	SEG	C	39,900	39,900

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES			1,868,000	1,868,400
PROGRAM REVENUE			601,300	601,300
FEDERAL	(		277,600)	( 277,600)
OTHER	(		323,700)	( 323,700)
SEGREGATED FUNDS			39,900	39,900
OTHER	(		39,900)	( 39,900)
TOTAL-ALL SOURCES			2,509,200	2,509,600

(2) HISTORIC SITES

(a) General program operations	GPR	A	155,300	155,300
(bd) Stonefield Village	GPR	A	60,600	60,600
(be) Pendarvis	GPR	A	56,500	56,500
(bf) Villa Louis	GPR	A	53,600	53,600
(bg) Old Wade House	GPR	A	54,100	54,100
(bh) Madeline Island	GPR	A	-0-	-0-
(bi) Old World Wisconsin	GPR	A	334,900	319,100
(c) Utilities and heat	GPR	A	94,200	96,700
(e) Principal repayment and interest	GPR	S	197,400	195,400
(g) Admissions, sales and other receipts	PR	C	1,184,500	1,232,400
(h) Gifts and grants	PR	C	25,000	25,000
(k) Funds received from other state agencies	PR-S	C	-0-	-0-

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
(m) General program operations; federal funds	PR-F	C	-0-	-0-
(r) Endowment income	SEG	C	11,900	11,900
(2) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			1,006,600	991,300
PROGRAM REVENUE			1,209,500	1,257,400
FEDERAL	(		-0-)	( -0-)
OTHER	(		1,209,500)	( 1,257,400)
SERVICE	(		-0-)	( -0-)
SEGREGATED FUNDS			11,900	11,900
OTHER	(		11,900)	( 11,900)
TOTAL-ALL SOURCES			2,228,000	2,260,600
<b>(3) HISTORIC PRESERVATION</b>				
(a) General program operations	GPR	A	171,500	171,500
(g) Admissions, sales and other receipts	PR	A	5,000	5,000
(h) Gifts and grants	PR	C	1,000	1,000
(m) General program operations; federal funds	PR-F	C	645,800	645,800
(n) Federal aids	PR-F	C	300,000	300,000
(r) Endowment income	SEG	C	-0-	-0-
(3) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			171,500	171,500
PROGRAM REVENUE			951,800	951,800
FEDERAL	(		945,800)	( 945,800)
OTHER	(		6,000)	( 6,000)
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	( -0-)
TOTAL-ALL SOURCES			1,123,300	1,123,300
<b>(4) EXECUTIVE AND ADMINISTRATIVE SERVICES</b>				
(a) General program operations	GPR	A	1,121,900	1,124,200
(c) Utilities and heat	GPR	A	141,700	146,000
(e) Principal repayment and interest	GPR	S	-0-	-0-
(g) Admissions, sales and other receipts	PR	A	164,500	165,900
(h) Gifts and grants	PR	C	1,400	1,400
(m) General program operations; federal funds	PR-F	C	74,000	74,000
(q) Endowment principal	SEG	C	-0-	-0-
(r) Endowment income	SEG	C	30,000	30,000
(4) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			1,263,600	1,270,200
PROGRAM REVENUE			239,900	241,300
FEDERAL	(		74,000)	( 74,000)
OTHER	(		165,900)	( 167,300)
SEGREGATED FUNDS			30,000	30,000
OTHER	(		30,000)	( 30,000)
TOTAL-ALL SOURCES			1,533,500	1,541,500
<b>(5) MUSEUM</b>				
(a) General program operations	GPR	A	543,800	556,000
(c) Utilities and heat	GPR	A	33,300	34,700
(e) Principal repayment and interest	GPR	S	327,500	305,800
(g) Admission, sales and other receipts	PR	C	76,800	76,800
(h) Gifts and grants	PR	C	11,600	11,600

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
(k) Funds received from other state agencies	PR-S	C	-0-	-0-
(m) General program operations, federal funds	PR-F	C	15,200	15,200
(r) Endowment income	SEG	C	1,600	1,600
(5) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			904,600	896,500
PROGRAM REVENUE			103,600	103,600
FEDERAL	(		15,200)	( 15,200)
OTHER	(		88,400)	( 88,400)
SERVICE	(		-0-)	( -0-)
SEGREGATED FUNDS			1,600	1,600
OTHER	(		1,600)	( 1,600)
TOTAL-ALL SOURCES			1,009,800	1,001,700
20.245 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			5,214,300	5,197,900
PROGRAM REVENUE			3,106,100	3,155,400
FEDERAL	(		1,312,600)	( 1,312,600)
OTHER	(		1,793,500)	( 1,842,800)
SERVICE	(		-0-)	( -0-)
SEGREGATED FUNDS			83,400	83,400
OTHER	(		83,400)	( 83,400)
TOTAL-ALL SOURCES			8,403,800	8,436,700
<b>20.250 Medical college of Wisconsin</b>				
<b>(1) TRAINING OF HEALTH MANPOWER</b>				
(a) General program operations	GPR	A	4,539,600	4,490,500
(b) Family medicine and practice	GPR	A	1,144,600	1,201,800
(e) Principal repayment and interest	GPR	S	629,600	609,300
20.250 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			6,313,800	6,301,600
TOTAL-ALL SOURCES			6,313,800	6,301,600
<b>20.255 Public instruction, department of</b>				
<b>(1) EDUCATIONAL LEADERSHIP</b>				
(a) General program operations	GPR	A	11,155,400	11,390,000
(b) General program operations; residential schools	GPR	A	6,947,900	6,947,400
(c) Utilities and heating	GPR	A	380,000	391,800
(d) Debt service	GPR	S	606,900	783,200
(e) Aid to public library systems	GPR	A	7,889,600	8,158,100
(fg) Special Olympics	GPR	A	75,000	75,000
(fr) Aid for handicapped individuals	GPR	B	34,700	34,700
(fz) Minority group pupil scholarships	GPR	A	245,000	245,000
(g) Student activity therapy	PR	A	7,500	8,000
(hg) Personnel certification and teacher supply, information and analysis	PR	A	781,000	781,000
(hm) Services for drivers	PR	A	225,000	225,000
(hr) Alcohol and other drug abuse program	PR	C	234,300	230,500
(i) Publications	PR	A	54,100	54,100
(jg) School lunch handling charges	PR	A	1,396,800	1,396,800
(jm) Professional services center charges	PR	A	26,500	18,500
(jr) Gifts, grants and trust funds	PR	C	124,700	90,400
(jz) School district boundary				

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
appeal proceedings	PR	C	3,300	3,300
(ke) Funds transferred from other state agencies; program operations	PR-S	C	3,339,000	3,345,200
(kk) Funds transferred from other state agencies; aids to ind. and organizations	PR-S	C	902,200	926,500
(km) State agency library processing center	PR-S	A	65,800	65,800
(ks) Data processing	PR-S	C	1,017,700	1,031,500
(L) Gifts, grants and trust funds; aids to individuals and organizations	PR	C	-0-	-0-
(me) Federal aids; program operations	PR-F	C	6,395,700	6,393,100
(mm) Federal funds; local assistance	PR-F	C	-0-	-0-
(ms) Federal funds; aids to individuals and organizations	PR-F	C	737,000	737,000
(pz) Indirect cost reimbursements	PR-F	C	-0-	-0-
(1) P R O G R A M		T O T A L S		
GENERAL PURPOSE REVENUES			27,334,500	28,025,200
PROGRAM REVENUE			15,310,600	15,306,700
FEDERAL	(		7,132,700)	( 7,130,100)
OTHER	(		2,853,200)	( 2,807,600)
SERVICE	(		5,324,700)	( 5,369,000)
TOTAL-ALL SOURCES			42,645,100	43,331,900
(2) AIDS FOR LOCAL EDUCATIONAL PROGRAMS				
(ac) General equalization aids	GPR	A	934,441,600	934,441,600
(an) Supplemental state aid	GPR	B	14,062,800	17,095,000
(b) Aids for handicapped education	GPR	A	152,181,000	162,782,000
(cc) Bilingual-bicultural education aids	GPR	A	3,984,800	4,676,700
(cg) Tuition payments	GPR	A	5,290,100	6,533,300
(cn) Aids for school lunches and elderly nutrition	GPR	A	4,395,400	4,403,500
(cr) Aid for pupil transportation	GPR	A	17,494,900	17,514,500
(cw) Alternative school American Indian language and culture education aid	GPR	A	55,000	55,000
(d) Youth initiatives program	GPR	B	500,000	500,000
(do) Grants for preschool to grade 5 programs	GPR	A	-0-	6,100,000
(e) Vocational education instructor occupational competency program	GPR	A	75,000	75,000
(fg) Aid for cooperative educational service agencies	GPR	A	907,200	907,200
(fo) Teaching incentive program demonstration projects	GPR	A	500,200	500,200
(fs) Aid for suicide prevention programs	GPR	A	36,000	36,000
(g) Aid for alcohol and other drug abuse programs	PR	C	380,000	380,000
(k) Funds transferred from other state agencies; local aids	PR-S	C	7,831,600	7,831,600

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
(m) Federal aids; local aid	PR-F	C	108,899,400	108,899,400
(r) Driver education; local assistance	SEG	A	2,481,600	3,173,000
(s) School library aids	SEG	C	10,352,100	11,645,200
(t) School aids from the badger fund	SEG	C	-0-	-0-
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			1,133,924,000	1,155,620,000
PROGRAM REVENUE			117,111,000	117,111,000
FEDERAL	(		108,899,400)	( 108,899,400)
OTHER	(		380,000)	( 380,000)
SERVICE	(		7,831,600)	( 7,831,600)
SEGREGATED FUNDS			12,833,700	14,818,200
OTHER	(		12,833,700)	( 14,818,200)
TOTAL-ALL SOURCES			1,263,868,700	1,287,549,200
20.255 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			1,161,258,500	1,183,645,200
PROGRAM REVENUE			132,421,600	132,417,700
FEDERAL	(		116,032,100)	( 116,029,500)
OTHER	(		3,233,200)	( 3,187,600)
SERVICE	(		13,156,300)	( 13,200,600)
SEGREGATED FUNDS			12,833,700	14,818,200
OTHER	(		12,833,700)	( 14,818,200)
TOTAL-ALL SOURCES			1,306,513,800	1,330,881,100

**20.285 University of Wisconsin system**

**(1) UNIVERSITY EDUCATION, RESEARCH AND PUBLIC SERVICE**

(a) General program operations	GPR	A	457,225,900	473,089,000
(ab) Student aid	GPR	A	817,000	817,000
(b) Advanced opportunity program	GPR	A	2,450,500	2,524,000
(c) Utilities and heating	GPR	A	42,109,900	44,004,300
(d) Principal repayment and interest	GPR	S	49,598,300	50,671,200
(da) Lease rental payments	GPR	S	7,906,500	7,906,500
(db) Self-amortizing facilities principal and interest	GPR	S	-0-	-0-
(dd) Minority undergraduate grants program	GPR	A	-0-	2,000,000
(fa) General medical operations	GPR	A	2,398,600	2,398,600
(fc) Department of family medicine and practice	GPR	A	4,032,800	4,076,600
(fd) State laboratory of hygiene; general program operations	GPR	A	3,682,700	3,697,100
(fm) Laboratories	GPR	A	3,083,900	3,083,900
(fn) Private sewage systems-- systems research	GPR	C	50,000	-0-
(fp) Private sewage systems-- critical resources research	GPR	C	70,000	-0-
(g) Physical plant service departments	PR	A	-0-	-0-
(ga) Surplus auxiliary funds	PR	C	-0-	-0-
(gb) Principal repayment and interest	PR	S	6,185,600	6,173,600
(gc) Lease rental payments	PR	S	3,214,300	3,214,300
(h) Auxiliary enterprises	PR	A	188,873,200	196,679,300
(ha) Stores	PR	A	-0-	-0-
(i) State laboratory of hygiene	PR	A	4,900,800	5,117,600
(ia) State laboratory of hygiene,				



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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
drivers	PR	A	272,600	279,000
(im) Academic student fees	PR	A	203,963,100	212,878,100
(iz) General operations receipts	PR	A	27,370,900	28,500,200
(j) Gifts and donations	PR	C	48,085,400	49,586,000
(ja) Gifts; student loans	PR	C	1,890,000	1,984,500
(k) Adult education center operations	PR	A	276,600	282,900
(ka) Sale of real property	PR	A	-0-	-0-
(kb) University of Wisconsin hospital and clinics	PR	A	105,348,600	108,550,100
(L) Libraries	PR	C	9,115,300	-0-
(Lm) Laboratories	PR	A	1,451,200	1,451,200
(m) Federal aid	PR-F	C	140,880,800	145,883,700
(ma) Federal aid; loans and grants	PR-F	C	67,868,600	70,823,200
(n) Federal indirect cost reimbursement	PR-F	C	34,271,500	35,594,400
(u) Trust fund income	SEG	C	6,554,700	6,855,700
(w) Trust fund operations	SEG	C	-0-	-0-
(x) Driver education teachers	SEG	A	61,000	61,000
2 0 . 2 8 5 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			573,426,100	594,268,200
PROGRAM REVENUE			843,968,500	866,998,100
FEDERAL			( 243,020,900 )	( 252,301,300 )
OTHER			( 600,947,600 )	( 614,696,800 )
SEGREGATED FUNDS			6,615,700	6,916,700
OTHER			( 6,615,700 )	( 6,916,700 )
TOTAL-ALL SOURCES			1,424,010,300	1,468,183,000

**20.292 Vocational, technical and adult education, board of**

**(1) VOCATIONAL, TECHNICAL AND ADULT EDUCATION**

(a) General program operations	GPR	A	2,228,300	2,228,300
(b) Displaced homemakers' program	GPR	A	455,100	458,200
(c) Fire schools	GPR	A	72,200	72,200
(d) State aid for vocational, technical and adult education	GPR	A	73,793,700	78,942,400
(dc) Incentive grants	GPR	C	1,000,000	1,000,000
(dm) Aid for special collegiate transfer programs	GPR	A	856,200	902,200
(e) Vocational education instructor occupational competency program	GPR	A	75,000	75,000
(g) Text materials	PR	A	123,000	123,000
(h) Gifts and grants	PR	C	20,600	20,600
(i) Conferences	PR	C	85,900	85,900
(j) Personnel certification	PR	A	136,900	137,100
(k) Gifts and grants	PR	C	30,200	30,200
(ka) Interagency projects; local assistance	PR-S	A	3,414,700	3,414,700
(kb) Interagency projects; state operations	PR-S	A	911,700	911,700
(m) Federal aid, state operations	PR-F	C	3,559,100	3,563,400
(n) Federal aid, local assistance	PR-F	C	13,927,100	13,927,100
(o) Federal aid, aids to individuals and organizations	PR-F	C	216,700	216,700
(pz) Indirect cost reimbursements	PR-F	C	-0-	-0-
(u) Driver education, local assistance	SEG	A	206,300	206,300

STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1985-86	1986-87
(v) Chauffeur training grants	SEG C	200,000	200,000
(1) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		78,480,500	83,678,300
PROGRAM REVENUE		22,425,900	22,430,400
FEDERAL	(	17,702,900)	( 17,707,200)
OTHER	(	396,600)	( 396,800)
SERVICE	(	4,326,400)	( 4,326,400)
SEGREGATED FUNDS		406,300	406,300
OTHER	(	406,300)	( 406,300)
TOTAL-ALL SOURCES		101,312,700	106,515,000
(2) EDUCATIONAL APPROVAL BOARD			
(a) General program operations	GPR A	76,000	76,000
(g) Proprietary school permits	PR A	27,300	27,400
(m) Federal aid	PR-F C	153,700	153,700
(2) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		76,000	76,000
PROGRAM REVENUE		181,000	181,100
FEDERAL	(	153,700)	( 153,700)
OTHER	(	27,300)	( 27,400)
TOTAL-ALL SOURCES		257,000	257,100
20.292 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		78,556,500	83,754,300
PROGRAM REVENUE		22,606,900	22,611,500
FEDERAL	(	17,856,600)	( 17,860,900)
OTHER	(	423,900)	( 424,200)
SERVICE	(	4,326,400)	( 4,326,400)
SEGREGATED FUNDS		406,300	406,300
OTHER	(	406,300)	( 406,300)
TOTAL-ALL SOURCES		101,569,700	106,772,100
Education			
FUNCTIONAL AREA TOTALS			
GENERAL PURPOSE REVENUES		1,860,015,600	1,911,215,800
PROGRAM REVENUE		1,018,022,800	1,041,021,800
FEDERAL	(	383,020,700)	( 392,089,900)
OTHER	(	617,519,400)	( 631,404,900)
SERVICE	(	17,482,700)	( 17,527,000)
SEGREGATED FUNDS		20,092,500	22,382,100
FEDERAL	(	-0-)	( -0-)
OTHER	(	20,092,500)	( 22,382,100)
SERVICE	(	-0-)	( -0-)
LOCAL	(	-0-)	( -0-)
TOTAL-ALL SOURCES		2,898,130,900	2,974,619,700

**Environmental Resources**

**20.315 Boundary area commission,  
Minnesota-Wisconsin**

(1) BOUNDARY AREA COOPERATION

(a) General program operations	GPR A	73,900	76,800
(g) Gifts or grants	PR C	-0-	-0-
20.315 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		73,900	76,800
PROGRAM REVENUE		-0-	-0-
OTHER	(	-0-)	( -0-)
TOTAL-ALL SOURCES		73,900	76,800

**20.370 Natural resources, department of**

(1) RESOURCE MANAGEMENT

(bq) Wildlife management--land leasing	SEG A	200,000	200,000
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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
(cq) Forestry--reforestation	SEG	C	100,000	100,000
(da) Water resources--Fox river management	GPR	A	-0-	-0-
(dj) Water resources--Fox river management; fees	PR	C	-0-	-0-
(dq) Water resources--Fox river management; transportation fund	SEG	C	-0-	-0-
(dr) Water resources--Fox river maintenance and rehab.; transportation fund	SEG	C	30,000	-0-
(ea) Parks--general program operations	GPR	A	3,570,800	3,435,100
(ed) Parks--Olympic ice rink repair, maintenance and improvement	GPR	B	32,400	32,400
(fb) Endangered resources--general program operations	GPR	A	-0-	-0-
(fc) Endangered resources--Wisconsin stewardship program	GPR	A	40,000	40,000
(fd) Endangered resources--natural heritage inventory program	GPR	B	120,000	100,000
(fg) Endangered res.--Wisconsin natural areas heritage prog.; gifts and contrib.	PR	A	-0-	-0-
(fh) Endangered resources--withdrawals from the state natural areas system	PR	C	-0-	-0-
(fs) Endangered resources--voluntary payments	SEG	C	300,000	330,000
(kb) Resource acquisition and development--state funds	GPR	C	1,543,500	1,543,500
(kc) Resource acquisition and development--principal repayment and interest	GPR	S	6,445,800	6,969,800
(kd) Resource acquisition and development--Olympic ice rink lease rental payments	GPR	S	35,400	35,400
(kq) Resource acquisition and development--taxes and assessments	SEG	B	135,000	150,000
(kr) Resource acquisition & development--nonmotorized boating improvements	SEG	C	-0-	-0-
(ks) Resource acquisition and development--state funds	SEG	C	3,337,800	3,244,400
(kt) Resource acquisition and development--wetlands habitat improvement	SEG	C	184,200	184,200
(ku) Resource acquisition and development--Great Lakes trout and salmon	SEG	C	811,200	827,400
(kv) Resource acquisition and development--trout habitat improvement	SEG	C	599,100	616,500
(ky) Resource acquisition and development--federal funds	SEG-F	C	2,420,400	2,420,400
(ma) General program operations--				

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87	
state funds	GPR	A	682,800	686,500	
(mk) General program operations-- service funds	PR-S	C	-0-	-0-	
(mm) General program operations-- federal funds	PR-F	C	-0-	-0-	
(mq) General program operations-- state snowmobile trails and areas	SEG	A	91,700	94,700	
(mr) General program operations-- state park and forest roads	SEG	A	250,000	250,000	
(ms) General program operations-- state all-terrain vehicle areas and trails	SEG	B	-0-	3,000	
(mt) General program operations-- service funds	SEG-S	C	36,000	36,000	
(mu) General program operations-- state funds	SEG	A	-0-	-0-	
Fish management	SEG	A	9,158,400	9,214,900	
Wildlife management	SEG	A	5,742,300	5,773,900	
Forestry	SEG	A	16,891,000	16,957,200	
Southern forests	SEG	A	2,026,300	2,060,600	
Parks	SEG	A	3,643,500	3,536,300	
Engineering	SEG	A	916,800	920,200	
Research	SEG	A	1,360,300	1,363,700	
Real estate	SEG	A	246,300	246,800	
NET APPROPRIATION			39,984,900	40,073,600	
(mv) General program operations-- use of departmental gravel pits	SEG	C	-0-	-0-	
(my) General program operations-- federal funds	SEG-F	C	-0-	-0-	
Fish management	SEG-F	C	218,600	218,600	
Wildlife management	SEG-F	C	1,383,600	1,163,600	
Forestry	SEG-F	C	469,500	469,500	
Southern forests	SEG-F	C	120,500	120,500	
Parks	SEG-F	C	349,900	349,900	
Endangered resources	SEG-F	C	73,400	73,400	
Research	SEG-F	C	782,700	782,700	
NET APPROPRIATION			3,398,200	3,178,200	
(1) P R O G R A M T O T A L S					
GENERAL PURPOSE REVENUES			12,470,700	12,842,700	
PROGRAM REVENUE			-0-	-0-	
FEDERAL	(		-0-)	(	-0-)
OTHER	(		-0-)	(	-0-)
SERVICE	(		-0-)	(	-0-)
SEGREGATED FUNDS			51,878,500	51,708,400	
FEDERAL	(		5,818,600)	(	5,598,600)
OTHER	(		46,023,900)	(	46,073,800)
SERVICE	(		36,000)	(	36,000)
TOTAL-ALL SOURCES			64,349,200	64,551,100	
(2) ENVIRONMENTAL STANDARDS					
(aq) Water resources management-- lake and river management; transportation fund	SEG	B	464,900	482,400	
(bL) Wastewater management--fees	PR	C	-0-	124,600	
(ca) Air management--sulfur dioxide emission reduction study	GPR	B	44,000	-0-	

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
(ci) Air management--permit review and enforcement	PR	A	431,000	433,200
(cq) Air manage.--motor vehicle emission inspec. and maint. program, state funds	SEG	A	28,400	28,500
(dd) Solid waste management--2,4,5-t and silvex	GPR	A	-0-	-0-
(dg) Solid waste management--solid and hazardous waste disposal administration	PR	C	1,040,800	1,041,300
(dh) Solid waste management--gifts and grants	PR	C	-0-	-0-
(dq) Solid waste management--waste management fund	SEG	C	-0-	-0-
(dr) Solid waste management--environmental repair; administration	SEG	A	720,800	741,900
(ds) Solid waste management--closure & long-term care; imminent hazard	SEG	C	-0-	-0-
(dt) Solid waste management--closure and long-term care	SEG	C	-0-	-0-
(du) Solid waste mgt.--environ. repair; spills; abandoned containers; reimburse.	SEG	C	-0-	-0-
(dv) Solid waste management--environmental repair; spills; abandoned containers	SEG	C	853,300	1,353,300
(dx) Solid waste management--environmental repair; federal funds	SEG-F	C	-0-	-0-
(eb) Compensation for well contamination--payments	GPR	C	1,345,000	<del>900,000</del> * Vetoed in Part
(ec) Compensation for well contamination--administration	GPR	A	153,800	150,700
(eg) Compen. for well contamination; mun. water supply grants--grant	PR	C	-0-	-0-
(fi) Environmental damage compensation	PR	C	125,000	125,000
(fj) Environmental quality--laboratory certification	PR	A	153,000	254,000
(gh) Mining--mining regulation and administration	PR	A	20,000	20,000
(gr) Mining--investment and local impact fund; long-term care	SEG	C	-0-	-0-
(gs) Mining--investment and local impact fund; environmental repair	SEG	C	-0-	-0-
(ma) General program operations--state funds	GPR	A	-0-	-0-
Water resources management	GPR	A	1,692,100	1,701,300
Wastewater management	GPR	A	2,535,400	2,498,700
Air management	GPR	A	2,357,000	2,230,300
Solid waste management	GPR	A	1,916,300	1,973,400

\* "Program totals" for sub. (2) and "department totals" for s. 20.370 do not reflect the effect of the partial veto by the Governor (veto item 3-P) on the appropriation under s. 20.370 (2) (eb).

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
Water supply management	GPR	A	1,123,400	1,123,400
Technical services	GPR	A	617,700	623,600
NET APPROPRIATION			10,241,900	10,150,700
(mb) General program operations-- groundwater general fund supplement	GPR	B	623,300	666,800
(mc) General program operations-- toxic materials management	GPR	A	716,900	725,500
(md) General program operations-- environmental repair general fund supplement	GPR	B	500,000	875,000
(mi) General program operations-- aquatic nuisance control	PR	C	16,000	16,000
(mk) General program operations-- service funds	PR-S	C	10,900	-0-
(mm) General program operations-- federal funds	PR-F	C	-0-	-0-
Water resources management	PR-F	C	1,469,900	1,245,100
Wastewater management	PR-F	C	1,350,900	1,019,100
Air management	PR-F	C	1,470,800	1,489,000
Solid waste management	PR-F	C	599,600	611,400
Water supply management	PR-F	C	688,000	627,000
Technical services	PR-F	C	122,600	102,000
NET APPROPRIATION			5,701,800	5,093,600
(mq) General program operations-- groundwater standards; implementation	SEG	A	454,400	512,200
(ms) General program operations-- groundwater monitoring	SEG	A	1,408,600	1,457,400
(2) P R O G R A M T O T A L S *				
GENERAL PURPOSE REVENUES			13,624,900	13,468,700
PROGRAM REVENUE			7,498,500	7,107,700
FEDERAL	(		5,701,800)	( 5,093,600)
OTHER	(		1,785,800)	( 2,014,100)
SERVICE	(		10,900)	( -0-)
SEGREGATED FUNDS			3,930,400	4,575,700
FEDERAL	(		-0-)	( -0-)
OTHER	(		3,930,400)	( 4,575,700)
TOTAL-ALL SOURCES			25,053,800	25,152,100
(3) ENFORCEMENT				
(aq) Law enforcement--snowmobile enforcement and safety training	SEG	A	247,500	247,600
(ar) Law enforcement--boat enforcement and safety training	SEG	A	678,500	678,700
(as) Law enforcement--all-terrain vehicle enforcement	SEG	B	23,000	21,000
(bh) Water regulation and zoning-- dam inspections and safety administration	PR	A	74,400	74,400
(cu) Environmental enforcement-- spills program	SEG	A	25,200	30,400
(dg) Environmental impact-- consultant services	PR	C	-0-	-0-

\* "Program totals" for sub. (2) do not reflect the effect of the partial veto by the Governor (veto item 3-P) on the appropriation under s. 20.370 (2) (eb).

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
(ma) General program operations-- state funds	GPR	A	3,554,400	3,645,000
(mk) General program operations-- service funds	PR-S	C	157,100	124,000
(mm) General program operations-- federal funds	PR-F	C	352,000	271,700
(mu) General program operations-- state funds	SEG	A	7,639,700	7,647,100
(my) General program operations-- federal funds	SEG-F	C	589,100	589,100
(3) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			3,554,400	3,645,000
PROGRAM REVENUE			583,500	470,100
FEDERAL	(		352,000)	( 271,700)
OTHER	(		74,400)	( 74,400)
SERVICE	(		157,100)	( 124,000)
SEGREGATED FUNDS			9,203,000	9,213,900
FEDERAL	(		589,100)	( 589,100)
OTHER	(		8,613,900)	( 8,624,800)
TOTAL-ALL SOURCES			13,340,900	13,329,000
<b>(4) LOCAL SUPPORT</b>				
(am) Resource aids--national forest income aids	PR-F	C	600,000	600,000
(an) Resource aids--payment in lieu of taxes; federal	PR-F	C	-0-	-0-
(aq) Resource aids--Canadian agencies migratory waterfowl aids	SEG	C	92,100	92,100
(ar) Res. aids--county forests, forest croplands aids & managed forest land aids	SEG	B	1,655,800	1,655,800
(as) Resource aids--county conservation aids	SEG	A	140,000	140,000
(bq) Recreation aids--fish, wildlife and forestry recreation aids	SEG	A	125,000	125,000
(br) Recreation aids--badger fund	SEG	C	-0-	-0-
(bs) Recreation aids--county snowmobile trail and area aids	SEG	C	452,800	439,300
(bt) Recreation aids--snowmobile trail areas; transportation fund	SEG	C	1,280,400	1,334,700
(bu) Recreation aids--recreational boating facilities; transportation fund	SEG	C	1,850,000	1,850,000
(bv) Recreation aids--motorcycle recreation aids; trails	SEG	B	197,500	197,500
(bw) Recreation aids--motorcycle recreation aids; parks	SEG	B	1,800,000	-0-
(bx) Recreation and resource aids, federal funds	SEG-F	C	525,000	525,000
(by) Recreation aids--all-terrain vehicle project aids	SEG	C	-0-	177,000
(bz) Recreation aids--all-terrain vehicle project aids; transportation fund	SEG	C	-0-	-0-
(ca) Environmental aids--point				

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	85 WisACT 29 1986-87
source; prior to bonding and small projects	GPR	B	55,000	55,000
(cb) Environmental aids--point source; pollution abatement grants; general fund	GPR	C	-0-	-0-
(cc) Environmental aids; nonpoint source	GPR	C	7,152,400	7,582,400
(cd) Environmental aids--on-land dredge disposal	GPR	C	-0-	-0-
(ce) Environmental aids--waste reduction and recycling demonstration grants	GPR	C	250,000	250,000
(cf) Environmental aids--private sewage system replacement and rehabilitation	GPR	C	6,600,000	4,000,000
(cj) Environmental aids--waste reduction and recycling grants and gifts	PR	C	-0-	-0-
(cm) Environmental aids--federal funds	PR-F	C	300,000	300,000
(co) Environmental aids--inland lake renewal; federal funds	PR-F	C	-0-	-0-
(da) Environmental planning aids--local water quality planning	GPR	B	173,000	173,000
(db) Environmental planning aids--solid waste management grants	GPR	C	500,000	500,000
(dc) Environmental planning aids--recycling transition funds	GPR	B	-0-	-0-
(dd) Environmental aids--household hazardous waste	GPR	A	100,000	100,000
(de) Environmental aids--scenic urban waterways	GPR	C	200,000	200,000
(df) Environmental aids--point source; cash in place of bonding	GPR	C	31,400,000	25,600,000
(dn) Environmental planning aids--federal funds	PR-F	C	-0-	-0-
(ea) Aids in lieu of taxes	GPR	S	554,100	583,100
(eq) Aids in lieu of taxes	SEG	S	634,100	649,700
(fc) Enforcement aids--floodplain and shoreland mapping	GPR	B	180,000	180,000
(fq) Enforcement aids--boating enforcement	SEG	A	300,000	300,000
(fr) Enforcement aids--boating enforcement; transportation fund	SEG	A	85,800	126,200
(ft) Enforcement aids--snowmobiling enforcement	SEG	A	120,600	126,500
(fu) Enforcement aids--all-terrain vehicle enforcement	SEG	B	-0-	12,000
(fy) Enforcement aids--federal funds	SEG-F	C	-0-	-0-
(gq) Wildlife damage claims and abatement	SEG	C	1,030,700	1,058,600
(hb) Youth camps and work projects--state funds	GPR	A	653,200	620,700
(hm) Youth camps and work projects--federal funds	PR-F	C	-0-	-0-



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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
(hq) Youth camps and work projects--state lands	SEG	A	328,900	313,500
(ia) Aids administration--general program operations, state funds	GPR	A	230,300	230,300
(im) Aids administration--general program operations, federal funds	PR-F	C	1,311,100	1,080,800
(iq) Aids administration--all-terrain vehicle recreation	SEG	B	5,000	8,000
(ir) Aids administration--motorcycle recreation	SEG	A	44,000	44,100
(is) Aids administration--snowmobile recreation	SEG	A	72,000	72,400
(it) Aids administration--wildlife damage claims and abatement	SEG	A	30,500	29,100
(iu) Aids administration--general program operations, state funds	SEG	A	156,600	157,000
(iy) Aids administration--general program operations, federal funds	SEG-F	C	262,500	262,500
(jb) Debt service--recreational boating bonds	GPR	S	160,300	153,700
(jc) Debt service--point source pollution abatement bonds	GPR	S	62,425,500	73,411,300
(jd) Debt service--combined sewer overflow; pollution abatement bonds	GPR	S	4,467,900	11,647,100
(4) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			115,101,700	125,286,600
PROGRAM REVENUE			2,211,100	1,980,800
FEDERAL	(		2,211,100)	( 1,980,800)
OTHER	(		-0-)	( -0-)
SEGREGATED FUNDS			11,189,300	9,696,000
FEDERAL	(		787,500)	( 787,500)
OTHER	(		10,401,800)	( 8,908,500)
TOTAL-ALL SOURCES			128,502,100	136,963,400
(7) OUTDOOR RECREATION				
(aa) General program operations	GPR	A	20,140,100	20,744,300
Allocated to other programs	GPR	A	-13,309,500	-13,667,700
NET APPROPRIATION			6,830,600	7,076,600
(7) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			6,830,600	7,076,600
TOTAL-ALL SOURCES			6,830,600	7,076,600
(8) ADMINISTRATIVE SERVICES				
(dq) Snowmobile registration	SEG	B	150,000	180,000
(dr) Boat registration	SEG	B	287,600	346,900
(ds) All-terrain vehicle administration	SEG	B	13,000	59,000
(iq) Natural resources magazine	SEG	C	514,500	514,600
(La) Facility repair and maintenance	GPR	B	65,900	65,900
(Lb) Administrative facilities--principal repayment and interest	GPR	S	442,000	454,600
(Lc) Facility repair and				

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
maintenance--parks and youth camps	GPR	B	154,000	154,000
(Ld) Administrative facilities-- acquisition, development and improvement	GPR	C	16,000	16,000
(Lr) Facility repair and maintenance	SEG	B	239,400	239,400
(Ls) Administrative facilities-- principal repayment and interest	SEG	S	402,400	457,300
(Lt) Administrative facilities-- acquisition, development and improvement	SEG	C	680,000	260,000
(ma) General program operations-- state funds	GPR	A	6,591,000	6,784,300
(mm) General program operations-- federal funds	PR-F	C	-0-	-0-
(mn) Indirect cost reimbursements	PR-F	C	-0-	-0-
(mt) General program operations-- service funds	SEG-S	C	51,300	51,300
(mu) General program operations-- state funds	SEG	A	13,605,400	13,761,700
(my) General program operations-- federal funds	SEG-F	C	2,585,600	2,542,500
(mz) Indirect cost reimbursements	SEG-F	C	-0-	-0-
(8) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			7,268,900	7,474,800
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-)	( -0-)
SEGREGATED FUNDS			18,529,200	18,412,700
FEDERAL	(		2,585,600)	( 2,542,500)
OTHER	(		15,892,300)	( 15,818,900)
SERVICE	(		51,300)	( 51,300)
TOTAL-ALL SOURCES			25,798,100	25,887,500
2 0 . 3 7 0 D E P A R T M E N T T O T A L S *				
GENERAL PURPOSE REVENUES			158,851,200	169,794,400
PROGRAM REVENUE			10,293,100	9,558,600
FEDERAL	(		8,264,900)	( 7,346,100)
OTHER	(		1,860,200)	( 2,088,500)
SERVICE	(		168,000)	( 124,000)
SEGREGATED FUNDS			94,730,400	93,606,700
FEDERAL	(		9,780,800)	( 9,517,700)
OTHER	(		84,862,300)	( 84,001,700)
SERVICE	(		87,300)	( 87,300)
TOTAL-ALL SOURCES			263,874,700	272,959,700

**20.395 Transportation, department of**

(1) AID

(aq) Transportation aids, state funds	SEG	A	164,800,000	176,400,000
(bq) Transit operating aids, state funds	SEG	A	38,385,000	43,620,200
(br) Milwaukee urban area rail transit system planning study; state funds	SEG	B	400,000	-0-

\* "Department totals" do not reflect the effect of the partial veto by the Governor (veto item 3-P) on the appropriation under s. 20.370 (2) (eb).

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
(bt) Urban rail transit system grants	SEG	C	-0-	-0-
(bv) Transit aids, local funds	SEG-L	C	-0-	-0-
(bx) Transit aids, federal funds	SEG-F	C	2,100,000	2,100,000
(cq) Elderly and handicapped capital aids, state funds	SEG	A	559,300	586,700
(cr) Elderly and handicapped county aids, state funds	SEG	A	3,465,700	3,635,500
(cv) Elderly and handicapped aids, local funds	SEG-L	C	209,300	209,300
(cx) Elderly and handicapped aids, federal funds	SEG-F	C	400,000	400,000
(dq) Scheduled air passenger service assistance aid, state funds	SEG	C	60,000	60,000
(ex) Highway safety, local assistance, federal funds	SEG-F	C	1,700,000	1,700,000
(fq) Connecting highway aids, state funds	SEG	A	7,965,400	8,549,900
(fr) Flood damage aids, state funds	SEG	C	500,000	500,000
(ft) Lift bridge aids, state funds	SEG	A	1,570,700	1,570,700
(1) P R O G R A M T O T A L S				
SEGREGATED FUNDS			222,115,400	239,332,300
FEDERAL	(		4,200,000)	( 4,200,000)
OTHER	(		217,706,100)	( 234,923,000)
LOCAL	(		209,300)	( 209,300)
TOTAL-ALL SOURCES			222,115,400	239,332,300
(2) LOCAL TRANSPORTATION ASSISTANCE				
(aq) Railroad service continuation, state funds	SEG	A	-0-	-0-
(av) Railroad service continuation, local funds	SEG-L	C	-0-	-0-
(ax) Railroad service continuation, federal funds	SEG-F	C	-0-	-0-
(bq) Railroad facilities acquisition and railroad rehabilitation, state funds	SEG	C	4,000,000	4,800,000
(bv) Railroad facilities acquisition and railroad rehabilitation, local funds	SEG-L	C	-0-	-0-
(bx) Railroad facilities acquisition and railroad rehabilitation, federal funds	SEG-F	C	600,000	600,000
(cq) Harbor assistance grants, state funds	SEG	C	1,000,000	1,000,000
(dq) Local airport development, state funds	SEG	C	2,773,100	2,773,100
(dv) Local airport development, local funds	SEG-L	C	3,077,000	3,077,000
(dx) Local airport development, federal funds	SEG-F	C	22,615,000	22,615,000
(eq) Local highway and bridge improvement assistance, state funds	SEG	C	11,259,100	8,914,100
(ev) Local highway and bridge improvement assistance, local				

STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1985-86	85 WisACT 29 1986-87
funds	SEG-L C	14,134,100	14,336,200
(ex) Local highway and bridge improvement assistance, federal funds	SEG-F C	42,830,400	43,280,400
(gq) Railroad crossing improvement, state funds	SEG C	501,300	501,300
(gr) Railroad crossing protection assistance, state funds	SEG A	2,472,200	2,722,600
(gs) Railroad crossing repair assistance, state funds	SEG A	100,000	100,000
(gv) Railroad crossing improvement, local funds	SEG-L C	-0-	-0-
(gx) Railroad crossing improvement, federal funds	SEG-F C	3,333,600	2,333,600
(hq) Lake Michigan ferry service assistance, state funds	SEG C	-0-	-0-
(2) P R O G R A M T O T A L S			
SEGREGATED FUNDS		108,695,800	107,053,300
FEDERAL	(	69,379,000)	( 68,829,000)
OTHER	(	22,105,700)	( 20,811,100)
LOCAL	(	17,211,100)	( 17,413,200)
TOTAL-ALL SOURCES		108,695,800	107,053,300
(3) STATE HIGHWAY FACILITIES			
(aq) State trunk highway allotment to counties	SEG C	8,050,000	8,050,000
(bq) Major highway development, state funds	SEG C	11,059,800	4,175,700
(bv) Major highway development, local funds	SEG-L C	-0-	-0-
(bx) Major highway development, federal funds	SEG-F C	16,302,000	16,535,000
(cq) Existing highway improvement, state funds	SEG C	45,654,600	44,281,900
(cv) Existing highway improvement, local funds	SEG-L C	1,510,000	1,510,000
(cx) Existing highway improvement, federal funds	SEG-F C	72,597,900	72,774,800
(dq) Improvement of state bridges, state funds	SEG C	9,804,300	10,806,000
(dv) Improvement of state bridges, local funds	SEG-L C	490,000	490,000
(dx) Improvement of state bridges, federal funds	SEG-F C	19,099,800	19,326,000
(eq) General and winter highway maintenance and repair, state funds	SEG B	67,597,400	71,548,800
(ev) General and winter highway maintenance and repair, local funds	SEG-L C	250,000	250,000
(ex) General and winter highway maintenance and repair, federal funds	SEG-F C	-0-	-0-
(fq) Special highway maintenance, state funds	SEG C	36,922,100	39,359,900
(fv) Special highway maintenance, local funds	SEG-L C	-0-	-0-
(fx) Special highway maintenance, federal funds	SEG-F C	-0-	-0-

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
(gq) Interstate construction and rehabilitation, state funds	SEG	C	7,520,300	7,515,500
(gv) Interstate construction and rehabilitation, local funds	SEG-L	C	-0-	-0-
(gx) Interstate construction and rehabilitation, federal funds	SEG-F	C	57,416,100	57,416,100
(hq) Highway traffic operations, state funds	SEG	B	13,835,600	14,200,000
(hv) Highway traffic operations, local funds	SEG-L	C	-0-	-0-
(hx) Highway traffic operations, federal funds	SEG-F	C	150,000	150,000
(iq) General program operations, highways, state funds	SEG	A	10,299,300	10,009,300
(iv) General program operations, highways, local funds	SEG-L	C	-0-	-0-
(ix) General program operations, highways, federal funds	SEG-F	C	1,285,700	1,285,700
(3) P R O G R A M T O T A L S				
SEGREGATED FUNDS			379,844,900	379,684,700
FEDERAL	(		166,851,500)	( 167,487,600)
OTHER	(		210,743,400)	( 209,947,100)
LOCAL	(		2,250,000)	( 2,250,000)
TOTAL-ALL SOURCES			379,844,900	379,684,700
(4) GENERAL TRANSPORTATION OPERATIONS				
(aq) Departmental management and operations, state funds	SEG	A	27,723,800	27,590,100
(av) Departmental management and operations, local funds	SEG-L	C	108,200	108,200
(ax) Departmental management and operations, federal funds	SEG-F	C	3,464,300	3,464,300
(ch) Gifts and grants	PR	C	-0-	-0-
(er) Fleet operations, service funds	SEG-S	C	8,082,600	7,969,100
(es) Other department services, operations, service funds	SEG-S	C	599,200	515,700
(et) Service center supplements, state funds	SEG	A	-0-	-0-
(gq) Motorcycle, moped and motor bicycle safety program, state funds	SEG	A	196,000	152,500
(4) P R O G R A M T O T A L S				
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	( -0-)
SEGREGATED FUNDS			40,174,100	39,799,900
FEDERAL	(		3,464,300)	( 3,464,300)
OTHER	(		27,919,800)	( 27,742,600)
SERVICE	(		8,681,800)	( 8,484,800)
LOCAL	(		108,200)	( 108,200)
TOTAL-ALL SOURCES			40,174,100	39,799,900
(5) MOTOR VEHICLE SERVICES AND ENFORCEMENT				
(cg) Traffic violation and registration program, state funds	PR	A	1,008,800	1,055,100
(ch) Veh. reg. & driver lic., operating under the				

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	85 WisACT 29 1986-87
(cq) influence enforce., state Vehicle registration and driver licensing, state funds	PR	A	954,200	720,700
(cx) Vehicle registration and driver licensing, federal funds	SEG-F	A C	35,964,700	37,931,300
(dq) Vehicle inspection and traffic enforcement, state funds	SEG	A	200,000	200,000
(dx) Vehicle inspection and traffic enforcement, federal funds	SEG-F	A C	25,997,100	26,073,500
(hq) Motor veh. emission insp. and maint. program; contractor costs, state funds	SEG	A	213,100	213,100
(hr) Motor veh. emission insp. and maint. program; administration; state funds	SEG	A	8,440,000	8,830,000
(hx) Motor vehicle emission inspection and maintenance programs; federal funds	SEG-F	A C	1,043,500	1,071,200
(iv) Municipal and county registration fee, local funds	SEG-L	A C	-0-	-0-
(5) PROGRAM TOTALS			1,963,000	1,775,800
PROGRAM REVENUE			( 1,963,000 )	( 1,775,800 )
OTHER				
SEGREGATED FUNDS			71,858,400	74,319,100
FEDERAL			( 413,100 )	( 413,100 )
OTHER			( 71,445,300 )	( 73,906,000 )
LOCAL			( -0- )	( -0- )
TOTAL-ALL SOURCES			73,821,400	76,094,900
<b>(6) DEBT SERVICES</b>				
(aq) Principal repayment and interest, transportation facilities, state funds	SEG	S	23,909,100	23,046,600
(ar) Principal repayment and interest, buildings, state funds	SEG	S	943,000	917,600
(as) Transportation facilities and highway projects revenue obligation repayment	SEG	C	-0-	-0-
(6) PROGRAM TOTALS			24,852,100	23,964,200
SEGREGATED FUNDS			( 24,852,100 )	( 23,964,200 )
OTHER				
TOTAL-ALL SOURCES			24,852,100	23,964,200
<b>(7) OFFICE OF THE COMMISSIONER OF TRANSPORTATION</b>				
(aq) Transportation regulation and general program operations	SEG	A	830,500	831,600
(ax) Transportation regulation and general program operations, federal funds	SEG-F	A C	-0-	-0-
(7) PROGRAM TOTALS			830,500	831,600
SEGREGATED FUNDS			( -0- )	( -0- )
FEDERAL				
OTHER			( 830,500 )	( 831,600 )
TOTAL-ALL SOURCES			830,500	831,600
20.395 DEPARTMENT TOTALS				

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
PROGRAM REVENUE			1,963,000	1,775,800
OTHER	(		1,963,000)	( 1,775,800)
SEGREGATED FUNDS			848,371,200	864,985,100
FEDERAL	(		244,307,900)	( 244,394,000)
OTHER	(		575,602,900)	( 592,125,600)
SERVICE	(		8,681,800)	( 8,484,800)
LOCAL	(		19,778,600)	( 19,980,700)
TOTAL-ALL SOURCES			850,334,200	866,760,900

**20.399 Wisconsin conservation corps board**

**(1) CORPS ENROLLEE SUPPORT**

(a) Corps enrollee compensation and support; general program operations	GPR	C	1,469,500	1,224,000
(j) Corps enrollee compensation and support; sponsor contribution	PR	C	300,000	500,000
(k) Corps enrollee compensation and support; service funds	PR-S	C	368,600	384,500
(m) Corps enrollee compensation and support; federal funds	PR-F	C	-0-	-0-
(q) Corps enrollee compensation and support; conservation fund	SEG	C	820,900	610,400
(r) Corps enrollee compensation and support; transportation fund	SEG	C	150,000	-0-

**(1) PROGRAM TOTALS**

GENERAL PURPOSE REVENUES			1,469,500	1,224,000
PROGRAM REVENUE			668,600	884,500
FEDERAL	(		-0-)	( -0-)
OTHER	(		300,000)	( 500,000)
SERVICE	(		368,600)	( 384,500)
SEGREGATED FUNDS			970,900	610,400
OTHER	(		970,900)	( 610,400)
TOTAL-ALL SOURCES			3,109,000	2,718,900

**(2) ADMINISTRATION**

(a) Administrative support; general program operations	GPR	A	-0-	-0-
(j) Administrative support; sponsor contribution	PR	C	-0-	-0-
(k) Administrative support; service funds	PR-S	C	31,400	15,500
(m) Administrative support; federal funds	PR-F	C	-0-	-0-
(q) Administrative support; conservation fund	SEG	B	203,500	217,400

**(2) PROGRAM TOTALS**

GENERAL PURPOSE REVENUES			-0-	-0-
PROGRAM REVENUE			31,400	15,500
FEDERAL	(		-0-)	( -0-)
OTHER	(		-0-)	( -0-)
SERVICE	(		31,400)	( 15,500)
SEGREGATED FUNDS			203,500	217,400
OTHER	(		203,500)	( 217,400)
TOTAL-ALL SOURCES			234,900	232,900

**(3) GIFTS AND RELATED SUPPORT**

(g) Gifts and related support	PR	C	-0-	-0-
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**(3) PROGRAM TOTALS**

STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1985-86	85 WisACT 29 1986-87
PROGRAM REVENUE		-0-	-0-
OTHER	(	-0-)	( -0-)
TOTAL-ALL SOURCES		-0-	-0-
2 0 . 3 9 9 D E P A R T M E N T T O T A L S			
GENERAL PURPOSE REVENUES		1,469,500	1,224,000
PROGRAM REVENUE		700,000	900,000
FEDERAL	(	-0-)	( -0-)
OTHER	(	300,000)	( 500,000)
SERVICE	(	400,000)	( 400,000)
SEGREGATED FUNDS		1,174,400	827,800
OTHER	(	1,174,400)	( 827,800)
TOTAL-ALL SOURCES		3,343,900	2,951,800

Environmental Resources  
FUNCTIONAL AREA TOTALS\*

GENERAL PURPOSE REVENUES		160,394,600	171,095,200
PROGRAM REVENUE		12,956,100	12,234,400
FEDERAL	(	8,264,900)	( 7,346,100)
OTHER	(	4,123,200)	( 4,364,300)
SERVICE	(	568,000)	( 524,000)
SEGREGATED FUNDS		944,276,000	959,419,600
FEDERAL	(	254,088,700)	( 253,911,700)
OTHER	(	661,639,600)	( 676,955,100)
SERVICE	(	8,769,100)	( 8,572,100)
LOCAL	(	19,778,600)	( 19,980,700)
TOTAL-ALL SOURCES		1,117,626,700	1,142,749,200

**Human Relations and Resources**

**20.420 Criminal justice, council on**

(1) CRIMINAL JUSTICE

(a) Planning and administration match, state operations	GPR	A	243,700	284,300
(m) Federal aid, planning and administration, state operations	PR-F	C	530,000	488,400
(o) Federal aid, criminal justice improvement projects, state operations	PR-F	C	50,000	50,000
(p) Federal aid, criminal justice improvement projects, local assistance	PR-F	C	923,400	923,400
(pa) Federal aid, criminal justice improvement projects, aid to organizations	PR-F	C	360,100	360,100

2 0 . 4 2 0 D E P A R T M E N T T O T A L S

GENERAL PURPOSE REVENUES		243,700	284,300
PROGRAM REVENUE		1,863,500	1,821,900
FEDERAL	(	1,863,500)	( 1,821,900)
TOTAL-ALL SOURCES		2,107,200	2,106,200

**20.425 Employment relations commission**

(1) PROMOTION OF PEACE IN LABOR

RELATIONS

(a) General program operations	GPR	A	1,948,300	2,041,200
(g) Publications	PR	A	20,000	20,000

2 0 . 4 2 5 D E P A R T M E N T T O T A L S

\* The environmental resources "functional area totals" do not reflect the effect of the partial veto by the Governor (veto item 3-P) on the appropriation under s. 20.370 (2) (eb).



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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
GENERAL PURPOSE REVENUES			1,948,300	2,041,200
PROGRAM REVENUE			20,000	20,000
OTHER	(		20,000)	20,000)
TOTAL-ALL SOURCES			1,968,300	2,061,200
<b>20.432 Board on aging and long-term care</b>				
(1) IDENTIFICATION OF THE NEEDS OF THE AGED AND DISABLED				
(a) General program operations	GPR	A	192,200	205,300
(i) Gifts and grants	PR	C	-0-	-0-
(k) Contracts with state agencies	PR-S	A	48,100	51,000
(kb) Medicare supplemental insurance information	PR-S	A	30,000	30,000
(m) Federal aid	PR-F	C	-0-	-0-
20.432 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			192,200	205,300
PROGRAM REVENUE			78,100	81,000
FEDERAL	(		-0-)	-0-)
OTHER	(		-0-)	-0-)
SERVICE	(		78,100)	81,000)
TOTAL-ALL SOURCES			270,300	286,300
<b>20.433 Child abuse and neglect prevention board</b>				
(1) PREVENTION OF CHILD ABUSE AND NEGLECT				
(g) General program operations	PR	A	102,600	103,500
(h) Grants to organizations	PR	C	400,400	400,400
(m) Federal aid	PR-F	C	-0-	-0-
(q) Children's trust fund	SEG	C	-0-	-0-
20.433 DEPARTMENT TOTALS				
PROGRAM REVENUE			503,000	503,900
FEDERAL	(		-0-)	-0-)
OTHER	(		503,000)	503,900)
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	-0-)
TOTAL-ALL SOURCES			503,000	503,900
<b>20.435 Health and social services, department of</b>				
(1) HEALTH SERVICES PLANNING, REGULATION AND DELIVERY				
(a) General program operations	GPR	A	16,378,500	17,024,000
(b) Medical assistance program benefits	GPR	B	447,600,100	471,516,100
(bm) Medical assistance administration	GPR	B	5,397,800	5,654,100
(bs) Health care for elderly persons	GPR	A	105,900	293,300
(d) Facility appeals mechanism	GPR	B	1,635,800	1,421,100
(dm) Nursing home receivership supplement	GPR	S	-0-	-0-
(e) Disease aids	GPR	B	2,512,800	2,974,200
(eg) Pregnancy counseling	GPR	A	350,000	350,000
(em) Supplemental food program for women, infants and children	GPR	A	993,800	1,228,500
(f) Family planning	GPR	A	1,200,000	1,200,000
(gm) Licensing activities	PR	A	3,368,100	3,521,900
(gp) Health care and health education	PR	C	1,589,500	1,952,100
(i) Gifts and grants	PR	C	34,400	34,900

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
(j) Fees for services and supplies	PR	A	603,300	629,200
(ja) Metabolic disorders special dietary treatment	PR	A	216,000	216,000
(k) Nursing home receivership operations	PR-S	C	-0-	-0-
(kg) Agent orange study	PR-S	C	48,100	-0-
(km) Internal services	PR-S	A	1,472,600	1,477,200
(kx) Interagency and intra-agency programs	PR-S	C	150,000	157,200
(ky) Interagency and intra-agency aids	PR-S	C	175,400	175,400
(kz) Interagency and intra-agency local assistance	PR-S	C	-0-	-0-
(m) Federal project operations	PR-F	C	3,936,900	3,876,200
(ma) Federal project aids	PR-F	C	25,166,000	27,390,000
(mc) Block grant operations	PR-F	C	2,881,400	2,819,500
(md) Block grant aids	PR-F	C	7,211,400	7,561,400
(n) Federal program operations	PR-F	C	7,454,000	7,718,900
(na) Federal program aids	PR-F	C	2,202,300	1,925,800
(o) Federal aid; medical assistance	PR-F	C	605,577,900	642,837,200
(p) Federal aid; medical assistance contracts administration	PR-F	C	10,441,100	11,029,900
(q) Groundwater--standards; implementation	SEG	A	127,300	127,600
(1) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			476,174,700	501,661,300
PROGRAM REVENUE			672,528,400	713,322,800
FEDERAL	(		664,871,000)	( 705,158,900)
OTHER	(		5,811,300)	( 6,354,100)
SERVICE	(		1,846,100)	( 1,809,800)
SEGREGATED FUNDS			127,300	127,600
OTHER	(		127,300)	( 127,600)
TOTAL-ALL SOURCES			1,148,830,400	1,215,111,700
(2) CARE AND TREATMENT FACILITIES				
(a) General program operations	GPR	A	30,370,900	29,904,800
(aa) Institutional repair and maintenance	GPR	A	433,100	468,800
(ee) Principal repayment and interest	GPR	S	4,484,900	4,347,700
(ef) Lease rental payments	GPR	S	1,335,600	1,335,600
(f) Utilities and heating	GPR	A	1,534,600	1,608,700
(gk) Institutional operations and charges	PR	A	100,497,300	102,507,900
(i) Gifts and grants	PR	C	118,300	118,300
(kx) Interagency and intra-agency programs	PR-S	C	946,100	894,900
(ky) Interagency and intra-agency aids	PR-S	C	-0-	-0-
(kz) Interagency and intra-agency local assistance	PR-S	C	-0-	-0-
(m) Federal project operations	PR-F	C	34,400	45,900
(2) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			38,159,100	37,665,600
PROGRAM REVENUE			101,596,100	103,567,000
FEDERAL	(		34,400)	( 45,900)

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
OTHER	(		100,615,600)	( 102,626,200)
SERVICE	(		946,100)	( 894,900)
TOTAL-ALL SOURCES			139,755,200	141,232,600
(3) CORRECTIONAL SERVICES				
(a) General program operations	GPR	A	101,663,900	108,625,200
(aa) Institutional repair and maintenance	GPR	A	941,600	1,055,400
(ab) Intergovernmental corrections agreements	GPR	A	6,045,500	1,641,800
(am) Juvenile correctional services	GPR	A	276,500	276,500
(c) Reimbursement claims of counties containing state institutions	GPR	S	106,100	106,100
(d) Purchased services for offenders	GPR	A	891,000	1,351,800
(dd) Special living arrangements	GPR	A	1,873,500	2,334,000
(e) Principal repayment and interest	GPR	S	14,579,400	19,155,900
(ec) Self-amortizing prison industries principal and interest	GPR	S	-0-	-0-
(ef) Lease rental payments	GPR	S	271,500	271,500
(f) Utilities and heating	GPR	A	4,556,400	5,762,700
(g) Probationer and parolee loan fund	PR	A	26,400	27,000
(h) Administration of restitution	PR	A	137,200	137,900
(hm) Juvenile correctional services	PR	A	14,800,200	14,904,100
(ho) Foster care	PR	A	2,476,000	2,577,700
(i) Gifts and grants	PR	C	22,300	23,400
(jp) Correctional officer training	PR	A	608,700	606,500
(kk) Institutional operations and charges	PR-S	A	3,885,400	3,984,100
(km) Prison industries	PR-S	A	6,861,100	8,063,100
(ko) Prison industries principal and interest	PR-S	S	10,000	90,000
(kx) Interagency and intra-agency programs	PR-S	C	1,296,900	1,458,900
(ky) Interagency and intra-agency aids	PR-S	C	3,500	3,600
(kz) Interagency and intra-agency local assistance	PR-S	C	-0-	-0-
(m) Federal project operations	PR-F	C	-0-	-0-
(n) Federal program operations	PR-F	C	-0-	-0-
(o) Federal aid; foster care	PR-F	C	282,200	297,800
(3) P R O G R A M		T O T A L S		
GENERAL PURPOSE REVENUES			131,205,400	140,580,900
PROGRAM REVENUE			30,409,900	32,174,100
FEDERAL	(		282,200)	( 297,800)
OTHER	(		18,070,800)	( 18,276,600)
SERVICE	(		12,056,900)	( 13,599,700)
TOTAL-ALL SOURCES			161,615,300	172,755,000
(4) COMMUNITY SERVICES				
(a) General program operations	GPR	A	17,690,500	18,475,000
(b) Community social and mental hygiene services				
Community aids	GPR	A	189,770,700	206,608,600

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	85 WisACT 29 1986-87
Community options program	GPR	A	8,838,000	-0-
NET APPROPRIATION			198,608,700	206,608,600
(bd) Community options program	GPR	A	11,255,500	26,670,900
(bf) Alzheimer's disease--training and information grants	GPR	A	150,000	150,000
(bg) Work incentive demonstration program; administration	GPR	A	484,800	484,900
(bm) Work incentive demonstration program; aids	GPR	A	499,200	499,200
(c) Independent living centers	GPR	A	211,700	430,500
(cb) Domestic abuse grants	GPR	A	1,751,600	1,807,900
(cc) Shelter for homeless individuals and families	GPR	A	450,000	450,000
(cd) Community youth and family aids	GPR	A	31,167,700	33,038,300
(ce) Youth diversion program	GPR	A	154,400	69,000
(cm) Telecommunication aid for the hearing impaired	GPR	A	100,000	100,000
(cv) State supplement to community services block grant	GPR	A	300,000	300,000
(d) Income maintenance payments to individuals	GPR	S	243,210,600	252,159,400
(da) Reimbursements to local units of government	GPR	S	150,000	150,000
(dc) Emergency assistance program	GPR	A	1,300,000	1,300,000
(dd) State foster care and adoption services	GPR	A	2,692,100	3,066,700
(de) Income maintenance county administration	GPR	A	18,735,100	21,053,500
(df) Work experience and training project	GPR	A	1,782,600	4,535,800
(dh) Programs for senior citizens	GPR	A	5,901,900	6,019,700
(dL) Indian aids	GPR	A	129,400	201,600
(dm) Community-based residential facility receivership supplement	GPR	S	-0-	-0-
(e) Other public assistance aids	GPR	S	7,540,500	8,075,200
(eb) General relief aid and administration	GPR	B	9,453,300	32,741,700
(ec) Aids for interest on county construction loans	GPR	A	168,800	124,200
(ed) State supplement to federal supplemental security income program	GPR	S	73,626,700	78,544,600
(eg) Day care programs for student parents	GPR	A	-0-	158,400
(g) Child support collections	PR	C	45,445,000	49,080,700
(ga) Community-based residential facility receivership operations	PR	C	-0-	-0-
(gg) Collection remittances to local units of government	PR	C	243,200	188,500
(hh) Domestic abuse assessment	PR	A	20,500	9,400
(hx) Services for drivers, receipts	PR	A	-0-	-0-
(hy) Services for drivers, local assistance	PR	A	3,728,600	4,020,900
(hz) Services for drivers, state				

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
operations	PR	A	87,000	87,100
(i) Gifts and grants	PR	C	49,000	49,000
(j) Child support state operations	PR	C	131,900	133,300
(jb) Fees for mailings, computer services and publications	PR	C	-0-	-0-
(jj) Searches for birth parents	PR	A	12,700	12,800
(jm) Administrative and support services	PR	A	280,300	280,400
(k) Professional training	PR-S	A	-0-	-0-
(kc) Independent living center grants	PR-S	B	414,400	414,400
(km) Services for children outside departmental custody	PR-S	A	8,600	8,600
(kx) Interagency and intra-agency programs	PR-S	C	13,700	17,000
(ky) Interagency and intra-agency aids	PR-S	C	154,400	33,400
(kz) Interagency and intra-agency local assistance	PR-S	C	-0-	-0-
(L) Welfare fraud investigation; state operations	PR	A	75,000	75,000
(Lm) Welfare fraud investigation; local assistance	PR	A	100,000	-0-
(m) Federal project operations	PR-F	C	2,291,200	2,329,700
(ma) Federal project aids	PR-F	C	763,000	744,200
(mc) Federal block grant operations	PR-F	C	8,380,300	8,685,700
(md) Federal block grant aids	PR-F	C	74,554,900	73,918,900
(n) Federal program operations	PR-F	C	22,921,500	22,717,700
(na) Federal program aids	PR-F	C	33,828,900	33,924,500
(nL) Federal program local assistance	PR-F	C	22,572,500	24,007,000
(o) Federal aid; community social and mental hygiene services	PR-F	C	65,903,300	62,896,400
(oo) Federal aid; community youth and family aids	PR-F	C	2,149,200	2,149,200
(p) Federal aid; income maintenance payments	PR-F	C	328,704,300	372,219,000
(pd) Federal aid; state foster care and adoption services	PR-F	C	1,424,800	1,779,300
(pm) Work incentive demonstration program; administration	PR-F	C	4,353,300	4,353,900
(ps) Work incentive demonstration program; aids	PR-F	C	4,697,500	4,697,500
(4) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			627,515,100	697,215,100
PROGRAM REVENUE			623,309,000	668,833,500
FEDERAL	(		572,544,700)	( 614,423,000)
OTHER	(		50,173,200)	( 53,937,100)
SERVICE	(		591,100)	( 473,400)
TOTAL-ALL SOURCES			1,250,824,100	1,366,048,600
(5) VOCATIONAL REHABILITATION SERVICES				
(a) General program operations	GPR	A	3,532,800	3,540,800
(bm) Purchased services for clients	GPR	A	4,186,400	4,146,900
(c) Enterprises for the blind	GPR	B	366,000	503,200

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
(e) Principal repayment and interest	GPR	S	25,400	24,400
(gg) Contractual services	PR	C	-0-	-0-
(h) Supervised business enterprise program	PR	C	174,100	177,200
(i) Gifts and grants	PR	C	52,000	52,000
(jj) Workshop for the blind	PR	A	320,000	-0-
(k) Interagency contractual services	PR-S	A	29,600	29,600
(kx) Interagency and intra-agency programs	PR-S	C	-0-	-0-
(ky) Interagency and intra-agency aids	PR-S	C	-0-	-0-
(kz) Interagency and intra-agency local assistance	PR-S	C	-0-	-0-
(m) Federal project operations	PR-F	C	146,700	155,500
(ma) Federal project aids	PR-F	C	401,600	403,700
(n) Federal program operations	PR-F	C	12,954,200	13,696,100
(na) Federal program aids	PR-F	C	13,154,000	14,442,500
(nL) Federal program local assistance	PR-F	C	-0-	-0-
(5) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			8,110,600	8,215,300
PROGRAM REVENUE			27,232,200	28,956,600
FEDERAL	(		26,656,500)	( 28,697,800)
OTHER	(		546,100)	( 229,200)
SERVICE	(		29,600)	( 29,600)
TOTAL-ALL SOURCES			35,342,800	37,171,900
<b>(8) GENERAL ADMINISTRATION</b>				
(a) General program operations	GPR	A	13,415,200	13,289,200
(g) Legal services collections	PR	C	22,700	22,700
(i) Gifts and grants	PR	C	6,200	6,200
(k) Administrative and support services	PR-S	A	11,312,300	11,421,900
(kx) Interagency and intra-agency programs	PR-S	C	34,200	34,300
(ky) Interagency and intra-agency aids	PR-S	C	-0-	-0-
(kz) Interagency and intra-agency local assistance	PR-S	C	-0-	-0-
(m) Federal project operations	PR-F	C	38,900	-0-
(n) Federal program operations	PR-F	C	413,700	432,800
(pz) Indirect cost reimbursements	PR-F	C	673,000	706,700
(8) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			13,415,200	13,289,200
PROGRAM REVENUE			12,501,000	12,624,600
FEDERAL	(		1,125,600)	( 1,139,500)
OTHER	(		28,900)	( 28,900)
SERVICE	(		11,346,500)	( 11,456,200)
TOTAL-ALL SOURCES			25,916,200	25,913,800
<b>2 0 . 4 3 5 D E P A R T M E N T T O T A L S</b>				
GENERAL PURPOSE REVENUES			1,294,580,100	1,398,627,400
PROGRAM REVENUE			1,467,576,600	1,559,478,600
FEDERAL	(		1,265,514,400)	( 1,349,762,900)
OTHER	(		175,245,900)	( 181,452,100)
SERVICE	(		26,816,300)	( 28,263,600)
SEGREGATED FUNDS			127,300	127,600
OTHER	(		127,300)	( 127,600)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
TOTAL-ALL SOURCES			2,762,284,000	2,958,233,600
<b>20.440 Health facilities authority</b>				
(1) CONSTRUCTION OF HEALTH FACILITIES				
(a) General program operations	GPR	C	-0-	-0-
20.440 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-
TOTAL-ALL SOURCES			-0-	-0-
<b>20.441 Hospital rate-setting commission</b>				
(1) HOSPITAL RATE SETTING				
(a) General program operations	GPR	A	425,400	412,800
(g) Assessments	PR	C	831,500	806,500
(m) Federal funds	PR-F	C	-0-	-0-
20.441 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			425,400	412,800
PROGRAM REVENUE			831,500	806,500
FEDERAL	(		-0-)	(-0-)
OTHER	(		831,500)	(806,500)
TOTAL-ALL SOURCES			1,256,900	1,219,300
<b>20.442 Community development finance authority</b>				
(1) COMMUNITY DEVELOPMENT ASSISTANCE				
(a) General program operations	GPR	A	-0-	-0-
(b) Loan from general fund	GPR	A	-0-	-0-
20.442 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-
TOTAL-ALL SOURCES			-0-	-0-
<b>20.445 Industry, labor and human relations, department of</b>				
(1) INDUSTRY, LABOR AND HUMAN RELATIONS				
(a) General program operations	GPR	A	4,487,400	4,454,300
(aa) Special death benefit	GPR	S	180,000	180,000
(b) Assistance for dislocated workers	GPR	B	1,500,000	-0-
(cm) Aids for private sewage system programs	GPR	A	285,000	285,000
(dm) Storage tank inventory	GPR	A	-0-	-0-
(f) Death and disability benefit payments; public insurrections	GPR	S	-0-	-0-
(g) Gifts and grants	PR	C	18,000	18,000
(ga) Job service operations	PR	C	44,300	44,300
(gc) Unemployment administration	PR	C	-0-	-0-
(gd) Unemployment reserve interest payments	PR	C	22,700,000	57,100,000
(ge) Unemployment reserve fund research	PR	A	184,100	184,100
(gm) Employment training services	PR	C	-0-	-0-
(h) Local energy resource system fees	PR	A	-0-	-0-
(ha) Worker's compensation operations	PR	A	3,395,200	3,403,900
(hb) Worker's compensation contracts	PR	C	42,800	42,800
(j) Safety and building				

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	85 WisACT 29 1986-87
operations	PR	A	8,305,000	8,224,100
(k) Fees	PR	C	-0-	-0-
(kg) Administrative services for the work incentive demonstration program	PR-S	C	6,788,800	6,788,800
(kk) Services for the work incentive demonstration program	PR-S	C	5,794,200	5,794,200
(L) Fire dues distribution	PR	C	4,300,000	4,300,000
(La) Fire dues administration	PR	A	52,100	52,100
(m) Federal funds	PR-F	C	1,993,300	1,993,300
(ma) Federal aid--program administration	PR-F	C	7,936,600	7,936,600
(mb) Federal aid--employment and training local assistance	PR-F	C	21,914,500	21,914,500
(mc) Federal aid--employment and training aids	PR-F	C	33,292,800	33,292,800
(n) Unemployment administration; federal moneys	PR-F	C	56,764,400	56,764,400
(na) Employment security buildings and equipment	PR-F	C	-0-	-0-
(pz) Indirect cost reimbursements	PR-F	C	-0-	-0-
(q) Groundwater--standards; implementation	SEG	A	-0-	-0-
(s) Self-insured employers liability fund	SEG	C	-0-	-0-
(t) Work injury supplemental benefit fund	SEG	C	2,500,000	2,500,000
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			6,452,400	4,919,300
PROGRAM REVENUE			173,526,100	207,853,900
FEDERAL	(		121,901,600)	( 121,901,600)
OTHER	(		39,041,500)	( 73,369,300)
SERVICE	(		12,583,000)	( 12,583,000)
SEGREGATED FUNDS			2,500,000	2,500,000
OTHER	(		2,500,000)	( 2,500,000)
TOTAL-ALL SOURCES			182,478,500	215,273,200
<b>(2) REVIEW COMMISSION</b>				
(a) General program operations, review commission	GPR	A	85,500	85,500
(ha) Worker's compensation operations	PR	A	133,200	133,200
(m) Federal moneys	PR-F	C	52,400	52,400
(n) Unemployment administration; federal moneys	PR-F	C	1,067,100	1,067,100
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			85,500	85,500
PROGRAM REVENUE			1,252,700	1,252,700
FEDERAL	(		1,119,500)	( 1,119,500)
OTHER	(		133,200)	( 133,200)
TOTAL-ALL SOURCES			1,338,200	1,338,200
<b>(4) ADJUDICATION OF CLAIMS</b>				
(a) Administration of mining damage claims	GPR	A	-0-	-0-
(b) Funding for mining damage claims	GPR	S	-0-	-0-
(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-



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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
TOTAL-ALL SOURCES			-0-	-0-
20.445 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			6,537,900	5,004,800
PROGRAM REVENUE			174,778,800	209,106,600
FEDERAL	(		123,021,100)	( 123,021,100)
OTHER	(		39,174,700)	( 73,502,500)
SERVICE	(		12,583,000)	( 12,583,000)
SEGREGATED FUNDS			2,500,000	2,500,000
OTHER	(		2,500,000)	( 2,500,000)
TOTAL-ALL SOURCES			183,816,700	216,611,400

**20.455 Justice, department of**

**(1) LEGAL SERVICES**

(a) General program operations	GPR	A	7,616,000	7,662,100
(b) Special counsel	GPR	S	325,000	325,000
(d) Legal expenses	GPR	B	620,000	620,000
(m) Federal aid	PR-F	C	906,100	847,100

**(1) PROGRAM TOTALS**

GENERAL PURPOSE REVENUES			8,561,000	8,607,100
PROGRAM REVENUE			906,100	847,100
FEDERAL	(		906,100)	( 847,100)
TOTAL-ALL SOURCES			9,467,100	9,454,200

**(2) LAW ENFORCEMENT SERVICES**

(a) General program operations	GPR	A	7,500,200	7,432,800
(c) Crime laboratory equipment	GPR	B	819,000	169,000
(cm) Debt service	GPR	S	348,700	337,600
(d) Aid to counties for law enforcement	GPR	A	60,000	60,000
(e) Aid to county-tribal law enforcement programs	GPR	B	40,000	40,000
(h) Terminal charges	PR	A	1,234,700	1,130,100
(i) Law enforcement training fund, receipts	PR	A	-0-	-0-
(j) Law enforcement training fund, local assistance	PR	A	2,286,000	2,286,000
(ja) Law enforcement training fund, state operations	PR	A	1,486,500	1,478,800
(m) Federal aid, state operations	PR-F	C	-0-	-0-
(n) Federal aid, local assistance	PR-F	C	-0-	-0-

**(2) PROGRAM TOTALS**

GENERAL PURPOSE REVENUES			8,767,900	8,039,400
PROGRAM REVENUE			5,007,200	4,894,900
FEDERAL	(		-0-)	( -0-)
OTHER	(		5,007,200)	( 4,894,900)
TOTAL-ALL SOURCES			13,775,100	12,934,300

**(3) ADMINISTRATIVE SERVICES**

(a) General program operations	GPR	A	2,008,100	1,920,700
(m) Federal aid	PR-F	C	41,200	41,200

**(3) PROGRAM TOTALS**

GENERAL PURPOSE REVENUES			2,008,100	1,920,700
PROGRAM REVENUE			41,200	41,200
FEDERAL	(		41,200)	( 41,200)
TOTAL-ALL SOURCES			2,049,300	1,961,900

**(4) TRUST LANDS AND INVESTMENT**

DIVISION				
(h) General program operations	PR	A	252,100	241,300
(m) Federal aid--flood control	PR-F	C	25,000	25,000

**(4) PROGRAM TOTALS**

PROGRAM REVENUE			277,100	266,300
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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
FEDERAL	(		25,000)	( 25,000)
OTHER	(		252,100)	( 241,300)
TOTAL-ALL SOURCES			277,100	266,300
<b>(5) VICTIMS AND WITNESSES</b>				
(a) General program operations	GPR	A	380,400	391,000
(b) Awards for victims of crimes	GPR	A	1,000,000	1,000,000
(c) Reimbursement for victim and witness services	GPR	A	954,000	1,051,000
(g) Crime victim and witness assistance surcharge	PR	A	432,000	432,000
(h) Crime victim compensation services	PR	A	24,500	24,500
(m) Federal aid; victim compensation	PR-F	C	285,300	285,300
(mh) Federal aid; victim assistance	PR-F	C	800,000	800,000
(5) P R O G R A M			T O T A L S	
GENERAL PURPOSE REVENUES			2,334,400	2,442,000
PROGRAM REVENUE			1,541,800	1,541,800
FEDERAL	(		1,085,300)	( 1,085,300)
OTHER	(		456,500)	( 456,500)
TOTAL-ALL SOURCES			3,876,200	3,983,800
2 0 . 4 5 5 D E P A R T M E N T			T O T A L S	
GENERAL PURPOSE REVENUES			21,671,400	21,009,200
PROGRAM REVENUE			7,773,400	7,591,300
FEDERAL	(		2,057,600)	( 1,998,600)
OTHER	(		5,715,800)	( 5,592,700)
TOTAL-ALL SOURCES			29,444,800	28,600,500
<b>20.465 Military affairs, department of</b>				
<b>(1) NATIONAL GUARD OPERATIONS</b>				
(a) General program operations	GPR	A	3,016,100	2,999,400
(b) Repair and maintenance	GPR	B	211,700	211,700
(c) Public emergencies	GPR	S	122,300	122,300
(d) Principal repayment and interest	GPR	S	364,100	486,800
(e) State service flags	GPR	A	400	400
(f) Fuel and utilities	GPR	A	1,220,800	1,266,900
(g) Military property	PR	A	35,000	35,000
(m) Federal aid	PR-F	C	4,140,200	4,234,500
(1) P R O G R A M			T O T A L S	
GENERAL PURPOSE REVENUES			4,935,400	5,087,500
PROGRAM REVENUE			4,175,200	4,269,500
FEDERAL	(		4,140,200)	( 4,234,500)
OTHER	(		35,000)	( 35,000)
TOTAL-ALL SOURCES			9,110,600	9,357,000
<b>(2) GUARD MEMBERS' BENEFITS</b>				
(a) Tuition grants	GPR	B	30,000	20,000
(2) P R O G R A M			T O T A L S	
GENERAL PURPOSE REVENUES			30,000	20,000
TOTAL-ALL SOURCES			30,000	20,000
2 0 . 4 6 5 D E P A R T M E N T			T O T A L S	
GENERAL PURPOSE REVENUES			4,965,400	5,107,500
PROGRAM REVENUE			4,175,200	4,269,500
FEDERAL	(		4,140,200)	( 4,234,500)
OTHER	(		35,000)	( 35,000)
TOTAL-ALL SOURCES			9,140,600	9,377,000

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STATUTE, AGENCY AND PURPOSE

SOURCE TYPE

1985-86

1986-87

**20.485 Veterans affairs, department of**

**(1) HOME FOR VETERANS**

(b) General fund supplement to institutional operations	GPR	B	2,142,800	1,835,600
(c) Fuel and utilities	GPR	A	800,100	827,100
(d) Cemetery maintenance and beautification	GPR	A	2,800	2,800
(e) Lease rental payments	GPR	S	22,200	22,200
(f) Principal repayment and interest	GPR	S	315,700	341,700
(fa) Geriatric program	GPR	A	182,200	311,300
(g) Home exchange	PR	A	129,900	129,900
(gk) Institutional operations	PR	A	15,098,800	15,039,100
(h) Gifts and bequests	PR	C	137,400	137,400
(hm) Gifts and grants	PR	C	-0-	-0-
(i) Prepaid care	PR	A	-0-	-0-
(j) Geriatric program receipts	PR	C	-0-	-0-
(m) Federal aid; care at veterans home	PR-F	C	-0-	-0-
(mj) Federal aid; geriatric unit	PR-F	C	-0-	-0-
(mn) Federal projects	PR-F	C	-0-	-0-
(u) Rentals; improvements; equipment; land acquisition	SEG	A	-0-	-0-

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES			3,465,800	3,340,700
PROGRAM REVENUE			15,366,100	15,306,400
FEDERAL	(		-0-)	(-0-)
OTHER	(		15,366,100)	(15,306,400)
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	(-0-)
TOTAL-ALL SOURCES			18,831,900	18,647,100

**(2) LOANS AND AIDS TO VETERANS**

(b) Interest loss	GPR	S	-0-	-0-
(db) General fund supplement to veterans trust fund	GPR	B	1,000,000	1,000,000
(m) Federal aid projects	PR-F	C	-0-	-0-
(q) Vietnam veteran educational grants	SEG	A	265,700	239,100
(u) Administration of loans and aids to veterans	SEG	A	2,034,300	2,037,800
(v) Memorial hall sales receipts	SEG	C	3,000	3,000
(vm) Veterans aids and treatment	SEG	A	1,364,200	1,402,700
(vn) Grants to veterans organizations	SEG	A	267,200	267,200
(vw) Payments to veterans organizations for claims service	SEG	A	43,000	43,000
(vx) County grants	SEG	A	84,000	84,000
(w) Home for needy veterans	SEG	C	5,000	5,000
(wd) Operation of memorial hall	SEG	A	160,600	60,600
(x) Veterans loans; state investment board	SEG	C	-0-	-0-
(y) Veterans loans and expense	SEG	A	5,436,300	5,436,300
(z) Gifts	SEG	C	-0-	-0-

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUES			1,000,000	1,000,000
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-)	(-0-)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
SEGREGATED FUNDS			9,663,300	9,578,700
OTHER	(		9,663,300)	( 9,578,700)
TOTAL-ALL SOURCES			10,663,300	10,578,700
(3) SELF-AMORTIZING MORTGAGE LOANS				
FOR VETERANS				
(b) Self insurance	GPR	S	-0-	-0-
(e) General program deficiency	GPR	S	-0-	-0-
(q) Foreclosure loss payments	SEG	C	-0-	-0-
(r) Funded reserves	SEG	C	50,000	50,000
(rm) Other reserves	SEG	C	-0-	-0-
(s) General program operations	SEG	B	1,578,100	1,569,300
(sm) County grants	SEG	A	84,000	84,000
(t) Debt service	SEG	C	132,178,200	128,550,700
(u) Revenue obligation supplement	SEG	C	-0-	-0-
(v) Revenue obligation repayment	SEG	C	-0-	-0-
	(3) P R O G R A M	T O T A L S		
GENERAL PURPOSE REVENUES			-0-	-0-
SEGREGATED FUNDS			133,890,300	130,254,000
OTHER	(		133,890,300)	( 130,254,000)
TOTAL-ALL SOURCES			133,890,300	130,254,000
	2 0 . 4 8 5	D E P A R T M E N T	T O T A L S	
GENERAL PURPOSE REVENUES			4,465,800	4,340,700
PROGRAM REVENUE			15,366,100	15,306,400
FEDERAL	(		-0-)	( -0-)
OTHER	(		15,366,100)	( 15,306,400)
SEGREGATED FUNDS			143,553,600	139,832,700
OTHER	(		143,553,600)	( 139,832,700)
TOTAL-ALL SOURCES			163,385,500	159,479,800
<b>20.490 Wisconsin housing and economic development authority</b>				
(1) FACILITATION OF CONSTRUCTION OF HOUSING				
(a) Capital reserve fund deficiency	GPR	C	-0-	-0-
	(1) P R O G R A M	T O T A L S		
GENERAL PURPOSE REVENUES			-0-	-0-
TOTAL-ALL SOURCES			-0-	-0-
(2) HOUSING REHABILITATION LOAN PROGRAM				
(a) General program operations	GPR	C	-0-	-0-
(q) Loan loss reserve fund	SEG	C	-0-	-0-
	(2) P R O G R A M	T O T A L S		
GENERAL PURPOSE REVENUES			-0-	-0-
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	( -0-)
TOTAL-ALL SOURCES			-0-	-0-
(4) DEFERRED PAYMENT LOANS				
(a) Deferred payment loan fund	GPR	C	2,500,000	-0-
	(4) P R O G R A M	T O T A L S		
GENERAL PURPOSE REVENUES			2,500,000	-0-
TOTAL-ALL SOURCES			2,500,000	-0-
	2 0 . 4 9 0	D E P A R T M E N T	T O T A L S	
GENERAL PURPOSE REVENUES			2,500,000	-0-
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	( -0-)
TOTAL-ALL SOURCES			2,500,000	-0-

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
GENERAL PURPOSE REVENUES			1,337,530,200	1,437,033,200
PROGRAM REVENUE			1,672,966,200	1,798,985,700
FEDERAL	(		1,396,596,800)	( 1,480,839,000)
OTHER	(		236,892,000)	( 277,219,100)
SERVICE	(		39,477,400)	( 40,927,600)
SEGREGATED FUNDS			146,180,900	142,460,300
FEDERAL	(		-0-)	( -0-)
OTHER	(		146,180,900)	( 142,460,300)
SERVICE	(		-0-)	( -0-)
LOCAL	(		-0-)	( -0-)
TOTAL-ALL SOURCES			3,156,677,300	3,378,479,200

**General Executive**

**20.505 Administration, department of**

(1) SUPERVISION AND MANAGEMENT				
(a) General program operations	GPR	A	13,313,200	13,287,600
(b) Midwest interstate low-level radioactive waste compact; loan from gen. fund	GPR	C	1,500	1,500
(d) Energy development and demonstration fund	GPR	A	-0-	-0-
(e) Renewable energy resource system incentive	GPR	S	1,125,500	1,260,000
(f) Badger state games assistance	GPR	A	20,000	-0-
(g) Midwest interstate low-level radioactive waste compact; membership & costs	PR	A	4,600	4,600
(h) Anemometer loan program	PR	A	-0-	-0-
(i) Services to nonstate governmental units	PR	A	2,442,800	2,333,800
(im) Services to nonstate governmental units	PR	A	-0-	-0-
(j) Gifts and donations	PR	C	-0-	-0-
(ka) Materials and services to state agencies	PR-S	A	4,852,300	4,830,500
(kb) Fleet services	PR-S	A	5,311,000	6,061,400
(kc) Building construction services	PR-S	A	1,389,800	2,144,400
(kd) Printing services	PR-S	A	4,389,500	4,422,700
(ke) State telephone system	PR-S	A	12,104,000	15,326,300
(kf) Facility operations and maintenance	PR-S	A	15,448,800	15,448,800
(kg) Records, microfilm and forms services	PR-S	A	1,005,400	1,005,400
(kh) Records storage and microfilm service	PR-S	A	-0-	-0-
(ki) Risk management	PR-S	A	900,000	900,000
(ma) Federal grants and contracts	PR-F	C	35,200	35,200
(mb) Federal energy grants and contracts	PR-F	C	955,600	955,600
(mc) Coastal zone management	PR-F	C	1,485,000	1,485,000
(n) Federal aid; local assistance	PR-F	C	-0-	-0-
(pz) Indirect cost reimbursements	PR-F	C	-0-	-0-

(1) P R O G R A M T O T A L S

GENERAL PURPOSE REVENUES			14,460,200	14,549,100
PROGRAM REVENUE			50,324,000	54,953,700
FEDERAL	(		2,475,800)	( 2,475,800)
OTHER	(		2,447,400)	( 2,338,400)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
SERVICE			( 45,400,800 ) (	50,139,500)
TOTAL-ALL SOURCES			64,784,200	69,502,800
(2) EMERGENCY GOVERNMENT SERVICES				
(a) General program operations	GPR	A	627,400	622,200
(e) Disaster recovery aid	GPR	C	5,500	5,500
(f) Civil air patrol aids	GPR	A	20,000	20,000
(g) Program services	PR	A	318,600	333,600
(m) Federal aid, state operations	PR-F	C	1,301,100	1,306,300
(n) Federal aid, local assistance	PR-F	C	1,891,200	1,891,200
(o) Federal aid, individuals and organizations	PR-F	C	22,000	22,000
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			652,900	647,700
PROGRAM REVENUE			3,532,900	3,553,100
FEDERAL			( 3,214,300 ) (	3,219,500)
OTHER			( 318,600 ) (	333,600)
TOTAL-ALL SOURCES			4,185,800	4,200,800
(3) COMMITTEES AND INTERSTATE BODIES				
(a) General program operations	GPR	A	138,200	143,200
(b) Women's council operations	GPR	A	101,600	102,100
(c) Operations of task force on comparable worth	GPR	C	-0-	-0-
(e) Mediation office operations	GPR	A	10,000	10,000
(g) Gifts and grants	PR	C	-0-	-0-
(h) Program fees	PR	A	-0-	-0-
(m) Federal aid	PR-F	C	-0-	-0-
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			249,800	255,300
PROGRAM REVENUE			-0-	-0-
FEDERAL			( -0- ) (	-0-)
OTHER			( -0- ) (	-0-)
TOTAL-ALL SOURCES			249,800	255,300
(4) ATTACHED DIVISIONS, BOARDS AND COMMISSIONS				
(a) Adjudication of tax appeals	GPR	A	529,100	483,200
(b) Adjudication of equalization appeals	GPR	S	-0-	-0-
(c) Claims board; general program operations	GPR	A	20,900	20,900
(d) Claims awards	GPR	S	143,800*	18,800
(dm) Sentencing commission; general program operations	GPR	A	176,500	181,500
(ea) Radioactive waste review board operations	GPR	A	53,600	67,600
(eb) Waste facility siting board administrative expenses	GPR	A	55,100	55,100
(f) Hearings and appeals operations	GPR	A	217,300	217,300
(g) Gifts and grants	PR	C	-0-	-0-
(gm) Sentencing commission; gifts and grants	PR	C	-0-	-0-
(m) Federal aid	PR-F	C	247,900	175,000
(mm) Sentencing commission; federal aid	PR-F	C	-0-	-0-
(4) PROGRAM TOTALS *				

\* "Program totals" for sub. (4) and "department totals" on next page for s. 20.505 do not reflect the effect of the partial veto by the Governor (veto item 4-T, minus \$125,000 in FY 1985-86) on the appropriation under s. 20.505 (4) (d).

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
GENERAL PURPOSE REVENUES			1,196,300	1,044,400
PROGRAM REVENUE			247,900	175,000
FEDERAL	(		247,900)	( 175,000)
OTHER	(		-0-)	( -0-)
TOTAL-ALL SOURCES			1,444,200	1,219,400
20.505 DEPARTMENT TOTALS *				
GENERAL PURPOSE REVENUES			16,559,200	16,496,500
PROGRAM REVENUE			54,104,800	58,681,800
FEDERAL	(		5,938,000)	( 5,870,300)
OTHER	(		2,766,000)	( 2,672,000)
SERVICE	(		45,400,800)	( 50,139,500)
TOTAL-ALL SOURCES			70,664,000	75,178,300

**20.510 Elections board**

**(1) ADMINISTRATION OF ELECTION AND CAMPAIGN LAWS**

(a) General program operations	GPR	B	369,600	348,400
(g) Recount fees	PR	C	-0-	-0-
(q) Wisconsin election campaign fund	SEG	C	250,000	1,700,000
20.510 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			369,600	348,400
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	( -0-)
SEGREGATED FUNDS			250,000	1,700,000
OTHER	(		250,000)	( 1,700,000)
TOTAL-ALL SOURCES			619,600	2,048,400

**20.512 Employment relations, department of**

**(1) EMPLOYMENT RELATIONS**

(a) General program operations	GPR	A	4,224,100	4,339,500
(b) Day care services	GPR	B	87,800	45,900
(i) Services to nonstate governmental units	PR	A	64,000	64,000
(j) Gifts and donations	PR	C	-0-	-0-
(k) Program revenue--service	PR-S	A	559,200	559,200
(m) Federal grants and contracts	PR-F	C	-0-	-0-
(pz) Indirect cost reimbursements	PR-F	C	-0-	-0-

**(1) PROGRAM TOTALS**

GENERAL PURPOSE REVENUES			4,311,900	4,385,400
PROGRAM REVENUE			623,200	623,200
FEDERAL	(		-0-)	( -0-)
OTHER	(		64,000)	( 64,000)
SERVICE	(		559,200)	( 559,200)
TOTAL-ALL SOURCES			4,935,100	5,008,600

**(2) AFFIRMATIVE ACTION COUNCIL**

(a) General program operations	GPR	A	9,700	9,700
(j) Gifts and donations	PR	C	-0-	-0-
(m) Federal grants and contracts	PR-F	C	-0-	-0-

**(2) PROGRAM TOTALS**

GENERAL PURPOSE REVENUES			9,700	9,700
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-)	( -0-)
OTHER	(		-0-)	( -0-)
TOTAL-ALL SOURCES			9,700	9,700

**20.512 DEPARTMENT TOTALS**

GENERAL PURPOSE REVENUES			4,321,600	4,395,100
PROGRAM REVENUE			623,200	623,200
FEDERAL	(		-0-)	( -0-)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
OTHER	(		64,000)	( 64,000)
SERVICE	(		559,200)	( 559,200)
TOTAL-ALL SOURCES			4,944,800	5,018,300
<b>20.515 Employee trust funds, department of</b>				
<b>(1) EMPLOYE BENEFIT PLANS</b>				
(a) Annuity supplements and payments	GPR	S	11,471,200	10,622,300
(c) Contingencies	GPR	S	-0-	-0-
(t) Automated operating system	SEG	C	2,128,200	2,364,400
(w) Administration	SEG	A	5,435,800	5,431,500
20.515 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			11,471,200	10,622,300
SEGREGATED FUNDS			7,564,000	7,795,900
OTHER	(		7,564,000)	( 7,795,900)
TOTAL-ALL SOURCES			19,035,200	18,418,200
<b>20.521 Ethics board</b>				
<b>(1) CODE OF ETHICS</b>				
(a) General program operations	GPR	A	135,500	136,200
(g) Gifts and grants	PR	C	-0-	-0-
20.521 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			135,500	136,200
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	( -0-)
TOTAL-ALL SOURCES			135,500	136,200
<b>20.525 Office of the governor</b>				
<b>(1) EXECUTIVE ADMINISTRATION</b>				
(a) General program operations	GPR	S	1,353,300	1,353,800
(b) Contingent fund	GPR	S	9,200	9,200
(c) Membership in national associations	GPR	S	67,800	75,000
(d) Disability board	GPR	S	-0-	-0-
(i) Gifts and grants	PR	C	-0-	-0-
(m) Federal aid	PR-F	C	-0-	-0-
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			1,430,300	1,438,000
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-)	( -0-)
OTHER	(		-0-)	( -0-)
TOTAL-ALL SOURCES			1,430,300	1,438,000
<b>(2) EXECUTIVE RESIDENCE</b>				
(a) General program operations	GPR	S	150,700	150,700
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			150,700	150,700
TOTAL-ALL SOURCES			150,700	150,700
<b>(3) LIEUTENANT GOVERNOR</b>				
(a) General program operations	GPR	A	205,100	206,000
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			205,100	206,000
TOTAL-ALL SOURCES			205,100	206,000
20.525 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			1,786,100	1,794,700
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-)	( -0-)
OTHER	(		-0-)	( -0-)
TOTAL-ALL SOURCES			1,786,100	1,794,700



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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1985-86	1986-87
<b>20.532 Executive programs</b>			
<b>(1) ECONOMIC STABILIZATION</b>			
(a) Community assistance	GPR B	500,000	-0-
20.532 DEPARTMENT	TOTALS		
GENERAL PURPOSE REVENUES		500,000	-0-
TOTAL-ALL SOURCES		500,000	-0-
<b>20.536 Investment board</b>			
<b>(1) INVESTMENT OF FUNDS</b>			
(k) General program operations	PR-S A	2,367,700	2,381,300
20.536 DEPARTMENT	TOTALS		
PROGRAM REVENUE		2,367,700	2,381,300
SERVICE	(	2,367,700)	(2,381,300)
TOTAL-ALL SOURCES		2,367,700	2,381,300
<b>20.546 Personnel board</b>			
<b>(1) PERSONNEL REGULATION</b>			
(a) General program operations	GPR A	4,000	4,000
20.546 DEPARTMENT	TOTALS		
GENERAL PURPOSE REVENUES		4,000	4,000
TOTAL-ALL SOURCES		4,000	4,000
<b>20.547 Personnel commission</b>			
<b>(1) REVIEW OF PERSONNEL DECISIONS</b>			
(a) General program operations	GPR A	477,500	447,200
(m) Federal aid	PR-F C	-0-	-0-
20.547 DEPARTMENT	TOTALS		
GENERAL PURPOSE REVENUES		477,500	447,200
PROGRAM REVENUE		-0-	-0-
FEDERAL	(	-0-)	(-0-)
TOTAL-ALL SOURCES		477,500	447,200
<b>20.550 Public defender board</b>			
<b>(1) LEGAL ASSISTANCE</b>			
(a) Program administration	GPR A	383,400	388,900
(b) Appellate representation	GPR A	1,710,400	1,682,600
(c) Trial representation	GPR A	11,160,300	11,574,800
(d) Private bar and investigator reimbursement	GPR A	6,497,200	5,719,600
(e) Indigency determinations	GPR A	5,000	-0-
(g) Gifts and grants	PR C	-0-	-0-
(h) Contractual agreements	PR-S A	-0-	-0-
(m) Federal aid	PR-F C	-0-	-0-
20.550 DEPARTMENT	TOTALS		
GENERAL PURPOSE REVENUES		19,756,300	19,365,900
PROGRAM REVENUE		-0-	-0-
FEDERAL	(	-0-)	(-0-)
OTHER	(	-0-)	(-0-)
SERVICE	(	-0-)	(-0-)
TOTAL-ALL SOURCES		19,756,300	19,365,900
<b>20.566 Revenue, department of</b>			
<b>(1) COLLECTION OF STATE TAXES</b>			
(a) General program operations	GPR A	27,847,300	27,411,700
(g) Administration of local sales tax	PR A	-0-	-0-
(h) Debt collection	PR A	100,000	100,000
(hm) Collections from nonresidents	PR S	350,000	350,000
(hp) Administration of endangered resources voluntary payments	PR A	16,900	16,900
(i) Gifts and grants	PR C	-0-	-0-
(m) Federal funds; state			

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
operations	PR-F	C	-0-	-0-
(u) Motor fuel tax administration	SEG	A	724,400	726,300
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			27,847,300	27,411,700
PROGRAM REVENUE			466,900	466,900
FEDERAL	(		-0-)	( -0-)
OTHER	(		466,900)	( 466,900)
SEGREGATED FUNDS			724,400	726,300
OTHER	(		724,400)	( 726,300)
TOTAL-ALL SOURCES			29,038,600	28,604,900
(2) STATE AND LOCAL FINANCE				
(a) General program operations	GPR	A	7,076,900	7,078,100
(gi) Municipal financial report compliance	PR	A	40,000	40,000
(h) Reassessments	PR	A	296,400	296,400
(hi) Wisconsin property assessment manual	PR	A	160,600	60,600
(i) Gifts and grants	PR	C	-0-	-0-
(m) Federal funds; state operations	PR-F	C	-0-	-0-
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			7,076,900	7,078,100
PROGRAM REVENUE			497,000	397,000
FEDERAL	(		-0-)	( -0-)
OTHER	(		497,000)	( 397,000)
TOTAL-ALL SOURCES			7,573,900	7,475,100
(3) ADMINISTRATIVE SERVICES				
(a) General program operations	GPR	A	8,803,400	9,298,000
(c) Expert professional services	GPR	B	44,300	44,300
(g) Services	PR	A	31,800	31,800
(gm) Reciprocity agreement and publications	PR	A	36,600	36,600
(gp) Data processing costs for endangered resources voluntary payments	PR	A	10,000	10,000
(i) Gifts and grants	PR	C	-0-	-0-
(m) Federal funds; state operations	PR-F	C	-0-	-0-
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			8,847,700	9,342,300
PROGRAM REVENUE			78,400	78,400
FEDERAL	(		-0-)	( -0-)
OTHER	(		78,400)	( 78,400)
TOTAL-ALL SOURCES			8,926,100	9,420,700
(7) INVESTMENT AND LOCAL IMPACT FUND				
(a) Investment and local impact fund administrative expenses	GPR	A	63,100	62,100
(e) Investment and local impact fund supplement	GPR	A	-0-	-0-
(n) Federal mining revenue	PR-F	C	-0-	-0-
(v) Investment and local impact fund	SEG	C	-0-	-0-
(7) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			63,100	62,100
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-)	( -0-)
SEGREGATED FUNDS			-0-	-0-

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
OTHER	(		-0-	-0-
TOTAL-ALL SOURCES			63,100	62,100
(8) PROPERTY TAX DEFERRAL				
(q) Program administration	SEG	A	83,300	73,900
(w) Revenue obligation repayment	SEG	C	-0-	-0-
(wa) Elderly property tax deferral loans	SEG	S	-0-	-0-
(wc) Repayment of general fund loan	SEG	S	-0-	-0-
	(8) P R O G R A M	T O T A L S		
SEGREGATED FUNDS			83,300	73,900
OTHER	(		83,300)	73,900)
TOTAL-ALL SOURCES			83,300	73,900
	2 0 . 5 6 6	D E P A R T M E N T	T O T A L S	
GENERAL PURPOSE REVENUES			43,835,000	43,894,200
PROGRAM REVENUE			1,042,300	942,300
FEDERAL	(		-0-)	-0-)
OTHER	(		1,042,300)	942,300)
SEGREGATED FUNDS			807,700	800,200
OTHER	(		807,700)	800,200)
TOTAL-ALL SOURCES			45,685,000	45,636,700
<b>20.575 Secretary of state</b>				
(1) MANAGING AND OPERATING PROGRAM RESPONSIBILITIES				
(a) General program operations	GPR	A	726,000	726,000
(g) Program fees	PR	A	466,200	446,700
(gm) Annual report surcharge	PR	C	-0-	-0-
(h) Search fees	PR	A	46,700	46,700
(i) Uniform commercial code statewide lien system fees	PR	A	759,000	921,800
(ka) Agency collections	PR-S	A	37,400	37,400
	2 0 . 5 7 5	D E P A R T M E N T	T O T A L S	
GENERAL PURPOSE REVENUES			726,000	726,000
PROGRAM REVENUE			1,309,300	1,452,600
OTHER	(		1,271,900)	1,415,200)
SERVICE	(		37,400)	37,400)
TOTAL-ALL SOURCES			2,035,300	2,178,600
<b>20.585 Treasurer, state</b>				
(1) CUSTODIAN OF STATE FUNDS				
(a) General program operations	GPR	A	468,700	432,300
(b) Insurance	GPR	A	900	900
(e) Unclaimed property; contingency appropriation	GPR	S	-0-	-0-
(g) Processing services	PR	A	6,500	6,700
(j) Unclaimed property; claims and administrative expenses	PR	C	71,300	175,900
(jm) Credit card use charges	PR	C	-0-	-0-
	2 0 . 5 8 5	D E P A R T M E N T	T O T A L S	
GENERAL PURPOSE REVENUES			469,600	433,200
PROGRAM REVENUE			77,800	182,600
OTHER	(		77,800)	182,600)
TOTAL-ALL SOURCES			547,400	615,800

General Executive Functions  
FUNCTIONAL AREA TOTALS\*

\* The general executive functions "functional area totals" do not reflect the effect on the appropriation under s. 20.505 (4) (d) of the partial veto by the Governor (veto item 4-T) of SECTION 3056 (9b).

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
GENERAL PURPOSE REVENUES			100,411,600	98,663,700
PROGRAM REVENUE			59,525,100	64,263,800
FEDERAL	(		5,938,000)	( 5,870,300)
OTHER	(		5,222,000)	( 5,276,100)
SERVICE	(		48,365,100)	( 53,117,400)
SEGREGATED FUNDS			8,621,700	10,296,100
FEDERAL	(		-0-)	( -0-)
OTHER	(		8,621,700)	( 10,296,100)
SERVICE	(		-0-)	( -0-)
LOCAL	(		-0-)	( -0-)
TOTAL-ALL SOURCES			168,558,400	173,223,600

**Judicial**

**20.625 Circuit courts**

(1) COURT OPERATIONS

(a) Circuit courts	GPR	S	24,185,300	24,246,700
(b) Permanent reserve judges	GPR	A	98,700	98,700
(m) Federal aid	PR-F	C	-0-	-0-

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES			24,284,000	24,345,400
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-)	( -0-)
TOTAL-ALL SOURCES			24,284,000	24,345,400

(3) CHILD CUSTODY HEARINGS AND STUDIES IN OTHER STATES

(a) General program operations	GPR	S	-0-	-0-
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(3) PROGRAM TOTALS

GENERAL PURPOSE REVENUES			-0-	-0-
TOTAL-ALL SOURCES			-0-	-0-

20.625 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES			24,284,000	24,345,400
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-)	( -0-)
TOTAL-ALL SOURCES			24,284,000	24,345,400

**20.645 Judicial council**

(1) ADVISORY SERVICES TO THE COURTS AND LEGISLATURE

(a) General program operations	GPR	A	104,700	105,600
(m) Federal aid	PR-F	C	-0-	-0-

20.645 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES			104,700	105,600
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-)	( -0-)
TOTAL-ALL SOURCES			104,700	105,600

**20.660 Court of appeals**

(1) APPELLATE PROCEEDINGS

(a) General program operations	GPR	S	2,963,900	3,145,200
(m) Federal aid	PR-F	C	-0-	-0-

20.660 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES			2,963,900	3,145,200
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-)	( -0-)
TOTAL-ALL SOURCES			2,963,900	3,145,200

**20.665 Judicial commission**

(1) JUDICIAL CONDUCT

(a) General program operations	GPR	A	118,700	110,700
(cm) Contractual agreements	GPR	B	36,800	36,800

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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1985-86	1986-87
(mm) Federal aid	PR-F C	-0-	-0-
20.665 DEPARTMENT	TOTALS		
GENERAL PURPOSE REVENUES		155,500	147,500
PROGRAM REVENUE		-0-	-0-
FEDERAL	(	-0-)	-0-)
TOTAL-ALL SOURCES		155,500	147,500
<b>20.680 Supreme court</b>			
<b>(1) SUPREME COURT PROCEEDINGS</b>			
(a) General program operations	GPR S	2,064,700	1,884,400
(m) Federal aid	PR-F C	-0-	-0-
(1) PROGRAM	TOTALS		
GENERAL PURPOSE REVENUES		2,064,700	1,884,400
PROGRAM REVENUE		-0-	-0-
FEDERAL	(	-0-)	-0-)
TOTAL-ALL SOURCES		2,064,700	1,884,400
<b>(2) DIRECTOR OF STATE COURTS</b>			
(a) General program operations	GPR A	3,037,500	2,622,700
(b) Judicial planning and research	GPR B	-0-	-0-
(g) Gifts and grants	PR C	-0-	-0-
(h) Materials and services	PR A	28,900	7,000
(k) Data processing services	PR-S A	29,800	29,800
(m) Federal aid	PR-F C	48,300	-0-
(q) Patients compensation panels fund	SEG C	808,300	813,000
(2) PROGRAM	TOTALS		
GENERAL PURPOSE REVENUES		3,037,500	2,622,700
PROGRAM REVENUE		107,000	36,800
FEDERAL	(	48,300)	-0-)
OTHER	(	28,900)	7,000)
SERVICE	(	29,800)	29,800)
SEGREGATED FUNDS		808,300	813,000
OTHER	(	808,300)	813,000)
TOTAL-ALL SOURCES		3,952,800	3,472,500
<b>(3) PROFESSIONAL COMPETENCE AND RESPONSIBILITY</b>			
(g) Board of attorneys professional competence	PR C	170,600	171,400
(h) Board of attorneys professional responsibility	PR C	599,800	604,600
(3) PROGRAM	TOTALS		
PROGRAM REVENUE		770,400	776,000
OTHER	(	770,400)	776,000)
TOTAL-ALL SOURCES		770,400	776,000
<b>(4) LAW LIBRARY</b>			
(a) General program operations	GPR A	506,500	534,300
(g) Library collections and services	PR A	37,200	37,500
(h) Gifts and grants	PR C	-0-	-0-
(4) PROGRAM	TOTALS		
GENERAL PURPOSE REVENUES		506,500	534,300
PROGRAM REVENUE		37,200	37,500
OTHER	(	37,200)	37,500)
TOTAL-ALL SOURCES		543,700	571,800
20.680 DEPARTMENT	TOTALS		
GENERAL PURPOSE REVENUES		5,608,700	5,041,400
PROGRAM REVENUE		914,600	850,300
FEDERAL	(	48,300)	-0-)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
OTHER	(		836,500)	( 820,500)
SERVICE	(		29,800)	( 29,800)
SEGREGATED FUNDS			808,300	813,000
OTHER	(		808,300)	( 813,000)
TOTAL-ALL SOURCES			7,331,600	6,704,700

Judicial

FUNCTIONAL AREA TOTALS

GENERAL PURPOSE REVENUES			33,116,800	32,785,100
PROGRAM REVENUE			914,600	850,300
FEDERAL	(		48,300)	( -0-)
OTHER	(		836,500)	( 820,500)
SERVICE	(		29,800)	( 29,800)
SEGREGATED FUNDS			808,300	813,000
FEDERAL	(		-0-)	( -0-)
OTHER	(		808,300)	( 813,000)
SERVICE	(		-0-)	( -0-)
LOCAL	(		-0-)	( -0-)
TOTAL-ALL SOURCES			34,839,700	34,448,400

Legislative

20.765 Legislature

(1) ENACTMENT OF STATE LAWS

(a) General program operations-- assembly	GPR	S	10,221,700	10,221,700
(b) General program operations-- senate	GPR	S	6,998,500	6,998,500
(c) Contingent expenses	GPR	B	2,000	2,000
(d) Legislative documents	GPR	S	2,784,900	2,691,800

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES			20,007,100	19,914,000
TOTAL-ALL SOURCES			20,007,100	19,914,000

(2) SPECIAL STUDY GROUPS

(a) Retirement committees	GPR	A	108,700	107,700
(ab) Retirement actuarial studies	GPR	B	6,000	6,000
(b) Commission on uniform state laws	GPR	B	18,100	18,400

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUES			132,800	132,100
TOTAL-ALL SOURCES			132,800	132,100

(3) LEGISLATIVE SERVICE AGENCIES

(a) Revisor of statutes bureau	GPR	B	323,000	323,000
(b) Legislative reference bureau	GPR	B	1,423,000	1,434,800
(c) Legislative audit bureau	GPR	B	2,131,000	2,101,100
(d) Legislative fiscal bureau	GPR	B	1,242,200	1,242,200
(e) Legislative council	GPR	B	1,404,300	1,439,200
(ec) Council contingent expenses	GPR	B	500	2,000
(f) Joint committee on legislative organization	GPR	B	-0-	-0-
(fa) Membership in national associations	GPR	S	127,600	135,000
(g) Gifts and grants to service agencies	PR	C	-0-	-0-
(ka) Charges for requested audits	PR-S	A	301,200	305,800
(m) Federal aid	PR-F	C	-0-	-0-

(3) PROGRAM TOTALS

GENERAL PURPOSE REVENUES			6,651,600	6,677,300
PROGRAM REVENUE			301,200	305,800
FEDERAL	(		-0-)	( -0-)

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
OTHER	(		-0-)	( -0-)
SERVICE	(		301,200)	( 305,800)
TOTAL-ALL SOURCES			6,952,800	6,983,100
2 0 . 7 6 5 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			26,791,500	26,723,400
PROGRAM REVENUE			301,200	305,800
FEDERAL	(		-0-)	( -0-)
OTHER	(		-0-)	( -0-)
SERVICE	(		301,200)	( 305,800)
TOTAL-ALL SOURCES			27,092,700	27,029,200
Legislative				
FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			26,791,500	26,723,400
PROGRAM REVENUE			301,200	305,800
FEDERAL	(		-0-)	( -0-)
OTHER	(		-0-)	( -0-)
SERVICE	(		301,200)	( 305,800)
SEGREGATED FUNDS			-0-	-0-
FEDERAL	(		-0-)	( -0-)
OTHER	(		-0-)	( -0-)
SERVICE	(		-0-)	( -0-)
LOCAL	(		-0-)	( -0-)
TOTAL-ALL SOURCES			27,092,700	27,029,200

**General Appropriations**

**20.835 Shared revenue and tax relief**

(1) SHARED REVENUE ACCOUNT AND  
MINIMUM PAYMENTS

(d) Shared revenue account	GPR	S	759,360,000	779,360,000
(e) Corrections of shared revenue payments	GPR	S	-0-	-0-

(1) P R O G R A M T O T A L S

GENERAL PURPOSE REVENUES			759,360,000	779,360,000
TOTAL-ALL SOURCES			759,360,000	779,360,000

(2) TAX RELIEF

(a) Wisconsin state property tax relief	GPR	S	289,600,000	-0-
(bm) Omitted personal property	GPR	S	-0-	-0-
(c) Homestead tax credit	GPR	S	119,500,000*	115,900,000*
(dm) Farm property tax credit	GPR	S	34,700,000*	39,300,000*
(ep) Cigarette tax refunds	GPR	S	3,200,000	3,400,000

(2) P R O G R A M T O T A L S \*

GENERAL PURPOSE REVENUES			447,000,000	158,600,000
TOTAL-ALL SOURCES			447,000,000	158,600,000

(3) STATE PROPERTY TAX CREDITS

(a) General government tax credit	GPR	S	-0-	139,886,000
(b) School levy tax credit	GPR	S	-0-	164,214,000
(c) School aid credit	GPR	A	155,000,000	220,000,000
(d) Corrections of state property tax credit payments	GPR	S	-0-	100,000

(3) P R O G R A M T O T A L S

GENERAL PURPOSE REVENUES			155,000,000	524,200,000
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\* "Program totals" for sub. (2) and "department totals" on next page for s. 20.835 do not reflect: a) the effect of the partial veto by the Governor (veto items 3-V and 3-W, minus \$2,200,000 in FY 1985-86, minus \$2,400,000 in FY 1986-87) on the appropriation under s. 20.835 (2) (dm); and b) the effect of the partial veto by the Governor (veto item 4-A, minus \$19,500,000 in FY 1985-86, minus \$18,900,000 in FY 1986-87) on the appropriation under s. 20.835 (2) (c).

STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1985-86	1986-87
TOTAL-ALL SOURCES		155,000,000	524,200,000
(4) LOCAL SALES TAX			
(f) Distribution	GPR A	-0-	-0-
(4) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		-0-	-0-
TOTAL-ALL SOURCES		-0-	-0-
20.835 DEPARTMENT TOTALS *			
GENERAL PURPOSE REVENUES		1,361,360,000	1,462,160,000
TOTAL-ALL SOURCES		1,361,360,000	1,462,160,000

**20.855 Miscellaneous appropriations**

(1) CASH MANAGEMENT EXPENSES; INTEREST AND PRINCIPAL REPAYMENT			
(a) Obligation on operating notes	GPR S	6,400,000	7,700,000
(b) Operating note expenses	GPR S	125,000	125,000
(c) Interest payments to program revenue accounts	GPR S	-0-	-0-
(d) Interest payments to segregated funds	GPR S	-0-	-0-
(e) Interest on prorated local government payments	GPR S	-0-	-0-
(g) Redemption of operating notes	SEG S	-0-	-0-
(r) Interest payments to general fund	SEG S	-0-	-0-
(1) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		6,525,000	7,825,000
SEGREGATED FUNDS		-0-	-0-
OTHER	(	-0-)	-0-)
TOTAL-ALL SOURCES		6,525,000	7,825,000
(4) TAX AND ASSISTANCE PAYMENTS			
(a) Interest on overpayment of taxes	GPR S	300,000	300,000
(am) Transfer to transportation fund; administrative costs	GPR B	69,000	69,000
(b) Election campaign payments	GPR S	475,000	575,000
(c) Minnesota income tax reciprocity	GPR S	15,900,000	16,800,000
(ca) Minnesota income tax reciprocity bench mark	GPR B	-0-	-0-
(e) Payments for municipal services	GPR A	10,000,000	11,000,000
(f) County assessment aid	GPR S	600,000	615,000
(fa) General fund loan to the investment and local impact fund board	GPR C	350,000	150,000
(fb) General fund loan	GPR A	10,000,000	-0-
(q) Terminal tax distribution	SEG S	1,000,000	1,000,000
(4) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		37,694,000	29,509,000
SEGREGATED FUNDS		1,000,000	1,000,000
OTHER	(	1,000,000)	1,000,000)
TOTAL-ALL SOURCES		38,694,000	30,509,000
(5) STATE HOUSING AUTHORITY RESERVE FUND			
(a) Enhancement of credit of authority debt	GPR A	-0-	-0-
(5) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		-0-	-0-



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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
TOTAL-ALL SOURCES			-0-	-0-
(6) MISCELLANEOUS RECEIPTS				
(g) Gifts and grants	PR	C	-0-	-0-
(h) Vehicle and aircraft receipts	PR	A	-0-	-0-
(i) Miscellaneous program revenue	PR	A	-0-	-0-
(j) Custody accounts	PR	C	-0-	-0-
(m) Federal aid	PR-F	C	-0-	-0-
(pz) Indirect cost reimbursements	PR-F	C	-0-	-0-
(6) PROGRAM TOTALS				
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-)	-0-)
OTHER	(		-0-)	-0-)
TOTAL-ALL SOURCES			-0-	-0-
(7) DEBT COLLECTIONS				
(j) Delinquent support payments	PR	C	-0-	-0-
(7) PROGRAM TOTALS				
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	-0-)
TOTAL-ALL SOURCES			-0-	-0-
(8) DATA PROCESSING SERVICE CENTERS				
(k) Wilson street regional data processing service center	PR-S	A	11,899,500	13,854,700
(ka) Hill farms regional data processing service center	PR-S	A	13,213,700	15,752,800
(kb) GEF regional data processing service center	PR-S	A	-0-	-0-
(8) PROGRAM TOTALS				
PROGRAM REVENUE			25,113,200	29,607,500
SERVICE	(		25,113,200)	29,607,500)
TOTAL-ALL SOURCES			25,113,200	29,607,500
20.855 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			44,219,000	37,334,000
PROGRAM REVENUE			25,113,200	29,607,500
FEDERAL	(		-0-)	-0-)
OTHER	(		-0-)	-0-)
SERVICE	(		25,113,200)	29,607,500)
SEGREGATED FUNDS			1,000,000	1,000,000
OTHER	(		1,000,000)	1,000,000)
TOTAL-ALL SOURCES			70,332,200	67,941,500

**20.865 Program supplements**

**(1) EMPLOYE COMPENSATION AND SUPPORT**

(a) Judgments and legal expenses	GPR	S	50,000	50,000
(c) Compensation and related adjustments	GPR	S	-0-	-0-
(ci) University system faculty and academic pay adjustments	GPR	S	-0-	-0-
(cq) Specified pay adjustments	GPR	S	-0-	-0-
(d) Employer fringe benefit costs	GPR	S	-0-	-0-
(dm) Risk management--worker's compensation	GPR	S	4,231,900	4,231,900
(f) Risk management--state property	GPR	S	1,498,800	1,498,800
(fm) Risk management--liability	GPR	S	2,248,800	2,248,800
(fn) Physically handicapped supplements	GPR	B	7,500	7,500
(g) Judgments and legal expenses;				

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
(i) program revenues	PR	S	-0-	-0-
(i) Compensation and related adjustments; program revenues	PR	S	-0-	-0-
(ic) University system employe pay adjustments; program revenues	PR	S	-0-	-0-
(iq) Specified pay adjustments	PR	S	-0-	-0-
(j) Employer fringe benefit costs; program revenues	PR	S	-0-	-0-
(k) Risk management--worker's compensation; program revenues	PR	S	-0-	-0-
(kg) Risk management--state property; program revenues	PR	S	-0-	-0-
(kr) Risk management--liability; program revenues	PR	S	-0-	-0-
(Ln) Physically handicapped supplements; program revenues	PR	S	-0-	-0-
(q) Judgments and legal expenses; segregated revenues	SEG	S	-0-	-0-
(s) Compensation and related adjustments; segregated revenues	SEG	S	-0-	-0-
(si) University system employe pay adjustments; segregated revenues	SEG	S	-0-	-0-
(sq) Specified pay adjustments	SEG	S	-0-	-0-
(t) Employer fringe benefit costs; segregated revenues	SEG	S	-0-	-0-
(u) Risk management--worker's compensation; segregated revenues	SEG	S	-0-	-0-
(ug) Risk management--state property; segregated revenues	SEG	S	-0-	-0-
(ur) Risk management--liability; segregated revenues	SEG	S	-0-	-0-
(vn) Physically handicapped supplements; segregated revenues	SEG	S	-0-	-0-
(1) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			8,037,000	8,037,000
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	(-0-)
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	(-0-)
TOTAL-ALL SOURCES			8,037,000	8,037,000
(2) CONTRACTUAL SERVICES				
(a) Space management supplements	GPR	B	674,100	1,031,000
(ag) State-owned office rent supplement	GPR	B	558,900	558,900
(b) Parking rental costs	GPR	A	54,600	54,600
(d) State deposit fund	GPR	S	-0-	-0-
(e) Maintenance of capitol and executive residence	GPR	A	2,900,000	3,050,000
(eb) Executive residence furnishings replacement	GPR	C	-0-	-0-
(em) Groundwater survey and analysis	GPR	A	305,400	305,400
(g) Space management supplements;				

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
program revenues	PR	S	-0-	-0-
(gg) State-owned office rent supplement; program revenues	PR	S	-0-	-0-
(j) State deposit fund; program revenues	PR	S	-0-	-0-
(q) Space management supplements; segregated revenues	SEG	S	-0-	-0-
(qg) State-owned office rent supplement; segregated revenues	SEG	S	-0-	-0-
(t) State deposit fund; segregated revenues	SEG	S	-0-	-0-
(2) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			4,493,000	4,999,900
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	( -0-)
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	( -0-)
TOTAL-ALL SOURCES			4,493,000	4,999,900
<b>(3) TAXES, ASSESSMENTS AND SPECIAL CHARGES</b>				
(a) Property taxes	GPR	S	-0-	-0-
(b) Assessments	GPR	B	300,000	500,000
(g) Property taxes; program revenues	PR	S	-0-	-0-
(h) Assessments; program revenues	PR	S	-0-	-0-
(q) Property taxes; segregated revenues	SEG	S	-0-	-0-
(r) Assessments; segregated revenues	SEG	S	-0-	-0-
(3) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			300,000	500,000
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	( -0-)
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	( -0-)
TOTAL-ALL SOURCES			300,000	500,000
<b>(4) JOINT COMMITTEE ON FINANCE SUPPLEMENTAL APPROPRIATIONS</b>				
(a) General purpose revenue funds general program supplementation	GPR	B	500,000	500,000
(g) Program revenue funds general program supplementation	PR	S	-0-	-0-
(u) Segregated funds general program supplementation	SEG	S	-0-	-0-
(4) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			500,000	500,000
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	( -0-)
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	( -0-)
TOTAL-ALL SOURCES			500,000	500,000
<b>(8) SUPPLEMENTATION OF PROGRAM REVENUE AND PROGRAM REV.-SERVICE APPROPRIATIONS</b>				
(g) Supplementation of program revenue and program				

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
rev.-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 REVENUES			13,330,000	14,036,900
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	-0-)
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	-0-)
TOTAL-ALL SOURCES			13,330,000	14,036,900
<b>20.866 Public debt</b>				
(1) BOND SECURITY AND REDEMPTION FUND				
(u) Principal repayment and interest	SEG	S	322,820,500	348,698,400
Allocated from agency appropriations	SEG	S	-322,820,500	-348,698,400
NET APPROPRIATION			-0-	-0-
20.866 DEPARTMENT TOTALS				
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	-0-)
TOTAL-ALL SOURCES			-0-	-0-
<b>20.867 Building commission</b>				
(1) STATE OFFICE BUILDINGS				
(a) Principal repayment and interest; housing of state agencies	GPR	S	-0-	-0-
(b) Principal repayment and interest; capitol and executive residence	GPR	S	834,200	863,500
(g) Agency collections	PR-S	C	-0-	-0-
(h) Lease rental payments	PR-S	C	137,000	137,000
(i) Principal repayment and interest	PR-S	C	7,014,900	6,935,400
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			834,200	863,500
PROGRAM REVENUE			7,151,900	7,072,400
SERVICE	(		7,151,900)	7,072,400)
TOTAL-ALL SOURCES			7,986,100	7,935,900
(2) BUILDING TRUST FUND				
(f) Facilities maintenance and improvement	GPR	B	1,000,000	-0-
(q) Building trust fund	SEG	C	-0-	-0-
(r) Planning and design	SEG	C	-0-	-0-
(u) Aids for buildings	SEG	C	-0-	-0-
(v) Building program funding contingency	SEG	C	-0-	-0-
(w) Building program funding	SEG	C	2,700,000	-0-
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			1,000,000	-0-
SEGREGATED FUNDS			2,700,000	-0-
OTHER	(		2,700,000)	-0-)
TOTAL-ALL SOURCES			3,700,000	-0-
(3) STATE BUILDING PROGRAM				
(a) Principal repayment and interest	GPR	S	-0-	5,550,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1985-86	1986-87
(b) Principal repayment and interest	GPR	S	137,100	246,000
(c) Lease rental payments	GPR	S	-0-	-0-
(g) Principal repayment and interest	PR-S	S	-0-	-0-
(h) Principal repayment and interest	PR-S	S	-0-	-0-
(i) Principal repayment and interest	PR-S	S	4,857,600	5,060,600
(w) Bonding services	SEG	S	611,200	611,200
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			137,100	5,796,000
PROGRAM REVENUE			4,857,600	5,060,600
SERVICE	(		4,857,600)	( 5,060,600)
SEGREGATED FUNDS			611,200	611,200
OTHER	(		611,200)	( 611,200)
TOTAL-ALL SOURCES			5,605,900	11,467,800
(4) CAPITAL IMPROVEMENT FUND				
INTEREST EARNINGS				
(q) Funding in lieu of borrowing	SEG	C	-0-	-0-
(r) Interest on veterans obligations	SEG	C	-0-	-0-
(4) PROGRAM TOTALS				
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	( -0-)
TOTAL-ALL SOURCES			-0-	-0-
20.867 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			1,971,300	6,659,500
PROGRAM REVENUE			12,009,500	12,133,000
SERVICE	(		12,009,500)	( 12,133,000)
SEGREGATED FUNDS			3,311,200	611,200
OTHER	(		3,311,200)	( 611,200)
TOTAL-ALL SOURCES			17,292,000	19,403,700
General Appropriations				
FUNCTIONAL AREA TOTALS*				
GENERAL PURPOSE REVENUES			1,420,880,300	1,520,190,400
PROGRAM REVENUE			37,122,700	41,740,500
FEDERAL	(		-0-)	( -0-)
OTHER	(		-0-)	( -0-)
SERVICE	(		37,122,700)	( 41,740,500)
SEGREGATED FUNDS			4,311,200	1,611,200
FEDERAL	(		-0-)	( -0-)
OTHER	(		4,311,200)	( 1,611,200)
SERVICE	(		-0-)	( -0-)
LOCAL	(		-0-)	( -0-)
TOTAL-ALL SOURCES			1,462,314,200	1,563,542,100

SECTION 158m. 20.115 (1) (d) of the statutes is created to read:

form pesticide, groundwater and bottled water analyses.

20.115 (1) (d) *Groundwater laboratory services*. The amounts in the schedule for laboratory services to per-

SECTION 159. 20.115 (1) (ga) of the statutes is created to read:

\* The general appropriations "functional area totals" do not reflect: a) the effect on the appropriation under s. 20.835 (2) (c) of the partial veto by the Governor (veto item 4-A) of SECTIONS 1337 to 1337v; and b) the effect on the appropriation under s. 20.835 (2) (dm) of the partial veto by the Governor (veto items 3-V and 3-W) of SECTIONS 1338rm, 1338sg, 1338sh, and 3203 (46) (w) and (x).

20.115 (1) (ga) *Milk standards program*. All moneys received as payment for milk standards produced and used in the calibration and verification of instruments used for milk component testing and related costs for the milk standards program. On June 30, 1986, 1987, 1988 and 1989, the department shall make payments to the general fund from this appropriation for the purpose of reimbursing milk standards program start-up costs. The payments shall total an amount equal to \$142,200 by June 30, 1989.

SECTION 160. 20.115 (1) (jm) of the statutes is created to read:

20.115 (1) (jm) *Warehouse keeper and grain dealer regulation*. All moneys received from the warehouse keeper inspection fees under s. 127.02 (3) (b) for the administration and enforcement of the warehouse keepers and grain dealers security act under ch. 127.

SECTION 161. 20.115 (2) (j) of the statutes is amended to read:

20.115 (2) (j) *Dog licenses, rabies control and related services*. The amounts in the schedule to provide dog license tags and forms under s. 174.07 (2), to perform other program responsibilities under ch. 174, to administer the rabies control program under s. 95.21 and, to help administer the rabies control media campaign and to carry out the humane activities under s. 93.07 (11). All moneys received by the state treasurer under s. 174.09 (1) shall be credited to this appropriation.

SECTION 162. 20.115 (3) (L) of the statutes is created to read:

20.115 (3) (L) *Market development activities; gifts and grants*. All moneys received from gifts, donations, grants and bequests for conducting trade missions, trade shows, conferences, seminars and related market development activities.

SECTION 163. 20.115 (4) (fm) of the statutes is repealed.

SECTION 164. 20.115 (4) (fn) of the statutes is repealed.

SECTION 165. 20.115 (5) (h) of the statutes is amended to read:

20.115 (5) (h) *State fair operations*. The amounts in the schedule for general program operations. All moneys received for or on account of the state fair, state fair park or other events shall be credited to this appropriation. ~~Of the amount included for general program operations, the state fair park board may use an amount determined by the department of administration to maintain a contingent fund in the state's working bank, savings and loan association or credit union during the period from one month prior to the beginning until one month after the end of the state fair for the payment of claims incurred in the operation of the state fair, to be expended and accounted for insofar as applicable under s. 20.920.~~ The unencumbered balance of this appropriation on June 30 of each year shall be transferred to the appropriation under par. (i).

SECTION 166. 20.115 (7) (f) of the statutes is created to read:

20.115 (7) (f) *Farmers fund grants*. As a continuing appropriation, the amounts in the schedule for the animal waste water pollution grant program under s. 92.15.

SECTION 166m. 20.115 (7) (fm) of the statutes, as created by 1985 Wisconsin Act 8, is repealed.

SECTION 167. 20.115 (8) (k) of the statutes is created to read:

20.115 (8) (k) *Central auto pool*. All moneys received for the use of central auto pool vehicles for costs associated with the operation, maintenance and replacement of such vehicles.

SECTION 168. 20.115 (8) (pz) of the statutes is created to read:

20.115 (8) (pz) *Indirect cost reimbursements*. All moneys received from the federal government as reimbursement of indirect costs of grants and contracts for the purposes authorized in s. 16.54 (9) (b).

SECTION 169. 20.143 (1) (d) of the statutes is renumbered 20.143 (4) (b).

SECTION 170. 20.143 (1) (e) of the statutes is renumbered 20.143 (4) (c).

SECTION 171. 20.143 (1) (f) of the statutes is created to read:

20.143 (1) (f) *Employe ownership assistance loans*. Biennially, the amounts in the schedule to fund employe ownership assistance loans under s. 560.16. All moneys received in repayment of loans made from funds appropriated under this paragraph shall be credited to the appropriation under par. (j).

SECTION 172. 20.143 (1) (g) of the statutes is amended to read:

20.143 (1) (g) (title) *Gifts, grants and proceeds*. All moneys received from gifts, donations, grants, bequests and devises, ~~all conference and program services proceeds~~ and all proceeds from services, conferences and sales of publications and promotional materials to carry out the purposes for which made or collected.

SECTION 173. 20.143 (1) (j) of the statutes is created to read:

20.143 (1) (j) *Employe ownership assistance loans*. All moneys received from repayment of loans under par. (f), for other loans under the employe ownership assistance loan program under s. 560.16.

SECTION 174. 20.143 (1) (k) of the statutes is created to read:

20.143 (1) (k) *Sale of materials or services*. All moneys received from the department or other state agencies for providing materials and services.

SECTION 175. 20.143 (1) (ka) of the statutes is created to read:

20.143 (1) (ka) *Sale of materials and services — local assistance*. All moneys received from the department or other state agencies for providing materials and services as local assistance.

SECTION 176. 20.143 (1) (kb) of the statutes is created to read:

20.143 (1) (kb) *Sale of materials and services — individuals and organizations.* All moneys received from the department or other state agencies for providing materials and services to individuals and organizations.

SECTION 177. 20.143 (2) (c) of the statutes is repealed.

SECTION 178. 20.143 (2) (g) of the statutes is amended to read:

20.143 (2) (g) (title) *Gifts, grants and proceeds.* All moneys received from gifts, donations, grants, bequests and devises, ~~all conference and program services proceeds and all proceeds and all proceeds from services, conferences and~~ from sales of publications and promotional materials to carry out the purposes for which made or collected.

SECTION 179. 20.143 (2) (k) of the statutes is created to read:

20.143 (2) (k) *Sale of materials or services.* All moneys received from the department or other state agencies for providing materials and services.

SECTION 180. 20.143 (2) (ka) of the statutes is created to read:

20.143 (2) (ka) *Sale of materials and services — local assistance.* All moneys received from the department or other state agencies for providing materials and services as local assistance.

SECTION 181. 20.143 (2) (kb) of the statutes is created to read:

20.143 (2) (kb) *Sale of materials and services — individuals and organizations.* All moneys received from the department or other state agencies for providing materials and services to individuals and organizations.

SECTION 182. 20.143 (3) (title) of the statutes is repealed.

SECTION 183. 20.143 (3) (a) of the statutes is repealed.

SECTION 184. 20.143 (3) (d) of the statutes is repealed.

SECTION 185. 20.143 (3) (e) of the statutes is repealed.

SECTION 186. 20.143 (3) (ea) of the statutes is renumbered 20.143 (1) (ea).

SECTION 187. 20.143 (3) (f) of the statutes is repealed.

SECTION 188. 20.143 (3) (fa) of the statutes is repealed.

SECTION 189. 20.143 (3) (g) of the statutes is repealed.

SECTION 190. 20.143 (3) (h) of the statutes is renumbered 20.143 (4) (h).

SECTION 191. 20.143 (3) (j) of the statutes is repealed.

SECTION 192. 20.143 (3) (L) of the statutes is repealed.

SECTION 193. 20.143 (3) (Lm) of the statutes is repealed.

SECTION 194. 20.143 (3) (m) of the statutes is repealed.

SECTION 195. 20.143 (3) (n) of the statutes is repealed.

SECTION 196. 20.143 (3) (o) of the statutes is repealed.

SECTION 197g. 20.143 (3) (v) of the statutes is amended to read:

20.143 (3) (v) *Housing project revenue obligation loans.* As a continuing appropriation, all proceeds from revenue obligations issued under s. 560.04 (3) ~~(b)~~ and deposited in the fund created under s. 18.57 (1), for the costs of issuance and management of the obligations, for related reserve funds and to provide loans to sponsors of low- and moderate-income housing projects. Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

SECTION 198m. 20.143 (4) (d) of the statutes is created to read:

20.143 (4) (d) *Management training.* Biennially, the amounts in the schedule to carry out the purposes of s. 560.093.

SECTION 199. 20.143 (4) (g) of the statutes is amended to read:

20.143 (4) (g) (title) *Gifts, grants and proceeds.* All moneys received from gifts, donations, grants, bequests and devises, ~~all conference and program services proceeds and all proceeds from services, conferences and~~ sales of publications and promotional materials to carry out the purposes for which made or collected.

SECTION 200. 20.143 (4) (h) of the statutes is repealed.

SECTION 200m. 20.143 (4) (i) of the statutes is created to read:

20.143 (4) (i) *Technology development grant reimbursement.* All moneys received to reimburse technology development grants made under s. 560.085, for the purpose of providing grants under s. 560.085.

SECTION 201. 20.143 (4) (k) of the statutes is amended to read:

20.143 (4) (k) (title) *Sale of materials or services.* All moneys received ~~from the interagency and intra-agency sale of~~ from the department or other state agencies for providing materials or and services ~~for supporting services operations.~~

SECTION 202. 20.143 (4) (ka) of the statutes is created to read:

20.143 (4) (ka) *Sale of materials and services — local assistance.* All moneys received from the department or other state agencies for providing materials and services as local assistance.

SECTION 203. 20.143 (4) (kb) of the statutes is created to read:

20.143 (4) (kb) *Sale of materials and services — individuals and organizations.* All moneys received from the department or other state agencies for providing materials and services to individuals and organizations.

SECTION 204. 20.143 (4) (pz) of the statutes is created to read:

20.143 (4) (pz) *Indirect cost reimbursements.* All moneys received from the federal government as reimbursement of indirect costs of grants and contracts for the purposes authorized in s. 16.54 (9) (b).

SECTION 205. 20.145 (7) (a) of the statutes is created to read:

20.145 (7) (a) *Premium reduction subsidy.* Biennially, the amounts in the schedule for the purpose of subsidizing premium reductions under s. 619.165.

SECTION 206. 20.165 (1) (h) of the statutes is created to read:

20.165 (1) (h) *Technical assistance; nonstate agencies and organizations.* All moneys received from counties, cities, villages, towns, national or regional organizations of state licensing agencies, similar licensing agencies in other states, national or regional accrediting associations, and nonprofit organizations for technical assistance provided under s. 440.03 (2).

SECTION 207. 20.165 (1) (k) of the statutes is created to read:

20.165 (1) (k) *Technical assistance; state agencies.* All moneys received from other state agencies for technical assistance provided under s. 440.03 (2).

SECTION 208. 20.165 (1) (m) of the statutes is amended to read:

20.165 (1) (m) *Federal funds.* All moneys received from the federal government as authorized by the governor under s. 16.54 for technical assistance provided under s. 440.03 (2) or to carry out the other purposes for which made and received.

SECTION 209. 20.185 (1) (m) of the statutes is repealed.

SECTION 209m. 20.215 (1) (d) of the statutes is created to read:

20.215 (1) (d) *Challenge grant program.* The amounts in the schedule for challenge grants under s. 44.53 (1) (i).

SECTION 210. 20.215 (1) (k) of the statutes is created to read:

20.215 (1) (k) *Funds received from other state agencies.* All moneys received from other state agencies for the fine arts in state buildings program under s. 44.57.

SECTION 210m. 20.225 (1) (d) of the statutes is created to read:

20.225 (1) (d) *Milwaukee area technical college.* The amounts in the schedule for aid to Milwaukee area technical college to support public television in the Milwaukee area under s. 38.125 (2).

**Vetoed in Part** SECTION 211m. 20.225 (1) (n) of the statutes is amended to read:

~~20.225 (1) (f) *Programming.* The amounts in the schedule for programming under s. 39.11. Of the amounts in the schedule, \$45,300 annually shall be distributed to cooperative educational service agency regional service units.~~ **Vetoed in Part**

SECTION 212. 20.225 (1) (g) of the statutes is amended to read:

20.225 (1) (g) (title) *Gifts, grants and leases.* All moneys received from gifts and, grants and the lease of excess capacity to carry out the purposes for which made received.

SECTION 214. 20.235 (1) (d) of the statutes is amended to read:

20.235 (1) (d) *Dental education contract.* The amounts in the schedule for support of those Wisconsin residents enrolled as full-time students in the pursuit of a doctor of dental surgery (D.D.S.) degree. An amount of \$4,866 in 1983-84 and \$5,012 in 1984-85 1985-86 and annually thereafter shall be disbursed under s. 39.46 for each Wisconsin resident enrolled as a full-time student. The maximum number of Wisconsin residents to be funded under this appropriation is 350 265 in each the 1985-86 fiscal year, 221 in the 1986-87 fiscal year, 217 in the 1987-88 fiscal year, 213 in the 1988-89 fiscal year and 209 in the 1989-90 fiscal year.

SECTION 214m. 20.235 (1) (fg) of the statutes is created to read:

20.235 (1) (fg) *Minority undergraduate grants program.* The amounts in the schedule for the minority undergraduate grant program under s. 39.44.

SECTION 215. 20.235 (2) (ia) of the statutes is repealed and recreated to read:

20.235 (2) (ia) *Student loans; collection and administration.* All moneys received from the nonstock corporation under s. 39.33 for or related to the collection or administration of student loans.

SECTION 216. 20.245 (1) (title) of the statutes is amended to read:

20.245 (1) (title) RESEARCH SERVICES.

SECTION 217. 20.245 (1) (a) of the statutes is amended to read:

20.245 (1) (a) *General program operations.* The amounts in the schedule for general program operations and for the historic preservation program under s. 44.22. Of the amounts in the schedule under this appropriation, the society may use an amount not to exceed \$6,000 per year to maintain a contingent fund to be administered as provided in s. 20.920 (2) (a) related to research services.

SECTION 218. 20.245 (1) (c) of the statutes is renumbered 20.245 (2) (c) and amended to read:

20.245 (2) (c) *Utilities and heat.* The amounts in the schedule to pay for utilities and heat supplied the historical society at the historical society building located at 816 State Street, Madison, Wisconsin; the Old World Wisconsin museum located at Eagle, Wisconsin.



~~sin; and~~ historic sites operated by the society at Eagle, Greenbush, Cassville, Mineral Point, Madeline Island and Prairie du Chien, Wisconsin.

SECTION 219. 20.245 (1) (e) of the statutes is renumbered 20.245 (2) (e) and amended to read:

20.245 (2) (e) *Principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of facilities of the historical society related to the historic sites.

SECTION 220. 20.245 (1) (g) of the statutes is amended to read:

20.245 (1) (g) *Admissions, sales and other receipts.* The amounts in the schedule for general program operations related to research services. All moneys received from admissions, sales, fines and other moneys received by the society for research services, except moneys that are otherwise specifically appropriated by law, shall be credited to this appropriation.

SECTION 221. 20.245 (1) (h) of the statutes is repealed and recreated to read:

20.245 (1) (h) *Gifts and grants.* All moneys received from gifts and grants, except moneys that are otherwise specifically appropriated, for purposes related to research services.

SECTION 221m. 20.245 (1) (i) of the statutes is created to read:

20.245 (1) (i) *Circus World Museum sales.* All moneys received from the sale of duplicate and surplus library and archives assets at the Circus World Museum, located in Baraboo, Wisconsin, for the operation of the museum's library and archives.

SECTION 222. 20.245 (1) (m) of the statutes is amended to read:

20.245 (1) (m) (title) *General program operations; federal funds.* All federal funds received for research services as authorized by the governor under s. 16.54 for the purpose of carrying out state general program operations.

SECTION 223. 20.245 (1) (n) of the statutes is renumbered 20.245 (3) (n), and 20.245 (3) (n) (title), as renumbered, is amended to read:

20.245 (3) (n) (title) *Federal aids.*

SECTION 224. 20.245 (1) (r) of the statutes is created to read:

20.245 (1) (r) *Endowment income.* As a continuing appropriation, from the historical society trust fund, all moneys received as income from the assets in the appropriation under sub. (4) (q) for research services.

SECTION 225. 20.245 (2) (title) of the statutes is amended to read:

20.245 (2) (title) HISTORIC SITES.

SECTION 227. 20.245 (2) (b) of the statutes is renumbered 20.245 (2) (bd).

SECTION 229. 20.245 (2) (c) of the statutes is renumbered 20.245 (2) (be).

SECTION 230. 20.245 (2) (d) of the statutes is renumbered 20.245 (2) (bf).

SECTION 231. 20.245 (2) (e) of the statutes is renumbered 20.245 (2) (bg).

SECTION 232. 20.245 (2) (f) of the statutes is renumbered 20.245 (2) (bh).

SECTION 233. 20.245 (2) (fm) of the statutes is renumbered 20.245 (2) (bi).

SECTION 234g. 20.245 (2) (h) of the statutes is renumbered 20.245 (2) (g).

SECTION 235. 20.245 (2) (h) of the statutes is created to read:

20.245 (2) (h) *Gifts and grants.* All moneys received from gifts and grants, except moneys that are otherwise specifically appropriated, for purposes related to the historic sites.

SECTION 236. 20.245 (2) (k) of the statutes is created to read:

20.245 (2) (k) *Funds received from other state agencies.* All moneys received from other state agencies to carry out the purposes for which received.

SECTION 237. 20.245 (2) (m) of the statutes is created to read:

20.245 (2) (m) *General program operations; federal funds.* All federal funds received for the historic sites as authorized by the governor under s. 16.54 for the purpose of carrying out general program operations.

SECTION 238. 20.245 (2) (r) of the statutes is created to read:

20.245 (2) (r) *Endowment income.* As a continuing appropriation, from the historical society trust fund, all moneys received as income from the assets in the appropriation under sub. (4) (q) for the historic sites.

SECTION 239. 20.245 (3) of the statutes is created to read:

20.245 (3) HISTORIC PRESERVATION. (a) *General program operations.* The amounts in the schedule for general program operations of the historic preservation program under s. 44.22.

(g) *Admissions, sales and other receipts.* The amounts in the schedule for general program operations of the historic preservation program under s. 44.22. All moneys received from admissions, sales, fines and other moneys received by the society for the historic preservation program, except moneys that are otherwise specifically appropriated by law, shall be credited to this appropriation.

(h) *Gifts and grants.* All moneys received from gifts and grants, including those made to the historical markers council under s. 44.15, except moneys that are otherwise specifically appropriated, for the historic preservation program under s. 44.22.

(m) *General program operations; federal funds.* All federal funds received for the historic preservation program under s. 44.22 as authorized by the governor under s. 16.54 for the purpose of carrying out general program operations.

(r) *Endowment income.* As a continuing appropriation, from the historical society trust fund, all moneys received as income from the assets in the appropriation under sub. (4) (q) for historic preservation.

SECTION 240. 20.245 (4) of the statutes is created to read:

20.245 (4) EXECUTIVE AND ADMINISTRATIVE SERVICES. (a) *General program operations.* The amounts in the schedule for general program operations related to executive and administrative services.

(c) *Utilities and heat.* The amounts in the schedule to pay for utilities and heat supplied the historical society at the historical society building located at 816 State Street, Madison, Wisconsin.

(e) *Principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of facilities of the historical society related to executive and administrative services.

(g) *Admissions, sales and other receipts.* The amounts in the schedule for general program operations related to executive and administrative services. All moneys received from admissions, sales, fines and other moneys received by the society for executive and administrative services, except moneys that are otherwise specifically appropriated by law, shall be credited to this appropriation.

(h) *Gifts and grants.* All moneys received from gifts and grants, except moneys that are otherwise specifically appropriated, for purposes related to executive and administrative services.

(m) *General program operations; federal funds.* All federal funds received for executive and administrative services as authorized by the governor under s. 16.54 for the purpose of carrying out general program operations.

(q) *Endowment principal.* As a continuing appropriation, from the historical society trust fund, all moneys, securities and other assets received if it is stipulated that only earnings from these assets are available for expenditure or if the board of curators directs that the assets be credited to this appropriation. Income from these assets shall be credited to the appropriation under par. (r) or sub. (1) (r), (2) (r) or (3) (r), in accordance with the purpose for which the asset was received.

(r) *Endowment income.* As a continuing appropriation, from the historical society trust fund, all moneys received as income from the assets in the appropriation under par. (q) for executive and administrative services and all moneys received as income from assets in the appropriation under par. (q) for which no specific purpose is stipulated, for the purpose of carrying out executive and administrative services.

SECTION 240m. 20.245 (5) of the statutes is created to read:

20.245 (5) MUSEUM. (a) *General program operations.* The amounts in the schedule for general program operations of the historical society museum.

(c) *Utilities and heat.* The amounts in the schedule to pay for utilities and heat supplied the historical society museum.

(e) *Principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of facilities of the historical society related to the museum.

(g) *Admissions, sales and other receipts.* All moneys received from admissions, sales and other receipts generated by the historical society museum, to be used for the operation and maintenance of the historical society museum.

(h) *Gifts and grants.* All moneys received from gifts and grants, except moneys that are otherwise specifically appropriated, for purposes related to the historical society museum.

(k) *Funds received from other state agencies.* All moneys received from other state agencies to carry out the purposes for which received.

(m) *General program operations; federal funds.* All federal funds received for the historical society museum as authorized by the governor under s. 16.54 for the purpose of carrying out general program operations.

(r) *Endowment income.* As a continuing appropriation, from the historical society trust fund, all moneys received as income from the assets in the appropriation under sub. (4) (q) for the historical society museum.

SECTION 241. 20.250 (1) (a) of the statutes is amended to read:

20.250 (1) (a) *General program operations.* The amounts in the schedule for medical education, teaching and research as provided under s. 39.155. ~~From this appropriation, an amount of \$9,540 in 1983-84 and \$9,826 in 1984-85~~ 1985-86 and annually thereafter shall be disbursed under s. 39.155 for each Wisconsin resident enrolled as a student in pursuit of a doctor of medicine (M.D.) degree who is paying full tuition. The number of Wisconsin residents enrolled in the class entering the college in 1984-85 and each year thereafter to be funded under this appropriation shall be determined by multiplying the total number of students enrolled in that class by 0.56, but may not exceed 112.

SECTION 242. 20.255 (1) (a) of the statutes is amended to read:

20.255 (1) (a) *General program operations.* The amounts in the schedule for the improvement of curriculum, instruction and educational resources for local educational agencies and the improvement of library services. The amounts include the matching of federal funds available under applicable federal acts

or programs. At least \$5,000 of the amounts in the schedule in each fiscal year shall be allocated for support of the governor's council on business and education partnerships.

SECTION 243. 20.255 (1) (b) (intro.) and 1 of the statutes are consolidated, renumbered 20.255 (1) (b) and amended to read:

20.255 (1) (b) *General program operations; residential schools.* The amounts in the schedule for the operation and maintenance of the Wisconsin schools for the deaf and the visually handicapped, including the matching of federal funds. ~~4. Maintenance credits.~~ All moneys received in reimbursement for services rendered institutional employes, participants in institutes and training programs and visitors at the state schools for the deaf and the visually handicapped under s. 115.52 (6) to shall be refunded to the appropriation made by this paragraph. Such reimbursements shall be accumulated in an account named "maintenance credits".

SECTION 244. 20.255 (1) (b) 2 of the statutes is repealed.

SECTION 247m. 20.255 (1) (fz) of the statutes is created to read:

20.255 (1) (fz) *Minority group pupil scholarships.* The amounts in the schedule for the payment of minority group pupil scholarships under s. 115.43.

SECTION 247r. 20.255 (1) (hr) of the statutes is amended to read:

20.255 (1) (hr) *Alcohol and other drug abuse program.* ~~Biennially, the amounts in the schedule for the purpose of s. 115.36 (2) and the administration of s. 115.36 (3). All moneys deposited to this appropriation received under s. 165.87 (1) shall be credited to this appropriation. Any amount deposited in a biennium in excess of the amount in the schedule shall lapse to the general fund for the purpose of s. 115.36 (2) and the administration of s. 115.36 (3).~~

SECTION 252. 20.255 (1) (pz) of the statutes is created to read:

20.255 (1) (pz) *Indirect cost reimbursements.* All moneys received from the federal government as reimbursement of indirect costs of grants and contracts for the purposes authorized in s. 16.54 (9) (b).

SECTION 254. 20.255 (2) (ac) of the statutes is amended to read:

20.255 (2) (ac) *General equalization aids.* The amounts in the schedule for the payment of educational aids provided in subchs. II and VI of ch. 121; ~~less the amounts charged to the appropriations under par. (ag).~~

SECTION 255. 20.255 (2) (ag) of the statutes is repealed.

SECTION 256. 20.255 (2) (aw) of the statutes is repealed.

SECTION 261. 20.255 (2) (d) of the statutes is created to read:

20.255 (2) (d) *Youth initiatives program.* Biennially, the amounts in the schedule for grants for standardized assessment and programs for instruction in basic skills and work experience under the youth initiatives program.

SECTION 263. 20.255 (2) (do) of the statutes is created to read:

20.255 (2) (do) *Grants for preschool to grade 5 programs.* Subject to s. 121.03 (7), the amounts in the schedule for grants for preschool to grade 5 programs under s. 121.03.

SECTION 265m. 20.255 (2) (fg) of the statutes is amended to read:

20.255 (2) (fg) *Aid for cooperative educational service agencies.* The amounts in the schedule for a payment not to exceed \$25,000 in the 1983-84 school year and \$50,000 annually thereafter to each cooperative educational service agency, for the current operational expenses of these agencies and to match any federal funds received by these agencies for vocational education administration. The remainder of the amounts in the schedule shall be distributed by the department to cooperative educational service agencies for human growth and development programs under ~~s. ss.~~ 116.01 and 116.08 (3m).

SECTION 267. 20.255 (2) (fo) of the statutes is created to read:

20.255 (2) (fo) *Teaching incentive program demonstration projects.* The amounts in the schedule for the payment of grants to school boards for teaching incentive program demonstration projects under s. 115.40.

SECTION 268. 20.255 (2) (fo) of the statutes, as created by 1985 Wisconsin Act .... (this act), is repealed.

SECTION 268e. 20.255 (2) (fs) of the statutes is created to read:

20.255 (2) (fs) *Aid for suicide prevention programs.* The amounts in the schedule for a payment of \$3,000 annually to each cooperative educational service agency to provide assistance to school districts for suicide prevention programs.

SECTION 268g. 20.255 (2) (fs) of the statutes, as created by 1985 Wisconsin Act .... (this act), is repealed.

SECTION 268j. 20.255 (2) (g) of the statutes is amended to read:

20.255 (2) (g) *Aid for alcohol and other drug abuse programs.* ~~Biennially, the amounts in the schedule for the purpose of s. 115.36 (3). All moneys deposited to this appropriation received under s. 165.87 (1) shall be credited to this appropriation. Any amount deposited in a biennium in excess of the amount in the schedule shall lapse to the general fund for the purpose of s. 115.36 (3).~~

~~SECTION 268m. 20.255 (2) (m) of the statutes is Vetoed amended to read.~~ **in Part**

**Vetoed in Part** 20.255 (2) (fm) ~~Federal aids; local aid.~~ All federal moneys received as authorized under s. 16.54 to aid local governmental units or agencies. ~~Of the moneys received, \$33,000 annually shall be distributed to cooperative educational service agency regional service units.~~

~~SECTION 273d. 20.285 (1) (a) of the statutes is amended to read:~~

**Vetoed in Part** 20.285 (1) (a) ~~General program operations.~~ The amounts in the schedule for the purpose of educational programs and related programs. Any transfers between the instruction, research, public services, libraries, learning resources and media, farm operations, student services, auxiliary enterprises, physical plant or general operations and services subprograms shall be reported quarterly to the department of administration. ~~No moneys may be expended from this appropriation after June 30, 1989, for minority student recruitment or retention programs.~~

SECTION 273m. 20.285 (1) (b) of the statutes is created to read:

20.285 (1) (b) *Advanced opportunity program.* The amounts in the schedule for grants to minority and disadvantaged graduate students under s. 36.25 (14).

SECTION 273p. 20.285 (1) (dd) of the statutes is created to read:

20.285 (1) (dd) *Minority undergraduate grants program.* The amounts in the schedule for the minority undergraduate grant program under s. 36.25 (17).

SECTION 274g. 20.285 (1) (fm) of the statutes is created to read:

20.285 (1) (fm) *Laboratories.* The amounts in the schedule for laboratory modernization. No money may be expended from this appropriation after June 30, 1996.

SECTION 274m. 20.285 (1) (fn) of the statutes is created to read:

20.285 (1) (fn) *Private sewage systems; systems research.* As a continuing appropriation, the amounts in the schedule to conduct research on designing new types of private sewage systems.

SECTION 274r. 20.285 (1) (fp) of the statutes is created to read:

20.285 (1) (fp) *Private sewage systems; critical resources research.* As a continuing appropriation from the general fund, the amounts in the schedule to conduct the study of the effects of private sewage system use on critical state resources and land development patterns required under 1985 Wisconsin Act .... (this act), section 3053 (4m).

SECTION 276b. 20.285 (1) (im) of the statutes is amended to read:

20.285 (1) (im) *Academic student fees.* The amounts in the schedule for degree credit instruction. All ~~Except as provided under par. (Lm), all~~ moneys received from academic student fees shall be credited to this appropriation.

SECTION 276d. 20.285 (1) (L) of the statutes is created to read:

20.285 (1) (L) *Libraries.* All moneys received under 1985 Wisconsin Act .... (this act), section 3153 (2) (a), for library acquisitions and development.

SECTION 276e. 20.285 (1) (Lm) of the statutes is created to read:

20.285 (1) (Lm) *Laboratories.* The amounts in the schedule for laboratory modernization. Of the moneys received from academic student fees, \$1,451,200 shall be credited annually to this appropriation. No money may be expended from or credited to this appropriation after June 30, 1996.

SECTION 277g. 20.285 (2) (a) of the statutes is renumbered 20.285 (2) (a) 1.

SECTION 277h. 20.285 (2) (a) 2 of the statutes is created to read:

20.285 (2) (a) 2. The board of regents may transfer moneys from the appropriation under sub. (1) (L) to the appropriation under sub. (1) (a).

SECTION 277i. 20.285 (2) (a) 3 of the statutes is created to read:

20.285 (2) (a) 3. Prior to July 1, 1996, the board of regents may transfer moneys from the appropriation under sub. (1) (Lm) to the appropriation under sub. (1) (fm).

SECTION 278m. 20.292 (1) (dc) of the statutes is created to read:

20.292 (1) (dc) *Incentive grants.* As a continuing appropriation, the amounts in the schedule for incentive grants to district boards under s. 38.27.

SECTION 278p. 20.292 (1) (dm) of the statutes is created to read:

20.292 (1) (dm) *Aid for special collegiate transfer programs.* The amounts in the schedule for aid to special collegiate transfer programs under s. 38.28 (4).

SECTION 281. 20.292 (1) (pz) of the statutes is created to read:

20.292 (1) (pz) *Indirect cost reimbursements.* All moneys received from the federal government as reimbursement of indirect costs of grants and contracts for the purposes authorized in s. 16.54 (9) (b).

SECTION 281m. 20.292 (1) (v) of the statutes is created to read:

20.292 (1) (v) *Chauffeur training grants.* From the transportation fund, as a continuing appropriation, the amounts in the schedule for advanced chauffeur training grants under s. 38.29.

SECTION 282d. 20.370 (1) (dq) of the statutes, as created by 1985 Wisconsin Act 16, is amended to read:

20.370 (1) (dq) *Water resources — Fox river management; transportation fund.* As a continuing appropriation, from the transportation fund, the amounts in the schedule for the management and operation of the Fox river locks and facilities and for expenses of the Fox river management commission under s. 30.93. ~~Moneys may be expended from this appropriation only in an amount equal to the total of all moneys~~

~~received under pars. (di), (dj) and (dn) as periodically authorized by the department of administration.~~

SECTION 282m. 20.370 (1) (dr) of the statutes is created to read:

20.370 (1) (dr) *Water resources — Fox river maintenance and rehabilitation; transportation fund.* As a continuing appropriation from the transportation fund, the amounts in the schedule for the maintenance and rehabilitation of the first lock, located in the city of Portage, on the upper Fox river.

SECTION 282p. 20.370 (1) (fc) of the statutes is created to read:

20.370 (1) (fc) *Endangered resources — Wisconsin stewardship program.* Biennially, from moneys allocated under sub. (7) (aa), the amounts in the schedule for natural areas stewardship activities, including land management services, legal services, planning services and related services.

SECTION 283m. 20.370 (1) (fd) of the statutes is created to read:

20.370 (1) (fd) *Endangered resources — natural heritage inventory program.* Biennially from moneys allocated under sub. (7) (aa), the amounts in the schedule to administer the natural heritage inventory program.

SECTION 284m. 20.370 (1) (fg) of the statutes is created to read:

20.370 (1) (fg) *Endangered resources — Wisconsin natural areas heritage program; gifts and contributions.* The amounts in the schedule for natural heritage land acquisition activities and to administer the natural areas inventory program. All moneys received from gifts and contributions under the Wisconsin natural areas heritage program shall be credited to this appropriation.

SECTION 285m. 20.370 (1) (fh) of the statutes is created to read:

20.370 (1) (fh) *Endangered resources — withdrawals from the state natural areas system.* All moneys received from the sale of state-owned lands withdrawn from the state natural areas system for the purpose of natural area land acquisition activities. In addition, an amount equal to the value of state-owned lands withdrawn from the state natural areas system but remaining under state ownership shall be credited to this appropriation.

SECTION 286. 20.370 (1) (jj) of the statutes is renumbered 20.399 (1) (j) and amended to read:

20.399 (1) (j) (title) *Corps enrollee compensation and support; sponsor contribution.* ~~From the general fund, all~~ All moneys received under agreements entered into under s. ~~23.48~~ 16.20 (8) (i) with local units of government and nonprofit organizations, except moneys appropriated under sub. ~~(8) (jj)~~ (2) (j), for the payment of the sponsor's share of costs for conservation projects including the payment of any corps enrollee compensation as specified in those agreements. Corps enrollee compensation includes the cost of salaries, benefits, incentive payments and vouchers.

SECTION 287. 20.370 (1) (jm) of the statutes is renumbered 20.399 (1) (m) and amended to read:

20.399 (1) (m) (title) *Corps enrollee compensation and support; federal funds.* ~~From the general fund, all~~ All moneys received from the federal government as authorized under s. 16.54 from federal assistance for conservation projects including the payment of any corps enrollee compensation as specified in that assistance and all moneys received under agreements entered into under s. ~~23.48~~ 16.20 (8) (i) with the federal government, except moneys received from these agreements which are appropriated under sub. ~~(8) (ja)~~ (2) (m), for the payment of the federal government's share of costs for conservation projects including the payment of any corps enrollee compensation as specified in those agreements. Corps enrollee compensation includes the cost of salaries, benefits, incentive payments and vouchers.

SECTION 288. 20.370 (1) (jq) of the statutes is renumbered 20.399 (1) (q) and amended to read:

20.399 (1) (q) (title) *Corps enrollee compensation and support; conservation fund.* ~~Biennially~~ As a continuing appropriation, from ~~these accounts in the~~ the conservation fund, ~~excluding the forestry account~~, the amounts in the schedule for the payment of corps enrollee compensation and for the payment of other costs for conservation projects if those costs are not paid by project sponsors. Corps enrollee compensation includes the cost of salaries, benefits, incentive payments and vouchers.

SECTION 289. 20.370 (1) (kc) of the statutes is amended to read:

20.370 (1) (kc) *Resource acquisition and development — principal repayment and interest.* From moneys allocated under sub. (7) (aa), a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of state recreation facilities under s. 20.866 (2) (tp); ~~and (tr) and (ts) and in financing land acquisition activities under s. 20.866 (2) (ts) and (tt)~~ but not including payments made under sub. (4) (jb). This appropriation and sub. (4) (jb) have priority over all other allocations made from sub. (7) (aa) and the other allocations shall be prorated if necessary, to meet the requirements of this paragraph.

SECTION 290. 20.370 (1) (mk) of the statutes is created to read:

20.370 (1) (mk) *General program operations — service funds.* From the general fund, all moneys received from other state agencies for materials or services provided by the department under an agreement or other arrangement with the agencies to pay for costs and expenses associated with those materials and services.

SECTION 290m. 20.370 (1) (ms) of the statutes is created to read:

20.370 (1) (ms) *General program operations — state all-terrain vehicle areas and trails.* As a biennial appropriation, the amounts in the schedule from mon-

eys received from all-terrain vehicle registration for state all-terrain vehicle areas and trails. No moneys may be expended from this appropriation after June 30, 1989.

SECTION 291. 20.370 (1) (mt) of the statutes is created to read:

20.370 (1) (mt) *General program operations — service funds.* All moneys received in the conservation fund from other state agencies for materials or services provided by the department under an agreement or other arrangement with the agencies to pay for costs and expenses associated with those materials and services.

SECTION 292. 20.370 (2) (ai) of the statutes is renumbered 20.370 (2) (mi), and 20.370 (2) (mi) (title), as renumbered, is amended to read:

20.370 (2) (mi) (title) *General program operations — aquatic nuisance control.*

SECTION 293. 20.370 (2) (aq) of the statutes is created to read:

20.370 (2) (aq) *Water resources management — lake and river management; transportation fund.* Biennially, from the transportation fund, the amounts in the schedule for lake and river management activities.

SECTION 294. 20.370 (2) (bj) of the statutes is renumbered 20.370 (2) (fi).

SECTION 295n. 20.370 (2) (bL) of the statutes is created to read:

20.370 (2) (bL) *Wastewater management — fees.* All moneys received under s. 146.20 (4s) (a) and (b) for wastewater management activities.

SECTION 296. 20.370 (2) (ca) of the statutes is repealed.

SECTION 297. 20.370 (2) (cd) of the statutes is renumbered 20.370 (2) (dd).

SECTION 298. 20.370 (2) (cg) of the statutes is renumbered 20.370 (2) (dg) and amended to read:

20.370 (2) (dg) *Solid waste management — solid and hazardous waste disposal administration.* ~~The amounts in the schedule~~ All moneys received from fees under ss. 144.44 (10) and 144.64 (4) for the purpose of administering ss. 144.44 and 144.64. All moneys received from fees under ss. 144.44 (10) and 144.64 (4) shall be credited to this appropriation.

SECTION 299. 20.370 (2) (ch) of the statutes is renumbered 20.370 (2) (gh), and 20.370 (2) (gh) (title), as renumbered, is amended to read:

20.370 (2) (gh) (title) *Mining — mining regulation and administration.*

SECTION 300. 20.370 (2) (cm) of the statutes is repealed.

SECTION 301. 20.370 (2) (cn) of the statutes is repealed.

SECTION 302. 20.370 (2) (cq) of the statutes is renumbered 20.370 (2) (dq).

SECTION 303. 20.370 (2) (cr) of the statutes is renumbered 20.370 (2) (gr), and 20.370 (2) (gr) (title), as renumbered, is amended to read:

20.370 (2) (gr) (title) *Mining — investment and local impact fund; long-term care.*

SECTION 304. 20.370 (2) (cs) of the statutes is renumbered 20.370 (2) (ds) and amended to read:

20.370 (2) (ds) (title) *Solid waste management — closure and long-term care; imminent hazard.* ~~From~~ As a continuing appropriation, from the waste management fund, the amounts in the schedule to provide funds for compliance with closure and long-term care requirements which are necessary to prevent an imminent or substantial danger to health or the environment under s. 144.443 (11) (c).

SECTION 305. 20.370 (2) (ct) of the statutes is renumbered 20.370 (2) (dt).

SECTION 306. 20.370 (2) (da) of the statutes is renumbered 20.370 (2) (ca).

SECTION 307. 20.370 (2) (dh) of the statutes is created to read:

20.370 (2) (dh) *Solid waste management — gifts and grants.* All moneys received from gifts, grants, donations and contributions given for purposes associated with solid waste management or recycling to carry out those purposes.

SECTION 308. 20.370 (2) (di) of the statutes is renumbered 20.370 (2) (ci).

SECTION 309. 20.370 (2) (dq) of the statutes is renumbered 20.370 (2) (cq).

SECTION 310. 20.370 (2) (dr) of the statutes is repealed.

SECTION 311. 20.370 (2) (ds) of the statutes is renumbered 20.370 (2) (gs), and 20.370 (2) (gs) (title), as renumbered, is amended to read:

20.370 (2) (gs) (title) *Mining — investment and local impact fund; environmental repair.*

SECTION 312. 20.370 (2) (dt) of the statutes is renumbered 20.370 (2) (dr).

SECTION 313. 20.370 (2) (du) of the statutes is repealed and recreated to read:

20.370 (2) (du) *Solid waste management — environmental repair; spills; abandoned containers; reimbursements.* From the environmental repair fund, all moneys received from the recovery of expenditures and reimbursements under the environmental repair program, the hazardous substances spills program and the abandoned container program for the administration of those programs.

SECTION 314g. 20.370 (2) (dv) of the statutes is amended to read:

20.370 (2) (dv) (title) *Solid waste management — environmental repair; spills; abandoned containers.* ~~From~~ As a continuing appropriation, from the environmental repair fund, the amounts in the schedule for the administration of the environmental repair program under s. 144.442, the hazardous substance spills program under s. 144.76, the abandoned container program under s. 144.77 and the payment of this state's share of environmental repair which is funded under 42 USC 9601, et seq., and any addi-

tional costs which this state is required to incur under 42 USC 9601, et seq.

SECTION 314r. 20.370 (2) (dw) of the statutes is repealed.

SECTION 315. 20.370 (2) (dx) of the statutes is created to read:

20.370 (2) (dx) *Solid waste management — environmental repair; federal funds.* From the environmental repair fund, all moneys received from the federal government as reimbursement or for purposes related to the hazardous substances spills program, the abandoned container program or the environmental repair program for the administration of those programs.

SECTION 315m. 20.370 (2) (eg) of the statutes is created to read:

20.370 (2) (eg) *Compensation for well contamination; municipal water supply grants — grant repayment.* All moneys received under s. 144.027 (16) (d) for the purpose of paying compensation under ss. 144.027 and 144.028.

SECTION 317. 20.370 (2) (eq) of the statutes is renumbered 20.370 (2) (mq), and 20.370 (2) (mq) (title), as renumbered, is amended to read:

20.370 (2) (mq) (title) *General program operations — groundwater standards; implementation.*

SECTION 318. 20.370 (2) (es) of the statutes is renumbered 20.370 (2) (ms), and 20.370 (2) (ms) (title), as renumbered, is amended to read:

20.370 (2) (ms) (title) *General program operations — groundwater monitoring.*

SECTION 320m. 20.370 (2) (ka) of the statutes is renumbered 20.370 (4) (de), and 20.370 (4) (de) (title), as renumbered, is amended to read:

20.370 (4) (de) (title) *Environmental aids — scenic urban waterways.*

SECTION 321. 20.370 (2) (mb) of the statutes is created to read:

20.370 (2) (mb) *General program operations — groundwater general fund supplement.* Biennially, the amounts in the schedule to be transferred to the groundwater fund.

SECTION 321b. 20.370 (2) (mc) of the statutes is created to read:

20.370 (2) (mc) *General program operations — toxic materials management.* The amounts in the schedule for the toxic materials management program.

SECTION 321m. 20.370 (2) (md) of the statutes is created to read:

20.370 (2) (md) *General program operations — environmental repair general fund supplement.* Biennially, the amounts in the schedule to be transferred to the environmental repair fund.

SECTION 323. 20.370 (2) (mk) of the statutes is created to read:

20.370 (2) (mk) *General program operations — service funds.* All moneys received from other state agencies for materials or services provided by the department under an agreement or other arrangement

with the agencies to pay for costs and expenses associated with those materials and services.

SECTION 323m. 20.370 (3) (as) of the statutes is created to read:

20.370 (3) (as) *Law enforcement — all-terrain vehicle enforcement.* As a biennial appropriation, the amounts in the schedule from moneys received from all-terrain vehicle registration, for state law enforcement operations related to all-terrain vehicles, including actual enforcement, safety training, accident reporting and similar activities.

SECTION 324. 20.370 (3) (cu) of the statutes is created to read:

20.370 (3) (cu) *Environmental enforcement — spills program.* From the environmental repair fund, the amounts in the schedule for the enforcement of the hazardous substances spills program under s. 144.76.

SECTION 325. 20.370 (3) (dj) of the statutes is renumbered 20.370 (2) (fj).

SECTION 327. 20.370 (3) (mk) of the statutes is created to read:

20.370 (3) (mk) *General program operations — service funds.* From the general fund, all moneys received from other state agencies for materials or services provided by the department under an agreement or other arrangement with the agencies to pay for costs and expenses associated with those materials and services.

SECTION 328. 20.370 (4) (an) of the statutes is created to read:

20.370 (4) (an) *Resource aids — payment in lieu of taxes; federal.* All moneys received from the federal government attributable to payments associated with national forest lands for distribution to towns, villages and cities in proportion to the level of municipal services provided and the number of acres of national forest lands within each municipality in accordance with 31 USC 6907.

SECTION 329. 20.370 (4) (ar) of the statutes is amended to read:

20.370 (4) (ar) (title) *Resource aids — county forests, forest croplands and managed forest land aids.* Biennially, the amounts in the schedule to pay county forest aids under s. 28.11 (8) ~~and~~, forest croplands aids under subch. I of ch. 77 ~~and managed forest land aids under ss. 77.85 (2) and 77.89 (1).~~

SECTION 330. 20.370 (4) (bu) of the statutes is created to read:

20.370 (4) (bu) *Recreation aids — recreational boating facilities; transportation fund.* From the transportation fund, as a continuing appropriation, the amounts in the schedule for recreational boating facilities under s. 30.92 and to provide \$100,000 in each fiscal year for the department of natural resources to match federal funds to provide access to inland waters, as defined in s. 29.01 (9), which are lakes in the region identified under s. 25.29 (7) (a) for recreational boating. The \$100,000 that is provided to the department in each year shall be considered as funds desig-

nated for inland waters projects for the purpose of determining the allocation of funds under s. 30.92 (4) (b) 6.

SECTION 331g. 20.370 (4) (bv) of the statutes is amended to read:

20.370 (4) (bv) (title) *Recreation aids — motorcycle recreation aids; trails.* Biennially, the amounts in the schedule to provide aid to ~~municipalities towns, vil-~~ lages, cities and counties for the acquisition, development, operation and maintenance of off-the-road motorcycle trails and facilities under s. 23.09 (25) (a) and to the department for the development and maintenance of existing off-the-road motorcycle trails at the Black River state forest and the Bong state recreation area under s. 23.09 (25) (a).

SECTION 331r. 20.370 (4) (bw) of the statutes is created to read:

20.370 (4) (bw) *Recreation aids — motorcycle recreation aids; parks.* Biennially, the amounts in the schedule to provide aid to towns, villages, cities and counties for the development of local parks under s. 23.09 (25) (e).

SECTION 331s. 20.370 (4) (by) of the statutes is created to read:

20.370 (4) (by) *Recreation aids — all-terrain vehicle project aids.* As a continuing appropriation, the amounts in the schedule from moneys received from all-terrain vehicle registration to provide aid for local all-terrain vehicle projects. No moneys may be expended from this appropriation after June 30, 1989.

SECTION 331t. 20.370 (4) (bz) of the statutes is created to read:

20.370 (4) (bz) *Recreation aids — all-terrain vehicle project aids; transportation fund.* From the transportation fund, as a continuing appropriation, an amount equal to the estimated all-terrain vehicle gas tax payment to provide for local all-terrain vehicle projects. The estimated all-terrain vehicle gas tax payment is calculated by multiplying the number of all-terrain vehicles registered for public use under s. 23.33 (2) (c) on the last day of February of the previous fiscal year by 25 gallons and multiplying that product by the excise tax imposed under s. 78.01 (1). No moneys may be expended from this appropriation after June 30, 1989.

SECTION 332. 20.370 (4) (da) of the statutes is renumbered 20.370 (4) (ca).

SECTION 333m. 20.370 (4) (db) of the statutes is renumbered 20.370 (4) (cf) and amended to read:

20.370 (4) (cf) (title) *Environmental aids — private sewage system replacement and rehabilitation.* As a continuing appropriation from the general fund, the amounts in the schedule for financial assistance under the ~~septic tank private sewage system~~ private sewage system replacement and rehabilitation program. Payments may be made from this appropriation for expenditures and for payment of encumbrances authorized under s. 144.24 (10), 1979

stats., and s. 144.245, regardless of when the encumbrances were incurred.

SECTION 334. 20.370 (4) (dc) of the statutes is renumbered 20.370 (4) (cb).

SECTION 335. 20.370 (4) (dd) of the statutes is created to read:

20.370 (4) (dd) *Environmental aids — household hazardous waste.* From the general fund, the amounts in the schedule for grants to municipalities under the household hazardous waste collection and disposal program under s. 144.75.

SECTION 336. 20.370 (4) (de) of the statutes is renumbered 20.370 (4) (ce).

SECTION 336m. 20.370 (4) (df) of the statutes is created to read:

20.370 (4) (df) *Environmental aids — point source; cash in place of bonding.* From the general fund, as a continuing appropriation, the amounts in the schedule for financial assistance under the point source water pollution abatement grant program under s. 144.24 for engineering design costs, construction costs and other costs which can be funded from bond revenue. The department may commit grant awards from this appropriation only after it commits grant awards totaling \$492,511,400 from the appropriation under s. 20.866 (2) (tn).

SECTION 337. 20.370 (4) (dj) of the statutes is renumbered 20.370 (4) (cj).

SECTION 338. 20.370 (4) (dn) of the statutes is created to read:

20.370 (4) (dn) *Environmental planning aids — federal funds.* All moneys received from the federal government to aid local units of government and designated local agencies for environmental planning, as authorized by the governor under s. 16.54, for those purposes.

SECTION 339. 20.370 (4) (ea) of the statutes is renumbered 20.370 (4) (da).

SECTION 340. 20.370 (4) (eb) of the statutes is renumbered 20.370 (4) (db).

SECTION 341. 20.370 (4) (ec) of the statutes is renumbered 20.370 (4) (dc).

SECTION 342. 20.370 (4) (fa) of the statutes is renumbered 20.370 (4) (ea).

SECTION 343. 20.370 (4) (fq) of the statutes is renumbered 20.370 (4) (eq).

SECTION 344. 20.370 (4) (fr) of the statutes is created to read:

20.370 (4) (fr) *Enforcement aids — boating enforcement; transportation fund.* From the transportation fund, the amounts in the schedule for local boating enforcement aids.

SECTION 344m. 20.370 (4) (fu) of the statutes is created to read:

20.370 (4) (fu) *Enforcement aids — all-terrain vehicle enforcement.* As a biennial appropriation, the amounts in the schedule from moneys received from



all-terrain vehicle registration for local law enforcement aids.

SECTION 345. 20.370 (4) (gc) of the statutes is renumbered 20.370 (4) (fc).

SECTION 346. 20.370 (4) (gq) of the statutes is renumbered 20.370 (4) (fq).

SECTION 347. 20.370 (4) (gt) of the statutes is renumbered 20.370 (4) (ft).

SECTION 348. 20.370 (4) (gy) of the statutes is renumbered 20.370 (4) (fy).

SECTION 348g. 20.370 (4) (iq) of the statutes is created to read:

20.370 (4) (iq) *Aids administration — all-terrain vehicle recreation.* As a biennial appropriation, the amounts in the schedule from moneys received from all-terrain vehicle registration for the administration of local all-terrain vehicle aids, for expenses incurred by the off-the-road vehicle council and for related costs.

SECTION 348m. 20.370 (4) (ir) of the statutes is amended to read:

20.370 (4) (ir) *Aids administration — motorcycle recreation.* The amounts in the schedule for administration of the off-the-road motorcycle trails aid program under s. 23.09 (25) (a) and the local park aid program under s. 23.09 (25) (e).

SECTION 349m. 20.370 (4) (kq) of the statutes is renumbered 20.370 (4) (gq) and amended to read:

20.370 (4) (gq) *Wildlife damage claims and abatement.* ~~The amounts in the schedule~~ All moneys received under s. 29.092 (14) to provide state aid under the wildlife damage abatement program under s. 29.598 (5) (c) and the wildlife damage claim program under s. 29.598 (7) (d) and for county administration costs under s. 29.598 (2) (d).

SECTION 349r. 20.370 (8) (ds) of the statutes is created to read:

20.370 (8) (ds) *All-terrain vehicle administration.* As a biennial appropriation, the amounts in the schedule from moneys received from all-terrain vehicle registration for the administration of the registration program under s. 23.33.

SECTION 350. 20.370 (8) (jj) of the statutes is renumbered 20.399 (2) (j) and amended to read:

20.399 (2) (j) (title) *Administrative support; sponsor contribution.* ~~From the general fund, all~~ All moneys received under agreements entered into under s. ~~23.48 16.20~~ (8) (i) with local units of government and non-profit organizations, except moneys appropriated under sub. (1) (~~jj~~) (j), for the payment of administrative expenses related to the Wisconsin conservation corps program as specified in those agreements.

SECTION 351. 20.370 (8) (jm) of the statutes is renumbered 20.399 (2) (m) and amended to read:

20.399 (2) (m) (title) *Administrative support; federal funds.* ~~From the general fund, all~~ All moneys received from the federal government as authorized under s.

16.54 for the payment of administrative expenses related to the Wisconsin conservation corps program and all moneys received under agreements entered into under s. ~~23.48 16.20~~ (8) (i) with the federal government, except moneys received from these agreements which are appropriated under sub. (1) (~~jm~~) (m), for the payment of administrative expenses related to the Wisconsin conservation corps program as specified in those agreements.

SECTION 352. 20.370 (8) (jq) of the statutes is renumbered 20.399 (2) (q) and amended to read:

20.399 (2) (q) (title) *Administrative support; conservation fund.* Biennially, from the ~~forestry account in~~ the conservation fund, ~~excluding revenues credited to this account as a result of the tax levied under s. 70.58,~~ the amounts in the schedule for the payment of administrative expenses related to the Wisconsin conservation corps program.

SECTION 353. 20.370 (8) (mn) of the statutes is created to read:

20.370 (8) (mn) *Indirect cost reimbursements.* From the general fund, all moneys received from the federal government as reimbursement of indirect costs of grants and contracts for the purposes authorized in s. 16.54 (9) (b).

SECTION 354. 20.370 (8) (mt) of the statutes is created to read:

20.370 (8) (mt) *General program operations — service funds.* All moneys received from other state agencies or organizational units to provide services or materials to those agencies or units.

SECTION 355. 20.370 (8) (mz) of the statutes is created to read:

20.370 (8) (mz) *Indirect cost reimbursements.* All moneys received from the federal government as reimbursement of indirect costs of grants and contracts for the purposes authorized in s. 16.54 (9) (b).

SECTION 356. 20.370 (9) (ms) of the statutes is repealed.

SECTION 357. 20.395 (1) (as) of the statutes is renumbered 20.395 (1) (fq).

SECTION 358. 20.395 (1) (at) of the statutes is renumbered 20.395 (1) (fr).

SECTION 359. 20.395 (1) (au) of the statutes is renumbered 20.395 (1) (ft).

SECTION 360m. 20.395 (1) (av) of the statutes is repealed.

SECTION 361m. 20.395 (1) (dq) of the statutes is created to read:

20.395 (1) (dq) *Scheduled air passenger service assistance aid, state funds.* As a continuing appropriation, the amounts in the schedule for the scheduled air passenger service assistance demonstration program under s. 85.105. No money may be expended under this paragraph after December 31, 1987.

SECTION 362. 20.395 (1) (ey) of the statutes is repealed.

SECTION 363. 20.395 (1) (fq) of the statutes is renumbered 20.395 (2) (gr), and 20.395 (2) (gr) (title), as renumbered, is amended to read:

20.395 (2) (gr) (title) *Railroad crossing protection assistance, state funds.*

SECTION 364. 20.395 (1) (fr) of the statutes is renumbered 20.395 (2) (gs), and 20.395 (2) (gs) (title), as renumbered, is amended to read:

20.395 (2) (gs) (title) *Railroad crossing repair assistance, state funds.*

SECTION 365. 20.395 (1) (hq) of the statutes is renumbered 20.395 (2) (cq) and amended to read:

20.395 (2) (cq) (title) *Harbor assistance grants, state funds.* As a continuing appropriation, the amounts in the schedule for harbor assistance aids under s. 85.095 (2) (a).

SECTION 366. 20.395 (2) (title) of the statutes is amended to read:

20.395 (2) (title) LOCAL TRANSPORTATION ASSISTANCE.

SECTION 367. 20.395 (2) (bq) of the statutes is amended to read:

20.395 (2) (bq) *Railroad facilities acquisition and railroad rehabilitation, state funds.* As a continuing appropriation, the amounts in the schedule for ~~railroad~~ abandoned rail property and rail property improvements acquisition under s. 85.09, for grants under s. 85.063 (3) or 85.08 (4m) (c) and (d), for capital advances under s. 85.08 (4m) (e), for railroad planning and technical assistance under s. 85.08 (4) and for loans under s. 85.08 (4m) (f). The amounts expended for loans under s. 85.08 (4m) (f) may not exceed \$300,000 annually.

SECTION 368. 20.395 (2) (bv) of the statutes is amended to read:

20.395 (2) (bv) *Railroad facilities acquisition and railroad rehabilitation, local funds.* All moneys received from any local unit of government or other sources for the purposes of ~~railroad~~ abandoned rail property and rail property improvements acquisition under s. 85.09, for technical assistance under s. 85.08 (4), for grants under s. 85.08 (4m) (c), for ~~railroad~~ rail property improvement grants under s. 85.08 (4m) (d) and for rail capital advances under s. 85.08 (4m) (e), for such purposes.

SECTION 369. 20.395 (2) (bx) of the statutes is amended to read:

20.395 (2) (bx) *Railroad facilities acquisition and railroad rehabilitation, federal funds.* All moneys received from the federal government for the purposes of ~~railroad~~ abandoned rail property and rail property improvements acquisition under s. 85.09, for technical assistance under s. 85.08 (4), for grants under s. 85.08 (4m) (c), for ~~railroad~~ rail property improvement grants under s. 85.08 (4m) (d) and for rail capital advances under s. 85.08 (4m) (e), for such purposes.

SECTION 372p. 20.395 (2) (hq) of the statutes is created to read:

20.395 (2) (hq) *Lake Michigan ferry service assistance, state funds.* As a continuing appropriation, the amounts in the schedule for Lake Michigan ferry service assistance grants under s. 85.097.

SECTION 373m. 20.395 (3) (cq) of the statutes is amended to read:

20.395 (3) (cq) *Existing highway improvement, state funds.* As a continuing appropriation, the amounts in the schedule for improvement of existing state trunk and connecting highways, except the national system of interstate and defense highways, and for payment to a local unit of government for a jurisdictional transfer under s. 84.02 (8) (a).

Vetoed  
in Part

SECTION 374. 20.395 (3) (dq) of the statutes is amended to read:

20.395 (3) (dq) *Improvement of state bridges, state funds.* As a continuing appropriation, the amounts in the schedule for improvement of ~~existing~~ bridges on state trunk or connecting highways and, for necessary approach work for such bridges and for replacement of such bridges with at-grade crossing improvements. This paragraph does not apply to bridges on the national system of interstate and defense highways.

SECTION 375. 20.395 (3) (dv) of the statutes is amended to read:

20.395 (3) (dv) *Improvement of state bridges, local funds.* All moneys received from any local unit of government or other source for improvement of ~~existing~~ bridges on state trunk or connecting highways and, for necessary approach work for such bridges and for replacement of such bridges with at-grade crossing improvements, for such purposes. This paragraph does not apply to bridges on the national system of interstate and defense highways.

SECTION 376. 20.395 (3) (dx) of the statutes is amended to read:

20.395 (3) (dx) *Improvement of state bridges, federal funds.* All moneys received from the federal government for improvement of ~~existing~~ bridges on state trunk or connecting highways and, for necessary approach work for such bridges and for replacement of such bridges with at-grade crossing improvements, for such purposes. This paragraph does not apply to bridges on the national system of interstate and defense highways.

SECTION 377. 20.395 (3) (eq) of the statutes is amended to read:

20.395 (3) (eq) (title) *General and winter highway maintenance and repair, state funds.* Biennially, the amounts in the schedule for the maintenance and repair under ss. 84.04, 84.07 and 84.10, ~~except for highway winter~~. This paragraph does not apply to special maintenance and highway traffic operations.

SECTION 378. 20.395 (3) (ev) of the statutes is amended to read:

20.395 (3) (ev) (title) *General and winter highway maintenance and repair, local funds.* All moneys received from any local unit of government or other

source for the maintenance and repair under ss. 84.04, 84.07 and 84.10, except for ~~highway winter special~~ maintenance and highway traffic operations, and for signing under s. 86.195, for such purposes.

SECTION 379. 20.395 (3) (ex) of the statutes is amended to read:

20.395 (3) (ex) (title) *General and winter highway maintenance and repair, federal funds.* All moneys received from the federal government for maintenance and repair under ss. 84.04, 84.07 and 84.10, except for ~~highway winter special~~ maintenance and highway traffic operations, for such purposes.

SECTION 380. 20.395 (3) (fq) of the statutes is amended to read:

20.395 (3) (fq) (title) *Special highway maintenance, state funds.* ~~Biennially As a continuing appropriation,~~ the amounts in the schedule for ~~the purpose of removing and controlling snow and ice on state trunk highways special maintenance activities~~ under s. 84.07 on state trunk highways, roadside improvements under s. 84.04 and bridges under s. 84.10.

SECTION 381. 20.395 (3) (fv) of the statutes is amended to read:

20.395 (3) (fv) (title) *Special highway maintenance, local funds.* All moneys received from any local unit of government or other source for ~~the purpose of removing and controlling snow and ice on state trunk highways special maintenance activities~~ under s. 84.07 on state trunk highways, roadside improvements under s. 84.04 and bridges under s. 84.10, for such purposes.

SECTION 382. 20.395 (3) (fx) of the statutes is amended to read:

20.395 (3) (fx) (title) *Special highway maintenance, federal funds.* All moneys received from the federal government for ~~the purpose of removing and controlling snow and ice on state trunk highways special~~ highway maintenance under s. 84.07 on state trunk highways, roadside improvements under s. 84.04 and bridges under s. 84.10, for such purposes.

SECTION 383. 20.395 (4) (title) of the statutes is amended to read:

20.395 (4) (title) GENERAL TRANSPORTATION OPERATIONS.

SECTION 384. 20.395 (4) (aq) of the statutes is renumbered 20.395 (2) (eq), and 20.395 (2) (eq) (title), as renumbered, is amended to read:

20.395 (2) (eq) (title) *Local highway and bridge improvement assistance, state funds.*

SECTION 385. 20.395 (4) (av) of the statutes is renumbered 20.395 (2) (ev), and 20.395 (2) (ev) (title), as renumbered, is amended to read:

20.395 (2) (ev) (title) *Local highway and bridge improvement assistance, local funds.*

SECTION 386. 20.395 (4) (ax) of the statutes is renumbered 20.395 (2) (ex), and 20.395 (2) (ex) (title), as renumbered, is amended to read:

20.395 (2) (ex) (title) *Local highway and bridge improvement assistance, federal funds.*

SECTION 387. 20.395 (4) (bq) of the statutes is renumbered 20.395 (2) (gq) and amended to read:

20.395 (2) (gq) *Railroad crossing improvement, state funds.* ~~Biennially~~ As a continuing appropriation, the amounts in the schedule to pay the costs for railroad crossing protection improvements under s. 195.28 (2).

SECTION 388. 20.395 (4) (bv) of the statutes is renumbered 20.395 (2) (gv).

SECTION 389. 20.395 (4) (bx) of the statutes is renumbered 20.395 (2) (gx).

SECTION 389m. 20.395 (4) (ch) of the statutes is created to read:

20.395 (4) (ch) *Gifts and grants.* All moneys received from gifts, grants, donations, bequests and devises, to carry out the purposes for which made and received.

SECTION 390. 20.395 (5) (title) of the statutes is amended to read:

20.395 (5) (title) MOTOR VEHICLE SERVICES AND ENFORCEMENT.

SECTION 391a. 20.395 (5) (aq) of the statutes is renumbered 20.395 (4) (aq) and amended to read:

20.395 (4) (aq) *Departmental management and operations, state funds.* The amounts in the schedule for departmental planning and administrative activities and the administration and management of departmental programs except those programs under sub. (3) (iq), including those activities in s. 85.07 and including ~~\$120,000~~ \$220,000 in each fiscal year to reimburse the department of justice for legal services provided the department under s. 165.25 (4) (a) and including the ride-sharing program under s. 85.24.

SECTION 392. 20.395 (5) (av) of the statutes is renumbered 20.395 (4) (av).

SECTION 393. 20.395 (5) (ax) of the statutes is renumbered 20.395 (4) (ax).

SECTION 394. 20.395 (5) (ch) (title) of the statutes is amended to read:

20.395 (5) (ch) (title) *Vehicle registration and driver licensing, operating under the influence enforcement, state funds.*

~~SECTION 394m. 20.395 (5) (dq) of the statutes is amended to read:~~

~~20.395 (5) (dq) *Vehicle inspection and traffic enforcement, state funds.* The amounts in the schedule for administering the ambulance inspection and traffic enforcement programs, including ~~\$495,000~~ \$534,900 in fiscal year 1983-84, ~~1985-86~~ and ~~\$509,900~~ \$587,310 in fiscal year 1984-85, 1986-87 and thereafter to reimburse any county policing expressways under s. 59.965 (1)(b).~~

SECTION 395. 20.395 (5) (eq) of the statutes is repealed.

SECTION 396. 20.395 (5) (er) of the statutes is renumbered 20.395 (4) (er).

SECTION 397. 20.395 (5) (es) of the statutes is renumbered 20.395 (4) (es).

Vetoed  
in Part

SECTION 398. 20.395 (5) (et) of the statutes is renumbered 20.395 (4) (et).

SECTION 399. 20.395 (5) (eu) of the statutes is repealed.

SECTION 400. 20.395 (5) (gq) of the statutes is renumbered 20.395 (4) (gq).

SECTION 401. 20.395 (5) (jq) of the statutes is renumbered 20.395 (4) (jq).

SECTION 402. 20.395 (9) (ar) of the statutes is repealed.

SECTION 403. 20.399 of the statutes is created to read:

**20.399 Wisconsin conservation corps board.** There is appropriated to the Wisconsin conservation corps board for the following programs:

(1) CORPS ENROLLEE SUPPORT. (a) *Corps enrollee compensation and support; general program operations.* As a continuing appropriation, the amounts in the schedule for general program operations.

(k) *Corps enrollee compensation and support; service funds.* All moneys received under agreements entered into under s. 16.20 (8) (i) with state agencies, except moneys appropriated under sub. (2) (k), for the payment of the sponsor's share of costs for conservation projects including the payment of any corps enrollee compensation as specified in those agreements. Corps enrollee compensation includes the cost of salaries, benefits, incentive payments and vouchers.

(r) *Corps enrollee compensation and support; transportation fund.* As a continuing appropriation, from the transportation fund, the amounts in the schedule for the payment of corps enrollee compensation and for the payment of other costs for conservation projects if those costs are not paid by project sponsors. Corps enrollee compensation includes the cost of salaries, benefits, incentive payments and vouchers.

(2) ADMINISTRATION. (a) *Administrative support; general program operations.* The amounts in the schedule for general program operations.

(k) *Conservation corps — administrative support; service funds.* All moneys received under agreements entered into under s. 16.20 (8) (i) with state agencies, except moneys appropriated under sub. (1) (k), for the payment of administrative expenses related to the Wisconsin conservation corps program as specified in those agreements.

(3) GIFTS AND RELATED SUPPORT. (g) *Gifts and related support.* All moneys received from gifts, grants and bequests to be expended for the purpose made.

SECTION 404. 20.420 (1) (b) of the statutes is repealed.

SECTION 405. 20.420 (1) (n) of the statutes is repealed.

SECTION 406. 20.425 (1) (a) of the statutes is amended to read:

20.425 (1) (a) *General program operations.* The amounts in the schedule for the purposes provided in subchs. I and IV and V of ch. 111.

SECTION 406m. 20.432 (1) (kb) of the statutes is created to read:

20.432 (1) (kb) *Medicare supplemental insurance information.* The amounts in the schedule for the purpose of providing medicare supplemental insurance information under s. 16.009 (1) (j). The office of the commissioner of insurance shall credit to this appropriation amounts equal to the amounts in the schedule for the purposes of this paragraph, from the appropriation under s. 20.145 (1) (g). Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each fiscal year shall revert to the appropriation under s. 20.145 (1) (g).

SECTION 406p. 20.433 (1) (h) of the statutes is amended to read:

20.433 (1) (h) *Grants to organizations.* All moneys received under s. 69.24 (1) (am), less the amounts appropriated under par. (g), to be used for grants to organizations under s. 48.982 (4). Of the amounts appropriated under this paragraph, \$25,000 in each fiscal year, beginning with fiscal year 1986-87, may be expended only in amounts equal to the amounts received under par. (q) in the previous fiscal year.

SECTION 407. 20.433 (1) (m) of the statutes is created to read:

20.433 (1) (m) *Federal aid.* All federal moneys received as authorized under s. 16.54, to carry out the purposes for which received.

SECTION 408. 20.435 (1) (bs) of the statutes is created to read:

20.435 (1) (bs) *Health care for elderly persons.* 1. The amounts in the schedule to pay the costs of enrollment in health maintenance organizations by low-income elderly persons under s. 46.83, and to pay the costs of administering that section.

2. Subdivision 1 does not apply after September 30, 1987.

SECTION 409m. 20.435 (1) (d) of the statutes is amended to read:

20.435 (1) (d) (title) *Facility appeals mechanism.* Biennially, the amounts in the schedule for the execution of functions under s. 49.45 (6m) (e) and (f).

SECTION 409n. 20.435 (1) (d) of the statutes, as affected by 1985 Wisconsin Act .... (this act), is repealed and recreated to read:

20.435 (1) (d) *Nursing home appeals mechanism.* Biennially, the amounts in the schedule for the execution of functions under s. 49.45 (6m) (e).

SECTION 409p. 20.435 (1) (eg) of the statutes is created to read:

20.435 (1) (eg) *Pregnancy counseling.* The amounts in the schedule for grants for pregnancy counseling under s. 146.75.

SECTION 409r. 20.435 (1) (em) of the statutes is created to read:

20.435 (1) (em) *Supplemental food program for women, infants and children.* The amounts in the schedule to provide a state supplement to the federal

special supplemental food program for women, infants and children authorized under 42 USC 1786.

SECTION 410. 20.435 (1) (ff) of the statutes is repealed.

SECTION 411. 20.435 (1) (g) of the statutes is repealed.

SECTION 412a. 20.435 (1) (gm) of the statutes is amended to read:

20.435 (1) (gm) *Licensing activities.* The amounts in the schedule for the purposes specified in ss. 50.50 to 50.85, 140.05 (17), 140.45 (6), 140.50 to 140.60, ~~140.85~~, 140.86, 141.15 (2) (b) and 143.15 (7) and ch. 150. All moneys received under ss. 50.50 to 50.85, 140.05 (17), 140.45 (6), 140.50 to 140.60, 140.85, 140.86, 141.15 (2) (b), 143.15 (7) and 150.13 shall be credited to this appropriation.

SECTION 412m. 20.435 (1) (gp) of the statutes is created to read:

20.435 (1) (gp) *Health care and health education.* All moneys received under s. 146.99 to fund the health care education funding report under s. 146.87, state health insurance program under s. 146.90 and the health care programs under ss. 146.93 and 146.96, except that moneys for the purpose of funding the health care program under s. 146.96 may not be expended unless approved by the joint committee on finance under s. 13.10.

SECTION 413. 20.435 (1) (ja) of the statutes is created to read:

20.435 (1) (ja) *Metabolic disorders special dietary treatment.* The amounts in the schedule to provide metabolic disorders special dietary treatment as specified under s. 146.02. All moneys received by the department under s. 146.02 (2) shall be credited to this appropriation.

SECTION 414. 20.435 (1) (kg) of the statutes is repealed.

SECTION 415. 20.435 (1) (kx) of the statutes is created to read:

20.435 (1) (kx) *Interagency and intra-agency programs.* All moneys received from other state agencies and all moneys received by the department from the department not directed to be deposited under par. (k), (kg) or (km) for the administration of programs or projects for which received.

SECTION 416. 20.435 (1) (ky) of the statutes is created to read:

20.435 (1) (ky) *Interagency and intra-agency aids.* All moneys received from other state agencies and all moneys received by the department from the department not directed to be deposited under par. (k), (kg) or (km) for aids to individuals and organizations.

SECTION 417. 20.435 (1) (kz) of the statutes is created to read:

20.435 (1) (kz) *Interagency and intra-agency local assistance.* All moneys received from other state agencies and all moneys received by the department from

the department not directed to be deposited under par. (k), (kg) or (km) for local assistance.

SECTION 418. 20.435 (2) (kx) of the statutes is created to read:

20.435 (2) (kx) *Interagency and intra-agency programs.* All moneys received from other state agencies and all moneys received by the department from the department for the administration of programs or projects for which received.

SECTION 419. 20.435 (2) (ky) of the statutes is created to read:

20.435 (2) (ky) *Interagency and intra-agency aids.* All moneys received from other state agencies and all moneys received by the department from the department for aids to individuals and organizations.

SECTION 420. 20.435 (2) (kz) of the statutes is created to read:

20.435 (2) (kz) *Interagency and intra-agency local assistance.* All moneys received from other state agencies and all moneys received by the department from the department for local assistance.

SECTION 421. 20.435 (3) (ec) of the statutes is created to read:

20.435 (3) (ec) *Self-amortizing prison industries principal and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, development, enlargement or improvement of equipment used in prison industries as authorized under s. 20.866 (2) (wa) if the moneys credited under par. (km) and appropriated under par. (ko) are insufficient.

SECTION 422a. 20.435 (3) (hm) of the statutes is amended to read:

20.435 (3) (hm) *Juvenile correctional services.* Except as provided in par. (ho), the amounts in the schedule for juvenile correctional services specified in s. 46.26 (4) (d). All moneys received in payment for juvenile correctional services specified in s. 46.26 (4) (d) shall be credited to this appropriation. If moneys generated by the monthly rate exceed actual ~~calendar~~ fiscal year institutional costs by 2% or more, all moneys in excess of 2% shall be remitted to the counties during the subsequent calendar year. Each county shall receive a proportionate share of the remittance depending on the total number of days of placement at juvenile correctional institutions. Counties shall use the funds for purposes specified in s. 46.26.

SECTION 423. 20.435 (3) (ho) of the statutes is amended to read:

20.435 (3) (ho) *Foster care.* Under s. 46.26 (4) (e), the amounts in the schedule for providing foster care and institutional child care to delinquent children under ss. 48.48 (4) and (14), 48.52 and 49.19 (10) (d). All moneys received in payment for providing foster care and institutional child care to delinquent children under ss. 48.48 (4) and (14), 48.52 and 49.19 (10) (d) shall be credited to this appropriation. If moneys generated by the monthly rate exceed actual ~~calendar~~ fis-

cal year foster care and institutional child care costs by 2% or more, all moneys in excess of 2% shall be remitted to the counties during the subsequent calendar year. Each county shall receive a proportionate share of the remittance depending on the total number of days of placement in foster care or institutional child care.

SECTION 423m. 20.435 (3) (km) of the statutes is amended to read:

20.435 (3) (km) *Prison industries.* The amounts in the schedule for the establishment and operation of prison industries. All moneys received from prison industries sales shall be credited to this appropriation. All moneys credited to this appropriation shall be expended first for the purpose under par. (ko). No expenditure may be made from this appropriation for the construction of buildings or purchase of equipment for new prison industries, except upon approval of the joint committee on finance after a determination that the moneys are needed and that no other appropriation is available for that purpose.

SECTION 424. 20.435 (3) (ko) of the statutes is created to read:

20.435 (3) (ko) *Prison industries principal and interest.* A sum sufficient from the moneys credited under par. (km) to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, development, enlargement or improvement of equipment used in prison industries as authorized under s. 20.866 (2) (wa).

SECTION 425. 20.435 (3) (kx) of the statutes is created to read:

20.435 (3) (kx) *Interagency and intra-agency programs.* All moneys received from other state agencies and all moneys received by the department from the department not directed to be deposited under par. (kk) or (km) for the administration of programs or projects for which received.

SECTION 426. 20.435 (3) (ky) of the statutes is created to read:

20.435 (3) (ky) *Interagency and intra-agency aids.* All moneys received from other state agencies and all moneys received by the department from the department not directed to be deposited under par. (kk) or (km) for aids to individuals and organizations.

SECTION 427. 20.435 (3) (kz) of the statutes is created to read:

20.435 (3) (kz) *Interagency and intra-agency local assistance.* All moneys received from other state agencies and all moneys received by the department from the department not directed to be deposited under par. (kk) or (km) for local assistance.

SECTION 428. 20.435 (4) (b) of the statutes is amended to read:

20.435 (4) (b) *Community social and mental hygiene services.* The amounts in the schedule for the provision or purchase of mental health services under ss. 51.42 and 51.437, for reimbursement to counties having a population of less than 500,000 for the cost of

court attached intake services under s. 48.06 (4) and for shelter care under ss. 48.22 and 48.58, for reimbursement for county administration of social services under ss. 46.22 (5m) and 49.51 (3) and (4), including foster care under ss. 49.19 (10) and 49.50 and, before January 1, 1986, services under s. 46.27, for reimbursement to counties having a population of less than 500,000 for the cost of court attached intake services under s. 48.06 (4) and for shelter care under ss. 48.22 and 48.58. Social services disbursements under s. 46.03 (20) (b) may be made from this appropriation. Distributions to private nonprofit child care providers under s. 46.98 (2) (a) 2 may be made from this appropriation. Refunds received relating to payments made under s. 46.03 (20) (b) for the provision of services for which moneys are appropriated under this paragraph shall be returned to this appropriation. Counties are liable for any share of the social services disbursements according to the rate established under s. 49.52. The receipt of the counties' payments for their share of the cost of services under s. 46.03 (20) (d) shall be returned to this appropriation. Allocation of the fund for mental health services shall be exclusively determined by the department of health and social services, subject to ss. 51.42 and 51.437. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of health and social services may transfer funds between fiscal years under this paragraph. The department shall deposit into this appropriation and may transfer between calendar years funds it recovers under ss. 49.52 (2) (b) and 51.42 (8m) from prior year audit adjustments including those resulting from audits of services under s. 46.26 or 46.27. The department may also transfer between calendar years funds it allocates under ss. 49.52 (1) (d) and 51.42 (8) (b) but not spent or encumbered on or before December 31 of any year by counties or by boards created under s. 46.23, 51.42 or 51.437. The department may use the funds it transfers to pay counties owed funds for the purchase or provision of mental health services, social services or services under s. 46.26 or 46.27, due to any prior year audit adjustment. The department may not transfer more than \$500,000 for these purposes. ~~Ninety percent~~ Except for the amounts a board created under s. 46.23 or 51.42 is authorized to retain for noninstitutional community programs under s. 49.45 (2) (a) 19 and (6) (b), 90% of funds not transferred between calendar years, allocated under s. 51.42 (8) (b) and not spent or encumbered by boards created under s. 46.23, 51.42 or 51.437 by December 31 of each year, and except for the amounts the department is authorized to retain under s. 46.27 (7) (g), 90% of funds not transferred between calendar years, allocated under ss. 46.27 and 49.52 (1) (d) and not spent or encumbered by counties by December 31 of each year shall lapse to the general fund on the succeeding January 1 unless transferred to the next calendar year by the joint committee on finance. The department may allocate the 10% not lapsing for emergencies, for justifiable unit service costs above planned levels and to recognize

shifts in service populations among counties during the following calendar year.

SECTION 428m. 20.435 (4) (bd) of the statutes is created to read:

20.435 (4) (bd) *Community options program.* The amounts in the schedule for assessments, case planning, services and county administration under s. 46.27. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may under this paragraph transfer moneys between fiscal years. Except for moneys authorized for transfer under this appropriation or under s. 46.27 (7) (g), all moneys under this appropriation that are allocated under s. 46.27 and are not spent or encumbered by counties by December 31 of each year shall lapse to the general fund on the succeeding January 1 unless transferred to the next calendar year by the joint committee on finance.

SECTION 428p. 20.435 (4) (bf) of the statutes is created to read:

20.435 (4) (bf) *Alzheimer's disease; training and information grants.* Biennially, the amounts in the schedule to provide a grant to an organization to carry out the activities related to Alzheimer's disease under s. 46.855.

SECTION 429. 20.435 (4) (c) of the statutes is created to read:

20.435 (4) (c) *Independent living centers.* The amounts in the schedule for the purpose of making grants to independent living centers for the severely disabled under s. 46.96.

SECTION 430. 20.435 (4) (cb) of the statutes is amended to read:

20.435 (4) (cb) *Domestic abuse grants.* The amounts in the schedule for the purposes of s. 46.95, except that the total expenditures under par. (hh) and this paragraph shall not exceed ~~\$1,451,600~~ \$1,772,100 in fiscal year ~~1983-84~~ 1985-86 and ~~\$1,480,600~~ \$1,817,300 in fiscal year ~~1984-85~~ 1986-87.

SECTION 431. 20.435 (4) (cc) of the statutes is created to read:

20.435 (4) (cc) *Shelter for homeless individuals and families.* The amounts in the schedule for grants to agencies and shelter facilities for homeless individuals and families as provided under s. 46.97.

SECTION 431d. 20.435 (4) (ce) of the statutes is created to read:

20.435 (4) (ce) *Youth diversion program.* The amounts in the schedule for youth diversion services under s. 46.265.

SECTION 431m. 20.435 (4) (cv) of the statutes is created to read:

20.435 (4) (cv) *State supplement to community services block grant.* The amounts in the schedule for the purpose of providing state funds to supplement federal community services block grant funds received under 42 USC 9903, to be allocated under s. 46.30 (4).

SECTION 432. 20.435 (4) (d) of the statutes is amended to read:

20.435 (4) (d) *Income maintenance payments to individuals.* A sum sufficient to provide state aid for county administered public assistance programs under s. 49.52, child support supplement payments under s. 46.257 and the cost of foster care provided by nonlegally responsible relatives under state or county administered programs, if the relatives are licensed to operate foster homes under ss. 48.62 to 48.64. Disbursements for public assistance may be made directly from this appropriation including the state and county share under s. 46.03 (20) (a). Refunds received relating to payments made under s. 46.03 (20) (a) shall be returned to this appropriation. The receipt of the counties' payments for their share under s. 46.03 (20) shall be returned to this appropriation.

SECTION 433. 20.435 (4) (da) of the statutes is amended to read:

20.435 (4) (da) *Reimbursements to local units of government.* A sum sufficient for the cost of care as provided in s. 51.22 (3) ~~and to transmit credit balances for central state hospital under s. 51.42 (9) (b).~~

SECTION 434. 20.435 (4) (db) of the statutes is repealed.

SECTION 435. 20.435 (4) (dd) of the statutes is amended to read:

20.435 (4) (dd) *State foster care and adoption services.* The amounts in the schedule for foster care, institutional child care and subsidized adoptions under ss. 48.48 (4), (12) and (14) and 48.52, for the cost of care for children under s. 49.19 (10) (d), and for the cost of the ~~foster care parent education program and the foster care monitoring system.~~

SECTION 436. 20.435 (4) (de) 1 of the statutes is amended to read:

20.435 (4) (de) 1. The amounts in the schedule for ~~reimbursement payment distribution under s. 46.032~~ for county administration of public assistance benefits and medical assistance eligibility determination. Payments may be made from this appropriation to counties under s. 46.25 (10) (c) and to agencies under contract with the department for administration of relief to needy Indian persons under ss. 49.046 and 49.047. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. Funds received by a county which are distributed as payments by the department under s. 46.032 in accordance with the reimbursement method established under s. 49.52 (1) (ag) and not spent or encumbered by the county on or before December 31 of any year shall lapse to the general fund on the succeeding January 1. The department may transfer funds so returned to this appropriation under s. 49.52 (1) (ag) 6 and 7 between calendar years. Notwithstanding ss. 20.001 (4) and (5), the department may use the funds it transfers to distribute payments to a county in accordance with the reimbursement method set forth under s. 49.52 (1) (ag) 6 and 7.

Vetoed  
in Part

SECTION 437. 20.435 (4) (de) 2 of the statutes is amended to read:

20.435 (4) (de) 2. Reimbursement Except for payments to counties under s. 46.25 (10) (c), reimbursement from this appropriation shall be based on workload standards promulgated by the department.

SECTION 437m. 20.435 (4) (df) of the statutes is created to read:

20.435 (4) (df) *Work experience and training project.* The amounts in the schedule for the work experience and training project, as specified under 1985 Wisconsin Act .... (this act), section 3023 (26r).

SECTION 440. 20.435 (4) (eb) of the statutes is amended to read:

20.435 (4) (eb) (title) *General relief aid and administration.* ~~The~~ Biennially, the amounts in the schedule for state aid to counties and municipalities for eligible general relief costs under s. 49.035 and to counties for state reimbursement of general relief administrative costs under s. 49.025.

SECTION 441. 20.435 (4) (eg) of the statutes is created to read:

20.435 (4) (eg) *Day care programs for student parents.* The amounts in the schedule for the purchase of day care programs from school boards under s. 46.99.

SECTION 442. 20.435 (4) (hx) of the statutes is amended to read:

20.435 (4) (hx) *Services for drivers, receipts.* The amounts in the schedule for services for drivers. All moneys received from the driver improvement surcharge on court fines and forfeitures authorized under s. 346.655 shall be credited to this appropriation. These moneys may be transferred to pars. (hy) and (hz) and ss. 20.255 (1) (hm), 20.285 (1) (ia), 20.395 (5) (ch) and 20.455 (5) (h) by the secretary of administration ~~for expenditures based upon determinations by after consultation with the departments secretaries of health and social services and transportation, the superintendent of public instruction, justice the attorney general and transportation and the president of the university of Wisconsin system.~~

SECTION 445. 20.435 (4) (j) of the statutes is amended to read:

20.435 (4) (j) (title) *Child support state operations.* All moneys received from fees charged under s. 46.25 (8) ~~and from fees charged for state mailings, special computer services and publications, for the purpose of implementing state and federal income tax setoffs and intercepting unemployment compensation to enforce child and spousal support obligations,~~ and from fees charged and incentive payments and collections retained under s. 46.25 (7m), for the purpose of implementing s. 46.25 (7m) and (8).

SECTION 446. 20.435 (4) (jb) of the statutes is created to read:

20.435 (4) (jb) *Fees for mailings, computer services and publications.* All moneys received from fees charged for providing state mailings, special computer

services and publications, for the purpose of providing state mailings, special computer services and publications.

SECTION 447. 20.435 (4) (jm) of the statutes is amended to read:

20.435 (4) (jm) *Administrative and support services.* The amounts in the schedule for the inspection of approved treatment facilities under ch. 51, for licensing community-based residential facilities under s. 140.85, for administrative expenses related to approving residential facilities under s. 46.28, for producing instructional materials for community-based residential facilities under s. 50.035 (1), for interpreter services for hearing impaired persons, for printed material and computer runs of the department's information systems, for issuing controlled substance permits under s. 161.335 and for training programs. All moneys received from fees for inspection of approved treatment facilities under ch. 51, all moneys received as licensing fees charged to community-based residential facilities under s. 140.85, all moneys received from the sale of instructional materials to community-based residential facilities under s. 50.035 (1), all moneys received as fees charged for approving residential facilities under s. 46.28, all moneys received as fees charged for the provision of printed material, including computer runs of the department's information systems, all moneys received as fees charged for interpreter services for hearing impaired persons, all moneys received as fees for controlled substance permits issued under s. 161.335 and all moneys received as fees for training programs shall be credited to this appropriation.

SECTION 448. 20.435 (4) (kx) of the statutes is created to read:

20.435 (4) (kx) *Interagency and intra-agency programs.* All moneys received from other state agencies and all moneys received by the department from the department not directed to be deposited under par. (k), (kc) or (km) for the administration of programs or projects for which received.

SECTION 449. 20.435 (4) (ky) of the statutes is created to read:

20.435 (4) (ky) *Interagency and intra-agency aids.* All moneys received from other state agencies and all moneys received by the department from the department not directed to be deposited under par. (k), (kc) or (km) for aids to individuals and organizations.

SECTION 450. 20.435 (4) (kz) of the statutes is created to read:

20.435 (4) (kz) *Interagency and intra-agency local assistance.* All moneys received from other state agencies and all moneys received by the department from the department not directed to be deposited under par. (k), (kc) or (km) for local assistance.

SECTION 451. 20.435 (4) (L) of the statutes is created to read:

20.435 (4) (L) *Welfare fraud investigation; state operations.* From the moneys received under s. 49.195



(5) as this state's share of recovery of aid under s. 49.19 that was provided as a result of fraudulent activity by a recipient, the amounts in the schedule for the department's investigations under s. 49.197 (1). Notwithstanding s. 20.001 (3) (c), all moneys not expended or encumbered at the end of each fiscal year from this appropriation shall lapse to the general fund.

SECTION 452m. 20.435 (4) (Lm) of the statutes is created to read:

20.435 (4) (Lm) *Welfare fraud investigation; local assistance.* From the moneys received under s. 49.195 (5) as this state's share of recovery of aid under s. 49.19 that was provided as a result of fraudulent activity by a recipient, the amounts in the schedule for grants to not more than 4 county agencies in state fiscal year 1985-86 for welfare fraud investigation under s. 49.197 (2). Notwithstanding s. 20.001 (3) (c), all moneys not expended or encumbered at the end of state fiscal year 1985-86 from this appropriation shall lapse to the general fund.

SECTION 452p. 20.435 (4) (mc) of the statutes is amended to read:

20.435 (4) (mc) *Federal block grant operations.* See sub. (9) (mc). All federal community services block grant funds received under 42 USC 9903 shall be allocated as provided under s. 46.30. All amounts transferred from par. (md) for state administration of the low-income energy assistance program shall be allocated as provided under s. 49.80 (3) (c).

SECTION 453. 20.435 (4) (md) of the statutes is amended to read:

20.435 (4) (md) *Federal block grant aids.* See sub. (9) (md). All federal community services block grant funds received under 42 USC 9903 shall be allocated as provided under s. 46.30. All moneys received under 42 USC 8621 to 8629 less the amount transferred to the appropriation under par. (o) for distribution under s. 49.52 (1) (d), as provided under s. 49.80 (3) (a) and less the amount transferred to the appropriation under par. (mc), for state administration of the low-income energy assistance program.

SECTION 454. 20.435 (4) (o) of the statutes is amended to read:

20.435 (4) (o) *Federal aid; community social and mental hygiene services.* All federal moneys received in amounts pursuant to allocation plans developed by the department for the provision or purchase of services authorized under par. (b) and s. 46.70, ~~and~~ all federal moneys received as child welfare funds under 42 USC 620 to 626 as limited under ~~1983 Wisconsin Act 27, section 2020 (8)~~ 1985 Wisconsin Act ... (this act), section 3023 (10) (b) and all amounts transferred from par. (md) for distribution under s. 49.52 (1) (d) as provided under s. 49.80 (3) (a). Disbursements from this appropriation may be made directly to counties for social and mental hygiene services under s. 46.03 (20) (b) or 46.031 or directly to counties in accordance with federal requirements for the disburse-

of federal funds or directly to tribal governing bodies under s. 46.70. The department shall, on December 31 of any year, transfer to par. (n) all of the funds allocated for day care services under s. 49.52 (1) (d), that are not spent or encumbered as of December 31 of any year by county departments of public welfare and social services or boards created under s. 46.23.

SECTION 455. 20.435 (4) (oo) of the statutes is amended to read:

20.435 (4) (oo) *Federal aid; community youth and family aids.* All federal moneys received as child welfare funds under 42 USC 620 to 626 as limited under ~~1983 Wisconsin Act 27, section 2020 (8)~~ 1985 Wisconsin Act ... (this act), section 3023 (10) (c) and (d) and all federal moneys received relating to providing care in foster homes, group homes or child caring institutions for the purposes of s. 46.26, and all other federal moneys received for meeting costs under s. 46.26.

SECTION 456. 20.435 (4) (p) of the statutes is amended to read:

20.435 (4) (p) *Federal aid; income maintenance payments.* All federal moneys received for meeting costs of county administered public assistance programs under s. 49.52, the cost of foster care provided by nonlegally responsible relatives under state or county administered programs ~~and~~, the costs of the child and spousal support and establishment of paternity program under s. 46.25 and the costs of child support supplement payments under s. 46.257. Disbursements under s. 46.03 (20) may be made from this appropriation. Any disbursement made under this appropriation to carry out a contract under ss. 46.25 (7) and 59.07 (97) shall be in accordance with the formula established by the department of health and social services under s. 46.25 (7).

SECTION 457. 20.435 (5) (aa) of the statutes is repealed.

SECTION 458. 20.435 (5) (bm) of the statutes is amended to read:

20.435 (5) (bm) *Purchased services for clients.* The amounts in the schedule for the purchase of goods and services authorized under ch. 47 and for vocational rehabilitation and other independent living services to handicapped persons. The department shall, in each state fiscal year, transfer from this appropriation to sub. (4) (kc) ~~\$235,000~~ \$41,400 if funds are transferred to sub. (4) (kc) from par. (na).

SECTION 459m. 20.435 (5) (c) of the statutes is created to read:

20.435 (5) (c) *Enterprises for the blind.* Biennially, the amounts in the schedule for the operation of the workshop for the blind and to make the grants to a nonprofit corporation under s. 47.03 (1m). Beginning in fiscal year 1987-88, \$100,000 in each fiscal year shall be reserved to make a payment not to exceed that amount which is conditioned upon performance of the contract as provided under s. 47.03 (1m) in the previous fiscal year. Any part of the \$100,000 not paid to the nonprofit corporation shall lapse to the general

fund. In fiscal year 1985-86, all funds appropriated under this paragraph for the 1985-87 biennium except \$350,000 shall be made available to the nonprofit corporation under the contract.

SECTION 460. 20.435 (5) (f) of the statutes is repealed.

SECTION 461. 20.435 (5) (gg) of the statutes is created to read:

20.435 (5) (gg) *Contractual services.* All moneys received from nongovernmental agencies for providing vocational rehabilitation services under contract, for the purpose of providing those services.

SECTION 462m. 20.435 (5) (jj) of the statutes is amended to read:

20.435 (5) (jj) *Workshop for the blind.* ~~The amounts in the schedule for the operation of the workshop for the blind.~~ All moneys received from the sale of products through the workshop for the blind and the sale of labels under s. 47.03 (3) ~~shall be credited to this appropriation for the operation of the workshop for the blind.~~ The unencumbered balance in the appropriation on the earlier of October 1, 1985, or the date specified in the contract with the nonprofit corporation under s. 47.03 (1m) (a) shall be paid to the nonprofit corporation as a grant subject to the conditions of the contract under s. 47.03 (1m).

SECTION 462n. 20.435 (5) (jj) of the statutes, as affected by 1985 Wisconsin Act .... (this act), is repealed.

SECTION 463. 20.435 (5) (k) of the statutes is created to read:

20.435 (5) (k) *Interagency contractual services.* The amounts in the schedule to perform contractual services for other state agencies.

SECTION 464. 20.435 (5) (kx) of the statutes is created to read:

20.435 (5) (kx) *Interagency and intra-agency programs.* All moneys received from other state agencies and all moneys received by the department from the department for the administration of programs or projects for which received.

SECTION 465. 20.435 (5) (ky) of the statutes is created to read:

20.435 (5) (ky) *Interagency and intra-agency aids.* All moneys received from other state agencies and all moneys received by the department from the department for aids to individuals and organizations.

SECTION 466. 20.435 (5) (kz) of the statutes is created to read:

20.435 (5) (kz) *Interagency and intra-agency local assistance.* All moneys received from other state agencies and all moneys received by the department from the department for local assistance.

SECTION 467. 20.435 (8) (kx) of the statutes is created to read:

20.435 (8) (kx) *Interagency and intra-agency programs.* All moneys received from other state agencies and all moneys received by the department from the

department not directed to be deposited under par. (k) for the administration of programs or projects for which received.

SECTION 468. 20.435 (8) (ky) of the statutes is created to read:

20.435 (8) (ky) *Interagency and intra-agency aids.* All moneys received from other state agencies and all moneys received by the department from the department not directed to be deposited under par. (k) for aids to individuals and organizations.

SECTION 469. 20.435 (8) (kz) of the statutes is created to read:

20.435 (8) (kz) *Interagency and intra-agency local assistance.* All moneys received from other state agencies and all moneys received by the department from the department not directed to be deposited under par. (k) for local assistance.

SECTION 470. 20.435 (8) (pz) of the statutes is created to read:

20.435 (8) (pz) *Indirect cost reimbursements.* All moneys received from the federal government as reimbursement of indirect costs of grants and contracts for the purposes authorized in s. 16.54 (9) (b).

SECTION 471. 20.435 (9) (a) of the statutes is repealed.

SECTION 472. 20.435 (9) (aa) of the statutes is amended to read:

20.435 (9) (aa) *Institutional repair and maintenance.* The amounts in the schedule for repair and maintenance expenses of the institutions. Expenditures for materials, supplies, equipment and contracts for services involving the repair and maintenance of structures and equipment, excluding vehicles, shall be made from this appropriation. The department, with the approval of the department of administration, may transfer between subs. (2) (aa), and (3) (aa) ~~and (5) (aa).~~ In this section expenditure estimates for institutional repair and maintenance are assigned paragraph letter (aa) in the schedule of subs. (2), and (3) ~~and (5).~~

SECTION 473. 20.435 (9) (km) of the statutes is repealed.

SECTION 473w. 20.445 (1) (b) of the statutes is created to read:

20.445 (1) (b) *Assistance for dislocated workers.* 1. Biennially, the amounts in the schedule for providing grants under 1985 Wisconsin Act .... (this act), section 3029 (3p).

2. Subdivision 1 does not apply after June 30, 1987.

SECTION 474. 20.445 (1) (br) of the statutes is repealed.

SECTION 475. 20.445 (1) (gm) of the statutes is created to read:

20.445 (1) (gm) *Employment training services.* All moneys received under contracts with private industry councils and organizations for providing employment training services.

SECTION 476. 20.445 (1) (hb) of the statutes is created to read:

20.445 (1) (hb) *Worker's compensation contracts.* All moneys received in connection with contracts entered into under s. 102.31 (7) for the purpose of carrying out those contracts.

SECTION 477. 20.445 (1) (i) of the statutes is repealed.

SECTION 478. 20.445 (1) (j) of the statutes is amended to read:

20.445 (1) (j) *Safety and building operations.* The amounts in the schedule for the purposes of subchs. I, II, III and IV of ch. 101 ~~and chs. 145 and 168 and ss. 236.12 (2) (a), 236.13 (1) (d) and (2m) and 236.335.~~ All moneys received under ch. 145 and ss. 101.19, 101.63 (9), 101.73 (12), 101.82 (4) and, 168.12 and 236.12 (7) shall be credited to this appropriation.

SECTION 481. 20.445 (1) (m) of the statutes is amended to read:

20.445 (1) (m) *Federal funds.* All federal moneys received as authorized under s. 16.54, except as otherwise appropriated under this section, for the purposes of the several programs administered by the department.

SECTION 482. 20.445 (1) (ma) of the statutes is created to read:

20.445 (1) (ma) *Federal aid — program administration.* All moneys received from the federal government, as authorized by the governor under s. 16.54, to fund the state's administrative costs for general program operations and statewide programs relating to employment and training.

SECTION 483. 20.445 (1) (mb) of the statutes is created to read:

20.445 (1) (mb) *Federal aid — employment and training local assistance.* All employment and training moneys received from the federal government for local assistance for employment and training programs, as authorized by the governor under s. 16.54.

SECTION 484. 20.445 (1) (mc) of the statutes is created to read:

20.445 (1) (mc) *Federal aid — employment and training aids.* All employment and training moneys received from the federal government for the payment of individual incentives, training-related expenses and other support costs, as authorized by the governor under s. 16.54.

SECTION 485. 20.445 (1) (pz) of the statutes is created to read:

20.445 (1) (pz) *Indirect cost reimbursements.* All moneys received from the federal government as reimbursement of indirect costs of grants and contracts for the purposes authorized in s. 16.54 (9) (b).

SECTION 486. 20.445 (1) (u) of the statutes, as affected by 1985 Wisconsin Act 17, is renumbered 20.445 (1) (ge) and amended to read:

20.445 (1) (ge) (title) *Unemployment reserve fund research.* From the ~~unemployment administration fund, biennially, the amounts in the schedule from~~ moneys received as interest and penalties collected under ~~ch. 108 ss. 108.04 (11) (c) and (13) (c) and 108.22,~~ the amounts in the schedule for research relating to the current and anticipated condition of the unemployment reserve fund under s. 108.14 (6).

SECTION 487. 20.445 (1) (v) of the statutes, as affected by 1985 Wisconsin Act 17, is renumbered 20.445 (1) (gd) and amended to read:

20.445 (1) (gd) (title) *Unemployment reserve interest payments.* From the ~~unemployment administration fund, all moneys not appropriated under par. (u)~~ received from employers as interest and penalties coll[ected under]\* ~~ch. 108 ss. 108.04 (11) (c) and (13) (c) and 108.22~~ and assessments under s. 108.19 (1m), all moneys not appropriated under par. (ge) for the payment of interest due on advances from the federal unemployment account under title XII of the social security act to the unemployment reserve fund, except as otherwise provided in s. 108.20.

SECTION 488. 20.445 (1) (vm) of the statutes is renumbered 20.445 (1) (gc) and amended to read:

20.445 (1) (gc) (title) *Unemployment administration.* ~~From the unemployment administration fund, all~~ All moneys received by the department under s. 108.19 not otherwise appropriated under this subsection for the administration of ch. 108.

SECTION 489. 20.445 (1) (x) (intro.) of the statutes is renumbered 20.445 (1) (na) and amended to read:

20.445 (1) (na) *Employment security buildings and equipment.* ~~There is appropriated, from the unemployment reserve fund's employment security administrative financing account created by s. 108.161 to the administration fund created by s. 108.20, for use on~~ All federal moneys transferred from par. (n) for the purpose of funding employment security buildings and equipment in accordance with those sections the unencumbered balances in s. 20.440 (1) (x), 1965 stats under ss. 108.161 and 108.162.

SECTION 490. 20.445 (1) (x) 1 to 7 of the statutes are renumbered 108.162 (1) to (7) and amended to read:

108.162 (1) The amounts ~~thus~~ appropriated under s. 20.445 (1) (na) shall be used for employment security administration ~~including unemployment compensation, employment service and related statistical operations;~~ for capital outlay to buy suitable parcels of land for buildings designed for employment security operations; and to finance the designing and construction of such buildings, and for such equipment,

\* SECTION 487: though contained in the bill passed by the Legislature and in the electronic record of that bill, the bracketed text was inadvertently dropped in typesetting the enrolled bill for signature by the Governor.

facilities, paving, landscaping and other improvements as are required for the proper use and operation of buildings occupied by the department for employment security administration.

(2) The treasurer of the ~~unemployment reserve~~ fund shall transfer the amounts thus appropriated, under s. 20.445 (1) (na) from the federal administrative financing account created by s. 108.161 to the fund created by s. 108.20, under s. 20.445 (1) (n) only as and to the extent that they are currently needed for expenditures ~~pursuant to~~ under this section. Any amount thus transferred which has ceased to be needed or available for such expenditures shall be restored to that account.

(3) The amount obligated under this ~~paragraph~~ section during any fiscal year may not exceed the aggregate of all amounts credited under s. 108.161 (1), including amounts credited under s. 108.161 (8), within that fiscal year and the 34 preceding fiscal years, reduced by the sum of any moneys obligated and charged against any of the amounts thus credited within those 35 years.

(4) As to any building project to be financed under this ~~subsection~~ section, the department shall secure advance assurance that the federal bureau of employment security will apply to that project, after its completion and occupancy, the bureau's policy of gradually reimbursing the ~~unemployment reserve~~ fund for the necessary capital costs of any suitable employment security building project (thus financed) by federal grants covering the amounts which would otherwise be payable (during the reimbursement or amortization period) for the rental of substantially equivalent office quarters.

(5) The governor, before approving any land purchase (~~including any~~ or transfer) or building project to be financed under this ~~subsection~~ section, shall consult with the building commission as to those cities and sites where early construction of a combined state office building is under active consideration with a view to determining where employment security building projects (thus financed) would be desirable.

(6) If the building commission with the approval of the governor determines as to any city or site that employment security offices should be part of a combined state office building project, or should be built on state-owned land or on land owned by a Wisconsin state public building corporation, the amounts appropriated ~~by the subsection~~ under s. 20.445 (1) (na) shall be available to finance such offices or a proper employment security share of such combined project.

(7) Any amount appropriated under ~~this paragraph~~ s. 20.445 (1) (na) which has not been obligated shall be available for employment security local office building projects, consistent with this ~~subsection~~ section and ss. 108.161 and 108.20.

SECTION 491. 20.445 (1) (x) 8 of the statutes is repealed.

SECTION 492. 20.445 (1) (x) 9 of the statutes is repealed.

SECTION 493. 20.445 (1) (z) of the statutes is renumbered 20.445 (1) (n) and amended to read:

20.445 (1) (n) (title) *Unemployment administration; federal moneys*. All federal moneys received for the employment service ~~pursuant to~~ under s. 101.23 (4) to (6) or for the administration of unemployment compensation under ch. 108, and any federal moneys paid to the department for the performance of its functions under ch. 108, and for its conduct of public employment offices consistent with s. 101.23 (4) to (6), and for its other efforts to regularize employment; to pay the compensation and expenses of appeal ~~boards~~ tribunals and of ~~advisory committees~~ councils; and to pay allowances stimulating education during unemployment.

SECTION 494. 20.445 (2) (m) of the statutes is amended to read:

20.445 (2) (m) (title) *Federal moneys*. All moneys not appropriated under par. (n) that are received from the federal government as authorized by the governor under s. 16.54 for the ~~purposes for which made and received~~ functions of the labor and industry review commission.

SECTION 495. 20.445 (2) (z) of the statutes is renumbered 20.445 (2) (n) and amended to read:

20.445 (2) (n) (title) *Unemployment administration; federal moneys*. All federal ~~aid~~ moneys received as authorized by the governor under s. 16.54 for the performance of the functions of the labor and industry review commission under ch. 108.

SECTION 496. 20.445 (3) (title) of the statutes is repealed.

SECTION 497. 20.445 (3) (m) of the statutes is repealed.

SECTION 498. 20.445 (3) (mn) of the statutes is repealed.

SECTION 499r. 20.455 (2) (e) of the statutes is amended to read:

20.455 (2) (e) *Aid to county-tribal law enforcement programs*. Biennially, the amounts in the schedule for distribution to counties and tax-exempt Indian tribes which have established cooperative county-tribal law enforcement programs which have been certified by the department as eligible to receive funds under s. 165.91. ~~This paragraph does not apply after July 1, 1986.~~

SECTION 501c. 20.455 (5) (b) of the statutes is amended to read:

20.455 (5) (b) *Awards for victims of crimes*. ~~A sum sufficient~~ The amounts in the schedule for the payment of compensation and funeral and burial expenses awards to the victims of crimes under ch. 949.

SECTION 501g. 20.455 (5) (m) of the statutes is created to read:

20.455 (5) (m) *Federal aid; victim compensation.* All moneys received from the federal government for crime victim compensation, as authorized by the governor under s. 16.54, to carry out the purposes for which made and received.

SECTION 501h. 20.455 (5) (mh) of the statutes is created to read:

20.455 (5) (mh) *Federal aid; victim assistance.* All moneys received from the federal government for crime victim assistance, as authorized by the governor under s. 16.54, to carry out the purposes for which made and received.

SECTION 502. 20.485 (1) (fa) of the statutes is created to read:

20.485 (1) (fa) *Geriatric program.* The amounts in the schedule to fund the staff positions under s. 45.365 (1) (d) for the geriatric evaluation, research and education program at the Wisconsin veterans home. No moneys may be expended under this paragraph after June 30, 1989.

SECTION 504. 20.485 (1) (hm) of the statutes is created to read:

20.485 (1) (hm) *Gifts and grants.* All moneys received from gifts and grants specifically for the purpose of s. 45.365 (1) (d), to carry out the purpose of s. 45.365 (1) (d).

SECTION 505. 20.485 (1) (j) of the statutes is created to read:

20.485 (1) (j) *Geriatric program receipts.* All moneys received from program operations by the geriatric evaluation, research and education program, to carry out the purpose of s. 45.365 (1) (d).

SECTION 506. 20.485 (1) (mj) of the statutes is created to read:

20.485 (1) (mj) *Federal aid; geriatric unit.* All moneys received from the federal government for the geriatric program at the Wisconsin veterans home, to carry out the purpose of s. 45.365 (1) (d).

SECTION 508m. 20.485 (2) (db) of the statutes is amended to read:

20.485 (2) (db) *General fund supplement to veterans trust fund.* Biennially from the general fund, the amounts in the schedule to be paid into the veterans trust fund to be used for veterans housing assistance programs after January 1, 1974, which are authorized by the legislature.

SECTION 509. 20.485 (2) (v) of the statutes is created to read:

20.485 (2) (v) *Memorial hall sales receipts.* All moneys received from the sale of items in the G.A.R. memorial hall for general program operations.

SECTION 510m. 20.485 (2) (vm) of the statutes is amended to read:

20.485 (2) (vm) *Veterans aids and treatment.* The amounts in the schedule for payment of benefits to veterans and their dependents under ss. 45.351 (1) and (3) and 45.396 and for payment of treatment of veterans under s. 142.10.

SECTION 511. 20.485 (2) (wc) of the statutes is repealed.

SECTION 512m. 20.485 (2) (x) of the statutes is amended to read:

20.485 (2) (x) *Veterans loans; state investment board.* All moneys received from the investment board under s. 25.17 (3) (bg) and ~~(bk)~~, for additional loans to veterans in accordance with s. 45.352, 1971 stats., 45.351 (2) or 45.80. Loans made from such moneys advanced by the investment board shall be segregated on the books of the department, and principal collections thereon shall be remitted after the close of each month to the investment board. Not later than 30 days after July 1 and January 1 of each year, the department shall pay the investment board from the appropriation under par. (y) the amount of principal loss sustained during the 6-month period prior to said July 1 and January 1, respectively, on loans made from moneys received from the investment board under s. 25.17 (3) (bg) and ~~(bk)~~. The amount of such principal loss shall consist of principal balances owing on loans made from moneys advanced by the investment board which are more than 12 months delinquent in accordance with the monthly instalment dates of the original notes securing any particular veteran's loan. Not later than 90 days after July 1 or January 1 of each year, the investment board shall determine and certify to the department the amount of interest loss sustained during the 6-month period prior to said July 1 or January 1, respectively, on account of moneys advanced for veterans housing loans under s. 25.17 (3) (bg) and ~~(bk)~~. The amount of such interest loss shall be the amount that would have been received on amounts advanced to the department at the average rate of interest earned during the 6-month period from all general fund investments of the investment board. The amount of interest loss so certified by the investment board shall thereupon be paid each period to the board out of the appropriation under par. (b).

SECTION 513m. 20.485 (3) (sm) of the statutes is created to read:

20.485 (3) (sm) *County grants.* The amounts in the schedule from the veterans mortgage loan repayment fund for payment of grants made under s. 45.43 (7).

SECTION 513p. 20.490 (4) of the statutes is created to read:

20.490 (4) **DEFERRED PAYMENT LOANS.** (a) *Deferred payment loan fund.* As a continuing appropriation, the amounts in the schedule to be transferred, within 3 days after October 1, 1985, or the effective date of this subdivision .... [revisor inserts date], whichever is later, to the deferred payment loan fund under s. 234.491.

SECTION 515. 20.505 (1) (f) of the statutes is created to read:

20.505 (1) (f) *Badger state games assistance.* The amounts in the schedule to provide financial assistance to the 1985 badger state games.

SECTION 516. 20.505 (1) (f) of the statutes, as created by 1985 Wisconsin Act .... (this act), is repealed.

SECTION 517. 20.505 (1) (kc) of the statutes is created to read:

20.505 (1) (kc) *Building construction services.* The amounts in the schedule to provide building construction services on behalf of state agencies under subch. V of ch. 16. The secretary of administration may credit moneys received from the provision of building construction services on behalf of state agencies to this appropriation.

SECTION 518. 20.505 (1) (ki) of the statutes is created to read:

20.505 (1) (ki) *Risk management.* The amounts in the schedule for the administration of state risk management programs for worker's compensation claims, damage to state property and state liability. All moneys received for this purpose from program supplements under s. 20.865 (1) shall be credited to this appropriation.

SECTION 519. 20.505 (1) (pz) of the statutes is created to read:

20.505 (1) (pz) *Indirect cost reimbursements.* All moneys received from the federal government as reimbursement of indirect costs of grants and contracts for the purposes authorized in s. 16.54 (9) (b).

SECTION 520. 20.505 (2) (a) of the statutes is amended to read:

20.505 (2) (a) *General program operations.* The amounts in the schedule for the general program operations of the division of emergency government including, but not limited to, central administrative support services by the department ~~and support of the emergency numbers systems board.~~

SECTION 521m. 20.505 (2) (c) of the statutes is repealed.

SECTION 522m. 20.505 (2) (e) of the statutes is created to read:

20.505 (2) (e) *Disaster recovery aid.* As a continuing appropriation, the amounts in the schedule to reimburse the federal government for any required state share of aids payable to individuals and to make payments to local units of government under federal disaster recovery programs as authorized in s. 166.03 (2) (b) 8.

SECTION 522s. 20.505 (2) (f) of the statutes is created to read:

20.505 (2) (f) *Civil air patrol aids.* The amounts in the schedule to provide assistance to the civil air patrol under s. 166.03 (2) (a) 5.

SECTION 523. 20.505 (2) (g) of the statutes is amended to read:

20.505 (2) (g) *Program services.* The amounts in the schedule for conferences, training and other services provided by the division of emergency government and for expenses incurred under s. 166.03 (2) (b) 6 and 7. All moneys received for conferences, training and other services provided by the division of emergency

government shall be credited to this appropriation. All moneys received from assessments and contributions under s. 166.03 (2) (b) 6 and 7 shall be credited to this appropriation.

SECTION 524. 20.505 (3) (title) of the statutes is amended to read:

20.505 (3) (title) COMMITTEES AND INTERSTATE BODIES.

SECTION 525. 20.505 (3) (a) of the statutes is amended to read:

20.505 (3) (a) *General program operations.* The amounts in the schedule for the expenses of committees created by law or executive order ~~subject to the approval of budgets for each such committee by the joint committee on finance,~~ for the state's contribution to the advisory commission on intergovernmental relations, and for state membership dues, ~~and~~ travel expenses and miscellaneous expenses ~~to~~ for state participation in the education commission of the states under s. 39.76 and the state's contribution to the advisory commission on intergovernmental relations. The governor may, under this paragraph, allot sums not in excess of \$1,000 to any committee created by law or executive order when necessary, without a meeting of the joint committee on finance, but the governor shall report any such allotments to the joint committee on finance at the next quarterly meeting of the joint committee on finance. ~~Administrative matters related to such budgets shall be handled by the department of administration, northeast midwest institute, council of Great Lakes governors, Great Lakes commission, and such other national or regional intergovernmental bodies as the governor determines.~~

SECTION 527. 20.505 (3) (e) of the statutes is created to read:

20.505 (3) (e) *Mediation office operations.* The amounts in the schedule for the office of mediation if the office is created by executive order under s. 14.019.

SECTION 528. 20.505 (4) (ea) of the statutes is amended to read:

20.505 (4) (ea) *Radioactive waste review board operations.* The amounts in the schedule for the general program operations of the radioactive waste review board under s. 16.08. ~~No money may be appropriated under this paragraph after January 1, 1987.~~

SECTION 529. 20.505 (4) (g) of the statutes is amended to read:

20.505 (4) (g) *Gifts and grants.* All moneys received as gifts and grants by the radioactive waste review board to be used for the purpose for which made. ~~No money may be appropriated under this paragraph after January 1, 1987.~~

SECTION 530. 20.505 (4) (m) of the statutes is amended to read:

20.505 (4) (m) *Federal aid.* All moneys received from the federal government by the radioactive waste review board as authorized by the governor under s.

16.54. ~~No money may be appropriated under this paragraph after January 1, 1987.~~

SECTION 531. 20.512 (1) (b) of the statutes is created to read:

20.512 (1) (b) *Day care services.* Biennially, the amounts in the schedule to fund a pilot day care facility operated under s. 230.048 for children of state employes.

SECTION 532. 20.512 (1) (pz) of the statutes is created to read:

20.512 (1) (pz) *Indirect cost reimbursements.* All moneys received from the federal government as reimbursement of indirect costs of grants and contracts for the purposes authorized in s. 16.54 (9) (b).

SECTION 534. 20.515 (1) (s) of the statutes is created to read:

20.515 (1) (s) *Benefit and coverage payments; employers other than the state.* All moneys received for health care coverage by the public employe trust fund from employers, as defined in s. 40.02 (28), other than the state, and their employes electing to be included in a health care coverage plan through a program offered by the group insurance board for payment of benefits and the costs of administering benefits under s. 40.51 (7). Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

SECTION 534m. 20.515 (1) (t) of the statutes is created to read:

20.515 (1) (t) *Automated operating system.* From moneys credited to the public employe trust fund administrative account under s. 40.04 (2), as a continuing appropriation, the amounts in the schedule to fund the design and implementation of an automated operating system.

SECTION 535. 20.532 of the statutes is repealed and recreated to read:

**20.532 Executive programs.** There is appropriated to the office of the governor for the following programs:

(1) ECONOMIC STABILIZATION. (a) *Community assistance.* Biennially, the amounts in the schedule to provide for community assistance under s. 14.20. No moneys may be encumbered from this appropriation after January 1, 1987.

SECTION 536. 20.566 (2) (g) of the statutes is repealed.

SECTION 537. 20.566 (2) (gi) of the statutes is created to read:

20.566 (2) (gi) *Municipal financial report compliance.* The amounts in the schedule for purposes of s. 73.10 (3) and (6). All moneys received under s. 73.10 (6) shall be credited to this appropriation.

SECTION 537g. 20.566 (8) (a) of the statutes is repealed.

SECTION 537i. 20.566 (8) (q) of the statutes is amended to read:

20.566 (8) (q) *Program administration.* ~~As a continuing appropriation, all moneys received in the system of funds and accounts under s. 77.67 (2) From the elderly property tax deferral fund under s. 25.38, the amounts in the schedule to pay costs incurred in the administration and operation of the program under subch. IV of ch. 77.~~

SECTION 537m. 20.566 (8) (wa) of the statutes is created to read:

20.566 (8) (wa) *Elderly property tax deferral loans.* From the elderly property tax deferral fund under s. 25.38, a sum sufficient for loans made under subch. IV of ch. 77.

SECTION 537r. 20.566 (8) (wc) of the statutes is created to read:

20.566 (8) (wc) *Repayment of general fund loan.* From the elderly property tax deferral fund, a sum sufficient to repay to the general fund the loan made under s. 20.855 (4) (fb).

SECTION 538m. 20.575 (1) (g) of the statutes is repealed and recreated to read:

20.575 (1) (g) *Program fees.* The amounts in the schedule for the purpose of carrying out general program operations. Except as provided under par. (ka), 12.4% of the fees collected by the secretary of state, other than fees forwarded by registers of deeds under ss. 409.403 (5) (a), 409.405 (1) and (2) and 409.406 and other than \$2 of the fees collected by the secretary of state for each filing under ss. 409.403 (5) (b), 409.405 (1) and (2) and 409.406, shall be credited to this appropriation.

SECTION 539. 20.575 (1) (gm) of the statutes is amended to read:

20.575 (1) (gm) *Annual report surcharge.* All moneys received under ss. 180.87 (1) (jm) and (pm) and 185.83 (1) (em), 1983 stats., for a computer information system in the corporations division.

SECTION 540. 20.575 (1) (h) of the statutes is amended to read:

20.575 (1) (h) *Search fees.* The amounts in the schedule for conducting searches under s. 409.407 (2). All moneys received by the office for search fees collected under s. 409.407 (2) shall be credited to this appropriation.

SECTION 541. 20.575 (1) (i) of the statutes is created to read:

20.575 (1) (i) *Uniform commercial code statewide lien system fees.* The amounts in the schedule for the purpose of establishing and maintaining support services under s. 14.38 (13) for the uniform commercial code statewide lien system under s. 409.410. All moneys received from fees forwarded by registers of deeds under ss. 409.403 (5) (a), 409.405 (1) and (2) and 409.406 plus \$2 of the fees collected by the secretary of state for each filing under ss. 409.403 (5) (b), 409.405 (1) and (2) and 409.406 shall be credited to this appropriation.

SECTION 542. 20.585 (1) (jm) of the statutes is created to read:

20.585 (1) (jm) *Credit card use charges.* All moneys received under s. 14.58 (21), to pay charges under ss. 23.49 and 85.14.

**Vetoed in Part** SECTION 542c. 20.680 (2) (k) of the statutes is repealed.

SECTION 542g. 20.680 (2) (k) of the statutes is created to read:

20.680 (2) (k) *Data processing services.* The amounts in the schedule for data processing services. All moneys received from providing those services to the board of attorneys professional competence, the board of attorneys professional responsibility and patients compensation panels shall be credited to this appropriation.

SECTION 542m. 20.680 (4) (h) of the statutes is created to read:

20.680 (4) (h) *Gifts and grants.* All moneys received from gifts, grants, donations, bequests and devises to carry out the purposes for which made and received.

SECTION 543. 20.835 (1) (b) of the statutes is repealed.

SECTION 544. 20.835 (1) (c) of the statutes is repealed.

SECTION 545. 20.835 (1) (f) of the statutes is repealed.

SECTION 546. 20.835 (2) (a) of the statutes is repealed.

SECTION 547. 20.835 (2) (bs) of the statutes is repealed.

SECTION 548. 20.835 (2) (e) of the statutes is repealed.

SECTION 549. 20.835 (2) (em) of the statutes is repealed.

SECTION 550. 20.835 (3) (title) of the statutes is renumbered 20.835 (4) (title).

SECTION 551. 20.835 (3) (title) of the statutes is created to read:

20.835 (3) (title) STATE PROPERTY TAX CREDITS.

SECTION 552. 20.835 (3) (a) of the statutes is created to read:

20.835 (3) (a) *General government tax credit.* A sum sufficient to make the payments under s. 79.10 (5).

SECTION 553. 20.835 (3) (b) of the statutes is created to read:

20.835 (3) (b) *School levy tax credit.* A sum sufficient to make the payments under s. 79.10 (4).

SECTION 554. 20.835 (3) (c) of the statutes is created to read:

20.835 (3) (c) *School aid credit.* The amounts in the schedule to make the payments under s. 79.10 (3).

SECTION 554m. 20.835 (3) (d) of the statutes is created to read:

20.835 (3) (d) *Corrections of state property tax credit payments.* A sum sufficient to make the correc-

tions of state property tax credit payments under s. 79.10 (3m) and (6m).

SECTION 555m. 20.835 (3) (f) of the statutes is renumbered 20.835 (4) (f) and amended to read:

20.835 (4) (f) *Distribution.* The amounts in the schedule to be distributed to ~~cities, villages and towns located in~~ counties that enact a local sales tax under s. 77.76 (4).

SECTION 556. 20.855 (1) (title) of the statutes is created to read:

20.855 (1) (title) CASH MANAGEMENT EXPENSES; INTEREST AND PRINCIPAL REPAYMENT.

SECTION 558. 20.855 (4) (title) of the statutes is amended to read:

20.855 (4) (title) TAX AND ASSISTANCE PAYMENTS.

SECTION 559. 20.855 (4) (b) of the statutes is amended to read:

20.855 (4) (b) *Election campaign payments.* The A sum sufficient equal to the amounts determined under s. 71.095 to be paid into the Wisconsin election campaign fund annually on August 15.

SECTION 560. 20.855 (4) (d) of the statutes is renumbered 20.855 (1) (e).

SECTION 561. 20.855 (4) (di) of the statutes is renumbered 20.855 (1) (c).

SECTION 562. 20.855 (4) (dj) of the statutes is renumbered 20.855 (1) (a).

SECTION 563. 20.855 (4) (dk) of the statutes is renumbered 20.855 (1) (b).

SECTION 564. 20.855 (4) (dm) of the statutes is renumbered 20.855 (1) (d).

SECTION 564m. 20.855 (4) (fb) of the statutes is created to read:

20.855 (4) (fb) *General fund loan.* The amounts in the schedule to be deposited to the fund under s. 25.38. Of those amounts, \$50,000 shall be deposited in the fund on July 1, 1985, and \$9,950,000 shall be deposited in the fund on January 1, 1986. Ten years after the effective date of this paragraph .... [revisor inserts date], moneys sufficient to repay the loan shall be transferred from the appropriation under s. 20.566 (8) (wc) to the general fund.

SECTION 565. 20.855 (4) (qj) of the statutes is renumbered 20.855 (1) (q).

SECTION 566. 20.855 (4) (u) of the statutes is renumbered 20.855 (1) (r).

SECTION 567. 20.855 (6) (pz) of the statutes is created to read:

20.855 (6) (pz) *Indirect cost reimbursements.* All moneys not otherwise appropriated under this chapter received from the federal government as reimbursement of indirect costs of grants and contracts for the purposes authorized in s. 16.54 (9) (b).

SECTION 568. 20.865 (1) (c) of the statutes is amended to read:

20.865 (1) (c) (title) *Compensation and related adjustments.* A sum sufficient to supplement the appropriations to state agencies for the cost of com-



compensation and related adjustments approved by the legislature under s. 111.92 for represented employees and by the joint committee on employment relations under s. 230.12 and by the legislature, when required, for nonrepresented employees in the classified service and comparable adjustments for those employees in the unclassified service, except those included under ss. 20.923 (5) and (6) (c) and (m) and 230.08 (2) (d) and (f), as determined under s. 20.928. Unclassified employees included under s. 20.923 (2) need not be paid comparable adjustments. No moneys may be expended from this appropriation for the cost of any form of length of service payments to state employees.

SECTION 569. 20.865 (1) (cm) of the statutes is repealed.

SECTION 570. 20.865 (1) (cq) of the statutes is created to read:

20.865 (1) (cq) *Specified pay adjustments.* A sum sufficient to supplement the appropriations to state agencies, for the cost of correcting pay inequities based on gender or race and applying a master salary schedule.

SECTION 571. 20.865 (1) (d) of the statutes is amended to read:

20.865 (1) (d) *Employer fringe benefit costs.* A sum sufficient to pay the cost of state employer contributions for state employee fringe benefits ~~other than health insurance~~ under chs. 40 and 108 and ss. 56.21 and 66.191, 1981 stats., as determined under s. 20.928.

SECTION 572. 20.865 (1) (di) of the statutes is repealed.

SECTION 573. 20.865 (1) (dm) of the statutes is amended to read:

20.865 (1) (dm) *Risk management — worker's compensation.* A sum sufficient to pay for the state employer's costs for state employees' worker's compensation under ch. 102, including but not limited to any investigative and adjustment fees, data processing and support staff costs, program administration costs, litigation costs and the cost of insurance contracts arranged by the department of administration to protect the state against risk of loss as provided under s. 16.865 (5). ~~The department of administration shall on July 1 of each year allocate as a charge to state agencies a proportionate share of the estimated cost attributable to programs not funded from general purpose revenue to be paid from this appropriation. Costs may be charged to and collected from state agencies on an estimated or premium basis and paid from this appropriation on an actual basis.~~

SECTION 574. 20.865 (1) (f) of the statutes is amended to read:

20.865 (1) (f) *Risk management — state property.* A sum sufficient to pay for damage to state property under s. 16.865 (4) including, but not limited to, any investigative and adjustment fees, program administration costs and the cost of insurance contracts arranged by the department of administration to protect the state against risk of loss as provided under s.

16.865 (5). ~~The department of administration shall on July 1 of each year allocate as a charge to state agencies a proportionate share of the estimated costs attributable to programs not funded from general purpose revenue under s. 16.865 (4) and (5) to be paid from this appropriation.~~

SECTION 575. 20.865 (1) (fm) of the statutes is amended to read:

20.865 (1) (fm) *Risk management — liability.* A sum sufficient to pay settlements made under s. 165.25 (6), the costs incurred under ss. 775.04, 895.46 (1) and 895.47 including any judgments, investigative and adjustment fees, program administration costs and the cost of insurance contracts arranged by the department of administration to protect the state against risk of loss as provided under s. 16.865. ~~The department of administration shall on July 1 of each year allocate as a charge to state agencies a proportionate share of the estimated costs attributable to programs not funded from general purpose revenue under ss. 16.865 and 895.46 (1) to be paid from this appropriation.~~

SECTION 576. 20.865 (1) (fn) of the statutes is amended to read:

20.865 (1) (fn) *Physically handicapped supplements.* Biennially, the amounts in the schedule to pay the cost of acquiring services or acquiring, maintaining or renting special equipment to accommodate a physical disability of a state employee, who without which could not perform the responsibilities of the position to which he or she is appointed. Payment for service acquisition under this paragraph may not be made for a period of more than 3 months per employee.

SECTION 577. 20.865 (1) (i) of the statutes is amended to read:

20.865 (1) (i) (title) *Compensation and related adjustments; program revenues.* From the appropriate program revenue and program revenue-service accounts, a sum sufficient to supplement the appropriations to state agencies for the cost of compensation and related adjustments approved by the legislature under s. 111.92 for represented employees and by the joint committee on employment relations under s. 230.12 for nonrepresented employees in the classified service, except those included under ss. 20.923 (5) and (6) (c) and (m) and 230.08 (2) (d) and (f), as determined under s. 20.928. Unclassified employees included under s. 20.923 (2) need not be paid comparable adjustments. No moneys may be expended from this appropriation for the cost of any form of length of service payments to state employees.

SECTION 578. 20.865 (1) (im) of the statutes is repealed.

SECTION 579. 20.865 (1) (iq) of the statutes is created to read:

20.865 (1) (iq) *Specified pay adjustments.* From the appropriate program revenue and program revenue-service accounts, a sum sufficient to supplement the appropriations to state agencies, for the cost of cor-

recting pay inequities based on gender or race and applying a master salary schedule.

SECTION 580. 20.865 (1) (j) of the statutes is amended to read:

20.865 (1) (j) *Employer fringe benefit costs; program revenues.* From the appropriate program revenue and program revenue-service accounts, a sum sufficient to supplement the appropriations to state agencies to pay the cost of state employer contributions for state employe fringe benefits ~~other than health insurance~~ under chs. 40 and 108 and ss. 56.21 and 66.191, 1981 stats., as determined under s. 20.928.

SECTION 581. 20.865 (1) (ji) of the statutes is repealed.

SECTION 582. 20.865 (1) (Ln) of the statutes is amended to read:

20.865 (1) (Ln) *Physically handicapped supplements; program revenues.* From the appropriate program revenue and program revenue-service accounts, a sum sufficient to supplement the program revenue appropriations to state agencies to pay the cost of acquiring services or acquiring, maintaining or renting special equipment to accommodate a physical disability of a state employe, who without which could not perform the responsibilities of the position to which he or she is appointed. Payment for service acquisition under this paragraph may not be made for a period of more than 3 months per employe.

SECTION 583. 20.865 (1) (s) of the statutes is amended to read:

20.865 (1) (s) (title) *Compensation and related adjustments; segregated revenues.* From the appropriate segregated funds, a sum sufficient to supplement the appropriations to state agencies for the cost of compensation and related adjustments approved by the legislature under s. 111.92 for represented employes and by the joint committee on employment relations under s. 230.12 for nonrepresented employes in the classified service, except those included under ss. 20.923 (5) and (6) (c) and (m) and 230.08 (2) (d) and (f), as determined under s. 20.928. Unclassified employes under s. 20.923 (2) need not be paid comparable adjustments. No moneys may be expended from this appropriation for the cost of any form of length of service payments to state employes.

SECTION 584. 20.865 (1) (sm) of the statutes is repealed.

SECTION 585. 20.865 (1) (sq) of the statutes is created to read:

20.865 (1) (sq) *Specified pay adjustments.* From the appropriate segregated funds, a sum sufficient to supplement the appropriations to state agencies, for the cost of correcting pay inequities based on gender or race and applying a master salary schedule.

SECTION 586. 20.865 (1) (t) of the statutes is amended to read:

20.865 (1) (t) *Employer fringe benefit costs; segregated revenues.* From the appropriate segregated

funds, a sum sufficient to supplement the appropriations to state agencies to pay the cost of state employer contributions for state employe fringe benefits ~~other than health insurance~~ under chs. 40 and 108 and ss. 56.21 and 66.191, 1981 stats., as determined under s. 20.928.

SECTION 587. 20.865 (1) (ti) of the statutes is repealed.

SECTION 588. 20.865 (1) (vn) of the statutes is amended to read:

20.865 (1) (vn) *Physically handicapped supplements; segregated revenues.* From the appropriate segregated funds, a sum sufficient to supplement the appropriations to state agencies to pay the cost of acquiring services or acquiring, maintaining or renting special equipment to accommodate a physical disability of a state employe, who without which could not perform the responsibilities of the position to which he or she is appointed. Payment for service acquisition under this paragraph may not be made for a period of more than 3 months per employe.

SECTION 589. 20.865 (8) (g) of the statutes is amended to read:

20.865 (8) (g) *Supplementation of program revenue and program revenue-service appropriations.* From the appropriate program revenue and program revenue-service accounts, a sum sufficient to supplement sum certain program revenue and program revenue-service appropriations as provided under ~~s. ss.~~ ss. 16.515 and 16.517.

SECTION 589m. 20.866 (2) (s) of the statutes is amended to read:

20.866 (2) (s) *University of Wisconsin; academic facilities.* From the capital improvement fund, a sum sufficient for the board of regents of the university of Wisconsin system to acquire, construct, develop, enlarge or improve university academic educational facilities and facilities to support such facilities. The state may contract public debt in an amount not to exceed ~~\$426,439,800~~ \$473,807,100 for this purpose.

SECTION 590. 20.866 (2) (tn) of the statutes is amended to read:

20.866 (2) (tn) *Natural resources; pollution abatement and sewage collection facilities.* From the capital improvement fund, a sum sufficient to the department of natural resources to acquire, construct, develop, enlarge or improve point source water pollution abatement facilities and sewage collection facilities under s. 144.24 including eligible engineering design costs. Payments may be made from this appropriation for capital improvement expenditures and for payment of capital improvement encumbrances authorized under s. 144.24 regardless of when encumbrances were incurred. The state may contract public debt in an amount not to exceed ~~\$492,511,400~~ \$547,711,400 for this purpose.

SECTION 591. 20.866 (2) (to) of the statutes is amended to read:

20.866 (2) (to) *Natural resources; pollution abatement and sewage collection facilities; combined sewer overflow.* From the capital improvement fund, a sum sufficient to the department of natural resources to provide funds for the construction of combined sewer overflow projects and for eligible engineering design costs under s. 144.242. The state may contract public debt in an amount not to exceed ~~\$120,000,000~~ \$193,600,000 for this purpose. Of this amount, \$7,360,000 is allocated to fund the minority business demonstration and training program under s. 66.905.

SECTION 592. 20.866 (2) (tr) of the statutes is amended to read:

20.866 (2) (tr) *Natural resources; recreation development.* From the capital improvement fund, a sum sufficient for the department of natural resources to acquire, construct, develop, enlarge or improve state recreation facilities. The state may contract public debt in an amount not to exceed ~~\$1,350,000~~ \$3,512,500 for this purpose.

SECTION 593. 20.866 (2) (ts) of the statutes is amended to read:

20.866 (2) (ts) *Natural resources; land acquisition.* From the capital improvement fund, a sum sufficient for the department of natural resources for outdoor recreation land acquisition activities. The state may contract public debt in an amount not to exceed ~~\$17,903,600~~ \$25,653,600 for this purpose.

SECTION 594. 20.866 (2) (tt) of the statutes is created to read:

20.866 (2) (tt) *Natural resources; Wisconsin heritage program.* From the capital improvement fund, as a part of the outdoor recreation land acquisition program, a sum sufficient for the department of natural resources for natural areas land acquisition activities under the Wisconsin heritage program. The state may contract public debt in an amount not to exceed \$1,000,000 for this purpose. Moneys from this appropriation may be expended in each fiscal year only in an amount equal to the value of all gifts, contributions and land dedications accepted under the Wisconsin heritage program.

SECTION 594e. 20.866 (2) (tv) of the statutes is amended to read:

20.866 (2) (tv) *Natural resources; general tax supported administrative facilities.* From the capital improvement fund, a sum sufficient for the department of natural resources to acquire, construct, develop, enlarge or improve natural resource administrative office, laboratory, equipment, storage or maintenance facilities. The state may contract public debt in an amount not to exceed ~~\$3,619,300~~ \$3,754,300 for this purpose.

SECTION 594n. 20.866 (2) (v) of the statutes is amended to read:

20.866 (2) (v) *Health and social services; mental health facilities.* From the capital improvement fund, a sum sufficient for the department of health and

social services to acquire, construct, develop, enlarge or extend mental health facilities. The state may contract public debt in an amount not to exceed ~~\$44,460,300~~ \$44,766,300 for this purpose.

SECTION 594s. 20.866 (2) (w) of the statutes is amended to read:

20.866 (2) (w) *Health and social services; correctional facilities.* From the capital improvement fund, a sum sufficient for the department of health and social services to acquire, construct, develop, enlarge or improve correctional facilities. The state may contract public debt in an amount not to exceed ~~\$189,198,100~~ \$180,495,100 for this purpose.

SECTION 595. 20.866 (2) (wa) of the statutes is created to read:

20.866 (2) (wa) *Health and social services; self-amortizing equipment.* From the capital improvement fund, a sum sufficient for the department of health and social services to acquire, develop, enlarge or improve equipment used in existing prison industries. The state may contract public debt in an amount not to exceed \$700,000 for this purpose.

SECTION 595m. 20.866 (2) (xa) of the statutes is amended to read:

20.866 (2) (xa) *Building commission; refunding corporation tax supported debt.* From the capital improvement fund, a sum sufficient to fund or refund the whole or any part of any unpaid indebtedness used to finance facilities in which lease rental payments are paid from general purpose revenue and incurred prior to January 1, 1970, by the Wisconsin state agencies building corporation or the Wisconsin state public building corporation. The state may contract public debt in an amount not to exceed ~~\$120,330,700~~ \$112,156,000 for this purpose. Such indebtedness shall be construed to include any premium payable with respect thereto. Debt incurred by this paragraph shall be repaid under the appropriations providing for the retirement of public debt incurred under par. (s), (v), (w), (y) or (zm) in proportional amounts to the purposes for which the debt was refinanced. It is the intent of the legislature that this refunding authority only be used if the true interest costs to the state can be reduced.

SECTION 596. 20.866 (2) (xb) of the statutes is amended to read:

20.866 (2) (xb) *Building commission; refunding corporation self-amortizing debt.* From the capital improvement fund, a sum sufficient to fund or refund the whole or any part of any unpaid indebtedness used to finance self-amortizing facilities in which program revenues or corresponding segregated revenues from program receipts reimburse lease rental payments advanced by general purpose revenue, and incurred prior to January 1, 1970, by the Wisconsin state agencies building corporation, Wisconsin state colleges building corporation or Wisconsin university building corporation. The state may contract public debt in an

amount not to exceed ~~\$78,827,400~~ \$48,507,100 for this purpose. Such indebtedness shall be construed to include any premium payable with respect thereto. Debt incurred by this paragraph shall be repaid under the appropriations providing for the retirement of public debt incurred under par. (t), (u), (ur) or (zz) in proportional amounts to the purposes for which the debt was refinanced. The refunding authority provided in this paragraph may be used only if the true interest costs to the state can be reduced thereby.

SECTION 596m. 20.866 (2) (y) of the statutes is amended to read:

20.866 (2) (y) *Building commission; housing state departments and agencies.* From the capital improvement fund, a sum sufficient to the building commission for the purpose of housing state departments and agencies. The state may contract public debt in an amount not to exceed ~~\$77,257,400~~ \$80,757,400 for this purpose.

SECTION 597. 20.866 (2) (ym) of the statutes is amended to read:

20.866 (2) (ym) *Building commission; capital equipment acquisition.* From the capital improvement fund, a sum sufficient to the state building commission to acquire capital equipment for state departments and agencies. The state may contract public debt in an amount not to exceed ~~\$14,500,000~~ \$34,500,000 for the purpose.

SECTION 597d. 20.866 (2) (z) of the statutes is amended to read:

20.866 (2) (z) *Building commission; other public purposes.* From the capital improvement fund, a sum sufficient to the building commission for relocation assistance and capital improvements for other public purposes authorized by law but not otherwise specified in this chapter. The state may contract public debt in an amount not to exceed ~~\$109,118,000~~ \$160,118,000 for this purpose.

SECTION 597h. 20.866 (2) (zg) of the statutes is amended to read:

20.866 (2) (zg) *Historical society, museum facility.* From the capital improvement fund, a sum sufficient for the historical society to acquire and remodel a museum facility. The state may contract public debt in an amount not to exceed ~~\$2,482,000~~ \$3,982,000 for this purpose.

SECTION 597p. 20.866 (2) (zh) of the statutes is amended to read:

20.866 (2) (zh) *Public instruction, state schools.* From the capital improvement fund, a sum sufficient for the department of public instruction to acquire, construct, develop, enlarge or improve institutional facilities for the deaf and the visually handicapped. The state may contract public debt in an amount not to exceed ~~\$5,274,700~~ \$5,664,700 for this purpose.

SECTION 597t. 20.866 (2) (zj) of the statutes is amended to read:

20.866 (2) (zj) *Military affairs, armories and military facilities.* From the capital improvement fund, a sum sufficient for the department of military affairs to acquire, construct, develop, enlarge, or improve armories and other military facilities. The state may contract public debt in an amount not to exceed ~~\$3,496,000~~ \$5,086,200 for this purpose.

SECTION 598. 20.866 (2) (zn) of the statutes is amended to read:

20.866 (2) (zn) *Veterans affairs, self-amortizing mortgage loans.* From the capital improvement fund, a sum sufficient for the department of veterans affairs for loans to veterans under s. 45.79 (6) (a). The state may contract public debt in an amount not to exceed ~~\$1,200,000,000~~ \$1,299,000,000 for this purpose.

SECTION 598g. 20.867 (2) (w) of the statutes is created to read:

20.867 (2) (w) *Building program funding.* As a continuing appropriation, the amounts in the schedule from interest earnings of the capital improvement fund accrued before October 1, 1983, as well as earnings on those earnings, for minimum maintenance projects.

SECTION 598r. 20.867 (4) (q) of the statutes, as affected by 1985 Wisconsin Act 6, is amended to read:

20.867 (4) (q) *Funding in lieu of borrowing.* As a continuing appropriation, all interest earnings of the capital improvement fund accrued after September 30, 1983, except interest earnings arising from the investment of proceeds of public debt contracted under s. 20.866 (2) (zo) and (zn) on and after March 24, 1985, to permit funding in lieu of borrowing for the purposes for which the contracting of public debt is authorized under s. 20.866 (2) before March 24, 1985, and under s. 20.866 (2) (s) to (zm), (zp) and (zz) on and after March 24, 1985. Expenditures from this appropriation for each purpose under s. 20.866 (2) (s) to (zm), (zp) and (zz) may not exceed the net interest earnings attributable to the corresponding account created under s. 18.08 (1) (b). Net interest earnings shall be allocated quarterly to accounts created under s. 18.08 (1) (b), on the basis of the average daily balance of each account during the quarter, except that accounts with a negative average daily balance shall not receive any interest earnings for that quarter. Balances attributable to accounts created under s. 18.08 (1) (b) may temporarily be utilized to support the expenditures of other accounts, pending the sale of public debt to provide funds for the program purposes of other accounts. Notwithstanding s. 20.866 (2) (s) to (zm), (zp) and (zz) or any nonstatutory state building program project enumeration, this appropriation may be used in lieu of borrowing under s. 20.866 (2) (s) to (zm), (zp) and (zz).

SECTION 599. 20.903 (2) (a), (b) and (bn) of the statutes are amended to read:

20.903 (2) (a) Notwithstanding sub. (1), liabilities may be created and moneys expended from a program

revenue ~~appropriations and~~ appropriation or corresponding segregated revenue appropriations appropriation from program receipts ~~may be encumbered and moneys expended therefrom:~~

1. During the current fiscal year, in an amount not exceeding the total of the ~~unencumbered appropriation balance unexpended moneys in the appropriation account~~ plus the value of accrued accounts receivable outstanding, inventories, work in process and estimated fee revenues. In this subdivision, "estimated fee revenues" are those revenues from fees anticipated to be charged during the current fiscal year which have not been assessed at the time of encumbrance or expenditure.

2. At the end of the current fiscal year, in an amount not exceeding the ~~total of the unencumbered appropriation balance unexpended moneys in the appropriation account~~, plus the value of accrued accounts receivable outstanding, inventories and work in process.

(b) Notwithstanding sub. (1), liabilities may be created and moneys expended from the appropriations under ss. 20.395 (5) (4) (er) and (es) and, 20.505 (1) (i), (ka), (kb), (kd) and (kg) may be encumbered and moneys expended therefrom and 20.855 (8) (k), (ka) and (kb) in an additional amount not exceeding the depreciated value of equipment for operations financed under ss. 20.395 (5) (4) (er) and (es) and, 20.505 (1) (i), (ka), (kb), (kd) and (kg) and 20.855 (8) (k), (ka) and (kb). The secretary of administration may require such statements of ~~outstanding accounts receivable assets and liabilities~~ as he or she deems necessary before ~~allotting sums approving expenditure estimates in excess of the unencumbered appropriation balance unexpended moneys in the appropriation account.~~ For the purposes of this subsection only, the secretary shall consider as accrued accounts receivable on each June 30, the federal aid funds allotted and \$8,000,000 of the revenues from imposts which the department of transportation has obligated under s. 84.01 (20).

(bn) Notwithstanding sub. (1), liabilities may be created and moneys expended from the appropriation under s. 20.435 (3) (kk) may be encumbered and moneys expended therefrom in an additional amount not exceeding the value of the equipment and buildings for operations financed under s. 20.435 (3) (kk).

SECTION 600. 20.905 (1) and (2) of the statutes are amended to read:

20.905 (1) MANNER OF PAYMENT. Payments to the state may be made in legal tender, postal money order, express money order, bank draft or certified check. Payments to the state may also be made by personal check or individual check drawn in the ordinary course of business unless otherwise required by individual state agencies. Payments to the state made by a debit or credit card approved by the depository selection board may be accepted by state agencies. Prior to authorizing the use of a card, the depository selection board shall determine how any charges associated

with the use of the card shall be paid, unless the method of payment of such charges is specified by law.

(2) PROTESTED PAYMENT. If a personal check tendered to make any payment to the state is not paid by the bank on which it is drawn, or if a demand for payment under a debit or credit card transaction is not paid by the bank upon which demand is made, the person by whom the check has been tendered or the person entering into the debit or credit card transaction shall remain liable for the payment of the amount for which the check was tendered or the amount agreed to be paid by debit or credit card and for all legal penalties, additions and a charge of \$5, and in such case the officer to whom the check was tendered or to whom the debit or credit card was presented may, if there is probable cause to believe that a crime has been committed, provide any information or evidence relating to the crime to the district attorney of the county having jurisdiction over the offense for prosecution as provided by law. If any license has been granted upon any such check or any such debit or credit card transaction, the license shall be subject to cancellation for the nonpayment of the check or failure of the bank to honor the demand for payment authorized by debit or credit card.

SECTION 601. 20.913 (2) (b) of the statutes is repealed.

SECTION 602. 20.920 of the statutes is repealed and recreated to read:

**20.920 Contingent funds.** (1) DEFINITIONS. In this section:

(a) "Agency head" means the constitutional officer, secretary, commissioner, executive or administrative officer or body serving as appointing authority for staff of a state agency.

(b) "Contingent fund" means an amount of money set aside for a state agency to use in making small payments.

(c) "Secretary" means the secretary of administration.

(2) ESTABLISHMENT. (a) With the approval of the secretary and state treasurer, each state agency may establish a contingent fund. The secretary shall determine the funding source for each contingent fund, total amount of the fund and maximum payment from the fund.

(b) No part of a contingent fund may be utilized to pay the salary or wages of an employe of a state agency.

(c) All moneys in a contingent fund, except petty cash accounts established under s. 16.52 (7), shall be deposited in a separate account in a public depository approved by the depository selection board. The agency head of each state agency having a contingent fund is responsible for all disbursements from the fund, but the agency head may delegate the responsibility for administration of the fund to a custodian, who shall be an employe of the agency. State agency invoices which qualify for payment from a contingent

fund may be paid by check, share draft or other draft drawn by the agency head or custodian against the account. No such invoice need be submitted for audit prior to disbursement. After making each disbursement, the agency head shall file with the secretary a claim for reimbursement of the contingent fund on a voucher which shall be accompanied by a copy of the invoice to be reimbursed. Upon audit and approval of the claim by the secretary, the department of administration shall reimburse the contingent fund with the total amount lawfully paid therefrom.

SECTION 603. 20.923 (2) (b) of the statutes is amended to read:

20.923 (2) (b) The annual salary of each state senator, representative to the assembly, justice of the supreme court, court of appeals judge and circuit judge shall be reviewed and established in the same manner as provided for positions in the classified service under s. 230.12 (3). The salary established for the chief justice of the supreme court shall be different than the salaries established for the ~~other~~ associate justices of the supreme court.

SECTION 604. 20.923 (2) (e) of the statutes is amended to read:

20.923 (2) (e) The annual salary of the attorney general shall be set at ~~13.0% above the minimum of the salary range for executive salary group 7~~ the same level established for an associate justice of the supreme court under par. (b).

SECTION 604m. 20.923 (2) (f) of the statutes is amended to read:

20.923 (2) (f) The annual salary of the state superintendent of public instruction shall be set at ~~13.0%~~ 25.0% above the minimum of the salary range for executive salary group 7.

SECTION 605m. 20.923 (4) (d) 1 of the statutes is amended to read:

20.923 (4) (d) 1. Administration, department of; tax appeals commission: ~~chairman~~ chairperson and members. The ~~chairman~~ chairperson of the commission and the governor, at the time a new member is appointed, shall jointly determine the salary of the new member ~~at an hourly rate~~ within the range for this group, and shall also establish the minimum number of hours per week the new member is expected to serve if the new member is appointed on a part-time basis.

SECTION 605s. 20.923 (4) (d) 9 of the statutes is renumbered 20.923 (4) (e) 6.

SECTION 605t. 20.923 (4) (d) 16 of the statutes is renumbered 20.923 (4) (f) 7.

SECTION 606. 20.923 (4) (e) 5m of the statutes is created to read:

20.923 (4) (e) 5m. Investment board: investment directors.

SECTION 606g. 20.923 (4) (e) 6 of the statutes is renumbered 20.923 (4) (f) 6.

SECTION 606n. 20.923 (4) (e) 7 of the statutes is renumbered 20.923 (4) (f) 6m.

SECTION 606r. 20.923 (4) (e) 8 of the statutes is renumbered 20.923 (4) (f) 7.

SECTION 606w. 20.923 (4) (e) 9 of the statutes is renumbered 20.923 (4) (f) 7m.

SECTION 607. 20.923 (6) (c) of the statutes is amended to read:

20.923 (6) (c) Organized militia: offices and positions, except as provided in sub. (8).

SECTION 609. 20.928 (1) of the statutes is amended\* to read:

20.928 (1) Each state agency head shall certify to the department of administration, at such time and in such manner as the secretary of administration prescribes, the sum of money needed by the state agency from the appropriations under s. 20.865 (1) (c), (ci), ~~(em)~~ (cq), (d), ~~(di)~~, (i), (ic), ~~(im)~~ (iq), (j), ~~(ji)~~, (s), (si), ~~(sm)~~, (sq) and (t) and ~~(ti)~~. Upon receipt of the certifications together with such additional information as the secretary of administration prescribes, the secretary shall supplement, at such times and in such amounts as he or she determines, determine the amounts required from the respective appropriations to supplement state agency budgets. The secretary may not approve any supplement which includes an amount for the cost of any form of length of service payments to state employes.

Partial  
Veto  
Overruled

SECTION 609g. 20.928 (2) of the statutes is amended\* to read:

20.928 (2) Any state agency head who is aggrieved by the ~~action~~ determination of the ~~department~~ secretary of administration under this section may appeal ~~such action~~ the determination to the governor, who may set aside or modify ~~such action~~ the determination.

Partial  
Veto  
Overruled

SECTION 609r. 20.928 (2m) of the statutes is created\* to read:

20.928 (2m) *After each determination is made, the secretary of administration shall forward the determination to the joint committee on finance. If the cochairpersons of the committee do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the determination within 14 working days after the date of the secre-*

\* SECTION 609: the text changes surrounded by the box were enacted on October 16, 1985, when the required two-thirds of each house of the Legislature had voted to pass vetoed item 4-U notwithstanding the objections of the Governor. The other changes in sec. 20.928 (1), stats., contained in SECTION 609, were approved by the Governor on July 16, 1985. SECTIONS 609g and 609r were enacted on October 16, 1985, when the required two-thirds of each house of the Legislature had voted to pass vetoed item 4-U notwithstanding the objections of the Governor.

Partial  
Veto  
Overruled

*itary's submittal, the secretary may supplement appropriations of state agencies in accordance with the determination. If, within 14 working days after the date of the secretary's submittal, the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the determination, no supplement may be made without the approval of the committee.*

SECTION 610. 20.928 (3) of the statutes is amended to read:

20.928 (3) All compensation adjustments for state employes approved by the legislature shall take effect and be earned at the beginning of the pay period closest to July 1 or the date prescribed by law or by the appropriate authority. In the odd-numbered years, payments for such adjustments, including ~~those to be paid from the appropriation under s. 20.865 (1) (em), (im) and (sm)~~ payments under collective bargaining agreements, may not be made prior to enactment of the biennial budget bill.

SECTION 610m. 21.49 (2) (a) and (d) of the statutes are amended to read:

21.49 (2) (a) An officer, warrant officer or full-time technician or active guard reserve member required to maintain membership in the guard due to employment with the department of military affairs;

(d) Eligible for educational assistance from a program established under 10 USC 2131 to 2138 if he or she first enlisted with the guard after June 30, 1981.

SECTION 611m. 23.09 (2) (d) 8 of the statutes is amended to read:

23.09 (2) (d) 8. For state natural areas ~~and scientific areas as defined in s. 23.092~~ as authorized under s. 23.27 (4) and for state natural areas as authorized under s. 23.27 (5) except that land may not be acquired through condemnation under the authority of s. 23.27 (5).

SECTION 611mn. 23.09 (11) (b) of the statutes is amended to read:

23.09 (11) (b) For the purposes of this subsection outdoor recreational facilities shall mean the development of picnic and camping grounds, nature trails, snowmobile trails and areas, beaches and bath houses, toilets, shelters, wells and pumps, and fireplaces. Costs associated with the operation and maintenance of recreational facilities ~~shall be eligible for aids under this section.~~ Costs associated with the development of facilities for spectator sports are not eligible for aids under this section.

SECTION 612d. 23.09 (25) (a) of the statutes is amended to read:

23.09 (25) (a) The department shall administer an off-the-road motorcycle recreational aid program from moneys appropriated under s. 20.370 (4) (bv) ~~and (ir).~~ The department shall distribute these funds to towns, villages, cities ~~and~~ counties ~~and federal agencies~~ for the acquisition, development, operation and maintenance of off-the-road motorcycle trails and

facilities. The department may distribute these funds before July 1, 1989, to towns, villages, cities, counties and federal agencies for the acquisition, development, operation and maintenance of all-terrain vehicle areas and trails if these areas and trails are also available for use by off-the-road motorcycles. In addition, the department may expend moneys appropriated under s. 20.370 (4) (bv) for the development and maintenance of existing off-the-road motorcycle trails at the Black River state forest and the Bong state recreation area.

SECTION 612h. 23.09 (25) (c) of the statutes is amended to read:

23.09 (25) (c) The state or its agencies shall not be liable for any injury to any person or damage to any property in connection with or arising out of the use of any lands acquired, developed or operated under this subsection by a town, village, city or county.

SECTION 612p. 23.09 (25) (d) of the statutes is amended to read:

23.09 (25) (d) ~~The motorcycle recreation off-the-road vehicle council~~ shall carry out studies and make recommendations to the department concerning the implementation of ~~this section~~ the program authorized under par. (a).

SECTION 612t. 23.09 (25) (e) of the statutes is created to read:

23.09 (25) (e) The department shall administer a local park aid program from moneys appropriated under s. 20.370 (4) (bw). The department shall provide these funds to any town, village, city or county which submits an application by March 15 of each year, beginning in 1986, for a state grant of up to 50% of the total project costs for the development of a local park. The maximum grant amount under this program for any project is limited to 30% of the s. 20.370 (4) (bw) biennial appropriation amount. Grants shall be awarded on a statewide priority basis, with highest priority given to projects involving the development of a local park that provides water-based public recreation opportunities. The application shall be in the form and include the information that the department prescribes.

SECTION 613. 23.092 of the statutes is repealed.

SECTION 613m. 23.265 of the statutes is created to read:

**23.265 Great Lakes fish and water resources council.**  
(1) The Great Lakes fish and water resources council shall advise state departments and agencies in activities related to the management of the fish and water resources with regard to the contamination of the Great Lakes and its tributaries. The council shall study, assess and recommend solutions and policy alternatives with regard to the economic, health and environmental impact of conventional and toxic water pollutants on commercial, charters and sports fishing and state tourism and the associated impacts on consumers of fish.

(2) In August 1986, 1987 and 1988 and in June 1989, the Great Lakes fish and water resources council shall submit to the governor, to the head of each agency specified under s. 15.347 (1) (a) 3 to 6 and to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3) a report which summarizes the operations and activities of the council during the previous fiscal year or, on June 1989, since the previous report, describes the state of Great Lakes fish and water resources and its management and sets forth the recommendations of the council. The report shall include a description of the current water quality of the Great Lakes and its tributaries, an assessment of fish and water resource management programs and a list and description of current and anticipated fish and water resource management problems.

(3) Subsections (1) and (2) do not apply after June 30, 1989.

SECTION 613mn. 23.14 of the statutes is amended to read:

**23.14 Approval required before new lands acquired.** Prior to the initial acquisition of any lands by the department after July 1, 1977, for any new facility or project, the proposed initial acquisition shall be submitted to the governor for his or her approval. New facilities or projects include, without limitation because of enumeration, state parks, state forests, recreation areas, public shooting, trapping or fishing grounds or waters, fish hatcheries, game farms, forest nurseries, experimental stations, endangered species preservation areas, picnic and camping grounds, nature trails, bicycle trails, snowmobile trails, youth camps, scientific natural areas and wild rivers.

SECTION 614m. 23.27 of the statutes is renumbered 23.26 and amended to read:

**23.26 (title) Natural areas preservation council.** The ~~scientific areas~~ natural areas preservation council shall:

(1) ~~Determine the acceptance or rejection of areas of special scientific interest~~ Make recommendations to the department concerning the suitability of natural areas offered as donations by individuals or organizations for preservation inclusion in the state natural areas system, make recommendations to the department concerning the purchase of natural areas to be included in the state natural areas system and make recommendations concerning the suitability of natural areas offered as dedications by individuals or organizations for inclusion in the state natural areas system.

(2) Make recommendations to appropriate federal agencies or national scientific organizations of natural areas in the state that are considered worthy to be listed as natural areas or scientific areas of national importance.

(3) Advise the department ~~of natural resources~~ and other agencies on matters pertaining to the acquisi-

tion, development, utilization ~~and~~, maintenance and withdrawal of ~~scientific state natural~~ areas, including determinations as to the extent of multiple use that may be allowed on ~~approved scientific state natural~~ areas that are a part of a state park, state forest, public hunting ground or similar ~~property of the department~~ areas under state ownership or control.

(4) Prepare and publish an official ~~state~~ list of ~~scientific research natural and other natural~~ areas in the state natural areas system available for research and the teaching of conservation and natural history, and recommend publication of studies made in connection with these areas.

(5) Cooperate with federal agencies, other states, counties or organizations concerned with ~~similar purposes~~ preservation of natural areas.

(6) Take such other action as is deemed advisable to facilitate the administration, development, maintenance or protection of ~~the scientific area system or any part thereof~~ natural areas and the state natural areas system.

SECTION 615m. 23.27 of the statutes is created to read:

**23.27 Natural areas; definitions; importance; inventory; acquisition; sales.** (1) DEFINITIONS. As used in this section and ss. 23.28 and 23.29:

(a) "Council" means the natural areas preservation council.

(b) "Dedicated state natural areas" means land accepted and recorded for dedication under the Wisconsin natural areas heritage program as provided under s. 23.29 (16).

(c) "Dedication" means the transfer of land or a permanent interest in land to the state of Wisconsin to be held in trust for the people of Wisconsin by the department in a manner which ensures the protection and stewardship of the area and natural values associated with the area. "Dedication" also means the binding unilateral declaration by the state that land under the ownership of the state is to be held in trust for the people of Wisconsin by the department in a manner which ensures the protection and stewardship of the area and natural values associated with the area.

(d) "Designated state natural area" means a natural area designated as a state natural area under s. 23.28 (1).

(e) "Natural area" means an area of land or water which has educational or scientific value or is important as a reservoir of the state's genetic or biologic diversity and includes any buffer area necessary to protect the area's natural values. Frequently, "natural areas" are important as a reserve for native biotic communities. Frequently, "natural areas" provide habitat for endangered, threatened or critical species or for species of special concern to scientists. In some cases, "natural areas" include areas with highly significant geological or archaeological features. Generally, "natural areas" are areas which largely escaped



unnatural environmental disturbance or which exhibit little evidence of recent environmental disturbance so that recovery of natural conditions has occurred.

(f) "Natural values" includes any important values and characteristics listed under sub. (2) (a) to (i) which enable an area to be considered a natural area.

(g) "Research natural area" means all or part of a state natural area identified by the department, with the advice of the council, as a natural area especially suitable or important for scientific research.

(h) "State natural area", unless otherwise limited, means any designated state natural area or dedicated state natural area.

(i) "Stewardship" means the continuing obligation to provide the necessary maintenance, management, protection, husbandry and support for a natural area and natural values associated with that area.

(2) **IMPORTANCE.** The department, with the advice of the council, shall maintain a system to evaluate the importance of natural areas. The system shall include standards for determining low, high and critical levels of importance for natural areas. This system shall consider the following natural values:

(a) The value of the area as a preserve or reservoir which exhibits an outstanding or high quality example of a native plant or animal community.

(b) The value of the area as a preserve or reservoir for any endangered, threatened or critical species or for a species of special concern to scientists.

(c) The value of the area as a preserve or reservoir of genetic or biological diversity.

(d) The degree to which the area was subject to unnatural environmental disturbance and the degree of recovery.

(e) The value of the area for educational or scientific research purposes and as a reference site for comparison with areas subjected to environmental disturbance.

(f) The value of the area for educational or scientific research purposes because of important or unusual characteristics.

(g) The significance or uniqueness of the area in the locality, region and state.

(h) The existence of highly significant geological or archaeological features.

(i) The value of the area for public educational purposes, including the value of the area in promoting public awareness, appreciation, understanding and respect for the state's natural heritage.

(3) **NATURAL HERITAGE INVENTORY PROGRAM.** The department, with the advice of the council, shall conduct a natural heritage inventory program. The department shall cooperate with the department of administration acting under s. 16.967 in conducting this program. This program shall establish a system for determining the existence and location of natural areas, the degree of endangerment of natural areas, an evaluation of the importance of natural areas, infor-

mation related to the associated natural values of natural areas and other information and data related to natural areas. This program shall establish a system for determining the existence and location of native plant and animal communities and endangered, threatened and critical species, the degree of endangerment of these communities and species, the existence and location of habitat areas associated with these communities and species and other information and data related to these communities and species. This program shall establish and coordinate standards for the collection, storage, recall and display of data related to the natural heritage inventory. The department shall make information from the natural heritage inventory program available to any individual or public or private agency for research, educational, environmental, land management or similar authorized purposes. Notwithstanding s. 19.35, the natural heritage inventory and related data are not public records and the department may refuse to release information for any purpose which is not authorized.

(4) **NATURAL AREAS LAND ACQUISITION; CONTINUING COMMITMENT.** It is the intent of the legislature to continue natural areas land acquisition activities from moneys available from the appropriation under ss. 20.370 (1) (kb) and 20.866 (2) (ts) with an objective of adding approximately 500 acres of natural areas land to the state natural areas system in each fiscal year through the 1999-2000 fiscal year. This commitment is separate from and in addition to the commitment to acquire natural areas under the Wisconsin natural areas heritage program.

(5) **NATURAL AREAS LAND ACQUISITION; COMMITMENT UNDER THE WISCONSIN NATURAL AREAS HERITAGE PROGRAM.** It is the intent of the legislature to initiate additional natural areas land acquisition activities with moneys available from the appropriations under ss. 20.370 (1) (fg) and 20.866 (2) (tt) under the Wisconsin natural areas heritage program. This commitment is separate from and in addition to the continuing commitment under sub. (4). Moneys available from the appropriations under ss. 20.370 (1) (fg) and 20.866 (2) (tt) under the Wisconsin natural areas heritage program may not be used to acquire land through condemnation. The department may not acquire land under this subsection unless the land is suitable for dedication under the Wisconsin natural areas heritage program and upon purchase or as soon after purchase as practicable the department shall take all necessary action to dedicate the land under the Wisconsin natural areas heritage program.

(6) **SALE; CREDIT.** Moneys received by the state from the sale of any area on state-owned land under the department's management or control which is withdrawn from the state natural areas system shall be credited to the appropriation under s. 20.370 (1) (fh). An amount equal to the value of any area on state-owned land under the department's management or control which is withdrawn from the state natural

areas system but remains in state ownership shall be credited to the appropriation under s. 20.370 (1) (fh).

SECTION 616m. 23.28 of the statutes is created to read:

**23.28 State natural areas; designated state natural areas.** (1) **DESIGNATION.** Prior to July 1, 1987, the department, with the advice of the council, may designate any natural area with a high or critical level of importance on state-owned land under the department's management or control as a state natural area. The department, with the advice of the council, may designate any natural area with a high or critical level of importance on land other than state-owned land but under the department's management or control as a state natural area. The department, with the advice of the council, may designate a natural area with a high or critical level of importance on land under the management or control of another state agency, a federal, county, city, village, town or other public agency or a nonprofit organization as a state natural area if that area is protected by a voluntary, written stewardship agreement between the owner or manager and the department.

(2) **STEWARDSHIP.** The department is responsible for the stewardship of designated state natural areas unless a written stewardship agreement specifies otherwise.

(3) **PROTECTION OF NATURAL VALUES; RESEARCH NATURAL AREAS.** The department shall not permit any use of a designated state natural area which is inconsistent with or injurious to its natural values. The department may establish use zones, may control uses within a zone and may limit the number of persons using a zone in a designated state natural area. The department, with the advice of the council, may classify certain designated state natural areas as research natural areas and may establish special use regulations for these areas.

SECTION 617m. 23.29 of the statutes is created to read:

**23.29 Wisconsin natural areas heritage program.** (1) **INTENT.** It is the intent of the legislature to encourage private contributions and land dedications under the Wisconsin natural areas heritage program. It is the intent of the legislature to match private contributions and the value of land dedications with state funds in addition to funds normally appropriated for natural areas land acquisition activities.

(2) **CONTRIBUTIONS; STATE MATCH.** The department may accept contributions and gifts for the Wisconsin natural areas heritage program. The department shall convert donations of land which it determines, with the advice of the council, are not appropriate for the Wisconsin natural areas heritage program into cash. The department shall convert other noncash contributions into cash. These moneys shall be deposited in the general fund and credited to the appropriation under s. 20.370 (1) (fg). These moneys shall be matched by an equal amount released from the appro-

priation under s. 20.866 (2) (tt) to be used for natural areas land acquisition activities under s. 23.27 (5).

(3) **LAND DEDICATIONS; VALUATION; STATE MATCH.** The department shall determine the value of land accepted for dedication under the Wisconsin natural areas heritage program. If the land dedication involves the transfer of the title in fee simple absolute or other arrangement for the transfer of all interest in the land to the state, the valuation shall be based on the fair market value of the land prior to the transfer. If the land dedication involves the transfer of a partial interest in land to the state, the valuation shall be based on the extent to which the fair market value of the land is diminished by that transfer and the associated articles of dedication. If the land dedication involves a sale of land to the department at less than the fair market value, the valuation of the dedication shall be based on the difference between the purchase price and the fair market value. An amount equal to the value of land accepted for dedication under the Wisconsin natural areas heritage program shall be released from the appropriation under s. 20.866 (2) (tt) to be used for natural areas land acquisition activities under s. 23.27 (5). This subsection does not apply to dedications of land under the ownership of the state.

(4) **LAND DEDICATIONS; ELIGIBLE LAND.** The department may not accept land for dedication under the Wisconsin natural areas heritage program unless the land is a natural area with a high or critical level of importance as determined by the department with the advice of the council.

(5) **LAND DEDICATIONS; TRANSFER OF INTEREST.** The department may not accept land for dedication under the Wisconsin natural areas heritage program unless all interest in the land or a partial interest in the land is transferred to the state to be held in trust for the people by the department. This subsection does not apply to land under the ownership of the state.

(6) **LAND DEDICATIONS; STATE LAND.** Land under the ownership of the state and under the control or management of the department may be accepted for dedication under the Wisconsin natural areas heritage program. Land under the ownership of the state but under the management or control of another agency may be accepted for dedication under the Wisconsin natural areas heritage program if the appropriate agency transfers sufficient permanent and irrevocable authority over the management and control of that land to the department.

(7) **LAND DEDICATIONS; PERMANENT AND IRREVOCABLE.** Except as permitted under this subsection, the department may not accept land for dedication under the Wisconsin natural areas heritage program unless the land dedication is permanent and irrevocable. The department may not accept land for dedication under the Wisconsin natural areas heritage program if the dedication or any provision in the articles of dedication include any reversionary right or any provision which extinguishes the dedication at a certain time or

upon the development of certain conditions, except that the department may authorize a revision or extinction if the land is withdrawn from the Wisconsin natural areas heritage program as provided under subs. (19) and (20). The department may not accept land for dedication under the Wisconsin natural areas heritage program if the articles of dedication allow for amendment or revision except as provided under subs. (17) and (18).

(8) **LAND DEDICATIONS; PUBLIC TRUST.** The department may not accept land for dedication under the Wisconsin natural areas heritage program unless the land dedication provides that the interest in land which is transferred to or held by the state is to be held in trust for the people by the department.

(9) **LAND DEDICATIONS; STEWARDSHIP.** The department may not accept land for dedication under the Wisconsin natural areas heritage program unless adequate provisions for the stewardship are provided. If the land dedication involves the transfer of title in fee simple absolute or other arrangement for the transfer of all interest in the land to the state, the department has stewardship responsibility. If the land dedication involves the transfer of a partial interest in the land to the state, stewardship responsibility shall be assigned to the person retaining an interest in the land and his or her successors or to the department. Even if stewardship responsibility is assigned to a person retaining an interest in the land and his or her successors, the department has ultimate responsibility to ensure that stewardship is provided and, if it is not, the department shall assume stewardship responsibility and shall recover the costs involved from the party originally responsible. If the land dedication involves state-owned land under the management or control of the department, the department has stewardship responsibility. The department may enter into contracts or agreements with other agencies or persons to act as its agent and to ensure that stewardship is provided for a dedicated state natural area or to assume stewardship responsibility for a dedicated state natural area. In no case may the department abrogate its ultimate stewardship responsibility or its obligation as a trustee of the land.

(10) **PROTECTION OF NATURAL VALUES; RESEARCH NATURAL AREAS.** The department may not accept land for dedication under the Wisconsin natural areas heritage program unless adequate authorization is given to the department to protect natural values and to restrict any use of the natural area which is inconsistent with or injurious to its natural values. If authorized by the articles of dedication, the department may establish use zones, may control uses within a zone and may limit the number of persons using a zone in a dedicated state natural area. If authorized in the articles of dedication, the department, with the advice of the council, may classify certain dedicated state natural areas as research natural areas and may establish special use regulations for these areas.

(11) **LAND DEDICATIONS; PARTIAL INTEREST; LAND OF OTHER STATE AGENCIES; ACCESS.** The department may not accept land for dedication under the Wisconsin natural areas heritage program if the land dedication involves the transfer of a partial interest in the land to the state unless adequate provisions for access are provided. Land under the ownership of the state but under the management and control of another state agency may not be accepted for dedication under the Wisconsin natural areas heritage program unless adequate provisions for access are provided. Adequate provisions for access are required to include provisions which guarantee access to the land by the department and its agents at reasonable times to inspect the land and to determine if the articles of dedication are being violated. Adequate provisions for access are required to include provisions which guarantee to the department and its agents access and rights to the land necessary to exercise stewardship responsibilities. Adequate provisions for access may not be required to include any provision permitting public access to the land although the department shall encourage public access provisions wherever possible and consistent with preservation of natural values associated with the land. If public access is permitted, the department shall consider this as a factor when making its valuation under sub. (3). Even if public access is permitted, the department may limit access at its discretion to protect natural values associated with the land or to facilitate stewardship or administration.

(12) **LAND DEDICATION; PARTIAL INTEREST; LAND OF OTHER STATE AGENCIES; NOTICE PRIOR TO SALE OR TRANSFER.** The department may not accept land for dedication under the Wisconsin natural areas heritage program if the land dedication involves the transfer of a partial interest in the land to the state unless adequate provisions for notice are provided. Land under the ownership of the state but under the management and control of another state agency may not be accepted for dedication under the Wisconsin natural areas heritage program unless adequate provisions for notice are provided. At a minimum, adequate provisions for notice shall require 30 days' notice to the department before any sale, transfer or conveyance of the land or an interest in the land. The department may not regulate or prohibit the sale, transfer or conveyance of a dedicated state natural area or an interest in a dedicated state natural area but the department may ensure that the grantee, lessee or other party is informed of the dedication and understands that restrictions, conditions, obligations, covenants and other provisions in the dedication and articles of dedication run with the land and are binding on subsequent grantees, lessees and similar parties. No sale, transfer or conveyance of a dedicated state natural area may violate the dedication or the articles of dedication. The register of deeds shall notify the department if a dedicated state natural area is transferred by will or as part of an estate.

(13) **ARTICLES OF DEDICATION; REQUIREMENT; APPROVAL.** The department may not accept land for dedication under the Wisconsin natural areas heritage program unless articles of dedication in the proper form and with the required contents are prepared and approved. The department and the person making the land dedication are required to approve articles of dedication if the land dedication involves the transfer of all or a partial interest in the land. The department and the appropriate state agency are required to approve articles of dedication if the land dedication involves land under the ownership of the state but under the control or management of a state agency other than the department. The department is required to approve articles of dedication if the land dedication involves only land under the ownership and control of the state and under the management or control of the department. The department shall seek the advice of the council in making approvals under this subsection.

(14) **ARTICLES OF DEDICATION; FORM.** Articles of dedication are not in proper form unless they are prepared as a conservation easement under s. 700.40 or in another form acceptable to the department. Articles of dedication are not in proper form unless they run with the land and are binding on all subsequent purchasers or any other successor to an interest in the land. Articles of dedication are not in proper form unless the articles qualify as an instrument which is valid and meets the requirements for recording under s. 706.04.

(15) **ARTICLES OF DEDICATION; CONTENTS.** The department may not approve articles of dedication unless they contain:

(a) *Public purpose.* A statement of public purposes served by the dedication.

(b) *Identification of natural values.* An identification of natural values associated with the land.

(c) *Conveyance.* A conveyance or other instrument if necessary to transfer interest in the land as required under sub. (5).

(d) *Permanent protection.* Restrictions, conditions, covenants and other provisions governing the use of the land so that natural values associated with the land are ensured of permanent protection.

(e) *Stewardship.* Restrictions, conditions, obligations, covenants or other provisions governing the obligation to provide stewardship as required under sub. (9).

(f) *Authorization.* Authorization to the department to ensure protection of natural values as required under sub. (10).

(g) *Access.* Adequate provisions for access if required under sub. (11).

(h) *Notification of sales and transfers.* Adequate provisions for notice if required under sub. (12).

(i) *Amendment.* A provision specifying that no amendment or revision to the articles of dedication

may occur except as provided under subs. (17) and (18).

(j) *Withdrawal.* A provision specifying that no withdrawal of the land from the dedicated state natural areas system may occur except as provided under subs. (19) and (20).

(16) **ACCEPTANCE; RECORDING.** The department may not accept land for dedication under the Wisconsin natural areas heritage program unless the governor approves the dedication in writing. If the department and the governor approve, a land dedication under the Wisconsin natural areas heritage program is final with the recording of the dedication and articles of dedication in the office of the register of deeds. At the time of recording, the land is a dedicated state natural area and shall remain so unless withdrawn under subs. (19) and (20).

(17) **ARTICLES OF DEDICATION; AMENDMENT; JUSTIFICATION.** The articles of dedication may not be amended or revised unless the amendment or revision serves a valid public purpose, no prudent alternative exists and the amendment or revision would not significantly injure or damage the natural values which enabled the area to be considered a state natural area.

(18) **ARTICLES OF DEDICATION; AMENDMENT; PROCEDURE.** The articles of dedication may not be amended or revised until and unless:

(a) *Agreement.* The department and any other party with a property interest in the dedicated state natural area agree to the proposed amendment or revision.

(b) *Findings.* The department issues written findings justifying the proposed amendment or revision under sub. (17).

(c) *Notice and hearing.* A public hearing is conducted in the county where the dedicated state natural area is located following publication of a class 1 notice, under ch. 985, which announces the hearing and summarizes the department's findings.

(d) *Standing committee approval.* The appropriate standing committee in each house of the legislature, as determined by each presiding officer, approves the proposed amendment or revision.

(e) *Approval by governor.* The governor approves the proposed amendment or revision.

(f) *Recording.* The amendment or revision is recorded in the office of the register of deeds.

(19) **WITHDRAWAL; JUSTIFICATION.** The department may not withdraw a dedicated state natural area from the dedicated state natural areas system unless:

(a) *Extinction of natural values.* The natural values which enabled the area to be considered a dedicated state natural area no longer exist or were destroyed or damaged to such an extent that the area has no importance or has a low level of importance as determined by the department with the advice of council.

(b) *Superseding public purpose.* The withdrawal serves a superseding and imperative public purpose and no prudent alternative exists.

(20) **WITHDRAWAL; PROCEDURE.** The department may not withdraw a dedicated state natural area from the state natural areas system until and unless:

(a) *Findings.* The department issues written findings justifying the proposed withdrawal under sub. (19) (a) or (b).

(b) *Notice and hearing.* A public hearing is conducted in the county where the dedicated state natural area is located following publication of a class 1 notice, under ch. 985, which announces the hearing and summarizes the department's findings.

(c) *Standing committee approval.* The appropriate standing committee in each house of the legislature, as determined by each presiding officer, approves the proposed withdrawal.

(d) *Approval by governor.* The governor approves the proposed withdrawal.

(e) *Recording.* The withdrawal is recorded with the register of deeds.

(21) **RESTRICTIONS.** A dedicated state natural area is not subject to condemnation for use for any purpose unless the area is withdrawn from the state natural areas system under subs. (19) and (20). The department may not impose restrictions on a person who retains a property interest in a dedicated state natural area unless the department has authority under the dedication or articles of dedication or unless the person who retains the property interest agrees.

(22) **DEPARTMENT AUTHORITY.** The department shall administer this section and shall encourage and facilitate the voluntary dedication of lands under the Wisconsin natural areas heritage program. The department may promulgate rules and establish procedures to aid in the administration and enforcement of this section. The department may provide legal advice and may prepare model articles of dedication to facilitate the dedication of lands under the Wisconsin natural areas heritage program.

(23) **ENFORCEMENT.** The department and its agents, the department of justice and peace officers, as defined under s. 939.22 (22), have jurisdiction on dedicated state natural areas in the geographic jurisdiction to enforce articles of dedication and restrictions authorized under sub. (21).

(24) **INJUNCTIVE RELIEF; RECOVERY OF COSTS; PUNITIVE DAMAGES.** The department, or the department of justice on its own initiative or at the request of the department, may initiate an action seeking injunctive relief against any person violating the articles of dedication of a dedicated state natural area or restrictions authorized under sub. (21). Any citizen may initiate an action seeking injunctive relief against any person violating the articles of dedication of a dedicated state natural area as a beneficiary of the interest in that land held in the public trust. The department, or the department of justice at the department's request, may

initiate an action to recover costs for stewardship expenses from the party originally responsible under sub. (9). The department, or the department of justice at the department's request, may initiate an action for punitive damages against any person violating the articles of dedication of a dedicated state natural area. Punitive damages are in addition to any penalty imposed under sub. (25).

(25) **PENALTY.** Any person who violates this section, a rule promulgated under this section, the articles of dedication of a dedicated state natural area or any restrictions authorized under sub. (21) shall forfeit not more than \$10,000. Each violation and each day of violation constitutes a separate offense.

**SECTION 617p.** 23.30 (1) and (2) of the statutes are amended to read:

**23.30 (1) PURPOSE.** The purpose of this section is to promote, encourage, coordinate and implement a comprehensive long-range plan to acquire, maintain and develop for public use those areas of the state best adapted to the development of a comprehensive system of state and local outdoor recreation facilities and services in all fields, including, without limitation because of enumeration, parks, forests, camping grounds, fishing and hunting grounds, related historical sites, highway scenic easements, natural areas and local recreation programs, except spectator sports, and to facilitate and encourage the fullest beneficial public use thereof of these areas.

(2) **ESTABLISHED.** The outdoor recreation program is established as a continuing program to financially assist the state and local agency outdoor recreation program, including, without limitation because of enumeration, lake rehabilitation, coho salmon production, wildlife management on county forests, public access, state park and forest recreation areas, fish and game habitat areas, youth conservation camps, creation of new lakes, lake and stream classification, highway scenic easements, natural areas, state aids for local governmental parks and other outdoor recreational facilities, acquisition and development, state aids for county forest recreation areas development, related historic sites, tourist information sites; recreational planning; scenic or wild river preservation and use; and conservation work program.

**SECTION 617q.** 23.305 of the statutes is created to read:

**23.305 Leasing of department land for recreational purposes.** (1) In this section, "spectator sports" means events or contests in which the general public spectates but does not participate, including without limitation because of enumeration:

- (a) Water ski shows.
- (b) Baseball games.
- (c) Volleyball games.
- (d) Snowmobile derbies.
- (e) Motorboat races.
- (f) Snowshoe races.

- (g) Cross-country ski races.
- (h) Dogsled races.
- (i) Canoe or kayak races.

(2) Notwithstanding ss. 23.30 and 28.04, the department may lease state park land or state forest land to towns, villages or counties for outdoor recreational purposes associated with spectator sports.

(3) The lease shall be for a term not to exceed 15 years. The lease shall contain covenants to protect the department from all liability and costs associated with use of the land and to guard against trespass and waste. The rents arising from the lease shall be paid into the state treasury and credited to the proper fund.

SECTION 617t. 23.31 (1) of the statutes is amended to read:

23.31 (1) (a) To provide and develop recreation resources facilities within this state, the natural resources board, subject to the limits provided in s. 20.866 (2) (tp), (ts) and (tt), may direct that state debt be contracted for providing recreation resources facilities or making additions to existing recreation resources facilities.

(b) With their biennial budget request to the department of administration, the natural resources board shall include its request and plan for recreational acquisition and development funding under s. 23.30. This plan shall be approved by the governor and shall contain the policies regarding the priority types of land to be acquired and the nature and categories of the developments to be undertaken. Changes in priority types of land to be acquired and in categories of developments may not be made without approval of the governor. Any deviation which the governor approves shall be reviewed by the joint committee on finance.

SECTION 618. 23.32 (2) (d) of the statutes is created to read:

23.32 (2) (d) The department shall cooperate with the department of administration acting under s. 16.967 in conducting wetland mapping activities or any related land resource data collection activities.

SECTION 618m. 23.33 of the statutes is created to read:

**23.33 All-terrain vehicles.** (1) **DEFINITIONS.** As used in this section:

- (a) "Accompanied" means being subject to continuous verbal direction or control.
- (b) "All-terrain vehicle" has the meaning specified under s. 340.01 (2g).
- (c) "All-terrain vehicle route" means a highway or sidewalk designated for use by all-terrain vehicle operators by the governmental agency having jurisdiction as authorized under this section.
- (d) "All-terrain vehicle trail" means a marked corridor on public property or on private lands subject to public easement or lease, designated for use by all-terrain vehicle operators by the governmental agency having jurisdiction, but excluding roadways of high-

ways except those roadways which are not seasonally maintained for motor vehicle traffic.

(e) "Controlled substance" has the meaning specified under s. 161.01 (4).

(f) "Fermented malt beverages" has the meaning specified under s. 125.02 (6).

(g) "Game" has the meaning specified under s. 29.01 (5).

(h) "Immediate family" means persons who are related as spouses, as siblings or as parent and child.

(i) "Intoxicating liquor" has the meaning specified under s. 125.02 (8).

(j) "Owner" means a person who has lawful possession of an all-terrain vehicle by virtue of legal title or equitable interest in the all-terrain vehicle which entitles the person to possession of the all-terrain vehicle.

(k) "Used exclusively for agricultural purposes" means used exclusively for an agricultural use as defined under s. 91.01 (1).

(L) "Used exclusively for commercial purposes" includes use of an all-terrain vehicle by a dealer for demonstration purposes but does not include all-terrain vehicles leased or rented.

(m) "Used exclusively on land under the management and control of a person's immediate family" means use of an all-terrain vehicle only on land owned or leased by the person or a member of the person's immediate family over which the owner or lessee has management and control. This term excludes use of an all-terrain vehicle on land owned or leased by an organization of which the person or a member of the person's immediate family is a member.

(n) "Used exclusively on private property" means use of an all-terrain vehicle by the owner of the all-terrain vehicle or a member of his or her immediate family only on land owned or leased by the all-terrain vehicle owner or a member of his or her immediate family.

(2) **REGISTRATION.** (a) *Requirement.* No person may operate and no owner may give permission for the operation of any all-terrain vehicle within this state unless the all-terrain vehicle is registered for public use or for private use with the department under this section or is exempt from registration. No person may operate and no owner may give permission for the operation of any all-terrain vehicle on a public all-terrain vehicle route or trail unless the all-terrain vehicle is registered for public use with the department under this section or is exempt from registration.

(b) *Exemptions.* An all-terrain vehicle is exempt from registration if it is:

1. Owned by the United States, another state or a political subdivision thereof, but the exterior of the all-terrain vehicle shall display in a visible manner the name of the owner.

2. Covered by a valid registration in another state, province or country if there is some identification of registration displayed on the all-terrain vehicle and it

has not been in this state for more than 15 consecutive days.

3. Used exclusively for racing on a raceway facility.

4. Owned by a political subdivision of the state and used for enforcement or emergency purposes.

5. Specified as exempt from registration by department rule.

(c) *Registration; public use; fee.* Any all-terrain vehicle may be registered for public use. The fee for the issuance or renewal of a registration certificate for public use is \$12.

(d) *Registration; private use; fee.* An all-terrain vehicle used exclusively for commercial purposes, used exclusively for agricultural purposes or used exclusively on private property may be registered for private use. The fee for the issuance or renewal of a registration certificate for private use is \$6.

(e) *Other fees.* The fee for the transfer of an all-terrain vehicle registration certificate is \$2. The fee for the issuance of a duplicate all-terrain vehicle registration certificate or duplicate registration decals or stickers is \$2. The fee for the issuance of registration decals to the state or a county or municipality is \$2.

(f) *Effective periods; public use.* 1. Except as provided under subd. 2, an all-terrain vehicle public-use registration certificate is valid for a 2-year period.

2. The department may specify by rule an annual expiration date for all-terrain vehicle registrations and may reduce the effective period of a registration so it expires on that date.

(g) *Effective period; private use.* An all-terrain vehicle private-use registration certificate is valid from the date of issuance until ownership of the all-terrain vehicle is transferred.

(h) *Procedures; requirements.* The department shall establish by rule procedures and requirements for all-terrain vehicle registration.

(3) **RULES OF OPERATION.** No person may operate an all-terrain vehicle:

(a) In any careless way so as to endanger the person or property of another.

(b) While under the influence of fermented malt beverages, intoxicating liquor or controlled substances.

(c) On the private property of another without the consent of the owner or lessee. Failure to post private property does not imply consent for all-terrain vehicle use.

(d) On Indian lands without the consent of the tribal governing body or Indian owner. Failure to post Indian lands does not imply consent for all-terrain vehicle use.

(e) With any firearm in his or her possession unless it is unloaded and enclosed in a carrying case, or any bow unless it is unstrung or enclosed in a carrying case.

(f) To drive or pursue any animal except as a part of normal farming operations involving the driving of livestock.

(g) When within 150 feet of a dwelling at a speed exceeding 10 miles per hour.

(h) On the frozen surface of public waters within 100 feet of a person not in or on an all-terrain vehicle or motor vehicle or within 100 feet of a fishing shanty at a speed exceeding 10 miles per hour.

(i) In a manner which violates operation rules promulgated by the department.

(4) **OPERATION ON OR NEAR HIGHWAYS.** (a) *Freeways.* No person may operate an all-terrain vehicle upon any part of any freeway which is a part of the federal system of interstate and defense highways. No person may operate an all-terrain vehicle upon any part of any other freeway unless the department of transportation authorizes all-terrain vehicle use on that freeway.

(b) *Other highways; operation restricted.* All-terrain vehicles may not be operated on highways except as authorized under pars. (d) and (e) or as authorized by rules promulgated by the department and approved by the department of transportation.

(c) *Exceptions; municipal, state and utility operations; races and derbies.* 1. Paragraphs (a) and (b) do not apply to the operator of an all-terrain vehicle owned by a municipality, state agency or public utility while the operator is engaged in emergency operations or in operations directly related to the functions of the municipality, state agency or public utility if safety does not require strict adherence to these restrictions.

2. Paragraph (b) does not apply to a highway blocked off for special all-terrain vehicle events. A county, town, city or village may block off highways under its jurisdiction for the purpose of allowing special all-terrain vehicle events. No state trunk highway or connecting highway, or part thereof, may be blocked off by any county, town, city or village for any all-terrain vehicle race or derby. A county, town, city or village shall notify the local police department and the county sheriff's office at least one week in advance of the time and place of any all-terrain vehicle race or derby which may result in any street, or part thereof, of the county, town, city or village being blocked off.

(d) *Operation on roadway.* All-terrain vehicles may be operated on the roadway portion of any highway only in the following situations:

1. To cross a roadway. The crossing of a roadway is authorized only if the crossing is done in the most direct manner practical, if the crossing is made at a place where no obstruction prevents a quick and safe crossing and if the operator stops the all-terrain vehicle prior to the crossing and yields the right-of-way to other vehicles and pedestrians using the roadway.

2. On any roadway which is not seasonally maintained for motor vehicle traffic. Operation on this type of roadway is authorized only during the seasons

when no maintenance occurs and only if the roadway is not officially closed to all-terrain vehicle traffic.

3. To cross a bridge, culvert or railroad right-of-way. The crossing of a bridge, culvert or railroad right-of-way is not authorized if the roadway is officially closed to all-terrain vehicle traffic. The crossing is authorized only if the crossing is done in the most direct manner practical, if the crossing is made at a place where no obstruction prevents a quick and safe crossing and if the operator stops the all-terrain vehicle prior to the crossing and yields the right-of-way to other vehicles and pedestrians using the roadway.

4. On roadways which are designated as all-terrain vehicle routes. Operation of all-terrain vehicles on a roadway which is an all-terrain vehicle route is authorized only for the extreme right side of the roadway except that left turns may be made from any part of the roadway which is safe given prevailing conditions.

5. On roadways if the all-terrain vehicle is an implement of husbandry, if the all-terrain vehicle is used exclusively for agricultural purposes and if the all-terrain vehicle is registered for private use under sub. (2) (d). Operation of an all-terrain vehicle which is an implement of husbandry on a roadway is authorized only for the extreme right side of the roadway except that left turns may be made from any part of the roadway which is safe given prevailing conditions.

(e) *Operation adjacent to roadway.* An all-terrain vehicle may be operated adjacent to a roadway on an all-terrain vehicle route or trail if the all-terrain vehicle is operated in the following manner:

1. The all-terrain vehicle is operated at a distance of 10 or more feet from the roadway along U.S. numbered highways and state and county highways. Travel on the median of a divided highway is prohibited except to cross.

2. The all-terrain vehicle is operated outside of the roadway along town highways.

3. During hours of darkness the all-terrain vehicle is operated in the same direction as motor vehicle traffic in the nearest lane, although during daylight hours travel may be in either direction regardless of the flow of motor vehicle traffic.

4. The all-terrain vehicle does not exceed the speed limits of the adjacent roadway.

5. The all-terrain vehicle is operated with due regard to safety and in compliance with rules promulgated by the department and approved by the department of transportation.

(5) **AGE RESTRICTIONS; SAFETY CERTIFICATION PROGRAM.** (a) *Age restriction.* No person under 12 years of age may operate an all-terrain vehicle unless he or she is accompanied by a parent, guardian or person over 18 years of age. No person who is under 12 years of age may operate an all-terrain vehicle which is an implement of husbandry on a roadway under the authorization provided under sub. (4) (d) 5 regardless of whether he or she is accompanied by a parent, guardian or person over 18 years of age.

(b) *All-terrain vehicle safety certificate.* A person who is at least 12 years of age but under 16 years of age may not operate an all-terrain vehicle unless he or she holds a valid all-terrain vehicle safety certificate or is accompanied by a person over 18 years of age. A person who is at least 12 years of age but under 16 years of age may not operate an all-terrain vehicle which is an implement of husbandry on a roadway under the authorization provided under sub. (4) (d) 5 unless he or she holds a valid all-terrain vehicle safety certificate regardless if he or she is accompanied by a person over 18 years of age. A person who is at least 12 years of age but under 16 years of age who holds an all-terrain vehicle safety certificate shall carry it while operating an all-terrain vehicle and shall display it to a law enforcement officer on request. Persons enrolled in a safety certification program approved by the department may operate an all-terrain vehicle in an area designated by the instructor.

(c) *Exceptions.* Paragraphs (a) and (b) do not apply to a person who uses an all-terrain vehicle exclusively on land under the management and control of the person's immediate family. Paragraphs (a) and (b) do not apply to a person at least 12 years of age but under 16 years of age who holds a valid certificate issued by another state or a province of Canada.

(d) *Safety certification program established.* The department shall establish or supervise the establishment of programs of instruction on all-terrain vehicle laws, regulations, safety and related subjects. The department may charge or authorize an instruction fee.

(6) **EQUIPMENT REQUIREMENTS.** (a) An all-terrain vehicle operated during hours of darkness or operated during daylight hours on any highway right-of-way is required to display a lighted headlamp and tail lamp.

(b) The headlamp on an all-terrain vehicle is required to display a white light of sufficient illuminating power to reveal any person, vehicle or substantial object at a distance of at least 200 feet ahead of the all-terrain vehicle.

(c) The tail lamp on an all-terrain vehicle is required to display a red light plainly visible during hours of darkness from a distance of 500 feet to the rear.

(d) Every all-terrain vehicle is required to be equipped with at least one brake operated either by hand or by foot.

(e) Every all-terrain vehicle is required to be equipped with a functioning muffler to prevent excessive or unusual noise.

(7) **ACCIDENTS.** (a) If an accident results in the death of any person or in the injury of any person which requires the treatment of the person by a physician, the operator of each all-terrain vehicle involved in the accident shall give notice of the accident to a conservation warden or local law enforcement officer as soon as possible and shall file a written report of the



accident with the department on the form provided by it within 10 days after the accident.

(b) If the operator of an all-terrain vehicle is physically incapable of making the report required by this subsection and there was another witness to the accident capable of making the report, the witness may make the report.

(8) ROUTES AND TRAILS. (a) *Department authority.* The department shall encourage and supervise a system of all-terrain vehicle routes and trails. The department may establish standards and procedures for certifying the designation of all-terrain vehicle routes and trails.

(b) *Routes.* A town, village, city or county may designate highways as all-terrain vehicle routes. No state trunk highway or connecting highway may be designated as an all-terrain vehicle route unless the department of transportation approves the designation.

(c) *Trails.* A town, village, city, county or the department may designate corridors through land which it owns or controls, or for which it obtains leases, easements or permission, for use as all-terrain vehicle trails.

(d) *Restrictions.* The designating authority may specify effective periods for the use of all-terrain vehicle routes and trails and may restrict or prohibit the operation of all-terrain vehicles during certain periods of the year.

(e) *Signs.* The department, in cooperation with the department of transportation, shall establish uniform all-terrain vehicle route and trail signs and standards.

(9) ADMINISTRATION; ENFORCEMENT; AIDS. (a) *Administration and enforcement.* The department may utilize up to 50% of the moneys received from all-terrain vehicle registrations for the purposes specified under s. 20.370 (3) (as), (4) (fu) and (iq) and (8) (ds) including costs associated with registration, enforcement, safety education, accident reports and analysis, law enforcement aids to counties, aids administration and other similar costs in administering and enforcing this section.

(b) *Trails and projects.* The department shall utilize at least 50% of the moneys received from all-terrain vehicle registrations for the purposes specified under s. 20.370 (1) (ms) and (4) (by) including all-terrain vehicle projects and related costs, including land and easement acquisitions, liability insurance, route and trail development and maintenance, all-terrain vehicle facilities such as toilets, parking areas, riding areas, shelters and improvements and for all-terrain vehicle project aids to towns, villages, cities, counties and federal agencies. Aid may be provided for snowmobile routes and trails and off-the-road motorcycle trails and facilities if these routes, trails and facilities are open for use by all-terrain vehicles.

(10) LIABILITY OF LANDOWNERS. Section 895.52 applies to this section.

(11) LOCAL ORDINANCES. (a) Counties, towns, cities and villages may enact ordinances regulating all-terrain vehicles on all-terrain vehicle trails maintained by or on all-terrain vehicle routes designated by the county, city, town or village.

(b) If a county, town, city or village adopts an ordinance regulating all-terrain vehicles, its clerk shall immediately send a copy of the ordinance to the department and to the office of any law enforcement agency of the municipality or county having jurisdiction over any highway designated as an all-terrain vehicle route.

(12) ENFORCEMENT. (a) An officer of the state traffic patrol under s. 110.07 (1), inspector under s. 110.07 (3), conservation warden appointed by the department under s. 23.10, county sheriff or municipal peace officer has authority and jurisdiction to enforce this section.

(b) No person operating an all-terrain vehicle may refuse to stop after being requested or signaled to do so by a law enforcement officer.

(13) PENALTIES. Any person who violates this section shall forfeit not more than \$250.

SECTION 619. 23.48 (title) and (1) to (8) (c) of the statutes are renumbered 16.20 (title) and (1) to (8) (c).

SECTION 620. 23.48 (8) (d) of the statutes is renumbered 16.20 (8) (d) and amended to read:

16.20 (8) (d) *Approval.* Conservation projects shall be selected and approved by the board based on guidelines established under sub. (6) ~~and subject to review under par. (h).~~

SECTION 621. 23.48 (8) (e) to (g) of the statutes are renumbered 16.20 (8) (e) to (g).

SECTION 622. 23.48 (8) (h) of the statutes is repealed.

SECTION 623c. 23.48 (8) (i) to (L), (9) and (10) (title) and (a) to (f) of the statutes are renumbered 16.20 (8) (i) to (L), (9) and (10) (title) and (a) to (f).

SECTION 623g. 23.48 (10) (g) of the statutes is renumbered 16.20 (10) (g) and amended to read:

16.20 (10) (g) *Incentive payment or voucher.* A person who is employed as a corps enrollee for a one-year period of continuous employment, as determined by standards adopted by the board, and who receives a satisfactory employment evaluation upon termination of employment is entitled to an incentive payment of \$500 or an education voucher worth \$1,000. The board may authorize a partial incentive payment or education voucher to a person who is employed as a corps enrollee for less than a one-year period of continuous employment and who receives a satisfactory employment evaluation upon termination of employment if the board determines that employment was terminated because of special circumstances beyond the control of the corps enrollee. The board may authorize a partial incentive payment of \$375 or an education voucher worth \$750 to a person who is employed for at least 10 months but less than a one-

year period of continuous employment and who receives a satisfactory employment evaluation upon termination of employment if the board determines employment with the Wisconsin conservation corps was terminated in order to enable the person to attend an institution of higher education, vocational institution or other training program or to enable the person to obtain other employment. The education voucher is valid for 3 years after the date of issuance for the payment of tuition and required program activity fees at any institution of higher education, as defined under s. 39.32 (1) (a), which accepts the voucher and the board shall authorize payment to the institution of face value of the voucher upon presentment.

SECTION 623L. 23.48 (10) (h) of the statutes is renumbered 16.20 (10) (h).

SECTION 623p. 23.48 (11) (title) of the statutes is renumbered 16.20 (11) (title).

SECTION 623t. 23.48 (11) (a) of the statutes is renumbered 16.20 (11) (a) and amended to read:

16.20 (11) (a) *Age*. In order to qualify for employment as a corps member or an assistant crew leader, a person is required to be at least 18 but not more than have attained the age of 18 years but may not have attained the age of 26 years of age at the time he or she accepts employment. In order to qualify for employment as ~~an assistant crew leader or~~ a crew leader, a person is required to be at least have attained the age of 18 years of age at the time he or she accepts employment.

SECTION 623x. 23.48 (11) (b) to (e), (12) and (13) of the statutes are renumbered 16.20 (11) (b) to (e), (12) and (13).

SECTION 624. 23.49 of the statutes is created to read:

**23.49 Credit card use charges.** The department shall certify to the state treasurer the amount of charges associated with the use of credit cards and assessed to the department on deposits accepted under s. 23.66 (1m) by conservation wardens, and the state treasurer shall pay the charges from moneys received under s. 59.20 (8) and (8m) and reserved for payment of the charges under ss. 14.58 (21) and 20.585 (1) (jm).

SECTION 625. 23.66 (1m) of the statutes is created to read:

23.66 (1m) The enforcing officer or the person receiving the deposit may allow the alleged violator to submit a check, share draft or other draft for the amount of the deposit or make the deposit by use of a credit card.

SECTION 626. 23.66 (2) of the statutes is amended to read:

23.66 (2) The person receiving the deposit shall prepare a receipt in triplicate showing the purpose for which the deposit is made, stating that the defendant may inquire at the office of the clerk of court or municipal court regarding the disposition of the deposit, and notifying the defendant that if he or she fails to appear in court at the time fixed in the citation

he or she will be deemed to have tendered a plea of no contest and submitted to a forfeiture, a penalty assessment, any applicable natural resources assessment and any applicable natural resources restitution payment plus costs, including the fee prescribed in s. 814.63 (1), not to exceed the amount of the deposit which the court may accept. The original of the receipt shall be delivered to the defendant in person or by mail. If the defendant pays by check, share draft or other draft, the check, share draft or other draft or a microfilm copy of the check, share draft or other draft shall be considered a receipt. If the defendant makes the deposit by use of a credit card, the credit charge receipt shall be considered a receipt.

SECTION 627. 25.14 (1) of the statutes is amended to read:

25.14 (1) There is created a state investment fund under the jurisdiction and management of the investment board (hereinafter referred to as "board") to be operated as an investment trust for the purpose of managing the securities of all the state's funds consisting of the funds specified in s. 25.17 (1) except the state property insurance fund, state life fund, fixed retirement investment trust, variable retirement investment trust, capital improvement fund, bond security and redemption fund, state building trust fund, ~~the trust funds of the historical society~~, the state housing authority reserve fund, the children's trust fund, funds which under article X of the constitution are controlled and invested by the board of commissioners of public lands, funds which are required by specific provision of law to be controlled and invested by any other authority, the university trust funds and the trust funds of the state universities except that the respective authorities controlling the investment of any such excluded fund may authorize the transfer of any temporary cash assets of any such excluded fund to the state investment fund in accordance with subs. (2) and (3).

SECTION 628. 25.14 (3) of the statutes is amended to read:

25.14 (3) All Except as provided in s. 14.58 (19), all earnings, profits or losses of the state investment fund shall be distributed to each participating fund in the same ratio as each such fund's average daily balance within the state investment fund bears to the total average daily balance of all participating funds. Such distribution shall be made at such times as the department of administration may determine, but must be made at least semiannually in each complete fiscal year of operation.

SECTION 629. 25.16 (2) of the statutes is amended to read:

25.16 (2) The executive director shall appoint the employes necessary to perform the duties of the board under the classified service. ~~These, except that the executive director shall include appoint~~ investment directors in the unclassified service. The members of the board shall participate in the selection of such

directors. Such investment directors shall serve a probationary period of not less than 6 months nor more than 2 years as determined by the members of the board. Neither the executive director, any investment director nor any employe shall have any financial interest, either directly or indirectly, in any firm engaged in the sale or marketing of real estate or investments of any kind, nor shall any of them render investment advice to others for remuneration.

SECTION 630. 25.17 (1) (g) of the statutes is amended to read:

25.17 (1) (g) General fund (s. 25.20), ~~including trust funds of the historical society (s. 44.015);~~

SECTION 631. 25.17 (1) (gp) of the statutes is created to read:

25.17 (1) (gp) Historical society trust fund (s. 25.70);

SECTION 632m. 25.17 (3) (bg) of the statutes is amended to read:

25.17 (3) (bg) Make sums available, at the request of the department of veterans affairs, for the purpose of making additional housing loans to veterans under ss. 45.351 (2), 45.352, 1971 stats., and 45.80. Such sums shall be made available notwithstanding ss. 25.156 to 25.18 and shall not exceed \$16,500,000 outstanding at any one time of the balances of the general fund. Such loans shall initially be made by the department of veterans affairs from the appropriations under s. 20.485 (2) (y). Despite the specific provisions of sub. (1), the responsibility for collection of the interest and principal on such loans to veterans shall rest in the department of veterans affairs and the functions of the investment board shall be limited to advancing funds to the department of veterans affairs and to periodically receiving from the appropriations made by s. 20.485 (2) (b), (x) and (y) payments of principal and interest on the advances made to the department of veterans affairs.

SECTION 633. 25.17 (3) (bk) of the statutes is repealed.

SECTION 634. 25.17 (4) of the statutes is amended to read:

25.17 (4) Invest the funds of the fixed retirement investment trust in loans, securities or investments in addition to those permitted by any other statute, ~~but the~~ including investments in corporations which are in the venture capital stage. The aggregate of the loans, securities and investments made under this subsection shall not exceed 15% of the admitted assets of ~~said~~ that trust. Investments in corporations which are in the venture capital stage shall not exceed 2% of the admitted assets of that trust.

SECTION 635. 25.17 (5) of the statutes is amended to read:

25.17 (5) The limitations upon the percentage of the assets of any fund which are imposed by sub. (4) or any other statute shall not be applicable to investments made by the investment board of funds in the

variable retirement investment trust created under s. 40.04 (3) and said investments shall be excluded in computing the assets to which any such limitations apply. Assets of the variable retirement investment trust shall be invested primarily in equity securities which shall include common stocks, real estate or other recognized forms of equities whether or not subject to indebtedness, including securities convertible into common stocks ~~except that the~~ and securities of corporations in the venture capital stage. The investment board may, however, temporarily ~~may~~ invest such assets in investments which are authorized under sub. (3), but the assets so temporarily invested shall be replaced by equity securities at the earliest time deemed by the board to be practicable considering the then existing condition of the securities market and other influential factors. Investments in securities of corporations which are in the venture capital stage shall not exceed 2% of the admitted assets of the variable retirement investment trust.

SECTION 636. 25.18 (1) (a) of the statutes is amended to read:

25.18 (1) (a) ~~Employ~~ Notwithstanding subch. IV of ch. 16 and s. 20.918, employ special legal or investment counsel in any matters arising out of the scope of its investment authority. The employment of special legal counsel shall be with the advice and consent of the attorney general whenever such special counsel is to be compensated by the board. Any expense of counsel so employed shall be borne by the current income account of the fund for which the services shall be furnished, except that the fixed retirement investment fund may bear this expense from its transaction amortization account.

SECTION 637. 25.18 (1) (f) of the statutes is amended to read:

25.18 (1) (f) Maintain and repair any building or other structure or premises which it owns in fee or in which it owns the beneficial interest and, notwithstanding subch. IV or V of ch. 16, it shall have exclusive authority to make such agreements and enter into such contracts as it deems necessary for such purpose. All noncapital costs under this paragraph shall be charged to the current income accounts of the funds having an interest in the building, structure or premises.

SECTION 638. 25.18 (1) (m) of the statutes is amended to read:

25.18 (1) (m) Notwithstanding subchs. IV and V of ch. 16, employ professionals, contractors or other agents necessary to evaluate or operate any property in which if a fund managed by the board has an interest in, or is considering purchasing or lending money based upon the value of, that property. Costs under this paragraph shall be paid by the fund and charged to the appropriate current income account under s. 40.04 (3).

SECTION 638g. 25.29 (1) (b) of the statutes is amended to read:

25.29 (1) (b) One percent of all sales and use taxes under s. 77.61 (1) on all-terrain vehicles, boats and snowmobiles collected by the department under ss. 23.33, 30.52 (4) and 350.12 (7).

SECTION 638m. 25.38 of the statutes is created to read:

**25.38 Elderly property tax deferral fund.** (1) There is established a separate nonlapsible trust fund designated as the elderly property tax deferral fund that shall consist of the following:

(a) Amounts received in the form of a general fund loan from the appropriation under s. 20.855 (4) (fb).

(b) All amounts collected under the 1985 state tax amnesty program.

(c) Amounts received from the repayment of loans made under subch. IV of ch. 77.

(2) Moneys from this trust fund shall be used only for the program under subch. IV of ch. 77, including payment to the department of revenue for its costs incurred in administering that program.

SECTION 638p. 25.40 (2) of the statutes, as affected by 1985 Wisconsin Act 16, is amended to read:

25.40 (2) Payments from the transportation fund, except for appropriations made by ss. 20.115 (1) (q), 20.255 (2) (r), 20.285 (1) (x), 20.292 (1) (u) and (v), 20.370 (1) (dq), ~~(dr)~~ and (mr), (2) ~~(dq)~~ (aq) and (cq) and (4) (bt), (bu) and (fr), 20.399 (1) (r), 20.566 (1) (u) and 20.855 (4) (q) or authorized by s. 25.17 shall be made only on the order of the secretary of transportation, from which order the secretary of administration shall draw a warrant in favor of the payee and charge the same to the transportation fund.

SECTION 639. 25.46 (5) of the statutes is created to read:

25.46 (5) All moneys received from the federal government as reimbursement under s. 144.76 (6) (c) 2 and for purposes related to the hazardous substances spills program, the abandoned container program and the environmental repair of waste facilities.

SECTION 640. 25.46 (6) of the statutes is created to read:

25.46 (6) All moneys received from reimbursements under s. 144.77 (6) (c).

SECTION 641. 25.70 of the statutes is created to read:

**25.70 Historical society trust fund.** There is established a separate nonlapsible trust fund designated as the historical society trust fund, consisting of all endowment principal and income and all cash balances of the historical society. In this section, unless otherwise provided in the gift, grant, bequest or devise, principal and income are determined as provided under s. 701.20 (3).

SECTION 642. 26.06 (1) of the statutes is amended to read:

26.06 (1) Foresters, forest supervisors, rangers and wardens of the department and the cruisers and forest-

ers of the board of commissioners of public lands shall have the enforcement powers specified in s. 26.14 (1) with respect to, and shall also be authorized to seize, without process, any forest products unlawfully severed from public lands of the state, federal lands leased to the state, county forest lands entered under s. 28.11 ~~or~~, forest croplands entered under subch. I of ch. 77 or managed forest land designated under subch. VI of ch. 77. Seized products cut from lands under the control of the board of commissioners of public lands shall be held for the commissioners and those cut from forest croplands, managed forest land or county forest shall be held for the owner, and subject to ~~his~~ the payment of severance taxes, yield taxes or severance share thereon to the state. Products cut from state forest lands or federal lands leased to the department shall be appraised and sold. Products appraised at more than \$500 shall be sold on sealed bids not less than 10 days after a class 1 notice has been published, under ch. 985, in the county where the material is located. Any sheriff may seize and hold for the owner thereof any forest products unlawfully severed or removed.

SECTION 642m. 27.01 (6) (p) of the statutes is created to read:

27.01 (6) (p) The state park in Clifton township, Pierce county, as "Kinnickinnic State Park".

SECTION 644m. 27.02 (1) of the statutes is amended to read:

27.02 (1) ~~In~~ Except as provided under sub. (2), in every county with a population of at least 150,000, but less than 500,000, and in any other county with a population of less than ~~500,000~~ 150,000 wherein the county board has by resolution provided for a county park commission subject to ss. 27.02 to 27.06, the chairperson of the county board shall appoint a county park commission consisting of 7 members, any number of which may be members of the county board. The appointments shall be made in writing and filed in the office of the county clerk. The term of each member, except county board members, is 7 years following July 1 of the year in which the appointment is made and until the appointment and qualification of a successor, except that the first 7 members shall be appointed respectively for such terms that on July 1 in each of the 7 years following the year in which they are appointed the term of one member will expire. After the original appointments one commissioner shall be appointed annually in the month of June to succeed the member whose term will expire on July 1 following, except that in counties with a population of at least 150,000 but less than 500,000 the members shall be elected by the county board of supervisors. The term of any park commissioner appointed to the commission while serving as a county board member shall end when the commissioner's membership on the county board terminates, unless thereafter reappointed to the commission.

SECTION 645m. 27.02 (2) of the statutes is amended to read:

27.02 (2) In counties having a population of 500,000 or more any county with a county executive or county administrator except a county with a population of less than 150,000 which has not by resolution provided for a county park commission subject to ss. 27.02 to 27.06 or except any county exercising power under s. 27.075, the county park commission shall consist of 7 members elected by the county board in the manner appointed by the county executive or county administrator, subject to confirmation by the county board. The term of office for such members shall be as provided by sub. (1), except that only one such member may be a member of the county board. If the term of such member of the county board shall terminate for any reason, his membership on the park commission shall become vacant and the vacancy shall be filled as hereinabove provided. This subsection shall not apply to any member on the park commission now in office (1957) who was a member of the county board. A member of the commission appointed under this subsection may be removed by the county executive or county administrator for cause.

SECTION 646. 27.03 (2) of the statutes is amended to read:

27.03 (2) It may also appoint such other agents and employes as may be necessary to carry out its functions, and may remove them at pleasure, and make all rules and regulations concerning its work. In counties having any county with a county executive or a county administrator, the county executive or county administrator shall appoint and supervise a general manager of the park system. The appointment shall be subject to confirmation by the county board unless the county board, by ordinance, elects to waive confirmation or unless the appointment is made under a civil service system competitive examination procedure established under s. 59.07 (20) or ch. 63. In any county with a population of 500,000 or more a, the general manager of the park system shall be appointed by the county executive in the unclassified civil service and is subject to confirmation by the county board, as provided in s. 59.031 (2) (bm). The person holding the position of general manager of the park system, under the classified civil service, on June 16, 1974, shall continue in that capacity under civil service status until his death, resignation or removal from the position at which time the title of the position shall be changed to "director of parks, recreation and culture" unless the county board, by ordinance, elects to waive confirmation.

SECTION 647. 27.04 (1) of the statutes is amended to read:

27.04 (1) The Except as provided under sub. (1m), the commission shall make a thorough study of the county with reference to making reservations and acquisitions of lands therein for public uses, the improvement of such lands for parks, playgrounds, forest reservations, parkways and boulevards; make

surveys, lay out maps, other plans and maps of a comprehensive county park system, and a county system of streets and parkways, including contiguous land of whatever shape or area designed to be ultimately used, in whole or in part, for highways, or, in whole or in part, for parkways; gather such further information in relation thereto as it deems useful and report the same to the county board. It shall make such other or further reports as may be requested by the county board. In making such studies, surveys and obtaining such information, and in making such reports, the commission shall give consideration, among other matters, to the health, comfort, enjoyment and general welfare of the people of the county, to the protection of streams, lakes and pools from pollution, to the use by the public of lakes, pools and the banks thereof, to the reforestation for public use and enjoyment of tracts of land, to the conservation of flooded areas, and to the preservation of places of natural beauty and of historic or scientific interest.

SECTION 648. 27.04 (1m) of the statutes is created to read:

27.04 (1m) Any general manager appointed under s. 27.03 (2) shall have the administrative powers and duties prescribed for the commission under sub. (1).

SECTION 649. 27.04 (2) of the statutes is amended to read:

27.04 (2) The county board thereafter may by ordinance adopt the plans proposed by the commission or general manager for such comprehensive county park system, or for such a county system of streets and parkways, in whole or in part, and with such changes or modifications as it deems necessary, and may subsequently alter, change, enlarge, extend or modify the same in any respect deemed necessary.

SECTION 650. 27.05 (intro.) of the statutes is amended to read:

27.05 (title) Powers of commission or general manager. (intro.) The said county park commission except in counties with a county executive or county administrator, the general manager, shall have charge and supervision of all county parks, and all lands heretofore or hereafter acquired by the county for park or reservation purposes; and may, subject to the general supervision of the county board and to such regulations as it may prescribe except as provided under s. 27.03 (2), may:

SECTION 651. 27.065 (1) (b) of the statutes is amended to read:

27.065 (1) (b) Before instituting condemnation proceedings or purchasing lands to be paid for in whole or part by assessment of benefits, the county board shall specify in general terms the land to be so acquired and shall refer the same to the county park commission, which except that in counties with a county executive or county administrator, the referral shall be to the general manager. The commission or general manager shall thereafter make a report to the county board, giving a particular description of each lot, par-

cel or subdivision of land to be thus acquired, together with the opinion and recommendations of ~~such~~ the commission or general manager upon the matter of acquiring such lands. Thereafter the county board may, by resolution, determine whether or not such lands shall be acquired by condemnation proceedings or otherwise.

SECTION 652. 27.065 (5) of the statutes is renumbered 27.065 (5) (a) and amended to read:

27.065 (5) (a) No such work or improvement shall be commenced by the county board until the county park commission except in counties with a county executive or county administrator, the general manager, shall have made a preliminary estimate of the cost thereof and submitted the same, together with a proposed plan of such improvement showing the character and extent of the same to the county board. The county board may thereafter determine the character and extent of the improvements to be made. Such improvements may be made by contract or noncontract work as the county board shall determine. All contracts awarded pursuant hereto shall be let by contract to the lowest responsible and reliable bidder. When the work required or directed to be let to the lowest responsible and reliable bidder, plans and specifications for the same containing a description of the work, materials to be used and such other matters as will give an intelligent idea of the work required, shall be prepared and filed with the county clerk for the inspection of bidders, together with a form of contract and bond, with sureties required, and the same shall be furnished to all persons desiring to bid on the work. All contracts shall be entered into in the name of the county and shall be executed and performed under the direction of the county board, except that in any county without a county executive or county administrator the county board may vest its county highway committee or the county park commission with authority to enter into such contracts and to have charge of the performance thereof. ~~The~~ In any county without a county executive or county administrator, the county highway commissioner, under the direction of said the county board, or said the county highway committee or park commission, shall superintend such work.

SECTION 653. 27.065 (5) (b) of the statutes is created to read:

27.065 (5) (b) In any county with a county executive or a county administrator, the county board may vest the county highway commissioner or the county park manager with authority to enter into contracts under par. (a) and to have charge of the performance thereof.

SECTION 654. 27.065 (14) of the statutes is amended to read:

27.065 (14) IMPROVED STREETS UNDER SUPERVISION OF COMMISSION. The system of streets and parkways acquired or improved hereunder shall thereafter be under the charge and supervision of and shall be

maintained by the county park commission except in counties with a county executive or county administrator, by the general manager.

SECTION 655. 27.065 (15) of the statutes is amended to read:

27.065 (15) CHANGE IN RESTRICTED USE OF LAND. Whenever any regulation, declared by law to be for public health, safety and welfare, shall have been or shall be made affecting the use of any lot or parcel of land against which a special assessment, or apportionment thereof, shall have been or shall be made under this section, any amendment, change or repeal of any such regulation to permit a less restricted use of any such lot or parcel of land shall require a three-fourths vote of the body authorized by law to make such amendment, change or repeal. No such amendment, change or repeal shall be effective unless, prior to the adoption thereof, notice by registered mail of the time and place of hearing on any such proposal shall have been given to the county park commission except in counties with a county executive or a county administrator, to the general manager, by the body authorized by law to make such amendment, change or repeal at least 10 days before the time set for any such hearing.

SECTION 655a. 27.10 (3) of the statutes is amended to read:

27.10 (3) TAX FOR PARKS; COLLECTION AND EXPENDITURE OF PROCEEDS. The common councils of all ~~cities of the 1st class~~ cities are hereby authorized and directed to include in the tax levy of each year, upon all taxable property of any such city, at the same time and in the same manner as other city taxes are levied and collected by law, a tax ~~not exceeding 85 hundredths (.85) of a mill upon each dollar of the assessed value of said taxable property, the amount of which tax shall be at a level~~ determined by the board of park commissioners of such city, and certified to the common council and the city comptroller on or before such day in each year designated by law for making and filing with the city comptroller reports and estimates for the purpose of making up the budget for the ensuing fiscal year. The entire amount of such tax shall be collected, paid into and held in the city treasury as a separate and distinct fund to be known as the park and boulevard fund, and shall not be used or appropriated directly or indirectly for any other purpose than for the improvement, maintenance and control of the public parks and boulevards of such city, and for the payment of the salaries of the employees and other proper expenses of such board of park commissioners; provided, that of the said tax levied and collected in any such city, two-tenths of a mill upon each dollar of the assessed value of its taxable property shall be used each year by its board of park commissioners solely for the purpose of filling in and improving and maintaining as a public park or boulevard any strip of submerged land granted or which may be granted to said city to be managed, controlled, improved and maintained by its board of park

commissioners; and provided further, that of said tax levied and collected in any such city one-tenth of a mill upon each dollar of the assessed value of its taxable property shall be used each year by its board of park commissioners solely for the purpose of improving and maintaining any zoological garden which may be managed, controlled, improved and maintained by its board of park commissioners.

SECTION 655b. 27.11 (8) (b) of the statutes is amended to read:

27.11 (8) (b) Said board shall report to the common council in such city on or before the first meeting in September in each year the amount of money required for carrying out the purposes of this section, and the common council may provide such funds as it deems reasonably sufficient for such purposes and may cause to be levied and collected for such purpose an annual tax ~~not exceeding five tenths of a mill upon the dollar upon all the property subject to taxation in said city at the same time and in the same manner as other taxes are levied and collected by law.~~ Said tax shall be independent of the 8 mills general purposes tax to be levied by said common council. Any unexpended surplus remaining in said public land fund at the close of the fiscal year shall become a part of the revenue of said board of land commissioners for the purposes aforesaid. ~~The five tenths of a mill tax as herein provided shall not become effective or apply in any city until the question shall be submitted to a vote of the electors thereof by resolution or ordinance adopted by the common council, which shall provide for the time of holding such election. If approved by the majority of the votes cast upon that question in any city it shall go into effect in such city, otherwise it shall not take effect. Upon the ballot provided for such election shall be printed the following: "Shall the common council annually cause to be levied and collected at the same time and in the same manner as other taxes are levied and collected such sum or sums as they shall deem sufficient for the purpose of providing a public land fund. Such sum, however, shall not exceed in any one year a tax equal to the sum of five tenths of a mill upon the dollar upon all the property subject to taxation in the city?"~~ Such election shall be held and the votes cast, counted, canvassed and returned in the same manner as at general city elections.

SECTION 655ce. 28.11 (3) (i) of the statutes is amended to read:

28.11 (3) (i) Enter into leases or agreements, for terms not exceeding 5 10 years, to explore and prospect for ore ~~or~~ minerals, gas or oil upon any county forest lands. ~~Such~~ These leases or agreements shall contain proper covenants to safeguard the public interests in the lands involved and to guard against trespass and waste. Proper The county board shall require proper security shall be taken to ensure that the prospector will person engaged in exploration or prospecting fully inform informs the county of every discovery of ore ~~or~~ minerals, gas or oil and will

~~restore~~ restores the land surface to an acceptable condition and value if no discovery of valuable deposit is made or if ~~said county forest~~ lands are not withdrawn from entry under this section. ~~Before any such a lease or agreement shall be under this paragraph is effective it shall first be submitted to, approval of the lease or agreement by the department for approval is required.~~ If the department finds that the proposed lease or agreement fully complies with the law and contains the proper safeguards, it shall approve the ~~same lease or agreement.~~

SECTION 655cf. 28.11 (3) (j) of the statutes is renumbered 28.11 (3) (k).

SECTION 655cg. 28.11 (3) (j) of the statutes is created to read:

28.11 (3) (j) Enter into leases for the extraction of valuable deposits of ore, minerals, gas or oil upon any county forest land. If the extraction can be accomplished without permanently affecting the surface of the land, extraction leases may be entered into and extraction may occur while the land remains county forest lands. If the extraction cannot be accomplished without permanently affecting the surface of the land, extraction may not commence until the land is withdrawn as county forest land. Before an extraction lease under this paragraph is effective, approval of the lease by the department is required.

SECTION 655d. 29.01 (1m) of the statutes is created to read:

29.01 (1m) "Attending boat" means an open boat used to transport equipment, crew or catch of a licensed boat, provide assistance in the operation of fishing gear by the licensed boat or provide other assistance in the commercial fishing operations of a boat licensed under s. 29.33.

SECTION 655f. 29.01 (2m) of the statutes is created to read:

29.01 (2m) "Documented boat" means a licensed commercial fishing boat with valid federal documentation under s. 30.51 (2) (c) 2.

SECTION 655m. 29.01 (9m) of the statutes is created to read:

29.01 (9m) "Licensed boat" means a boat, other than an attending boat, included under a commercial fishing license.

SECTION 655p. 29.01 (11m) of the statutes is created to read:

29.01 (11m) "Registered boat" means a boat having a valid certificate of number issued under s. 30.51.

SECTION 656. 29.09 (13) of the statutes is amended to read:

29.09 (13) STAMPS; ARTWORK. The department shall design and produce waterfowl hunting stamps, wild turkey hunting stamps, inland waters trout stamps and Great Lakes trout and salmon stamps. ~~If the~~ The department selects may select artwork for stamps through a contest or otherwise acquires may acquire original artwork for stamps, ~~the department~~

~~shall require each contestant or individual artist to sign an agreement permitting the department to use the artwork on stamps and granting the department the right to 50% of the revenue obtained from the sale of prints and other nonstamp copies of the artwork if the artwork is selected or acquired by the department. Revenue obtained by the department from the sale of prints and other nonstamp copies of this artwork shall be deposited in the conservation fund and credited to the fish and wildlife account.~~

SECTION 656d. 29.092 (5) (b) and (c) of the statutes are amended to read:

29.092 (5) (b) *Resident sport trolling license*. The fee for a resident sport trolling license is \$60 ~~\$100~~.

(c) (title) *Nonresident Lake Michigan and Green Bay sport trolling license*. The fee for a nonresident sport trolling license for Lake Michigan and Green Bay is \$400.

SECTION 656f. 29.092 (5) (d) of the statutes is created to read:

29.092 (5) (d) *Nonresident Lake Superior sport trolling license*. The fee for a nonresident sport trolling license for Lake Superior is \$400.

SECTION 656g. 29.092 (6) (title) of the statutes is amended to read:

29.092 (6) (title) TRAPPING AND FUR DEALER LICENSES AND TAXIDERMIST PERMITS.

SECTION 656j. 29.092 (6) (g) and (h) of the statutes are created to read:

29.092 (6) (g) *Resident taxidermist*. The fee for a resident taxidermist permit is \$50.

(h) *Nonresident taxidermist*. The fee for a nonresident taxidermist permit is \$100.

SECTION 656m. 29.092 (7) of the statutes is repealed and recreated to read:

29.092 (7) COMMERCIAL FISHING AND WHOLESALE FISH DEALER LICENSES; TAGS. (a) *Resident outlying waters license*. The fees for resident commercial fishing licenses for the outlying waters are:

1. The license fee for each licensed boat not exceeding 25 feet in overall length or for fishing without a boat is \$60 if issued for an effective period ending June 30, 1986.

2. The license fee for each licensed boat exceeding 25 feet in overall length is \$200 plus \$5 for each foot in excess of 40 feet, but in no case may the fee for any boat exceed \$300, if issued for an effective period ending June 30, 1986.

3. The license fee for each licensed boat or for fishing without a boat is \$300 if issued for an effective period ending June 30, 1987.

4. The license fee for each licensed boat or for fishing without a boat is \$500 if issued for an effective period ending June 30, 1988, or any June 30 thereafter.

5. For fishing only for the harvest of rough fish from outlying waters if the fish are taken under contract issued under s. 29.62 or 29.625, the license fee is

\$25 for each licensed boat or for fishing without a boat.

(b) *Nonresident outlying waters license*. The fees for nonresident, as defined under s. 29.33 (2), commercial fishing licenses for the outlying waters are:

1. The license fee for fishing without a boat is \$300 if issued for an effective period ending June 30, 1986.

2. The license fee for each licensed boat not exceeding 25 feet in overall length is \$300 plus \$3 for each foot of the overall length if issued for an effective period ending June 30, 1986.

3. The license fee for each licensed boat exceeding 25 feet in overall length is \$800 plus \$3 for each foot of the overall length, but in no case may the fee for any boat exceed \$900, if issued for an effective period ending June 30, 1986.

4. The license fee for each licensed boat or for fishing without a boat is \$600 if issued for an effective period ending June 30, 1987.

5. The license fee for each licensed boat or for fishing without a boat is \$1,000 if issued for an effective period ending June 30, 1988, or any June 30 thereafter.

(c) *Commercial fishing license transfer fee*. The fee for each transfer of an outlying waters commercial fishing license between boats or individuals as provided under s. 29.33 (2) is \$25.

(d) *Outlying waters crew license*. There is no fee for a commercial fishing crew license.

(e) *Mississippi and St. Croix rivers net licenses and tags*. The fees for commercial net licenses and tags for the Mississippi and St. Croix rivers are:

1. For seine nets: a license fee of \$20 for the first 500 lineal feet of net, \$10 for the 2nd 500 lineal feet and \$2 for each additional 100 lineal feet or fraction thereof, plus 25 cents for each metal tag for each 500 lineal feet of net or fraction thereof.

2. For gill nets: a license fee of \$10 for the first 2,000 lineal feet of net and \$1 for each additional 100 lineal feet or fraction thereof, plus 25 cents for each metal tag for each 2,000 lineal feet of net or fraction thereof.

3. For bait nets: the license fee is \$20, plus the metal tag for each bait net is 25 cents each.

4. For buffalo and frame nets: the license fee is \$10, plus the metal tag for each buffalo or frame net is 50 cents each.

5. For slat nets: the license fee is \$20, plus the metal tag for each slat net is 50 cents each, not to exceed 50 slat nets per licensee.

6. For trammel nets: the license fee is \$20 for each net, not to exceed 300 lineal feet, including one metal tag.

(f) *Inland waters set or bank pole license*. The fee for a set or bank pole license for inland waters is \$2.25 including 5 metal tags, one for each set or bank pole allowed.



(g) *Inland waters setline license.* The fee for a setline license for inland waters is \$10, plus the metal tag for each setline is 25 cents each.

(h) *Wholesale fish dealer license.* The fee for a wholesale fish dealer license is \$100.

SECTION 657. 29.092 (14) of the statutes is renumbered 29.092 (15), and 29.092 (15) (a) and (f), as renumbered, are amended to read:

29.092 (15) (a) *Issuing fee generally.* In addition to the fees specified for licenses and stamps under subs. (2) to (9), (11) and (13) and any surcharge fee imposed under sub. (14), a person who applies for a license or stamp or for a duplicate license or stamp issued under this chapter shall pay an issuing fee.

(f) *Addition of issuing fee to be shown with license or stamp fee as one amount.* The issuing fee shall be added to the fee provided in subs. (2) to (9), (11) and (13) and any surcharge fee imposed under sub. (14). Any amount shown on the printed license form or stamp shall be the total of the issuing fee and other fee fees.

SECTION 658. 29.092 (14) of the statutes is created to read:

29.092 (14) **WILDLIFE DAMAGE SURCHARGE.** (a) *Surcharge generally.* In addition to the fees specified under subs. (2) (a) and (c) to (k) and (4) (a), a person who applies for a resident small game, resident deer, resident bear, resident archer, nonresident annual small game, nonresident 5-day small game, nonresident deer, nonresident bear, nonresident fur-bearing animal, nonresident archer license or resident sports license shall pay a wildlife damage surcharge of \$1.

(b) *Addition of surcharge.* The wildlife damage surcharge shall be added to the fee provided in sub. (2) (a) or (c) to (k) or (4) (a).

(c) *Use of surcharge fees.* The wildlife damage surcharge shall be collected as are other approval fees and the surcharge fees shall be deposited in the conservation fund to be used for the wildlife damage abatement program under s. 29.598 (5) (c), the wildlife damage claim program under s. 29.598 (7) (d) and for county administration costs under s. 29.598 (2) (d).

SECTION 658b. 29.093 (6) (title) of the statutes is amended to read:

29.093 (6) (title) **TRAPPING AND FUR DEALER LICENSES AND TAXIDERMIST PERMITS.**

SECTION 658c. 29.093 (6) (c) of the statutes is created to read:

29.093 (6) (c) *Taxidermist permit.* A resident or nonresident taxidermist permit is valid from September 1 or the date of issuance, whichever is later, until August 31 of the 2nd year following the year of issuance.

SECTION 658d. 29.093 (7) (a) and (b) of the statutes are amended to read:

29.093 (7) (a) *Outlying waters.* A ~~class A, class B, class C, class E or class F~~ commercial fishing license or a related crew license is valid from July 1 or the date of

issuance, whichever is later, until the following June 30.

(b) *Mississippi and St. Croix rivers net license.* A net license for the Mississippi and St. Croix rivers authorizing the use of seine, gill, bait, buffalo ~~or~~ frame, slat or trammel nets is valid from April 16 or the date of issuance, whichever is later, until the following April 15.

SECTION 658p. 29.093 (7) (c) of the statutes is repealed.

SECTION 659. 29.107 of the statutes is repealed and recreated to read:

**29.107 Special deer hunting permits.** (1) **ISSUANCE.** The department may issue a hunter's choice deer hunting permit, a deer hunting party permit or other special deer hunting permit to a person with a valid deer hunting license who applies for the permit.

(2) **AUTHORIZATION.** A hunter's choice deer hunting permit may authorize or require the permit holder to take deer of a sex or type not authorized by a regular deer hunting license. A deer hunting party permit may authorize members of a deer hunting party to take additional deer not authorized by a regular deer hunting license. Except as authorized by rule, a person may not apply for or be issued more than one special deer hunting permit in a single season. The department shall specify by rule the type and number of deer which may be taken, the deer management areas where special permits are valid, the number of special permits to be issued and other restrictions and conditions concerning special deer hunting permits.

(3) **FINDINGS.** The department may issue hunter's choice deer hunting permits, deer hunting party permits or other special deer hunting permits only in those years in which the department finds that the size or characteristics of the deer population of this state require additional or special types of deer to be taken for proper game management.

(4) **PREFERENCE SYSTEM; RANDOM SELECTION.** If the number of applications for a type of special deer hunting permit in a deer management area exceeds the number of available special permits, the department shall issue those special permits according to the preference system established under this subsection and sub. (5). If the number of qualified applicants exceeds the number of special permits available in a preference category, the department shall select at random the applicants to be issued special permits.

(5) **PREFERENCE CATEGORIES.** (a) *Qualified landowners.* The department shall give first preference in the issuance of special deer hunting permits to applicants who are qualified landowners, but not more than 30% of the available special permits for a deer management area for one season may be issued under this preference category.

(b) *Unsuccessful resident applicants.* After issuing special deer hunting permits under par. (a), the department shall give next preference in the issuance of those special permits to resident applicants who

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applied for but were not issued a special permit in the preceding year. Applicants who are qualified landowners but who are not issued a special deer hunting permit under par. (a) and were not issued a special permit in the preceding year shall be included in this preference category.

(c) *Other resident applicants.* After issuing special deer hunting permits under pars. (a) and (b), the department shall give next preference in the issuance of those special permits to residents.

(6) **QUALIFIED LANDOWNER.** In order to apply for a special deer hunting permit as a qualified landowner a person is required to be a resident, to be the owner of record or a vendee under a land contract of at least 50 acres in one parcel located in the deer management area for which the special permit is valid and to reside on that parcel at least 51% of the year. No more than one person may apply as a qualified landowner for one parcel of land in one season.

(7) **MISREPRESENTATION.** Any person who misrepresents information on an application for a special deer hunting permit shall forfeit \$50 and, in addition, the court shall order the revocation of any approval authorizing the person to hunt deer with firearms and shall prohibit the issuance of any new approval which would authorize the person to hunt deer with firearms for the next open season.

SECTION 660. 29.108 of the statutes is repealed.

SECTION 660d. 29.135 (1) (title) and (2) (title) of the statutes are created to read:

29.135 (1) (title) **DEFINITIONS.**

(2) (title) **LICENSE REQUIRED.**

SECTION 660e. 29.135 (1) (b) of the statutes is repealed and recreated to read:

29.135 (1) (b) "Fish" means any processed or unprocessed fish of those species which are found in the waters of this state as defined in s. 144.01 (19), including parts of fish or fish products. "Fish" does not include minnows produced and sold or purchased as bait.

SECTION 660f. 29.135 (3) to (6) of the statutes are repealed and recreated to read:

29.135 (3) **ISSUANCE.** The department shall issue a wholesale fish dealer license to any person 18 years of age or older who applies for this license, if that person is not otherwise prohibited from being issued a license under s. 29.99 or 29.995.

(4) **ROCK AND LAKE STURGEON.** A wholesale fish dealer license does not authorize a person to sell, buy, barter, trade, possess, control or transport rock or lake sturgeon.

(5) **TAGGING AND LABELING REQUIREMENTS.** (a) *Tag, label or receipt required.* No wholesale fish dealer may sell, buy, barter, trade, possess, control or transport any fish unless the fish are tagged and labeled in accordance with the law of the state or country where they were taken or, if no label or tag is required under the law of that state or country, unless the fish are

accompanied by a receipt from the person from whom the fish were purchased or obtained.

(b) *Special tagging requirements for lake trout.* Effective July 1, 1986, no wholesale fish dealer or producer of fish may sell, buy, barter, trade, possess, control or transport any lake trout unless the lake trout is tagged with a valid, current commercial fish tag issued or authorized by the department or by a governmental agency of another state or country. If a licensed wholesale fish dealer gives the department at least 12 hours notice of the date, time and location of arrival at the state line of lawfully possessed, untagged lake trout which are intended for importation into this state by the licensed wholesale fish dealer, the department or its representatives shall meet the shipment of lake trout and attach a "foreign lake trout tag" to each fish or seal the shipment with a department seal which may not be removed prior to delivery to the licensed wholesale fish dealer. The department or its representative shall tag the lake trout in a timely and orderly manner, and so as not to create any damage or spoilage to the fish. The tag shall be attached through the gills and mouth of whole lake trout, or in a manner which results in 2 complete fillets joined by the tag. For tagging of other forms of lake trout, the department shall promulgate rules to determine the manner in which the tag shall be attached to or accompany the trout, and the conditions, if any, under which the tag may be separated from the trout.

(c) *Failure to tag or label.* Fish which are not tagged, labeled or accompanied by a receipt showing the fish were taken in another state or country as required under par. (a) or (b) are presumed to have been taken from the waters of this state.

(d) *Package labeling requirements.* No wholesale fish dealer or producer of fish may transport or cause to be transported, or deliver or receive for transportation, any package or box containing any fish unless it is labeled legibly in a manner which discloses the name, address and license number of the consignor which shall be identical to that on the license; the name and address of the consignee; and each kind of fish contained in the package or box. If such shipment of fish is accompanied by an invoice containing the complete name, address and license number of the consignor, which shall be identical to that on the license; the complete name, address and license number, if any, of the consignee; the date of shipment from the consignor; the kinds of fish, the pounds of each kind and the description of the fish being shipped; and the signature of the person completing the invoice, the kinds of fish contained may be omitted from the package or box labels. Producers shall only be required to label or provide invoices for packages or boxes of fish being transported by motor vehicle for purposes of sale. This paragraph does not apply to a producer of fish on the Mississippi river.

(6) **RECORDS AND REPORTS.** (a) *Records.* Each wholesale fish dealer shall keep a complete, legible and

accurate record of all fish purchased or obtained in his or her capacity as a wholesale fish dealer, in the manner required and on forms provided by the department. The record shall include the complete name, address and fish dealer license number of the purchaser; the complete name, address and wholesale fish dealer or commercial fishing license number of the person from whom the fish were purchased or obtained; the date of the transaction; the kinds of fish, the pounds of each kind and the description of the fish purchased or obtained; and the signature of the person completing the record.

(b) *Reports.* On or before the 10th day of each month, each wholesale fish dealer shall submit the records for the preceding month to the department. If the records are mailed to the department, the date of the postmark constitutes the date of submission.

SECTION 660m. 29.135 (7) of the statutes is created to read:

29.135 (7) INSPECTION. (a) *Subjects of inspection.* Fish stored or in the possession of a wholesale fish dealer, records and reports of a wholesale fish dealer and buildings, structures, vessels, equipment and materials related to a wholesale fish dealer's business are subject to inspection by the department as provided in this subsection.

(b) *Inspection authority; entry; inspection.* For the purpose of enforcing this subsection, a conservation warden or a representative of the department, upon presentation of his or her credentials to a wholesale fish dealer, a person operating a vehicle for a wholesale fish dealer or an employe or person acting on behalf of a wholesale fish dealer, is authorized during any time when business is being conducted on the premises:

1. To enter any building or structure, except a dwelling place, where fish are stored, processed, packed or held, where a wholesale fish dealer's records or reports are kept, where vehicles, equipment or materials used in a wholesale fish dealer's business are located or where activities related to a wholesale fish dealer's business are conducted and to enter any vehicle used to transport or hold fish.

2. To inspect fish stored or in the possession of a wholesale fish dealer, records or reports of a wholesale fish dealer and buildings, structures, vessels, vehicles, equipment and materials related to a wholesale fish dealer's business.

(c) *Failure to permit inspection.* No wholesale fish dealer, operator of a vehicle for a wholesale fish dealer or employe or person acting on behalf of a wholesale fish dealer may prohibit entry or prohibit an inspection to be conducted as authorized under this subsection unless a court restrains or enjoins the entry or inspection.

SECTION 660r. 29.136 of the statutes is repealed and recreated to read:

29.136 *Taxidermists.* (1) DEFINITION. In this section, "taxidermist" means a person who mounts or

preserves the carcass of any wild animal for consideration.

(2) PERMIT REQUIREMENTS. No person may engage in business as a taxidermist after August 31, 1986, unless he or she is issued a taxidermist permit subject to s. 29.09 by the department. This subsection does not apply to agents or employes of taxidermists while working under the direct supervision of a taxidermist permit holder.

(3) PERMITS; PREREQUISITES. The department shall not issue a taxidermist permit to any person unless that person has a seller's permit issued by the department of revenue and the number of the seller's permit is reported on the application form.

(4) AUTHORIZATION. Subject to this section and rules promulgated under this section, a taxidermist permit authorizes the permit holder to possess and transport wild animals or carcasses in connection with his or her business. This authority supersedes restrictions on the possession and transportation of wild animals and carcasses regardless of bag limits, rest days, closed seasons and similar restrictions, notwithstanding s. 29.174 and rules promulgated by the department under that section. Subject to this section and rules promulgated under this section, a taxidermist permit entitles the permit holder to the same privileges as a Class A fur dealer's license.

(5) PROHIBITION ON COMMINGLING CARCASSES; CARCASS IDENTIFICATION. (a) *Commingling.* No person may commingle, store, possess or transport carcasses of wild animals received in connection with his or her business with carcasses of wild animals received for any other purpose. This paragraph does not require separate refrigeration units for carcasses of wild animals received in connection with a person's business, if properly identified and recorded under par. (b), and carcasses of wild animals received for any other purpose.

(b) *Carcass identification; owner information.* A person who receives the carcass of any wild animal in connection with his or her business as a taxidermist shall attach an identification tag to the carcass and record information concerning the owner of the carcass. The identification tag shall remain with the carcass while it is in the possession or under the control of the taxidermist. Each identification tag shall have an identification number which corresponds with the information record of the owner of the carcass. The information record of the owner shall include the owner's name, address and signature, a description of the carcass and the date the carcass is received by the taxidermist. This paragraph does not apply to salvage or spare parts of any carcass owned by a taxidermist that are used for repair or replacement purposes.

(6) RECORDS. A taxidermist shall maintain records on sales forms, in triplicate, as required by the department. These records shall include information records of the owner as required under sub. (5) (b), records of all other wild animal carcasses received in his or her

place of business and records of deliveries and shipments of wild animal carcasses. Records related to the effective period of a taxidermist permit shall be maintained for 2 years following the end of that effective period. This subsection does not apply to salvage or spare parts of any carcass owned by a taxidermist that are used for repair or replacement purposes.

(7) INSPECTIONS. (a) *Departmental authority; limitations.* A conservation warden may enter a taxidermist's place of business for inspection purposes as provided under par. (b) only:

1. Between the hours of 8 a.m. and 8 p.m.
2. On weekdays, excluding legal holidays.
3. Upon presentation of his or her credentials to the taxidermist or an employe or agent of the taxidermist.

(b) *Items subject to inspection.* All records required under subs. (5) (b) and (6) or related to the taxidermist's business are subject to departmental inspection as provided under par. (a). A taxidermist or an employe or agent of the taxidermist shall cooperate with and exhibit items subject to inspection to a conservation warden or any other agent of the department.

(c) *Report.* If requested, the department shall issue a report concerning any inspection conducted under this subsection.

(8) PENALTIES. Any person who violates this section or any rules promulgated under this section is subject to the following penalties:

(a) For a first conviction for any violation, a forfeiture of not more than \$25.

(b) For a 2nd or subsequent conviction for any violation within 3 years of any previous violation, a forfeiture of not less than \$25 nor more than \$500.

SECTION 661. 29.149 (5) of the statutes is amended to read:

29.149 (5) USE OF MONEYS FROM FEES. The department shall expend the receipts from the sale of inland waters trout stamps on improving and maintaining trout habitat in the inland trout waters of the state and administering this ~~subsection~~ section.

SECTION 661b. 29.166 (4) of the statutes is repealed.

SECTION 661d. 29.30 (2) (f) of the statutes is amended to read:

29.30 (2) (f) No licensed net shall be drawn or lifted at any time between one hour after sunset and one hour before sunrise of the following morning, in any waters other than Lake Superior, Lake Michigan, Green Bay, the Fox river beyond a distance of 500 feet below the dam at De Pere and Sturgeon Bay except as otherwise approved by the department or, in the case of an emergency, following notice to the nearest U.S. coast guard station.

SECTION 661f. 29.33 (1) of the statutes is amended to read:

29.33 (1) LICENSE AUTHORIZED. Any person desiring to conduct commercial fishing operations on any

of the outlying waters shall first obtain a commercial fishing license. The department may limit the number of licenses issued under this section and designate the areas in the outlying waters under the jurisdiction of this state where commercial fishing operations shall be restricted. The department may establish harvest limits and allocate the harvest limits among commercial fishing licensees. The department may designate the kind, size and amount of gear to be used in the harvest. The limitations on licenses, restricted fishing areas, harvests and gear shall be based on the available harvestable population of fish and in the wise use and conservation of the fish so as to prevent over exploitation. The department may adopt rules defining the qualifications of licensees in the reasonable exercise of this authority, giving due consideration to residency, past record including compliance with the reporting requirements of sub. (5), fishing and navigation ability and quantity and quality of equipment possessed. Rules relating to licensing commercial fishers shall be based on criteria provided by the commercial fishing boards under sub. (7). The application for the license shall be made to the department on a blank provided for that purpose, accompanied by the fee specified in ~~sub. (2) s. 29.092 (7).~~ The application shall state the name, birthdate, description and residence of the applicant, the manner in which he or she proposes to fish, the name or number, and overall length and value of his or her boats, the name of the hailing port from which the boats will operate, and the number and kind of nets or other gear he or she intends to use, the value of real estate used in connection with commercial fishing and any other information required by the department for statistical purposes. The applicant shall provide an itemized listing of commercial fishing gear and equipment with the current values of those items of commercial fishing equipment, sufficient to meet the investment requirements for licensing as established in rules promulgated under this section. "Overall length" means the minimum distance between the extreme outside end of the bow and the stern using the nearest whole number of feet. ~~The license fee shall be based on the overall length of each boat if boats are used.~~ The license shall be issued in accordance with s. 29.09. No outlying waters commercial fishing license may be issued to a person under the age of 18 years.

SECTION 661h. 29.33 (2) (title) of the statutes is amended to read:

29.33 (2) (title) RESIDENCY; TRANSFERS; CATCH FEES.

SECTION 661i. 29.33 (2) (a) and (b) of the statutes are repealed.

SECTION 661j. 29.33 (2) (f) of the statutes is amended to read:

29.33 (2) (f) (title) *Licensed boats.* Any registered licensed boat used by a resident licensee shall be from a port of record in this state and, its hailing port shall be a port in this state, and it shall be a registered or documented boat of this state. Any licensed boat used

by a nonresident licensee shall be a registered or documented boat of the state of residency.

SECTION 661k. 29.33 (2) (fm) of the statutes is created to read:

29.33 (2) (fm) *Attending boats.* Each licensed boat in excess of 25 feet in overall length may be accompanied by and work with one attending boat without an additional license fee for the attending boat. Any attending boat that is a motorboat under s. 30.50 (2) shall be a registered boat. An attending boat shall bear the name, if any, of the licensed boat and may be used only for attending the licensed boat.

SECTION 661L. 29.33 (4) (d) of the statutes is repealed and recreated to read:

29.33 (4) (d) The commercial fishing licensee is responsible for all acts of crew members conducting commercial fishing activities for the licensee. A commercial fishing licensee may be charged with and convicted of a violation committed by his or her crew member while the crew member is conducting commercial fishing activities for the licensee. Upon revocation of a commercial fishing license, all crew member licenses issued under that license are invalid, and no person may be issued a temporary crew identification card under that license.

SECTION 661n. 29.33 (5) of the statutes is repealed and recreated to read:

29.33 (5) RECORDS AND REPORTS. (a) *Records and reports.* Each commercial fishing licensee shall maintain records and provide reports as required by the department by rule.

(b) *Fishing records.* The licensee shall keep a complete, legible and accurate record of the licensee's daily fishing activities, in the manner required and on forms provided by the department. The record shall include the complete name, address and commercial fishing license number of the licensee; the name and number of the boat fished from; the location fished; the month and year the record is being kept for; the date of each day's fishing activity; the kind and amount of commercial fishing gear used; the kind of fish caught and the number of pounds of each kind of fish caught; and the signature of the licensee.

(c) *Catch disposition records.* The licensee shall keep a complete, legible and accurate record of the disposition of landed catch, in the manner required and on forms provided by the department. The record shall include the complete name, address and commercial fishing license number of the licensee; for each wholesale sale, the complete name, address and wholesale fish dealer license number, if any, of the buyer and the kinds of fish sold, the number of pounds of each kind and the description of the fish sold and the date of the transaction; for direct retail sales, the kinds of fish sold and the total pounds of each kind; and the signature of the licensee. In this paragraph, "landed catch" means those fish or fish parts caught in commercial fishing operations and brought to shore to sell or otherwise utilize.

(d) *Reports.* On or before the 10th day of each month, each commercial fishing licensee shall submit the reports required under this subsection for the preceding month to the department. If the reports are mailed to the department, the date of the postmark constitutes the date of filing.

SECTION 661p. 29.33 (6m) of the statutes is created to read:

29.33 (6m) INTERFERENCE WITH INSPECTIONS. No licensee, licensed crew member, operator of a vehicle or boat for the licensee or an employe acting on behalf of the licensee may prohibit entry or prohibit an inspection to be conducted as authorized under sub. (6) unless a court restrains or enjoins the entry or inspection.

SECTION 661r. 29.33 (8) of the statutes is repealed.

SECTION 661sb. 29.42 (1) of the statutes is amended to read:

29.42 (1) APPROVAL NECESSARY. No person, except a person who is issued a valid hunting license, sports license, a conservation patron license, taxidermist permit or scientific collector permit and who is carrying this approval on his or her person, may possess or have under his or her control any game bird, animal or the carcass of any game bird or animal.

SECTION 661sf. 29.43 (5) of the statutes is created to read:

29.43 (5) EXEMPTION; TAXIDERMIST. Subsections (1) to (4) do not apply to a person who is issued a valid taxidermist permit and who possesses, transports, causes to be transported, delivers or receives, or offers to deliver or receive a wild animal carcass in connection with his or her business.

SECTION 661sk. 29.44 of the statutes is renumbered 29.44 (1).

SECTION 661so. 29.44 (2) of the statutes is created to read:

29.44 (2) Subsection (1) does not apply to a person who is issued a valid taxidermist permit and who possesses, transports, causes to be transported, delivers or receives, or offers to deliver or receive a wild animal carcass in connection with his or her business.

SECTION 661ss. 29.45 (5) of the statutes is created to read:

29.45 (5) This section does not apply to a person who is issued a valid taxidermist permit and who is transporting, attempting to transport or receiving the carcass of a deer in connection with his or her business.

SECTION 661sw. 29.46 (5) of the statutes is created to read:

29.46 (5) EXEMPTION; TAXIDERMISTS. Subsections (1) to (3) do not apply to a person who is issued a valid taxidermist permit and who is transporting the carcass of a game bird in connection with his or her business.

SECTION 661sy. 29.47 (7) of the statutes is created to read:

29.47 (7) EXEMPTION; TAXIDERMISTS. Subsections (1) to (6) do not apply to a person who is issued a valid taxidermist permit and who is transporting fish in connection with his or her business.

SECTION 661t. 29.48 (1) and (3) of the statutes are amended to read:

29.48 (1) Except as otherwise expressly provided under this chapter or rules promulgated under this chapter, no person may ~~at any time sell, purchase or buy, barter, or trade, or offer to sell, purchase or buy, barter, or trade~~ or have in possession or under control for the purpose of sale ~~or~~, barter or trade any deer, bear, squirrel, game bird, game fish ~~taken from waters of this state~~, or the carcass ~~or part~~ thereof; nor any other wild animal, or ~~the carcass or part~~ thereof; during the ~~close closed~~ season ~~therefor~~ for that wild animal. This ~~section~~ subsection applies, whether such wild animals were lawfully or unlawfully taken within or without the state.

(3) The eggs from trout and salmon lawfully taken and possessed, when removed from the fish are exempted from this section. If the trout or salmon is taken by snagging or foul hooking, the whole fish shall be taken to the buyer of the eggs and the eggs removed in the presence of the buyer. The fish carcass shall be legally disposed of.

SECTION 661u. 29.48 (5) of the statutes is created to read:

29.48 (5) (a) The hide of any bear which is lawfully killed is exempt from sub. (1) if the hide includes the claws, head and teeth of the bear.

(b) No person may sell, buy, barter or trade or offer to sell, buy, barter or trade or possess or control for the purpose of sale or barter any bear claws or bear teeth which are not part of a bear hide.

SECTION 661v. 29.515 (intro.) of the statutes is amended to read:

**29.515 Trespass to state fish hatchery.** (intro.) Whoever does any of the following shall be ~~fined not more than \$200 or imprisoned not more than 30 days or both~~ subject to the penalties under s. 29.99 (1):

SECTION 661w. 29.547 (1) (b) of the statutes is amended to read:

29.547 (1) (b) "Wild ginseng" means ginseng dry root, live root or seed that is not grown or nurtured by a person.

SECTION 661x. 29.547 (8) (b) (intro.), 2 and 4 of the statutes are amended to read:

29.547 (8) (b) *Exception.* (intro.) Paragraph (a) does not apply to a person who ships wild ginseng dry root to a person outside of this state who is buying or receiving the wild ginseng dry root solely for the purpose of final retail sale to consumers in the United States, if the person shipping keeps a written record of the shipment which includes all of the following:

2. The dry weight of the wild ginseng dry root included in the shipment.

4. The source of all of the wild ginseng dry root included in the shipment, including the names and addresses of the sources if purchased or obtained from other persons and the wild ginseng harvest license numbers or wild ginseng dealer license numbers of those persons, if any.

SECTION 661y. 29.547 (9) (g) of the statutes is renumbered 29.547 (9) (g) 1 and amended to read:

29.547 (9) (g) 1. Notwithstanding s. 19.21, wild ginseng harvest license and wild ginseng dealer license records, records required under sub. (7) or this subsection and reports required under this subsection which relate to transactions in ginseng dry root are not public records and shall not be released or used by the department for any purpose except investigation and enforcement of this section.

SECTION 661z. 29.547 (9) (g) 2 of the statutes is created to read:

29.547 (9) (g) 2. All records and reports which relate to transactions in wild ginseng live root and seed shall be open to public inspection under subch. II of ch. 19.

SECTION 662. 29.598 (7) (b) (intro.) of the statutes is repealed.

SECTION 663. 29.598 (7) (b) 1 of the statutes is renumbered 29.598 (7) (b) 2 and amended to read:

29.598 (7) (b) 2. ~~It~~ No person may receive a payment in excess of the actual amount of the wildlife damage or \$5,000, whichever is less.

SECTION 664. 29.598 (7) (b) 1 of the statutes is created to read:

29.598 (7) (b) 1. No person may receive a wildlife damage claim payment unless the payment is approved by a participating county.

SECTION 665. 29.598 (7) (b) 2 of the statutes is renumbered 29.598 (7) (b) 3 and amended to read:

29.598 (7) (b) 3. ~~For~~ No person may receive any payment for the first \$500 of each claim for wildlife damage.

SECTION 666. 29.598 (7) (b) 3 of the statutes is renumbered 29.598 (7) (b) 4 and amended to read:

29.598 (7) (b) 4. ~~For~~ No person may receive any payment for damages to seedings or crops not managed or harvested in accordance with normal agricultural practices.

SECTION 667. 29.598 (7) (b) 4 of the statutes is renumbered 29.598 (7) (b) 5 and amended to read:

29.598 (7) (b) 5. ~~For~~ The payment to any person shall be reduced by \$2,000 of any claim for wildlife damage if a the person fails to file the statement of claim within the proper time period, fails to comply with recommended wildlife damage abatement measures or does not permit hunting in conformance with sub. (6) (e).

SECTION 668. 29.598 (7) (b) 5 of the statutes is renumbered 29.598 (7) (b) 6 and amended to read:

29.598 (7) (b) 6. ~~For that portion of any claim for wildlife damage~~ The payment to any person shall be

reduced by an amount equal to any payments or reimbursements received from persons hunting on the land where wildlife damage occurred or on contiguous land under the same ownership and control.

SECTION 668m. 29.598 (7) (d) 2 of the statutes is amended to read:

29.598 (7) (d) 2. The department shall pay participating counties under subd. 1 from the appropriation under s. 20.370 (4) ~~(ka) (gg)~~ after first deducting payments made for county administrative costs under sub. (2) (d) and payments made for wildlife damage abatement assistance under sub. (5) (c), ~~except at least \$200,000 or the full amount required under subd. 1, whichever is less, shall be expended in each fiscal year for wildlife damage claim payments. If the \$200,000 or the amount remaining in this appropriation, whichever is greater, is not sufficient to pay the full amount required under subd. 1, the department shall pay participating counties on a prorated basis.~~

Vetoed  
in Part

SECTION 669b. 29.99 (1) of the statutes is repealed and recreated to read:

29.99 (1) (a) For the violation of any requirement of this chapter relating to fishing or fish dealing, or rules promulgated under this chapter relating to fishing or fish dealing, by a forfeiture of not more than \$1,000 except as provided under pars. (b) and (c) and subs. (5m) and (6).

(b) For having fish in his or her possession in violation of this chapter or rules promulgated under it and the value of the fish under par. (d) exceeds \$300 but does not exceed \$1,000, by a fine of not more than \$5,000 or imprisonment for not more than 30 days or both.

(c) For having fish in his or her possession in violation of this chapter or rules promulgated under it and the value of the fish under par. (d) exceeds \$1,000, by a fine of not more than \$10,000 or imprisonment for not more than 2 years or both.

(d) Salmon, trout and noncommercial game fish shall be valued for the purposes of pars. (b) and (c) on a per fish basis according to the dollar amounts specified under s. 29.65 (1) (a) and (i) to (L). Other species of commercial fish shall be valued on a per fish basis according to the current average wholesale value. In this paragraph, "average wholesale value" means the average price received by producers on the date of the violation for fish in the form of the violative fish.

(e) Any person holding an approval issued under this chapter, upon his or her 2nd conviction within a 3-year period for violations of this chapter or rules promulgated under it relating to possessing illegal fish, fishing with illegal gear, fishing in closed areas or refuges, fishing during a closed season, violation of quota fisheries or false reporting shall have all of his or her fishing and fish dealing licenses revoked and no fishing or fish dealing license may be issued to the person for at least one year after the date of conviction. During the period of revocation for 2 convictions under pars. (b) or (c) or a combination of 2 convic-

tions under pars. (b) and (c), the person may not engage in fishing on the water or ice in any manner, operate or assist in the operation of fishing gear or engage in sale or transportation of fish. Any person holding a license under s. 29.33 (1) who has that license revoked under this paragraph, may apply for that license for that part of the license year following the period of revocation which is at least one year after the date of conviction and the department shall issue that license if all licensing criteria are met. The revoked license may not be issued to another person during the period of revocation.

SECTION 669f. 29.99 (2) (intro.) of the statutes is amended to read:

29.99 (2) (intro.) For hunting, or trapping or fishing without an approval required by this chapter:

SECTION 669i. 29.99 (6) of the statutes is repealed and recreated to read:

29.99 (6) For the violation of s. 29.39 or any department rule promulgated under that section relating to the bag or possession limit for any inland waters brook, rainbow, brown or lake trout or for any inland waters muskellunge, by a fine of not less than \$100 nor more than \$200 per fish in excess of the bag or possession limit or imprisonment for not more than 30 days or both.

SECTION 669m. 29.99 (8) and (10) of the statutes are repealed.

SECTION 669p. 29.995 (2) of the statutes is amended to read:

29.995 (2) When any person is convicted and it is alleged in the indictment, information or complaint and proved or admitted on trial or ascertained by the court after conviction that such person had been before convicted 3 times within a period of 3 years for violations of this chapter or department order punishable under s. 29.134 (11), 29.29 (1) or 29.99 ~~(4), (5) or (10)~~, or for violation of s. 29.48, or for violation of any statute or department order regulating the taking or possession of any wild animal or carcass thereof during the closed season therefor or any combination of such violations by any court of this state, and that such convictions remain of record and unreversed, such person shall be fined not more than \$500 or imprisoned not more than 9 months or both.

SECTION 669r. 30.275 (5) of the statutes is created to read:

30.275 (5) USE OF WISCONSIN CONSERVATION CORPS. To the greatest extent practicable, the department shall encourage and utilize the Wisconsin conservation corps for appropriate projects.

SECTION 669t. 30.38 (8) (b) 3 of the statutes is created to read:

30.38 (8) (b) 3. Acquire, charter and operate vessels for use in domestic and foreign commerce.

SECTION 669u. 30.38 (8) (b) 4 of the statutes is created to read:

30.38 (8) (b) 4. Apply for grants under s. 85.097 and make loans for the acquisition, rehabilitation or equipping of a vessel for ferry service.

SECTION 669uam. 30.38 (13) (b) of the statutes is amended to read:

30.38 (13) (b) Subject to the limitations and conditions otherwise expressed in this section and to a budget approved by the municipal governing body, moneys in the harbor fund may be used for the acquisition, construction, improvement, repair, maintenance, operation and administration of the public harbor and harbor facilities and for the acquisition, chartering and operation of vessels under sub. (8) (b) 3. Except as provided in s. 30.34 (4), such moneys shall be paid out of the harbor fund only on orders signed by the president and secretary of the board, or some other official authorized by the board, after the allowance of claims by the board or on orders entered in the minutes of the board. Disbursements from the harbor fund shall be audited as other municipal disbursements are audited; however, the board may determine on some other procedure it deems appropriate for the consideration of claims and the reporting thereof notwithstanding the provisions of this paragraph. If a procedure other than that set forth in this paragraph is prescribed by the board, the approval of the chief auditing officer shall be obtained.

SECTION 669ub. 30.92 (1) (b) of the statutes is renumbered 30.92 (1) (c) and amended to read:

30.92 (1) (c) "Recreational boating facilities" means places where the public has access to the water by means of breakwaters and other similar physical structures, either naturally or artificially constructed, which provide safety and convenience for operators of recreational watercraft. "Recreational boating facilities" also includes locks and facilities which provide access between waterways for operators of recreational watercraft. Recreational boating facilities on the Great Lakes are commonly referred to as harbors of refuge. Recreational boating facilities on inland waters are commonly referred to as public accesses or launching ramps.

SECTION 669ud. 30.92 (1) (b) of the statutes is created to read:

30.92 (1) (b) "Governmental unit" means the department, a municipality, a public inland lake protection and rehabilitation district organized under ch. 33 or the Fox river management commission.

SECTION 669uf. 30.92 (2) (c) of the statutes is amended to read:

30.92 (2) (c) Feasibility studies may be conducted upon the request of the affected municipality governmental unit. Feasibility studies shall be of sufficient detail to allow affected municipalities governmental units to decide if a recreational boating facility construction project should be supported.

SECTION 669uh. 30.92 (2) (d) 3 of the statutes is amended to read:

30.92 (2) (d) 3. Expression of ~~municipality~~ support by the governmental unit.

SECTION 669uj. 30.92 (2) (e) of the statutes is amended to read:

30.92 (2) (e) A ~~municipality's~~ governmental unit's decision to support a recreational boating facility feasibility study shall be made by a resolution indicating support for a more detailed inquiry into the engineering, environmental and economic feasibility of a project. Support of a recreational boating facility feasibility study does not commit the affected ~~municipality~~ governmental unit to cost-sharing in the construction of a proposed facility or the management or operation of a facility.

SECTION 669uk. 30.92 (3) (a) of the statutes is amended to read:

30.92 (3) (a) Only those proposed recreational boating facility projects found to be feasible and supported by the affected ~~municipality~~ governmental unit and approved by the commission shall be placed on a priority list by the commission. The department shall maintain the list of priority projects. Annually, the department shall inform all affected ~~municipalities~~ governmental units of their position on the priority list.

SECTION 669um. 30.92 (3) (b) 3 of the statutes is amended to read:

30.92 (3) (b) 3. Expression of ~~municipality~~ support by the governmental unit.

SECTION 669umg. 30.92 (3) (b) 7 of the statutes is created to read:

30.92 (3) (b) 7. Location of the proposed project within the region identified in s. 25.29 (7) (a).

SECTION 669umh. 30.92 (4) (a) of the statutes is amended to read:

30.92 (4) (a) The department shall develop and administer, with the approval of the commission, a financial assistance program for ~~municipalities~~ and the department in the construction and maintenance of capital improvements related to recreational boating facilities.

SECTION 669up. 30.92 (4) (a) of the statutes is amended to read:

30.92 (4) (a) The department shall develop and administer, with the approval of the commission, a financial assistance program for ~~municipalities~~ governmental units in the construction and maintenance of capital improvements related to recreational boating facilities and in the maintenance and operation of locks and facilities which provide access between waterways. No financial assistance under this section may be provided to the Fox river management commission for feasibility studies of construction projects or for construction projects. No financial assistance under this section may be provided to the department other than for projects for access to inland waters, as classified under s. 29.01 (9), which are lakes without a public access facility.



SECTION 669ur. 30.92 (4) (b) 1 of the statutes is amended to read:

30.92 (4) (b) 1. To the greatest extent possible, state funds shall be used to match other funding sources. Other funding sources may include, but are not limited to, the federal land and water conservation fund, the U.S. army corps of engineers, U.S. economic development administration ~~and~~, general revenue sharing, gifts, grants and contributions and user fees.

SECTION 669ut. 30.92 (4) (b) 2 of the statutes is amended to read:

30.92 (4) (b) 2. The department may cost-share, with the approval of the commission, with the affected department, municipality or public inland lake protection and rehabilitation district at a rate of up to 50% of the feasibility study ~~or~~ construction costs, ~~or both management and operation costs or any combination of these items~~, of the recreational boating facility. The department may pay, with the approval of the commission, an additional 10% of the costs of the construction project ~~where the if~~ a municipality conducts a boating safety enforcement and education program approved by the department. If the affected governmental unit is the Fox river management commission, the department may cost-share, with the approval of the Wisconsin waterways commission, at a rate of up to 100% for calendar year 1986 or up to 50% for calendar years thereafter of the management and operation costs or any combination of these items, of the recreational boating facility.

Vetoed  
in Part

SECTION 669uv. 30.92 (4) (b) 6 of the statutes is amended to read:

30.92 (4) (b) 6. Thirty percent of the state funds available for recreational boating facilities aids under this section shall be expended for Great Lakes (including Chequamegon Bay and Green Bay) projects. Thirty percent of the state funds available for recreational boating facilities aids under this section shall be expended for inland waters, as classified under s. 29.01 (9) ~~and (11)~~, projects. The commission may designate recreational boating aids for locks and facilities which provide access between the Great Lakes and inland waters as aids expended for inland waters, as aids expended for projects deemed necessary by the commission without regard to location or as aids under a combination of those 2 types of projects. Forty percent of the state funds available for recreational boating facilities aids under this section shall be expended for projects deemed necessary by the commission without regard to location. Any moneys not obligated by the end of the 3rd quarter of the fiscal year for which they were allocated may be used by the department, with the approval of the commission, for purposes of funding other recreational boating facilities projects.

SECTION 669uw. 30.92 (4) (b) 7 of the statutes is amended to read:

30.92 (4) (b) 7. Projects qualifying for funds available for recreational boating facilities aids under this

section include, but are not limited to, construction and improvement of harbors of refuge on the Great Lakes; accommodation of motor-powered recreational watercraft; ~~and~~ construction and improvement of public access and related facilities on inland waters where motor-powered recreational watercraft are permitted; and management and operation of locks and facilities which provide access between waterways for the operators of recreational watercraft.

SECTION 669ux. 30.92 (5) of the statutes is amended to read:

30.92 (5) RULES. The commission shall recommend rules for promulgation by the department as necessary to implement the recreational boating facilities program under this section. The commission shall recommend rules relating to the type and content of studies to be conducted, cost-sharing arrangements for studies and capital improvements and liaison arrangements between the state and federal agencies, other state agencies, ~~municipalities~~ governmental units and other persons.

SECTION 669uz. 30.92 (6) (a) of the statutes is amended to read:

30.92 (6) (a) The department shall provide ~~municipalities~~ governmental units with technical assistance in all phases of implementing the boating facilities program under this section. The department shall also coordinate the boating facilities program with all other related state and federal programs.

SECTION 669y. 30.92 (7) of the statutes is created to read:

30.92 (7) USE OF WISCONSIN CONSERVATION CORPUS. To the greatest extent practicable, the department, the commission and the implementing municipality shall encourage and utilize the Wisconsin conservation corps for appropriate projects.

SECTION 670n. 31.20 of the statutes is amended to read:

**31.20 Dam inspection fees.** The department shall adopt by rule a schedule of reasonable decennial inspection fees for dams required to be inspected under s. 31.19 (2). The department shall establish the amount of decennial inspection fees to offset the cost of conducting inspections under s. 31.19 (2). The department shall establish by rule the frequency and method of payment of decennial inspection fees. A person who owns a dam for which a decennial inspection fee is imposed shall pay that fee as ~~required by the department~~ a lump sum upon receipt of the department's inspection report. Beginning in fiscal year 1986 and thereafter, a person who owns a dam for which a decennial inspection fee is imposed may pay that fee in annual instalments. The department shall, not more than 60 days after the effective date specified in SECTION 3204 (intro.) of this act .... [revisor inserts date], notify affected dam owners in writing of this option and instruct them to choose their method of payment. Dam owners shall be allowed 60 days from the date of notification to inform the department

in writing of their choice for method of payment. If any dam owner fails to choose a method of payment within 60 days from the date of notification, the department shall presume that the owner has chosen to pay by lump sum. Upon approval by the department, a dam owner who chooses to pay inspection fees in annual instalments may subsequently choose to change the frequency of payment. The department may assess an inspection cost fee to cover the cost of conducting an inspection under s. 31.19 (3) or (4). The department may establish by rule the frequency and method of payment of inspection cost fees. A person who owns a dam for which an inspection cost fee is imposed shall pay that fee as required by the department.

SECTION 673j. 35.012 of the statutes is amended to read:

**35.012 State printing; exception.** All printing contracted for under this chapter, except statutes and annotations of the 2nd class, yearbooks and other similar student publications not funded by student fees or student organization income, printing of the 5th, 6th and 7th classes and such copyrighted or patented or printing specialties not available for production within this state, shall be printed in this state. Printing contracted for under this chapter which is required under this section to be printed in this state may be done in another state if the laws of that state allow printing contracted for under its laws to be done in this state.

SECTION 674. 35.50 (2) of the statutes is amended to read:

35.50 (2) ~~The~~ Unless otherwise required by law, each edition of the session laws, administrative code and register, Blue Book, and reports specified in ss. 35.26 and 35.27, and reprints thereof, shall be substantially the same in printing and binding as the previous editions edition of the same publication. Unless otherwise determined by the revisor of statutes, each edition of the statutes shall be substantially the same in printing and binding as the previous editions edition of the statutes. The session laws and statutes shall be printed and bound in a finished size based on an 8 1/2 inch by 11 inch format.

SECTION 674k. 35.84 (intro.) of the statutes is repealed and recreated to read:

**35.84 Distribution, to whom.** (intro.) The department shall make distribution of official documents as indicated and shall charge the appropriations of the state agency publishing or arranging for publication of each official document for the total cost of distribution as determined under s. 35.80. Distribution is automatic unless indicated otherwise. [See Figure 35.84 following]

SECTION 674L. 35.84 (figure) of the statutes is repealed and recreated to read:

[Figure 35.84 is displayed on pages 190 and 191]

SECTION 674m. 35.85 (2) (a) of the statutes is renumbered 35.85 (2).

SECTION 674n. 35.85 (2) (b) of the statutes is repealed.

SECTION 674o. 35.85 (3) of the statutes is amended to read:

35.85 (3) Each county, town, village and city shall purchase from the department for the municipal judges and for other officers of the county or municipality such number of copies of the statutes and other official documents not distributed under s. 35.84 as are needed within its boundaries for its official purposes.

SECTION 674p. 35.85 (4) and (6) of the statutes are repealed.

SECTION 674q. 35.85 (7) of the statutes is amended to read:

35.85 (7) There shall be delivered to the historical society 3 copies of every document ~~reproduced published~~ published at the expense of the state. The chief clerks of the legislature are responsible for the delivery of all legislative documents, ~~and the department for all documents listed in s. 35.84, and the publishing state agencies for all other public documents. Distribution shall also be made to the legislative reference bureau in accordance with sub. (11m), except as provided in s. 751.11 (2).~~

SECTION 674r. 35.85 (9) of the statutes is repealed.

SECTION 674s. 35.85 (11m) of the statutes is amended to read:

35.85 (11m) ~~The~~ Except as otherwise provided in s. 35.84, the proper officers of the respective houses of the legislature, the department of administration or the department or state agency of origin, as the case may be, shall promptly deliver to the legislative reference bureau library, as printed or otherwise reproduced, 3 copies of each message, report, bulletin, circular or other public document of whatever character excluding forms, printed or otherwise reproduced in sufficient quantity at the expense of the state. One copy of each document received by the legislative reference bureau library under this subsection shall be retained in the bureau's library's noncirculating reference collection of Wisconsin state documents for such period as the bureau library deems reasonable.

SECTION 675. 35.88 of the statutes is repealed and recreated to read:

**35.88 Official documents to remain public property.** All official document series and all current volumes of periodically updated official documents that are distributed to any state or local government office or officer under s. 35.84 shall remain as public property and shall be kept for the use of that office or officer.

SECTION 675f. 35.91 (2) of the statutes is renumbered 35.91 (3).

SECTION 675g. 35.91 (2) of the statutes is created to read:

Figure 35.84

TABLE FOR DISTRIBUTION OF OFFICIAL DOCUMENTS

SYMBOLS	A	B	C	D	E	F	G	H	I	J	K	L	M	N
	Statutes, Hard Covers; s. 35.18	Statutes, Soft Covers; s. 35.18	Annotations; s. 35.23	Bound Session Laws; s. 35.15	Blue Books; s. 35.24 (1)	Administrative Code and Register; s. 35.93; s. 227.025	Budget Estimates; s. 35.265	Biennial Reports; s. 15.04(1)(d)	Governor's Messages; s. 14.04	Opinions of Attorney General; s. 35.28; s. 165.015(1)	Supreme Court Reports; s. 35.28; s. 751.11	Decisions of Public Service Comm.; s. 35.28	Decisions of Tax Appeals Comm.; s. 75.01(3)(b)	Town Law Forms; s. 35.20
<b>CONSTITUTIONAL OFFICERS:</b>														
1. Governor . . . . .	1		1A	1	400	1	1	1	1	1A				
2. Lieutenant Governor . . . . .	1		1A	1A	300		1	1	1	1A				
3. Secretary of State . . . . .	1		1A	1	200		1	1A	1	1A				
4. State Treasurer . . . . .	1		1A	1A	200					1A				
5. Attorney General . . . . .	1		1A	1	200	1				1A	1			
6. State Superintendent of Public Instruction . . . . .	1		1A	1A	200				1	1	1			
<b>LEGISLATURE:</b>														
10. Each Senator . . . . .	1	1A	1A	1	600	1A	1	1A	1					
11. Each Representative to the Assembly . . . . .	1	1A	1A	1	350	1A	1	1A	1					
12. Members of next succeeding legislature not entitled to distribution under lines 10 or 11 . . . . .					35A									
13. Each Chief Clerk . . . . .		4	1A	1A	200	1A			1					
14. Each Sergeant at Arms . . . . .	1			1	200									
15. Legislative Audit Bureau . . . . .	1	5	1	2	7	1	6	1		1				
16. Legislative Reference Bureau . . . . .	2	30	12	32	265									
17. Legislative Reference Library; s. 35.85(11m) . . . . .	3		3	3	3	3	3	3	3	2	2	3	3	3
18. Revisor of Statutes Bureau . . . . .	7	7	10	7	7	2				1	1			
19. Legislative Council . . . . .	5	25	5		25	3				1	1			
20. Legislative Fiscal Bureau . . . . .	2	10	1	10	32	2				1				
<b>JUDICIARY:</b>														
30. Each Supreme Court Justice . . . . .	1	1	1	1	1						2			
31. State Law Library . . . . .	9	4	13	4	1	2				3	3	3	2	
32. Each Court of Appeals Judge . . . . .	1	1	1	1	1						1			
33. Milwaukee County Law Library . . . . .	1		1	1	1	1				1	1			
34. Court of Appeals Libraries in Waukesha, Madison, Wausau . . . . .	1		1	1	1	1				1	1			
35. Each Circuit Court Judge . . . . .	1	1	1	1	1						1			
36. Each county law library; s. 757.40 . . . . .	1		1	1	1	1A				1A				
37. Clerk of each court in lines 30, 32 and 35 . . . . .		1	1	1	1	1A								
<b>STATE AGENCIES:</b>														
40. Head of each department and independent agency listed in ch. 15, subchapters II and III . . . . .		1	1A	1A	1	1A	1		1	1A				
41. Historical Society; s. 35.85(7) . . . . .	3	7	3	10	3	1	3	3	3	3	3	3	3	3
42. Department of Justice . . . . .	30	100	10	20	1	11	1			90	20	2	2	
43. Public Defender Board . . . . .	1	180	32	32	1	3	1		1	32	32			
<b>LIBRARIES:</b>														
50. Each main public library; s. 43.52 (DLS) . . . . .	1				1									

SYMBOLS	A	B	C	D	E	F	G	H	I	J	K	L	M	N
A— Application, written	Statutes, Hard Covers; s. 35.18	Statutes, Soft Covers; s. 35.18	Annotations; s. 35.23	Bound Session Laws; s. 35.15	Blue Books; s. 35.24 (1)	Administrative Code and Register s. 35.93; s. 227.025	Budget Estimates; s. 35.265	Biennial Reports; s. 15.04(1)(d)	Governor's Messages; s. 14.04	Opinions of Attorney General; s. 35.28; s. 165.015(1)	Supreme Court Reports s. 35.28; s. 751.11	Decisions of Public Service Comm.; s. 35.28	Decisions of Tax Appeals Comm.; s. 73.01(3)(b)	Town Law Forms; s. 35.20
E— Copies to each person or institution in the group														
DLS—Division for Library Services shall certify list														
DPI— Department of Public Instruction shall certify list														
51. Each academic library listed in DLS annual library directory (DLS) . . .	1				1									
52. Each school library media center listed in DPI annual public and nonpublic school directories (DLS)					1									
53. Each regional public depository library; s. 43.05(5), not to exceed 10 (DLS) . . . . .			1	1	1	1	1	1	1	1	1	1	1	1
54. Each selective public depository library; s. 43.05(5), not to exceed 50 (DLS) . . . . .			1	1		1								
55. University of Wisconsin Law Library . . . . .	2	25	10	10	1	1				19	1	1	1	
<b>FEDERAL:</b>														
60. Each member and member-elect of Congress from this state . . . . .	1		1	1	1									
61. Library of Congress . . . . .	1		1	1	1	1A		1	1	1	1	1	1	
62. Each U.S. Attorney in this state		1	1	1	1									
63. Each U.S. Clerk of Court in this state . . . . .		1	1		1									
64. Each library maintained for a federal court in this state . . . . .	1		1	1	1	1A								
65. Each U.S. Judge in this state . . .		1	1	1										
<b>LOCAL GOVERNMENTS:</b>														
70. Each district attorney . . . . .		1	1	1	1					1				
71. Each county board chairperson . . .		1												
72. Each county clerk . . . . .		1			1									1
73. Each city clerk . . . . .		1			1					1				
74. Each town clerk . . . . .		1												1
75. Each village clerk . . . . .		1												
76. Each sheriff . . . . .		1			1									
77. Each county corporation counsel		1	1	1	1									
78. Each county highway commission		1A												
<b>EDUCATIONAL INSTITUTIONS:</b>														
85. Each campus of University of Wisconsin system and vocational, technical and adult education system administrator's office (DPI) . . . . .		1			1									
86. Each public or nonpublic elementary and secondary school administrator's office (DPI) . . . . .					1									
<b>OTHER:</b>														
99. Each newspaper as listed in Blue Book . . . . .					1									

35.91 (2) Current copies of the Blue Book and the Wisconsin session laws shall be sold at prices determined by the department, which shall include the cost of sale and distribution under s. 35.80 and, as determined by the legislative reference bureau, the proportionate cost per copy of typesetting, purchasing, paper, printing, duplication, collating and binding.

SECTION 675h. 35.91 (3) of the statutes is repealed.

SECTION 675L. 35.93 (4), (6), (7) and (8) of the statutes are amended to read:

35.93 (4) Each issue of the Wisconsin administrative register shall contain a notice section in which shall be printed the notices of hearings on rule making which agencies have transmitted to the revisor for that purpose, notices of intent to adopt rules without a public hearing under s. 227.02 (1) (e), notices of referrals of proposed rules to presiding officers under s. 227.018 (2), notices of emergency rules in effect, fiscal estimates for rule-making orders under s. 227.019 and such other notices as may be required by law or determined by the revisor to be appropriate. ~~The notice section shall be printed or duplicated in such a manner as to make it easily distinguishable from the remainder of the register.~~

(6) The department ~~may~~ shall sell the code, issues of the register or parts of either of them at a price to be determined by it ~~not exceeding~~, which shall include the proportionate cost, including per copy of preparation and manufacturing as determined by the revisor of statutes, and the costs cost of sale and distribution specified in s. 35.80. ~~State employe personnel costs shall be excluded from preparation costs. The department may establish the price of the code or of the register or parts thereof on an annual basis. All state agencies may order as many copies of their part of the code or of their part of any issue of the register as they desire for their own use or for distribution and shall pay the department therefor at the established price.~~

(7) A subscriber is not entitled to a refund of any part of any advance payment for the code or the register. The department shall notify each subscriber when a further payment is due.

(8) The revisor shall prepare and the department shall publish a table of contents and an index of all the rules in effect which have been compiled and printed under this section. The table of contents and index shall be recompiled and reprinted annually. They shall be printed in the same page size as the administrative code. ~~In addition to the distribution required under s. 35.84, the~~ The department shall distribute one copy of the table of contents and index free to each subscriber to the register or parts thereof.

SECTION 675p. 35.93 (10) of the statutes is created to read:

35.93 (10) State agencies may purchase from the department as many copies of their part or parts of the

code or copies of the register as they require for their own use or for distribution, and shall pay the department therefor at the price established under sub. (6).

SECTION 678. 36.09 (1) (h) of the statutes is amended to read:

36.09 (1) (h) The board shall allocate funds and adopt budgets for the respective institutions ~~and shall give giving~~ consideration to the principles of comparable budgetary support for similar programs and equitable compensation for faculty and academic staff with comparable training, experience and responsibilities and recognizing competitive ability to recruit and retain qualified faculty and academic staff.

SECTION 678m. 36.09 (1) (hm) of the statutes is created to read:

36.09 (1) (hm) The board shall develop policies for the purpose of specifically identifying the general purpose revenue and nongeneral purpose revenue funding sources used for noninstructional student activities and for the purpose of governing the allocation of funds to those noninstructional student activities supported by both general purpose and nongeneral purpose revenue.

SECTION 679. 36.09 (1) (j) of the statutes is amended to read:

36.09 (1) (j) The board shall establish salaries for persons not in the classified staff prior to July 1 of each year for the next fiscal year, and shall designate the effective dates for payment of the new salaries. In the first year of the biennium, payments of the salaries established for the preceding year shall be continued until the biennial budget bill is enacted. If the budget is enacted after July 1, payments shall be made following enactment of the budget to satisfy the obligations incurred on the effective dates, as designated by the board, for the new salaries, subject only to the appropriation of funds by the legislature and s. 20.928 (3). This paragraph ~~shall~~ does not limit the authority of the board to establish salaries for new appointments. The board shall not increase the pay of employes under ss. 20.923 (5) and (6) (m) and 230.08 (2) (d) under this paragraph unless the pay increase conforms to the proposal as approved under s. 230.12 (3) (e) or the board authorizes the pay increase to correct salary inequities under par. (h) ~~or~~, to fund job reclassifications or promotions, or to recognize competitive factors in order to retain qualified faculty members. ~~The granting of pay increases to faculty members to recognize competitive factors in order to retain faculty members does not obligate inclusion of the annualized amount of the increases in the appropriations under s. 20.285 (1) for subsequent fiscal bienniums. No later than October 1 of each year, the board shall report to the joint committee on finance and the departments of administration and employment relations concerning the amounts of any pay increases granted to faculty members to recognize competitive factors in order to retain qualified faculty members, and the institutions~~

Vetoed  
in Part

at which they are granted, for the 12-month period ending on the preceding June 30.

SECTION 680. 36.09 (1) (k) of the statutes is renumbered 36.09 (1) (L).

SECTION 681. 36.09 (1) (k) of the statutes is created to read:

36.09 (1) (k) 1. The board shall, with respect to academic staff, correct pay inequities based on gender or race.

2. The board shall do all of the following:

a. Establish and maintain job categories in which to place academic staff positions. The job categories shall be described in sufficient detail to enable the board to comply with subd. 1.

b. Establish and maintain pay ranges, each of which has a minimum and a maximum rate of pay and, using the job evaluation system developed by the secretary of employment relations, assign the job categories established under subd. 2. a to those pay ranges.

c. Submit the job categories and pay ranges established under subd. 2. a and b to the secretary of employment relations for review and approval. In reviewing the job categories and pay ranges, the secretary of employment relations shall determine whether the board complied with subd. 1 in establishing the job categories and pay ranges.

d. Submit a request for any change in the job categories or the pay ranges established under subd. 2. a and b to the secretary of employment relations for review and approval. In reviewing a request for such a change, the secretary of employment relations shall determine whether the requested change requires the board to comply with subd. 1. The secretary of employment relations shall annually report to the joint committee on employment relations regarding any approved changes in the job categories or pay ranges.

SECTION 683m. 36.09 (4m) of the statutes is created to read:

36.09 (4m) ACADEMIC STAFF. The academic staff members of each institution, subject to the responsibilities and powers of the board, the president and the chancellor and faculty of the institution, shall be active participants in the immediate governance of and policy development for the institution. The academic staff members have the primary responsibility for the formulation and review, and shall be represented in the development, of all policies and procedures concerning academic staff members, including academic staff personnel matters. The academic staff members of each institution shall have the right to organize themselves in a manner they determine and to select their representatives to participate in institutional governance.

**Vetoed in Part** SECTION 684m. 36.11 (14) of the statutes is created to read:

~~36.11 (14) INFOTEXT. The board shall ensure that the extension does not permanently implement its infotext system for the transmission of data.~~ **Vetoed in Part**

~~SECTION 685m. 36.11 (16) of the statutes is created to read:~~ **Vetoed in Part**

~~36.11 (16) COMMENCEMENT OF FALL SEMESTER. The board shall ensure that no center or institution within the system commences the fall semester until after Labor Day.~~

SECTION 686. 36.25 (11) (c) of the statutes is amended to read:

36.25 (11) (c) The laboratory shall provide analytical support to the appropriate state agencies charged with water supply evaluation. The support service shall include an evaluation from a public health standpoint and analytical support to ascertain the water's suitability for manufacturing, commercial and recreational purposes as determined by the rules adopted by the department of health and social services and the department of natural resources and the department of agriculture, trade and consumer protection.

SECTION 686c. 36.25 (14) of the statutes is created to read:

36.25 (14) ADVANCED OPPORTUNITY PROGRAM. The board shall establish a grant program for minority and disadvantaged graduate students enrolled in the system. The grants shall be awarded from the appropriation under s. 20.285 (1) (b).

SECTION 686g. 36.25 (17) of the statutes is created to read:

36.25 (17) MINORITY UNDERGRADUATE GRANT PROGRAM. The board shall establish a grant program for Black, Hispanic and American Indian undergraduates enrolled in the system. Grants shall be awarded from the appropriation under s. 20.285 (1) (dd). By October 1, 1986, and annually thereafter by that date, the board shall submit to the joint committee on finance an evaluation of the program for each student class level and for each institution.

SECTION 687m. 36.34 of the statutes is created to read:

**36.34 Minority student retention programs.** The board shall evaluate the effectiveness of its minority student retention programs at each institution and submit reports describing its findings to the joint committee on finance by October 1, 1986, and October 1, 1988. ~~The board shall abolish all of its minority student retention programs by June 30, 1989.~~ **Vetoed in Part**

SECTION 687p. 36.44 of the statutes is created to read:

**36.44 Precollege programs.** The board shall ~~Submit reports to the joint committee on finance by October 1, 1986, and October 1, 1988, on the number of minority high school students contacted and the number of precollege program participants enrolling in higher educational institutions in~~ **Vetoed in Part**

this state, including vocational, technical and adult education district schools.

**Vetoed in Part** (2) ~~Abolish all precollege programs by June 30, 1989.~~

SECTION 687t. 36.46 of the statutes is created to read:

**36.46 Auxiliary reserves.** The board may not accumulate any auxiliary reserve funds from student fees unless the fees and the reserve funds are approved by the joint committee on finance acting under s. 13.10. A request by the board for such approval shall be filed with the secretary of the committee under s. 13.10 (3) at least 2 months prior to a scheduled meeting of the committee. The request shall include a plan specifying the amount of reserve funds the board wishes to accumulate and the purposes to which the reserve funds would be applied, if approved.

SECTION 687u. 38.04 (4) (c) of the statutes is amended to read:

38.04 (4) (c) ~~Except as authorized in par. (d), collegiate~~ Collegiate transfer programs shall not comprise more than 25% of the approved credit hours offered in any vocational, technical and adult education district.

SECTION 687v. 38.04 (4) (d) of the statutes is repealed.

SECTION 687x. 38.04 (7) of the statutes is created to read:

38.04 (7) **FUNDING SOURCES.** The board shall develop policies for the purpose of specifically identifying the general purpose revenue and nongeneral purpose revenue funding sources used for noninstructional student activities and for the purpose of governing the allocation of funds to those noninstructional student activities supported by both general purpose and nongeneral purpose revenue.

SECTION 688. 38.04 (10) of the statutes is renumbered 38.04 (10) (a) and amended to read:

38.04 (10) (a) ~~The~~ Except as provided under par. (b), the board shall review and approve any proposals by district boards for land acquisition, additional or new facilities, rentals and remodeling of existing facilities, prior to the letting of contracts to construct, remodel, rent or incur debt for such facilities or acquisition of land. The board shall encourage district boards to finance capital building proposals with ~~long term~~ long-term benefits through bonding or promissory note obligations.

SECTION 689. 38.04 (10) (b) of the statutes is created to read:

38.04 (10) (b) Proposals by district boards for minor rentals and minor remodeling projects are exempt from board review and approval under par. (a). The board shall promulgate rules defining "minor rental" and "minor remodeling" and establishing cri-

teria and procedures for exempting such proposals under this paragraph.

SECTION 690. 38.04 (11) (bm) of the statutes is created to read:

38.04 (11) (bm) *Uniform financial fund accounting system.* The board shall prescribe a detailed uniform financial fund accounting system, applicable to all district boards, which provides for the recording of all financial transactions inherent in the management of the districts and the administration of the district aid programs. The system shall be in operation by July 1, 1987.

SECTION 691. 38.04 (11) (c) of the statutes is amended to read:

38.04 (11) (c) *Withholding of state aid.* The board shall withhold or suspend payment of all or a portion of state aid to any district board which fails to comply with accounting, budget, audit, contracting and reporting standards established by the board under this subsection.

SECTION 694d. 38.08 (1) (a) 1 of the statutes is amended to read:

38.08 (1) (a) 1. A district board shall administer the district and shall be composed of 9 members who are residents of the district, including 3 employers ~~who have power to employ and discharge~~, 3 employes ~~who do not have power to employ or discharge~~, 2 additional members and a school district administrator, as defined under s. 115.001 (8). The board shall by rule define "employer" and "employee" for the purpose of this subdivision.

SECTION 700h. 38.125 of the statutes is created to read:

**38.125 Public broadcasting stations.** (1) If the district board governing the Milwaukee area technical college determines to relinquish its public broadcasting licenses, it shall offer to assign the licenses to the educational communications board, subject to approval of the federal communications commission.

(2) The district board governing Milwaukee area technical college shall use the aid received under s. 20.225 (1) (d) to displace property-tax funding for support of public television.

SECTION 700p. 38.14 (3) (a) and (b) of the statutes are consolidated, renumbered 38.14 (3) (a) and amended to read:

38.14 (3) (a) The district board may enter into contracts to provide services to public and private educational institutions ~~and~~ local governmental bodies. ~~(b) The district board may enter into contracts to provide services to private educational institutions, industries and businesses.~~

SECTION 700t. 38.14 (3) (b) of the statutes is created to read:

38.14 (3) (b) The district board may enter into contracts with local community-based organizations for basic skills instruction.

SECTION 701. 38.14 (3) (d) of the statutes is amended to read:

38.14 (3) (d) The district board shall establish and file with the board policies governing contracting under this subsection. The Monthly, the district board shall submit to the board copies of a report identifying all contracts entered into under this subsection within 30 days of their approval by the district board in which the value of the services exceeds \$500. For each such contract, the report shall identify the parties, the dates during which the services will be provided, the total compensation due the district, the number of persons to be served, the type of service to be provided and the number of credits granted for instructional services performed.

SECTION 702c. 38.22 (6) of the statutes is created to read:

38.22 (6) Any person who has been employed as a migrant worker for at least 2 months each year for 3 of the 5 years next preceding the beginning of the semester or session for which the person wishes to enroll at a district school, or for at least 3 months each year for 2 of the 5 years next preceding the beginning of the semester or session for which the person wishes to enroll at a district school, any adult whose parent or legal guardian has been so employed while the adult was a minor, and any minor whose parent or legal guardian has been so employed, shall be considered a resident of this state for the purposes of this section and s. 38.24. In this subsection, "migrant worker" has the meaning specified in s. 103.90 (5).

SECTION 702g. 38.24 (1) (a) of the statutes is amended to read:

38.24 (1) (a) *Liberal arts collegiate transfer programs.* Uniform fees based on ~~27.5%~~ 28.6% of the statewide average operational costs of liberal arts collegiate transfer programs in district schools.

SECTION 702L. 38.24 (3) (a) (intro.) of the statutes is repealed.

SECTION 702p. 38.24 (3) (a) 1 and 2 of the statutes are amended to read:

38.24 (3) (a) 1. For postsecondary and vocational-adult students who are Wisconsin residents, other than students in approved apprenticeship programs, the board shall annually establish a fee based on 37.5% of the statewide property tax funded cost per full-time equivalent student for operating these programs. The fee established under this subdivision shall be in addition to the fee charged under sub. (1).

2. For all students who are not residents of Wisconsin, nor subject to reciprocal agreements with the board, the board shall annually establish a fee based on 100% of the statewide property tax funded cost per

full-time equivalent student for operating the programs in which they are enrolled.

SECTION 702t. 38.24 (3) (a) 3 of the statutes is created to read:

38.24 (3) (a) 3. Except as provided under par. (b), the fees established under subs. 1 and 2 are the liability of the student.

~~SECTION 702x. 38.24 (3) (am) of the statutes is created to read.~~

~~38.24 (3) (am) Beginning January 1, 1987, any student attending a district school under a reciprocity agreement entered into under s. 39.42 or 39.47 shall, in addition to the fees charged under sub. (1), be charged a fee that is no lower than the fee established under par. (a) 1. The reciprocity agreement shall specify that the parties to the agreement shall maintain records on the number of students attending the schools under reciprocity agreements, their full-time equivalent count and program and course enrollments of such students and that the agreement is subject to the approval of the joint committee on finance under s. 39.42.~~

Vetoed  
in Part

SECTION 702y. 38.27 of the statutes is created to read:

**38.27 Incentive grants.** (1) The board shall annually notify each district board of those purposes for which grants may be awarded under this section. Grants may be awarded only for the purposes of assisting in:

(a) The creation or expansion of adult high school, adult basic education and English as a 2nd language courses. The board shall give priority to courses serving minority, unemployed, disadvantaged or handicapped students.

(b) The funding of new or expanding programs, and related staff and instructional material development:

1. Which address emerging skilled training needs;
2. For which there is significant projected long-term job growth; and
3. That comply with state program priorities and plans for coordinating the efficient and cost-effective delivery of services.

(c) The purchase or lease of high-cost instructional equipment necessary to develop or improve new or expanding occupational training programs:

1. Which address emerging skilled training needs;
2. For which there is significant projected long-term job growth; and
3. That comply with state program priorities and plans for coordinating the efficient and cost-effective delivery of services.

(d) Programs that foster the provision of classroom instruction for apprentices and the upgrading of journeymen.



(2) (a) Any district board may apply to the board for a grant to accomplish the purposes identified by the board under sub. (1).

(b) The board shall review the applications submitted under par. (a) according to procedures and criteria established by the board. The board shall notify the district board whether the district board's application has been approved and, if approved, of the amount and the conditions of the grant to be awarded.

(c) Amounts awarded under par. (b) shall be paid from the appropriation under s. 20.292 (1) (dc) and may be paid to the district board in instalments. Amounts awarded shall range from 25% to 75% of the total project cost. The board shall require the district board to provide the remaining percentage share of total project cost.

(d) Amounts awarded to support the establishment of new programs under subs. (1) (a) and (b) may be awarded for a period of up to 3 years, pending the availability of funds. With multiple-year awards, the board shall in each year award a decreasing percentage of each year's total project cost.

(2m) The board shall ensure that:

(a) Between 47% and 53% of the total amount awarded under this section in each fiscal year is awarded for the purposes of sub. (1) (a).

(b) Not more than 25% of the total amount awarded under this section in any fiscal year is for the purposes of sub. (1) (c).

(3) (a) Each district board receiving a grant under this section shall, by September 1 of the fiscal year following receipt of the grant, file a report with the board. The report shall evaluate the district board's performance in attaining the goals specified in the application submitted under sub. (2).

(b) The board shall develop and implement an audit program to assess the effectiveness of the grants made under this section in accomplishing the intended goals.

SECTION 705b. 38.28 (1m) (a) of the statutes is renumbered 38.28 (1m) (a) 1 and amended to read:

38.28 (1m) (a) 1. "District aidable cost" means the annual cost of operating a vocational, technical and adult education district, including debt service charges for district bonds and promissory notes for building programs or capital equipment, but excluding all expenditures relating to auxiliary enterprises and community service programs, all expenditures funded by or reimbursed with federal revenues, all receipts under s. 38.14 (3), all receipts from grants awarded under s. 38.27, all fees collected under s. 38.24 and driver education and chauffeur training aids.

SECTION 705g. 38.28 (1m) (a) 2 of the statutes is created to read:

38.28 (1m) (a) 2. "District aidable cost" for any district that does not have an institution or center located

in the district does not include costs associated with the collegiate transfer program at the district school. In this subdivision, "institution" and "center" have the meanings specified under s. 36.05.

SECTION 708. 38.28 (2) (g) of the statutes is amended to read:

38.28 (2) (g) The board shall pay \$1 \$2 for each student period of 50 minutes or more of actual instruction in chauffeur training courses approved by the board.

SECTION 708g. 38.28 (4) of the statutes is created to read:

38.28 (4) From the appropriation under s. 20.292 (1) (dm), the board shall annually pay to any district that does not have an institution or center located within the district an amount equal to that portion of the instructional costs of the district's collegiate transfer program not supported by fees and tuition that is equal to the state support of similar programs in the university of Wisconsin system, as determined by the board. In this subsection, "institution" and "center" have the meanings specified under s. 36.05.

SECTION 709m. 38.29 of the statutes is created to read:

**38.29 Chauffeur training grants.** (1) The board shall annually notify each district board receiving state aid under s. 38.28 (2) (g) of the amounts available for grants under this section. Grants under this section may be awarded only for the development of advanced chauffeur training facilities, the acquisition of instructional equipment for such facilities, operational costs associated with the maintenance of such facilities and equipment and costs incurred in the coordination of the training programs.

(2) (a) Any district board receiving aid under s. 38.28 (2) (g) may apply to the board for a grant for the purposes described under sub. (1).

(b) The board shall review the application according to criteria and procedures established by the board. If an application submitted under par. (a) is approved, the board shall notify the district board of the amount and conditions of the grant to be awarded.

(c) Amounts awarded shall be paid from the appropriation under s. 20.292 (1) (v).

(3) Each district board receiving a grant under this section shall, by September 1 of the fiscal year following receipt of the grant, file a report with the board. The report shall evaluate the district board's performance in attaining the goals specified in the application submitted under sub. (2) (a).

SECTION 711g. 39.11 (18) of the statutes is renumbered 39.115 (1) and amended to read:

39.115 (1) ~~The educational communications board may copyright~~ Copyright in its own name or acquire copyrights by assignment and charge for their use.

SECTION 711r. 39.115 (intro.) and (2) of the statutes are created to read:

**39.115 Educational communications board; powers.** (intro.) The educational communications board may:

(2) Review capital equipment purchases related to public broadcasting made by any state agency.

SECTION 712. 39.155 (2) of the statutes is amended to read:

39.155 (2) On or before January 15 and September 15 of each year, the medical college of Wisconsin, inc., shall submit to the ~~department of administration~~ higher educational aids board for its approval a list of the Wisconsin residents enrolled at the college who are paying full tuition. The state shall make semiannual payments to the medical college of Wisconsin, inc., from the appropriation under s. 20.250 (1) (a), upon approval of the list. No more than 8 such payments may be made to the medical college of Wisconsin, inc., from the appropriation under s. 20.250 (1) (a), for any individual student.

SECTION 713. 39.155 (3) of the statutes is created to read:

39.155 (3) The medical college of Wisconsin, inc., may not assess tuition for a Wisconsin resident enrolled at the college in an amount that exceeds the difference between the tuition assessed a nonresident student enrolled at the college and the amount specified to be disbursed under s. 20.250 (1) (a) for each Wisconsin resident enrolled at the college. This subsection applies to students enrolled in the class entering the college in the 1986-87 academic year and thereafter.

SECTION 714. 39.30 (3) (d) of the statutes is amended to read:

39.30 (3) (d) Subtract the amount determined in par. (c) from the amount determined in par. (a) to arrive at the amount of the grant. ~~The amount of the maximum~~ No grant shall not may exceed \$1,000 \$1,039 per semester in the 1985-86 academic year and \$1,086 per semester in the 1986-87 academic year, or a prorated amount in the case of a quarter or trimester institution, or \$2,000 \$2,078 per academic year in the 1985-86 academic year and \$2,172 per academic year in the 1986-87 academic year.

SECTION 716. 39.35 of the statutes is renumbered 39.35 (1).

SECTION 717. 39.35 (2) of the statutes is created to read:

39.35 (2) Notwithstanding s. 39.35, 1969 stats., the board has no duty to collect student aid awards made under that section.

SECTION 718. 39.36 of the statutes is renumbered 39.36 (1).

SECTION 719. 39.36 (2) of the statutes is created to read:

39.36 (2) Notwithstanding s. 39.36, 1969 stats., the board has no duty to collect stipends awarded under that section.

SECTION 720. 39.37 (4m) of the statutes is created to read:

39.37 (4m) In every year, the principal amount of any student loan bond, as defined in s. 66.522 (1) (g), issued under this section, when aggregated with any other such bonds issued in the same year, may not exceed the sum of:

(a) The aggregate principal amount which the building commission, under s. 18.535, has elected, in any previous year, to apply to carry-forward projects, as defined under s. 66.522 (1) (b), if the deadline for applying the elected amount has not expired under 26 USC 103 (n) (10) (C), and which has not been issued in any previous year; and

(b) As affected by any change authorized by the governor under s. 14.06, \$40,000,000. No change authorized under s. 14.06 which is a decrease in such \$40,000,000 bond limit may exceed \$40,000,000 minus the aggregate principal amount of student loan bonds which have been issued under this subsection in the same year and minus the aggregate principal amount which the building commission, in the same year, has elected under s. 18.535 to apply to carry-forward projects, as defined under s. 66.522 (1) (b).

SECTION 721. 39.43 (6) of the statutes is renumbered 39.43 (6) (a).

SECTION 722. 39.43 (6) (b) of the statutes is created to read:

39.43 (6) (b) No applications for loan forgiveness under this section may be accepted by the board on or after the effective date of this paragraph .... [revisor inserts date].

SECTION 722m. 39.44 of the statutes is created to read:

**39.44 Minority undergraduate grants.** (1) There is established, to be administered by the board, a grant program for Black, Hispanic and American Indian undergraduates enrolled in private, nonprofit higher educational institutions in this state.

(2) Funds for the grants under this section shall be distributed from the appropriation under s. 20.235 (1) (fg) to the eligible institutions on the basis of full-time equivalent enrollments of students eligible for grants under sub. (1). The board shall audit the enrollment statistics annually.

(3) An institution receiving funds under sub. (2) shall:

(a) Award grants to eligible students on the basis of financial need.

(b) Demonstrate to the satisfaction of the board that such funds do not replace institutional grants to the recipients.

(c) Annually report to the board the number of awards made, the amount of each award, the minority status of each recipient, other financial aid awards made to each recipient and the total amount of financial aid made available to the eligible students.

SECTION 723. 39.46 (2) (f) of the statutes is created to read:

39.46 (2) (f) That the school of dentistry may not assess tuition for a Wisconsin resident enrolled at the school in an amount that exceeds the difference between the tuition assessed a nonresident student enrolled at the school and the amount specified to be disbursed under s. 20.235 (1) (d) for each Wisconsin resident enrolled at the school.

SECTION 723m. 39.46 (2) (g) of the statutes is created to read:

39.46 (2) (g) That the school of dentistry make every effort to promote minority student access to the school so as to ensure that the number of minority students enrolled at the college in the 1985-86 academic year and thereafter is not reduced as a result of the decrease in the number of students funded under s. 20.235 (1) (d) by 1985 Wisconsin Act .... (this act).

SECTION 723r. 39.47 (2m) of the statutes is created to read:

39.47 (2m) The agreement under this section shall exclude medical, dental and veterinary students who initially enroll in public institutions of higher education in either state beginning in the 1986-87 academic year.

Vetoed  
in Part

SECTION 724m. 40.02 (22) (dm) of the statutes is created to read:

40.02 (22) (dm) For Wisconsin retirement system purposes only, for supreme court justices, court of appeals judges and circuit judges, means the compensation which would be payable to the participant at the time any justice or judge of the same court takes the oath of office.

Vetoed  
in Part

SECTION 725m. 40.02 (25) (a) 3 of the statutes is amended to read:

40.02 (25) (a) 3. The blind employes of the Wisconsin workshop for the blind authorized under s. 47.03 (1) (b) or of the nonprofit corporation with which the department of health and social services contracts under s. 47.03 (1m) (a) as of the beginning of the calendar month following completion of 1,000 hours of service. Persons employed by an employer who are blind when hired shall not be eligible for life insurance premium waiver because of any disability which is directly or indirectly attributed to blindness and may convert life insurance coverage only once under the contract; or

SECTION 726. 40.02 (25) (b) 9 of the statutes is created to read:

40.02 (25) (b) 9. Except as provided under s. 40.51 (7), any other employe of any employer, other than

the state, which has acted under s. 40.51 to make such coverage available to its employes.

SECTION 727. 40.02 (25) (c) of the statutes is amended to read:

40.02 (25) (c) For the purpose of group life insurance coverage, for participating employes and employes subject to s. 40.19 (4) of any employer, other than the state, which has acted under s. 40.70 (1) (a) to make group life insurance available to its employes the same as provided under par. (a) 1 and 3 for state employes.

SECTION 728. 40.02 (25) (d) of the statutes is created to read:

40.02 (25) (d) For the purpose of income continuation insurance coverage, and except as provided under s. 40.61 (3), for participating employes of any employer under sub. (28), other than the state, which has acted under s. 40.61 to make such coverage available to its employes.

SECTION 729. 40.02 (28) of the statutes is amended to read:

40.02 (28) "Employer" means the state, including each state agency, and any county, city, village, town, school district or any other governmental unit or any instrumentality of 2 or more units of government now existing or hereafter created within the state, except as provided under ss. 40.51 (7) and 40.61 (3). A city school district shall be considered a separate employer. Each employer shall be a separate legal jurisdiction for OASDHI purposes.

SECTION 729m. 40.02 (33) (bm) of the statutes is created to read:

40.02 (33) (bm) For supreme court justices, court of appeals judges and circuit judges who so elect, one-twelfth of the annual salary which would be payable to the participant during the last completed month in which the participant was a participating employe in such a position if any justice or judge of the same court takes the oath of office during his or her term of office, but only with respect to service as a state elected official.

Vetoed  
in Part

SECTION 732. 40.02 (48) (a) of the statutes is amended to read:

40.02 (48) (a) "Protective occupation participant" is deemed to include any participant whose name is certified to the fund as provided in s. 40.06 (1) (d) and who is a conservation warden, conservation patrol boat captain, conservation patrol boat engineer, conservation pilot, conservation patrol officer, forest fire control assistant, member of the state patrol, state motor vehicle inspector (if hired prior to January 1, 1968), police officer, fire fighter, sheriff, undersheriff, deputy sheriff, county traffic police officer, state forest ranger, fire watcher employed by the Wisconsin veterans home, state correctional-psychiatric officer, excise tax investigator employed by the department of revenue, special criminal investigation agent in the divi-

~~sion of criminal investigation~~ of the department of justice, assistant or deputy fire marshal.

SECTION 733. 40.02 (48) (c) of the statutes is amended to read:

40.02 (48) (c) In s. 40.65, "protective occupation participant" means a participating employe who is a police officer, fire fighter, a person determined by a participating employer under ~~s. 40.02 sub. (48) (intro.)~~ to be a protective occupation participant, county undersheriff, deputy sheriff, county traffic police officer, conservation warden, state forest ranger, field conservation employe of the department of natural resources who is subject to call for forest fire control or warden duty, member of the state traffic patrol, university of Wisconsin system full-time police officer, guard or any other employe whose principal duties are supervision and discipline of inmates at a state penal institution ~~including central state hospital, excise tax investigator employed by the department of revenue, or a special criminal investigation agent employed by the division of criminal investigation~~ of the department of justice.

SECTION 734m. 40.02 (54) (f) of the statutes is created to read:

40.02 (54) (f) The nonprofit corporation with which the department of health and social services contracts under s. 47.03 (1m) (a).

SECTION 735. 40.03 (6) (b) of the statutes is amended to read:

40.03 (6) (b) May provide other group insurance plans for ~~public~~ employes and their dependents, and for annuitants and their dependents in addition to the group insurance plans specifically provided under this chapter. ~~Unless the employer specifically provides otherwise the~~ The terms of the group insurance contracts under this paragraph shall be determined by contract, and shall provide that the employer is not liable for any obligations accruing from the operation of any group insurance plan under this paragraph except as agreed to by the employer.

SECTION 736. 40.05 (2) (b) of the statutes is amended to read:

40.05 (2) (b) Contributions shall be made by each participating employer for unfunded prior service liability in a percentage of the earnings of each participating employe. A separate percentage rate shall be determined for each of the categories under s. 40.23 (2m) (e) as of the employer's effective date of participation. The rates shall be sufficient to amortize as a level percent of payroll over a period of 40 years from the later of that date or January 1, 1986, the unfunded prior service liability for the categories of employes of each employer determined under s. 40.05 (2) (b), 1981 stats., increased to reflect any creditable prior service granted on or after January 1, 1986, increased to reflect the effect of 1983 Wisconsin Act 141 and increased at the end of each calendar year after Janu-

ary 1, 1986, by interest at the assumed rate on the unpaid balance at the ~~beginning~~ end of the year.

SECTION 740. 40.51 (6) of the statutes is amended to read:

40.51 (6) This state shall offer to all of its employes at least 2 insured or uninsured health care coverage plans providing substantially equivalent hospital and medical benefits, including a health maintenance organization or a preferred provider ~~organization, both as defined by the commissioner of insurance plan, if those organizations health care plans~~ are determined by the group insurance board to be available in the area of the place of employment and are approved by the group insurance board.

SECTION 741. 40.51 (7) of the statutes is created to read:

40.51 (7) Any employer, other than the state, may offer to all of its employes a health care coverage plan through a program offered by the group insurance board. Notwithstanding sub. (2) and ss. 40.05 (4) and 40.52 (1), the department may by rule establish different eligibility standards or contribution requirements for such employes and employers and may by rule limit the categories of employers, other than the state, which may be included as participating employers under this subchapter.

~~SECTION 741g. 40.51 (8) of the statutes is created to read:~~

~~40.51 (8) (a) Every health care coverage plan offered by the state under sub. (6) shall provide coverage for diagnosis and treatment of a condition or complaint by a licensed chiropractor within the scope of the chiropractor's professional license, if the plan covers diagnosis and treatment of the condition or complaint by a licensed physician or osteopath, even if different nomenclature is used to describe the condition or complaint. Examination by or referral from a physician shall not be a condition precedent for receipt of chiropractic care under this paragraph. This paragraph does not:~~

~~1. Prohibit the application of deductibles or coinsurance provisions to chiropractic and physician charges on an equal basis.~~

~~2. Require the plan to cover any service by a chiropractor if the plan's coverage is limited to surgical benefits.~~

~~3. Require the plan to cover any service by a chiropractor to a person who is not a registered bed patient in a hospital if the plan does not cover any service by a physician to a person who is not a registered bed patient in a hospital.~~

~~(b) A health care coverage plan that limits participation to providers selected by the plan, but does not employ a licensed chiropractor, shall select one or more licensed chiropractors and shall permit a person covered by the plan to receive chiropractic care in accordance with par. (a) from one or more of the~~

Vetoed  
in Part

Vetoed  
in Part

~~selected chiropractors. A plan that does not limit participation to providers selected by the plan shall permit a person covered by the plan to receive chiropractic care in accordance with par. (2) from the person's choice of one or more licensed chiropractors who have agreed to participate in the plan and abide by its terms.~~

~~(c) A health care coverage plan need not provide coverage under this subsection for more than 28 visits to a licensed chiropractor in each policy year.~~

~~SECTION 741r. 40.51 (8) of the statutes, as created by 1985 Wisconsin Act ... (this act), is repealed.~~

SECTION 741s. 40.51 (9) of the statutes is created to read:

40.51 (9) Every health maintenance organization and preferred provider plan offered by the state under sub. (6) shall comply with s. 632.87 (2m).

SECTION 742. 40.61 of the statutes is repealed and recreated to read:

**40.61 Income continuation coverage.** (1) The procedures and provisions pertaining to enrollment, premium transmitted and coverage of eligible employees for income continuation benefits shall be established by contract or rule except as otherwise specifically provided by this chapter.

(2) Any eligible employee may become covered by income continuation insurance by electing coverage within 30 days of initial eligibility, to be effective as of the first day of the month which begins on or after the date the application is received by the employer, or by electing coverage prior to becoming eligible for employer contribution towards the premium cost to be effective upon becoming eligible for employer contributions. Any employee who does not so elect at one of these times, or who subsequently cancels the insurance, may not thereafter become insured unless the employee furnishes evidence of insurability under the terms of the contract, or as otherwise provided by rule for employees under sub. (3), at the employee's own expense or obtains coverage subject to contractual waiting periods if contractual waiting periods are provided for by the contract or by rule for employees under sub. (3). The method to be used shall be determined by the board under sub. (1).

(3) Any employer under s. 40.02 (28), other than the state, may offer to all of its employees an income continuation insurance plan through a program offered by the group insurance board. Notwithstanding sub. (2) and ss. 40.05 (5) and 40.62, the department may by rule establish different eligibility standards or contribution requirements for such employees and employers and may by rule limit the categories of employers which may be included as participating employers under this subchapter.

SECTION 742m. 43.05 (5) of the statutes is amended to read:

43.05 (5) Ascertain which libraries in this state can suitably care for and advantageously use copies of the public documents printed at the expense of the state, including printing under ss. 35.28 and 35.29. The division shall designate the selected libraries as depositories of state documents and shall furnish lists of the depositories to the department of administration, ~~to govern the distribution under s. 35.85 (2) (b).~~ All libraries designated as depositories for federal documents shall automatically be designated as depositories for state documents. The lists shall show, for each depository library, the number of copies of each printed state document it is to receive.

SECTION 750b. 43.11 (3) (b) of the statutes is amended to read:

43.11 (3) (b) The committee's final report, including a plan for initial and long-range services and copies of any written agreements necessary to implement the proposed system, shall be filed with the county board and submitted to the division. Plans for multicounty systems shall include a method for allocating system board membership among ~~library representatives and public members~~ the member counties.

SECTION 750c. 43.11 (3) (c) of the statutes is created to read:

43.11 (3) (c) The plan of library service for a county, whether for a single county or a multicounty system, shall provide for library services to residents of those municipalities in the county not maintaining a public library under s. 43.52. The services shall include full access to public libraries in the county participating in the public library system and may include books-by-mail service, bookmobile service, the establishment of additional libraries or other services deemed appropriate by the committee. Services may be provided by contracting with existing public libraries in the county or in adjacent counties or with the public library system or by creating a county library organization under s. 43.57 or s. 43.60. The plan of library service for a county may provide for improving public library service countywide and in municipalities that have libraries. The plan shall specify the method and level of funding to be provided by the county to implement the services described in the plan and shall describe the services to be provided by the public library system and the allocation of state and county aid to fund those services.

SECTION 750d. 43.15 (2) of the statutes is amended to read:

43.15 (2) FINANCIAL SUPPORT. Each county proposed to be included within a system shall demonstrate, to the satisfaction of the division, its ability to ~~comply with s. 43.24 (2) provide adequate funding to implement the plan submitted under s. 43.11 (3) and the report submitted under s. 43.13 (1).~~ shall maintain its support for library services at a level not lower than the average of the previous 3 years.

SECTION 750e. 43.15 (4) of the statutes is repealed and recreated to read:

43.15 (4) METHOD OF ORGANIZATION. (a) A public library system shall designate at least one resource library and may be organized as a single-county federated public library system, a multicounty federated public library system or a single-county consolidated public library system. A single-county public library system, whether federated or consolidated, may become part of a multicounty federated public library system by written agreement of the county board.

(b) A county may participate in a federated public library system if it does all of the following:

1. Adopts and maintains the plan of library service submitted and approved under ss. 43.11 (3) and 43.13 (1).

2. Provides the financial support for library services required under sub. (2).

3. Enters into a written agreement with the public library system board to participate in the system and its activities and to furnish library services to residents of those municipalities in the county not maintaining a public library.

(c) A municipal, county or joint public library may participate in a public library system if it meets all of the following requirements:

1. Is established under this chapter or ch. 229.

2. Is located in a county that participates in a public library system.

3. Is authorized by its municipal governing body to participate in the public library system.

4. Enters into a written agreement with the public library system board to participate in the system and its activities, to honor valid borrower's cards from other system member libraries and to participate in interlibrary loan of materials with other system libraries.

5. Is funded by the municipal or county governing body at a level not lower than the average of the previous 3 years.

6. Employs a head librarian holding current public library certification from the department of public instruction.

(d) A county may establish a consolidated public library system in which the included county and its underlying communities form a single system. The county may, for such purposes, take over and acquire any library property by consent of the authority controlling that property.

SECTION 750em. 43.17 (10) of the statutes is created to read:

43.17 (10) BORROWERS' CARDS. All public libraries in a public library system shall honor the valid borrowers' cards of a public library in an adjacent public library system, other than the Milwaukee county federated library system. The requirement under this

subsection does not apply to the Milwaukee county federated library system.

SECTION 750f. 43.18 (title) of the statutes is amended to read:

**43.18 (title) Withdrawal, abolition and expulsion.**

SECTION 750g. 43.18 (1) (intro.) of the statutes is amended to read:

43.18 (1) WITHDRAWAL. (intro.) Not less than 3 years after affiliating with a public library system, a participating municipality or a county may withdraw from the system by adoption of a resolution by a two-thirds vote of its governing body under pars. (a) and (b), if the resolution is adopted at least 6 months prior to the close of the system's fiscal year. The resolution shall become effective at the close of the system's fiscal year.

SECTION 750h. 43.18 (1) (c) of the statutes is created to read:

43.18 (1) (c) In this subsection, "participating municipality" means a municipality that operates a public library and is a member of a public library system.

SECTION 750hm. 43.18 (2) of the statutes is amended to read:

43.18 (2) ABOLITION. A county may abolish a public library system whose territory lies only within that county, except that a county containing a 1st class city may abolish such a public library system only with the consent of the municipalities within the system.

SECTION 750i. 43.18 (2m) of the statutes is created to read:

43.18 (2m) EXPULSION. With the approval of the division, a public library system may expel, or reduce aids or services to, a municipality or county that fails to meet the requirements under s. 43.15 (2) or (4).

SECTION 750j. 43.18 (3) of the statutes is amended to read:

43.18 (3) PROCEDURE. (a) Prior to taking any action to abolish or withdraw under this section, the county board or other municipal governing body shall hold a public hearing on the proposed action and shall publish a class 1 notice, under ch. 985, of the hearing. Notice of the hearing also shall be given by registered mail not less than ~~one week~~ 30 days prior to the hearing to the governing body of every other municipality and county participating in the public library system, to the public library system board and to the division.

(b) A municipality or county withdrawing or expelled under this section from a public library system ~~shall be~~ is responsible for its allocated share of the outstanding liabilities of the system on the effective date of its withdrawal or expulsion.

(c) Upon taking final action under this section to withdraw from or abolish a public library system, the county board or other municipal governing body

~~forthwith~~ shall give notice, by registered mail, of the action taken to the governing body of every other municipality and county participating in the public library system, to the public library system board and to the division.

SECTION 750k. 43.18 (3) (d) and (e) of the statutes are created to read:

43.18 (3) (d) Prior to expelling a municipality or county from a public library system, the system board shall notify the municipality or county and the division, by registered mail, of the reason for the action under consideration and shall hold a public hearing concerning the action. The system board shall file a plan for alteration of the system territory under s. 43.13 (2) by November 15 of the year preceding the year in which the expulsion will take effect under s. 43.13 (3) and the division shall adjust state aid under s. 43.24 accordingly.

(e) A municipality or county that has withdrawn or that has been expelled from a public library system may participate in a public library system only by fulfilling the requirements for initial participation.

SECTION 754c. 43.24 (1) (a) 1 of the statutes is repealed.

SECTION 754g. 43.24 (1) (a) 2 and 3 of the statutes are amended to read:

43.24 (1) (a) 2. For each square mile of territory within a system, \$6 in a single-county system, ~~\$9 in a 2-county system, \$12 in a 3-county system, \$15 in a 4-county system~~ and \$18 in a system containing  $\leq 2$  or more counties.

3. ~~An~~ In 1986 an amount equal to 7% 6%, and in 1987 an amount equal to 5%, of the total operating expenditures for public library services in territory within the system from local and county sources in the calendar year immediately preceding the year for which aids are to be paid.

SECTION 754n. 43.24 (1) (b) of the statutes is repealed and recreated to read:

43.24 (1) (b) 1. The total amount calculated for all systems in the state, as determined under par. (a), shall be subtracted from the amount remaining for public library systems in the appropriation under s. 20.255 (1) (e) after such aids have been calculated.

2. The result obtained under subd. 1 shall be divided by the total number of persons residing in territory within all systems in the state.

3. The quotient under subd. 2 shall be multiplied by the number of persons residing in each system.

SECTION 754r. 43.24 (1) (c) of the statutes is renumbered 43.24 (6) and amended to read:

43.24 (6) ~~The ratio determined under par. (b) shall be multiplied by an amount equal to 11.25% of total amount of state aid appropriated each year for public library systems under s. 20.255 (1) (e) shall be determined by multiplying~~ the total operating expenditures

for public library services, in territories anticipated to be within all systems in the state, from local and county sources in the calendar year immediately preceding the calendar year for which aids are to be paid. ~~The amount determined under this paragraph shall be the amount of aid paid to each system, by 13%.~~

SECTION 754w. 43.24 (1) (c) of the statutes is created to read:

43.24 (1) (c) The amounts determined under pars. (a) and (b) shall be paid to each system.

SECTION 754wg. 43.24 (2) of the statutes is repealed and recreated to read:

43.24 (2) For a public library system to qualify for and maintain its eligibility for state aid under this section it shall provide:

(a) Interloan of library materials among all participating public libraries as evidenced by agreements with those libraries.

(b) Reference and referral services from the system resource library for participating public libraries as evidenced by an agreement with that library.

(c) Complete library service as provided by the system resource library to any resident of the system on the same terms as the service is available to residents of the resource library community as evidenced by an agreement with that library.

(d) The honoring of a systemwide borrower's card or valid borrower's cards from all public libraries within the system that are system members, by all participating public libraries in the system as evidenced by agreements with those libraries.

(e) In-service training for participating public library personnel within the system as evidenced by a plan and a service program.

(f) Rapid and regular delivery and communication systems for participating public libraries as evidenced by a written plan and service program.

(g) Service agreements with all adjacent library systems as evidenced by the agreements.

(h) Professional consultant services to participating public libraries and counties as evidenced by a written plan and a service program.

(i) Cooperation with other types of libraries in the system area as evidenced by agreements with those libraries for appropriate sharing of library resources to benefit the clientele of all libraries.

(j) Continuous planning with the division and with participating public libraries and counties in the area in regard to developing the library materials collection to meet the service needs as evidenced by a written collection development plan.

(k) Continuous planning with the division and with participating public libraries and counties in the areas in regard to providing service to users with special needs and the coordination and implementation of a

plan of service as evidenced by the written plan and documentation of its implementation.

(L) Continuous planning with the division and with participating public libraries, counties and other types of libraries in the area in regard to furthering cooperative activities among all types of libraries in the system areas as evidenced by a written plan.

(m) Continuous planning with the division and with participating public libraries and counties in the area in regard to the library automation and technical services as evidenced by a written plan.

SECTION 754y. 44.02 (5) of the statutes is amended to read:

44.02 (5) Keep its main library and museum rooms open at all reasonable hours on business days for the reception of the ~~citizens~~ residents of this state who may wish to visit the same, ~~without fee, except that the library or museum.~~ Except as provided under sub. (5m), the historical society may collect a fee for admission to historic sites or buildings acquired, leased or operated by the historical society elsewhere in the state, including areas within state parks or on other state-owned lands which incorporate historic buildings, restorations, museums or remains and which are operated by the historical society by agreement with the department of natural resources or other departments, or for lectures, pageants or similar special events, or for admission to defray the costs of special exhibits in its several buildings of documents, objects or other materials not part of the historical society's regular collections but brought in on loan from other sources for such special exhibitions. The historical society may also procure and sell or otherwise dispose of postcards, souvenirs and other appropriate merchandise to help defray the costs of operating its several plants and projects.

SECTION 754ym. 44.02 (5m) of the statutes is created to read:

44.02 (5m) Not charge a fee for admission to the museum until construction of the museum is completed. Fees collected from admissions shall be used to support public programming.

SECTION 754z. 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 (1) (g) and maintain the portraits in proper condition. ~~No person may retouch, restore or alter any such portrait while the artist is alive, other than the artist or a person working under the artist's direction or authorization.~~ 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 755. 44.16 of the statutes is created to read:

**44.16 Historic sites foundation.** (1) The historical society may enter into a lease agreement with the his-

toric sites foundation, inc., for the purpose of operating Circus World Museum, located in Baraboo, Wisconsin. The lease agreement shall not include any provision for the payment of a percentage of gross admissions income at Circus World Museum to the historical society.

(2) Upon request of the board of directors of the historic sites foundation, inc., the governor may nominate, and with the advice and consent of the senate appoint, one member of the board of directors to serve at the pleasure of the governor.

SECTION 757p. 44.205 of the statutes is created to read:

**44.205 Division of museum.** The administrator of the division of museum shall operate and maintain the historical society museum. The historical society shall provide technical assistance upon request of the administrator.

SECTION 760g. 44.22 (6) (L) of the statutes is created to read:

44.22 (6) (L) Review and approve or disapprove any proposal made by the school board of a school district containing a 1st class city to demolish school facilities that are 50 years old or older.

SECTION 760m. 44.53 (1) (h) of the statutes is created to read:

44.53 (1) (h) Annually, award an amount equal to at least 5% of all state and federal funds received by the board in that year for grants to artists and arts organizations to artists who are minority group members and arts groups composed principally of minority group members. In this paragraph, "minority group member" has the meaning specified in s. 560.036 (1) (f).

SECTION 760s. 44.53 (1) (i) of the statutes is created to read:

44.53 (1) (i) Administer a challenge grant program for the purpose of encouraging the fund-raising efforts of arts organizations.

SECTION 761. 44.57 (3) (a) of the statutes is amended to read:

44.57 (3) (a) After selection of the architect for any project subject to this section, the board shall convene an advisory committee for the purpose of reviewing and recommending works of art to be incorporated into the structure.

SECTION 762. 44.57 (3) (b) of the statutes is repealed and recreated to read:

44.57 (3) (b) The advisory committee shall consist of at least 5 members appointed by the board, including:

1. One member of the board.

2. At least 2 persons who are artists, art educators, art administrators, museum directors or curators, art critics or art collectors.



3. At least 2 persons who are project managers, architects, users of the building or members of the building commission.

SECTION 762m. 45.055 of the statutes is amended to read:

**45.055 Joint memorials.** Any city council or village, town or county board may contract with or make an appropriation, or both, to any other unit of government or to any nonprofit corporation without capital stock organized expressly for any of the purposes of s. 45.05 or to any duly chartered and incorporated veterans' organization established in any such city, village, town or county, and for the purpose of raising funds for such memorial purposes or contributions, may levy taxes upon the taxable property of such unit of government ~~not exceeding 5 mills on the dollar in all which said taxes may be spread over a period of 5 years~~ located in the county or municipality, or borrow money and issue the bonds of the respective municipalities therefor in the manner and under the regulations provided by ch. 67; provided that the facilities of such memorial are made available to the residents of the governmental unit making such appropriation to the extent that the governing body of the governmental unit may require.

SECTION 763. 45.058 (8) of the statutes is amended to read:

45.058 (8) Any such war memorial may be constructed in any public park and the use of such park lands as a location for a war memorial shall not be deemed to be inconsistent with the use of the same for park purposes. However, no war memorial shall be constructed in a public park until the park commission, general manager appointed under s. 27.03 (2) or park board having jurisdiction of such park shall approve the same. The county board of any county may authorize the construction of a war memorial at different intervals of time if the proposed memorial consists of more than one building or structure and any county board subsequently elected shall carry into effect any contract authorized by s. 45.055 entered into on behalf of such county for the construction or maintenance of such a war memorial. The construction, maintenance and operation of a war memorial in a county park shall be subject to the jurisdiction of the county board and no part of the cost thereof shall be charged against the funds of the park commission, park system or park board of such county.

SECTION 764. 45.11 of the statutes is renumbered 45.11 (1) and amended to read:

45.11 (1) ~~The~~ Except as provided under sub. (2), the county veterans' service commission shall estimate the probable amount required under s. 45.10 and shall file such estimate with the county board ~~prior to the adoption of the budget at the November session.~~

SECTION 765. 45.11 (2) of the statutes is created to read:

45.11 (2) A county veterans' service officer appointed under s. 45.43 (1) (b) shall have the powers and duties prescribed for the county veterans' service commission under sub. (1).

SECTION 766. 45.14 of the statutes is amended to read:

**45.14 (title) Administration of aid.** (1) Such commission shall meet at the courthouse or at such other place as the county board shall designate on or before the first Monday of January in each year and at such other times as may be necessary. ~~The~~

(2) Except as provided under sub. (3), the commission may furnish aid to any person within s. 45.10 if the right of such person to aid shall be established to its satisfaction. The secretary of the commission shall make and deposit with the county clerk a list containing the name, place of residence and the amount to be paid each such person, which shall be signed by the chairman and secretary. The total disbursements made by the commission shall not exceed the amount collected from the tax levied. When such lists are filed the county clerk shall issue an order upon the county treasurer for the sum designated therein in each case and deliver it to the person entitled thereto. The commission may furnish aid in a different manner than by supplying money. The commission may request the county clerk to issue an order upon the county treasurer to a purveyor of services or commodities for the purchase of such services or commodities or the commission may furnish such supplies as it deems best. The commission shall make a detailed report to the county board at each annual session thereof showing the amount expended.

SECTION 767. 45.14 (3) of the statutes is created to read:

45.14 (3) A county veterans' service officer appointed under s. 45.43 (1) (b) or (4) shall have the administrative powers and duties prescribed for the county veterans' service commission under sub. (2).

SECTION 768. 45.27 of the statutes is repealed.

SECTION 770. 45.35 (12) (c) of the statutes is repealed.

SECTION 771. 45.351 (1) of the statutes is renumbered 45.351 (1) (intro.) and amended to read:

45.351 (1) (intro.) The department may ~~extend~~ grant to any veteran or dependents such temporary emergency aid, in the form of either health care aid or subsistence aid, as it deems advisable to prevent want or distress, subject to the following limitations:

SECTION 772. 45.351 (1) (a) and (b) of the statutes are created to read:

45.351 (1) (a) Health care aid to meet medical or hospital bills is limited to a payment of up to \$5,000 per veteran or dependent for a maximum of 30 days within a 12-month period for the same condition or conditions. The department may not grant health

care aid under this paragraph unless the aid recipient's health care provider agrees to accept, as full payment for the medical treatment for which the aid is to be granted, the amount of the grant, the amount of the recipient's health insurance or other 3rd party payments, if any, and the amount which the department determines the aid recipient is capable of paying.

(b) Subsistence aid shall be provided only on a month-to-month basis and is limited to a maximum of 3 months within a 12-month period for the same condition or conditions.

SECTION 773. 45.351 (2) (a) and (b) of the statutes are amended to read:

45.351 (2) (a) The department may lend any veteran not more than ~~\$3,000~~ \$4,000 to be used for the purchase of a business or business property or the repairing of or adding to his or her home or business property, the construction of a garage, the education of the veteran or his or her children or to provide essential economic assistance if the department determines that the veteran satisfies the need requirements established by the department by rule. The need requirements may include, but are not limited to, consideration of the veteran's resources and credit available upon manageable terms. The department may prescribe loan conditions, but the interest rate shall be 3% per year for loan applications received by the department before the effective date specified in SECTION 3204 (intro.) of this act .... [revisor inserts date], and the interest rate shall be 6% per year for loan applications received by the department on or after the effective date specified in SECTION 3204 (intro.) of this act .... [revisor inserts date], and the term shall not exceed ~~15~~ 10 years. Loan expense may be charged to the veteran. The department may execute necessary instruments, collect interest and principal, compromise indebtedness, sue and be sued, post bonds and write off indebtedness which it deems uncollectible. Where any loan under this section is secured by a real estate mortgage, the department may exercise the rights of owners and mortgagees generally and the rights and powers set forth in s. 45.72. Interest and repaid principal shall be paid into the veterans trust fund. The department may lend not more than ~~\$3,000~~ \$4,000 to any veteran's surviving spouse, whether remarried or not, or to the parent of any deceased veteran's children for the education of such minor or dependent children if such surviving spouse or parent is a resident of and living in this state on the date of application.

(b) No person may receive a loan under this section if the department determines that the person's annual income exceeds ~~\$18,000~~ \$21,000 plus \$500 for each dependent in excess of 2 dependents. In determining eligibility for loans under this section, the department shall verify all reported income amounts by contacting the employer designated by the person, securing a copy of the person's prior year's income tax return or obtaining a profit and loss statement from the person

for at least 6 of the 12 months immediately preceding the loan application date.

SECTION 776. 45.365 (1) (c) of the statutes is repealed.

SECTION 777. 45.365 (1) (d) of the statutes is created to read:

45.365 (1) (d) The home shall include a geriatric evaluation, research and education program. The initial program staff shall be funded by s. 20.485 (1) (fa), and additional staff may be funded only by s. 20.485 (1) (hm), (j) and (mj), until July 1, 1989. On and after July 1, 1989, the entire program staff shall be funded by s. 20.485 (1) (hm), (j) and (mj).

SECTION 778. 45.365 (2b) of the statutes is amended to read:

45.365 (2b) The department may accept gifts, bequests, grants or donations of money or of property from private sources to be administered by the department for the purposes of the home. All moneys so received shall be paid into the general fund and are appropriated therefrom as provided in s. 20.485 (1) (h), except that gifts or grants received specifically for the purposes of the geriatric program at the home are appropriated as provided in s. 20.485 (1) (hm). The department shall not apply to the gifts and bequests fund interest on certificate of savings deposits for those members who do not receive maximum monthly retained income. The department shall establish for such persons upon their request individual accounts with savings and interest applied pursuant to such member requests.

SECTION 779. 45.37 (13) of the statutes is repealed.

SECTION 780. 45.396 of the statutes is amended to read:

**45.396 Correspondence courses and part-time classroom study.** (1) Any veteran upon the completion of any correspondence courses or part-time classroom study from the university of Wisconsin system, from any other institution of higher education located in this state which is accredited by the north central association of colleges and secondary schools or from any vocational, technical and adult educational school receiving aids from the board of vocational, technical and adult education or from any public or private high school, ~~taken upon authorization of the department of veterans affairs,~~ may be reimbursed in whole or in part for the cost of such courses, including necessary textbooks, by the department upon presentation to the department of a certificate from the school indicating that the veteran has completed the courses and stating the cost of such courses and necessary textbooks and upon application for reimbursement completed by the veteran and received by the department no later than 60 days after the termination of the course for which the application for reimbursement is made. The department may not require that an appli-

cation be received sooner than 60 days after a course is completed. Benefits granted under this section shall be paid out of the appropriation under s. 20.485 (2) (vm).

(2) Enrolled part-time classroom study or direct correspondence courses from a qualified educational institution may be authorized and the veteran reimbursed in whole or in part by the department when such courses are related to one's occupational, professional or educational objectives, and to the extent that payment or reimbursement is not available from any other sources, or, in cases where reimbursement is not specifically for fees and textbooks, to the extent that such reimbursement is insufficient to cover all educational costs.

(3) Such reimbursement may not exceed the cost of tuition, fees and textbooks and shall also be limited to a maximum of \$270 per course and \$1,000 per fiscal year.

(4) "Part-time study during a regular college semester, trimester or quarter shall be defined as" means enrollment by a graduate student in courses for which no more than 8 semester or the equivalent trimester or quarter credits will be given upon satisfactory completion, or enrollment by an undergraduate student in courses for which no more than 11 semester or the equivalent trimester or quarter credits will be given upon satisfactory completion. Study during a summer semester or session shall be considered part-time study for purposes of this section.

(5) Any veteran or eligible dependent who has obtained a master's degree or its equivalent ~~shall is not be eligible for grants under this section. Any veteran or eligible dependent who has obtained at least a baccalaureate degree or its equivalent but not a master's degree or its equivalent shall is not be eligible for grants offered under this section if he or she has remaining federal veterans administration education benefits. However, any veteran or eligible dependent who has obtained at least a baccalaureate degree or its equivalent and who has remaining federal veterans administration education benefits or who has obtained a master's degree or its equivalent may be reimbursed in whole or in part for the cost of courses in which such person was enrolled before July 31, 1975, where applications for the reimbursement of the cost of such courses were received by the department before July 31, 1975, and, in the case of enrolled part-time classroom study courses, where such courses were satisfactorily completed on or before August 31, 1975.~~ For the purpose of this section any student who has received a baccalaureate degree shall be deemed to be a graduate student whether he or she is taking graduate or undergraduate courses.

SECTION 782. 45.43 (1) of the statutes is renumbered 45.43 (1) (a) and amended to read:

45.43 (1) (a) The Except as provided under par. (b), the county board shall elect a county veterans' service

officer who shall be a Wisconsin resident who served under honorable conditions in the armed forces of the United States in time of war as set forth in s. 45.35 (5) (a) to (g) or Grenada or Lebanon under s. 45.34.

SECTION 783. 45.43 (1) (b) of the statutes is created to read:

45.43 (1) (b) In counties with a county executive or county administrator, the county executive or county administrator shall appoint and supervise a county veterans' service officer who shall have the qualifications prescribed under par. (a). The appointment is subject to confirmation by the county board unless the county board, by ordinance, elects to waive confirmation or unless the appointment is made under a civil service system competitive examination procedure established under s. 59.07 (20) or ch. 63.

SECTION 783m. 45.43 (2) of the statutes is amended to read:

45.43 (2) TERM. ~~Upon his first election the A~~ county veterans' service officer elected under sub. (1) (a) shall serve until the first Monday in January of the 2nd year subsequent to the year of his or her election, and, if reelected, shall continue to serve unless removed under s. 17.10 (2). All county veterans' service officers who have been reelected prior to May 18, 1967, may continue to serve unless removed under s. 17.10 (2).

SECTION 784. 45.43 (6) of the statutes is amended to read:

45.43 (6) OFFICE SPACE AND ASSISTANTS. (a) The county board shall provide the county veterans' service officer with office space, clerical assistance and any other needs which will enable the officer to perform the duties under sub. (5). ~~The~~

(b) Except as provided under par. (c), the county board may appoint assistant county veterans' service officers who shall be persons who served under honorable conditions in the U.S. armed forces during a war period specified under s. 45.35 (5).

SECTION 785. 45.43 (6) (c) of the statutes is created to read:

45.43 (6) (c) In any county with a county executive or county administrator, the county veterans' service officer may appoint assistant county veterans' service officers who shall have the qualifications prescribed under par. (b).

SECTION 786. 45.43 (7) of the statutes is amended to read:

45.43 (7) GRANTS TO COUNTIES. Each county may annually apply to the department for a grant ~~from the veterans trust fund~~ for the improvement of service to ex-servicemen of the county through the county veterans' service office. The department shall develop reasonable budget and operating standards to assure such improved services, but full operating control of the county office shall be left to each county. If the department determines that the county making appli-

cation for such grant meets the standards, and if any county veterans' service officer chosen after August 5, 1973, is chosen by the county board from a list of candidates certified by the administrator of the division of merit recruitment and selection in the department of employment relations or is appointed under ch. 63, the department shall pay a grant not exceeding \$3,000 annually to the county.

SECTION 787. 45.71 (8) of the statutes is amended to read:

45.71 (8) "Home" means a building or portion thereof used by a veteran as his principal place of residence, and includes condominiums and income-producing property, a portion of which is so occupied by the veteran, and the land, including existing improvements, appertaining to such a building.

SECTION 791. 45.76 (1) (a) 2 of the statutes is amended to read:

45.76 (1) (a) 2. A home, ~~including land, housing accommodation, garage, weatherization improvements under s. 45.765 and other improvements and eligible rehabilitation of a home, as defined in s. 234.49 (1) (d).~~

SECTION 793. 45.765 of the statutes is repealed.

SECTION 794. 45.79 (6) (c) 4 of the statutes is amended to read:

45.79 (6) (c) 4. On or after May 7, 1982, requests under this paragraph may occur only after general obligation bonds totaling ~~\$1,100,000,000~~ \$1,299,000,000 authorized under s. 20.866 (2) (zn) have been issued.

SECTION 795m. 45.79 (7) (a) 4 of the statutes, as affected by 1985 Wisconsin Act 6, is amended to read:

45.79 (7) (a) 4. Payment of all costs incurred by the department in processing and servicing loans and accounting for and administering the program under this section, including a portion of grants made to county veterans' service officers under s. 45.43 (7).

SECTION 800m. 45.80 (5) of the statutes is amended to read:

45.80 (5) INTEREST RATE. Each loan made under this section on the basis of a loan application received by the department before the effective date specified in SECTION 3204 (intro.) of this act .... [revisor inserts date], shall bear interest at the rate of 3% per year and each loan made under this section on the basis of a loan application received by the department on or after the effective date specified in SECTION 3204 (intro.) of this act .... [revisor inserts date], shall bear interest at the rate of 6% per year.

SECTION 801. 46.03 (1) of the statutes is amended to read:

46.03 (1) INSTITUTIONS GOVERNED. Maintain and govern the Mendota and the Winnebago mental health institutes, ~~the central state hospital, the Oakhill~~

~~correctional institution, the Waupun correctional institution, the correctional institutions authorized under s. 46.05 Columbia correctional institution, the Menomonee Valley correctional institution, the Oshkosh correctional institution, the Fox Lake correctional institution, the Green Bay correctional institution, the Taycheedah correctional institution, the Wisconsin minimum security correctional camp system institutions, the Dodge correctional institution, the Ethan Allen school, the Kettle Moraine correctional institution, the Lincoln Hills school, the Wisconsin workshop for the blind until the date specified in the contract with a nonprofit corporation under s. 47.03 (1m) (a), and the centers for the developmentally disabled.~~

SECTION 802. 46.03 (6) (cn) of the statutes is created to read:

46.03 (6) (cn) Monitor compliance with deferred prosecution agreements under s. 971.39.

SECTION 803. 46.03 (7m) of the statutes is amended to read:

46.03 (7m) FOSTER CARE. For the federal fiscal years commencing October 1, ~~1984~~ 1986, and October 1, ~~1985~~ 1987, respectively, ensure that there are no more than ~~4,266~~ 2,641 and ~~4,178~~ 2,619 children in foster care placements for more than 24 months, consistent with the best interests of each child. Services provided in connection with this requirement shall comply with the requirements under P.L. 96-272.

SECTION 804m. 46.03 (9) of the statutes is amended to read:

46.03 (9) BLIND PERSONS. Administer the Wisconsin workshop for the blind until the date specified in the contract with a nonprofit corporation under s. 47.03 (1m) (a) and perform other functions prescribed in ch. 47.

SECTION 805. 46.03 (14) of the statutes is amended to read:

46.03 (14) VENDING STANDS. ~~Pursuant to rules adopted establish~~ Establish and maintain a revolving fund not exceeding ~~\$10,000~~ \$60,000 in any of the state institutions administered by the department, for the education, recreation and convenience of the patients, inmates and employes, to be used for the operation of vending stands, canteen operations, reading clubs, musical organizations, religious programs, athletics and similar projects. ~~Such~~ The funds are exempt from s. 20.906, but are subject to audit by the department and the legislative audit bureau in its discretion.

SECTION 806d. 46.03 (17) (cm) of the statutes is created to read:

46.03 (17) (cm) To contract with one public, private or voluntary agency for the supervision, maintenance and operation of one minimum security correctional institution in a county having a population of 500,000 or more. To be eligible, an agency must have prior relevant experience.

SECTION 808. 46.031 (1) (a) of the statutes is amended to read:

46.031 (1) (a) *Submission.* County public welfare or social services departments organized under ss. 46.22 and 49.51, ~~mental hygiene and boards organized under s. ss. 51.42, developmental disability boards organized under s. 51.437 and community human service boards organized under s. 46.23~~ shall submit a coordinated comprehensive program plan and budget for services directly provided or purchased. The coordinated plans and budgets shall be prepared in accordance with sub. (2) and be submitted to the department by September 30. The department may require submission of multiyear coordinated plans and budgets, not to exceed 3 years, with annual updates.

SECTION 809m. 46.032 of the statutes is amended to read:

**46.032 Income maintenance administration.** County public welfare or social services departments organized under ss. s. 46.22 and or 49.51 and boards created under s. 46.23 shall annually enter into a contract with the department detailing the reasonable cost of administering the income maintenance programs under ss. 46.23, 49.046, 49.19 and, 49.45 to 49.47 and 49.50 (7g) when so appointed by the department. Contracts created under this section control the distribution of payments under s. 20.435 (4) (de) 1 and (nL) in accordance with the reimbursement method established under s. 49.52 (1) (ag). The department may reduce its payment to any county under s. 20.435 (4) (de) 1 and (nL) if federal reimbursement is withheld due to audits, quality control samples or program reviews.

~~SECTION 809r. 46.036 (5m) of the statutes is created to read:~~

**Vetoed in Part** ~~46.036 (5m) Notwithstanding subs. (3) (b) and (5) and s. 49.52 (1), if a service provider under this section that is a group home as defined under s. 48.02 or that is a community living arrangement as defined under s. 46.03 (22) with a capacity for 8 or fewer persons renews a contract for service with a purchaser, the provider:~~

~~(a) May, if revenue exceeds actual allowable costs for that contractual period, do one of the following:~~

~~1. Apply up to 5%, but not more than \$5,000, of revenue, in order to cover a deficit incurred in meeting actual allowable costs in the preceding contract year.~~

~~2. Retain up to 5%, but not more than \$5,000, of revenue, in order to cover a deficit incurred in meeting actual allowable costs in the succeeding contract year.~~

~~(b) Shall, if actual allowable costs do not exceed revenue in the succeeding contract year, return to the purchaser the amount retained under par. (a) 2.~~

SECTION 810. 46.041 (2) of the statutes is repealed.

SECTION 811. 46.045 of the statutes is amended to read:

**46.045 (title) Minimum security correctional institutions.** The department may establish and operate ~~community minimum security correctional residential centers institutions.~~ The secretary may allocate and reallocate existing and future facilities as part of these ~~centers institutions.~~ The community correctional residential centers shall be institutions as defined in are subject to s. 46.03 (1) and shall be are state prisons as defined in s. 53.01. Inmates from Wisconsin state prisons may be transferred to these institutions and they shall be subject to all laws pertaining to inmates of other penal institutions of the state. Officers and employes of the institutions shall be subject to the same laws as pertain to other penal institutions. Inmates shall not be received on direct commitment from the courts. In addition to the exemptions under s. 13.48 (13), construction or establishment of facilities at institutions which are community correctional residential centers initially established prior to July 2, 1983, shall not be subject to the ordinances or regulations relating to zoning, including zoning under ch. 91, of the county and municipality in which the construction or establishment takes place.

SECTION 812. 46.046 of the statutes is repealed.

SECTION 812g. 46.05 (1n) of the statutes is repealed.

SECTION 812m. 46.052 (1) (bq) of the statutes is repealed.

SECTION 812r. 46.054 (1) (f) of the statutes is repealed.

SECTION 813. 46.10 (2) of the statutes is amended to read:

46.10 (2) Except as provided in sub. (2m), any person, including but not limited to a person admitted or committed under ss. 51.10, 51.13, 51.15, 51.20, 51.35 (3), 51.37 (5), 51.45 (10), (11), (12) and (13), 55.05, 55.06, 971.14 (2) and (5), 971.17 (1), 975.01, 1977 stats., 975.02, 1977 stats., 975.06 and 975.17, 1977 stats., receiving care, maintenance, services and supplies provided by any institution in this state including university of Wisconsin hospital and clinics, in which the state is chargeable with all or part of the person's care, maintenance, services and supplies, and any person receiving care and services under boards or facilities established under ss. 49.175, 51.42 and 51.437, and the person's property and estate, including the homestead, and the spouse of the person, and the spouse's property and estate, including the homestead, and, in the case of a minor child, the parents of the person, and their property and estates, including their homestead, and, in the case of a foreign child described in s. 48.839 (1) who became dependent on public funds for his or her primary support before an order granting his or her adoption, the resident of this state appointed guardian of the child by a foreign court who brought the child into this state for the purpose of adoption, and his or her property and estate, including his or her homestead, shall be liable for the cost of

the care, maintenance, services and supplies in accordance with the fee schedule established by the department under s. 46.03 (18). ~~The department may bring action for the enforcement of the liability.~~ If a spouse, widow or minor, or an incapacitated person may be lawfully dependent upon the property for their support, the court shall release all or such part of the property and estate from the charges that may be necessary to provide for those persons. The department shall make every reasonable effort to notify the ~~relatives~~ liable persons as soon as possible after the beginning of the maintenance, but the notice or the receipt thereof is not a condition of liability ~~of the relative.~~

SECTION 814. 46.10 (3) of the statutes is amended to read:

46.10 (3) After investigation of the liable persons' ability to pay ~~of the patient or relative liable for such maintenance,~~ the department shall make collection from the ~~patient or the person~~ who in the opinion of the department under all of the circumstances is best able to pay, giving due regard to relationship and the present needs of the person or of the lawful dependents. However, the liability of relatives for maintenance shall be in the following order: first, the spouse of the patient; then, in the case of a minor, the parent or parents.

SECTION 815. 46.10 (4) of the statutes is amended to read:

46.10 (4) Upon the failure of any relative person liable for maintenance under sub. (2) to make payment or enter into or comply with an agreement for payment, the department may bring an action to enforce the liability or may apply to the circuit court of the county in which the patient or liable person resides or has a legal settlement or in which such relative resides for an order to compel payment ~~by such relative.~~ ~~Upon failure to comply with that order, the department may commence an action to recover the amount due.~~

SECTION 816. 46.10 (5) of the statutes is renumbered 46.10 (5) (a) and amended to read:

46.10 (5) (a) Upon such receiving an application under sub. (4) to compel payment, the circuit court shall hear the allegations and proofs of the parties and shall by order require payment of maintenance by the relative person liable therefor, if of sufficient ability, having due regard to the present needs of the relative person and his or her lawful dependents. The order shall specify an amount for maintenance to be paid periodically during a specified period or until the further order of the court. Notice of hearing on the application shall be served upon such relative the liable person at least 10 days prior to the hearing in the manner of service of a summons in that court. Upon application of any interested party, and upon like notice and procedure, the court may modify the order. Any party aggrieved by the order or by the judgment of the court may appeal therefrom in the manner pro-

vided by law. If an appeal is taken by the department, an undertaking need not be filed.

SECTION 817. 46.10 (5) (b) of the statutes is created to read:

46.10 (5) (b) If a person subject to an order under par. (a) fails to comply with the order, the department may commence an action to recover the amount due.

SECTION 818. 46.10 (7) of the statutes is amended to read:

46.10 (7) The department shall administer and enforce this section. It shall appoint an attorney to be designated "collection and deportation counsel" and other necessary assistants. The department may delegate to such counsel such other powers and duties as it deems advisable. He or any of his assistants may administer oaths, take affidavits and testimony, examine public records, subpoena witnesses and the production of books, papers, records, and documents material to any matter of proceeding relating to payments for the cost of maintenance. The department shall encourage agreements or settlements with the patient or the relative liable for his maintenance person, having due regard to ability to pay and the present needs of lawful dependents.

SECTION 819. 46.10 (8) (c) of the statutes is amended to read:

46.10 (8) (c) From time to time investigate the financial condition and needs of ~~such patients and of the relatives persons~~ liable for their maintenance under sub. (2), their ability to presently maintain themselves, the persons legally dependent upon them for support, the protection of the property and investments ~~of patients and relatives~~ from which they derive their living and their care and protection, for the purpose of ascertaining the person's ability ~~of any patient or of any such relative~~ to make payment in whole or in part ~~for the maintenance of such patients.~~

SECTION 820. 46.10 (8) (d) of the statutes is amended to read:

46.10 (8) (d) After due regard to the case and to a spouse and minor children who are lawfully dependent on the property for support, compromise or waive any portion of any claim of the state or county for ~~care or maintenance for which the patient or the patient's relatives are~~ a person specified under sub. (2) is liable, but not any claim payable by an insurer under s. 632.89 (2) or (2m) or by any other 3rd party.

SECTION 821. 46.10 (8) (e) of the statutes is amended to read:

46.10 (8) (e) Make ~~agreements~~ an agreement with relatives a person who is liable therefor under sub. (2), or who may be willing to assume the cost of maintenance of any patient, providing for the payment of such costs at a specified rate or amount.

SECTION 822. 46.10 (8m) (a) of the statutes is amended to read:

46.10 (8m) (a) Deduct 100% of all money collected on or after January 1, 1975, from the chargeable cost of care at the mental health institutes and central state hospital;

SECTION 823. 46.10 (9) of the statutes is amended to read:

46.10 (9) Any person who wilfully testifies falsely as to any material matter in an investigation or proceeding under this section shall be guilty of perjury. Banks, insurers, savings and loan associations, brokers and fiduciaries, upon request of the department, shall furnish in writing and duly certified, full information regarding the property, earnings or income or any funds deposited to the credit of or owing to such patient or any person legally responsible for the maintenance of such patient liable under sub. (2). Such certified statement shall be admissible in evidence in any action or proceeding to compel payment for the maintenance of such patient under this section, and shall be evidence of the facts therein stated, provided a copy of such statement be served upon the party sought to be charged not less than 3 days before the hearing.

SECTION 824. 46.10 (11) of the statutes is renumbered 46.10 (11) (a) and amended to read:

46.10 (11) (a) ~~In~~ Except as provided in par. (b), in any action to recover maintenance from a person liable under this section, the statute of limitations may be pleaded in defense.

SECTION 825. 46.10 (11) (b) of the statutes is created to read:

46.10 (11) (b) If a person who is liable under this section is deceased, a claim may be filed against the decedent's estate and the statute of limitations specified in s. 859.01 shall be exclusively applicable. This paragraph applies to liability incurred on or after the effective date of this paragraph .... [revisor inserts date].

SECTION 826. 46.10 (14) of the statutes is amended to read:

46.10 (14) Liability of ~~the patient or relatives a person~~ specified in sub. (2) or s. 46.03 (18) for inpatient care and maintenance of persons under 18 years of age at community mental health centers, a county mental health center under s. 51.08, the centers for the developmentally disabled, Mendota mental health institute, and Winnebago mental health institute and central state hospital or care and maintenance of persons under 18 years of age in residential, nonmedical facilities such as group homes and foster care, child care and juvenile correctional institutions is determined in accordance with the cost-based fee established under s. 46.03 (18). The department shall bill the liable parties person up to any amount of liability not paid by an insurer under s. 632.89 (2) or (2m) or by other 3rd party benefits, subject to rules which include formulas governing ability to pay promulgated by the department under s. 46.03 (18). ~~The department may~~

~~not, by rule, establish a limit on the amount that may be billed under this subsection, but shall charge according to the ability of the responsible party to pay, up to the cost of the patient's care, excluding educational costs.~~ Any liability of the patient not payable by any other party person terminates when the patient reaches age 18, unless the patient or patient's relative liable person has prevented payment by any act or omission.

SECTION 827. 46.106 of the statutes is repealed.

SECTION 828. 46.115 of the statutes is repealed.

SECTION 829. 46.18 (13) of the statutes is amended to read:

46.18 (13) BUILDING RESERVE FUND. The county board shall maintain as a segregated cash reserve the 2% charge authorized by s. 73.10 (9). It an annual charge of 2% of the original cost of new construction or purchase or of the appraised value of existing infirmary structures and equipment. If the infirmary or any of its equipment is replaced, any net cost of replacement in excess of the original cost is subject to an annual charge of 2%. No contributions to the cash reserve in excess of the amount required under this subsection may be included in the calculation under s. 49.173 (1). The county board may from time to time appropriate from such reserve sums to be expended solely for the enlargement, modernization or replacement of such infirmary and its equipment.

SECTION 830. 46.20 (7) (b) of the statutes is amended to read:

46.20 (7) (b) The board of trustees shall maintain as a segregated cash reserve the 2% charge authorized by s. 73.10 (9) required under s. 46.18 (13). It may from time to time appropriate from such reserve sums to be expended solely for the enlargement, modernization or replacement of such infirmary and its equipment.

SECTION 831. 46.208 of the statutes is created to read:

**46.208 General relief; functions of state department.**

(1) All records of the county or municipality relating to the administration of general relief, if the department reimburses the county or municipality under s. 49.025 or 49.035, shall be open to inspection at all reasonable hours by authorized representatives of the department.

(2) Before January 1, 1987, the department may at any time audit all records of the county or municipality relating to the administration of general relief, if the department reimburses the county or municipality under s. 49.025 or 49.035, and may at any time conduct administrative reviews of a municipality or of a county department of public welfare or social services organized under s. 46.034, 46.22 or 49.51, or of a department created under s. 46.23. The department shall furnish a copy of the county audit or administrative review report to the chairperson of the county board, to the county clerk and to the director of the

county department of public welfare or social services or the director of the community human services department of the county. The department shall furnish a copy of the municipal audit or administrative review report to the municipal relief agency director.

(2m) After December 31, 1986, the department may at any time audit all records of the general relief agency relating to the administration of general relief, if the department reimburses the county under s. 49.025 or 49.035 and may at any time conduct administrative reviews of a county department of public welfare or social services organized under s. 46.034, 46.22 or 49.51 or a department created under s. 46.23. The department shall furnish a copy of the county audit or administrative review report to the chairperson of the county board, to the county clerk and to the director of the county department of public welfare or social services or the director of the community human services department of the county.

SECTION 832. 46.22 (1m) of the statutes is created to read:

46.22 (1m) BOARD. (a) Except as provided under par. (b), the county board of public welfare shall consist of 3, 5 or 7 residents of the county, as determined by the county board of supervisors, elected by the county board of supervisors or appointed by the chairperson of the county board under rules of the county board. The members of the county board of public welfare shall be elected or appointed either from members of the county board of supervisors or from the county at large, or both, on the basis of knowledge and interest in public welfare and shall hold office for a term fixed by the county board of supervisors. The members of the county board of public welfare shall receive compensation as fixed by the county board of supervisors.

(b) In any county with a county executive or county administrator which does not combine its department of public welfare with another county under s. 46.034, the county executive or county administrator shall appoint the county board of public welfare, subject to confirmation by the county board. A member of the county board of public welfare appointed under this paragraph may be removed by the county executive or county administrator for cause.

SECTION 833g. 46.22 (2) (title) of the statutes is amended to read:

46.22 (2) (title) POWERS AND DUTIES OF BOARD IN COUNTIES WITHOUT A COUNTY EXECUTIVE OR COUNTY ADMINISTRATOR.

SECTION 833m. 46.22 (2) (intro.) of the statutes is repealed.

SECTION 833p. 46.22 (2) (a) to (e) of the statutes are renumbered 46.22 (2) (b) 1 to 5, and 46.22 (2) (b) 2, as renumbered, is amended to read:

46.22 (2) (b) 2. ~~Appoint Under sub. (3), appoint a county director of public welfare subject to s. 49.50 (2) to (5) and the rules promulgated thereunder and subject to the approval of the county board of supervisors. The county board or boards of supervisors may delegate this authority to the board established under this section.~~

SECTION 833s. 46.22 (2) (a) and (b) (intro.) of the statutes are created to read:

46.22 (2) (a) *Definition*. In this subsection, "board" means a county board of public welfare in a county without a county executive or county administrator and "board" means a combined board of public welfare under s. 46.034.

(b) *Powers and duties*. (intro.) The board shall:

SECTION 833u. 46.22 (2g) of the statutes is created to read:

46.22 (2g) POWERS AND DUTIES OF BOARD IN CERTAIN COUNTIES WITH A COUNTY EXECUTIVE OR COUNTY ADMINISTRATOR. (a) *Definition*. In this subsection, "board" means a county board of public welfare in a county with a county executive or county administrator which has not combined its department of public welfare with another county under s. 46.034.

(b) *Powers and duties*. The board shall:

1. At the first meeting of the board, elect from their number, a chairperson, a secretary and other officers as deemed necessary. Vacancies in these offices shall be filled for the unexpired terms. The chairperson presides at all meetings when present, and countersigns all actions taken by the board. In case of the absence of the chairperson for any meeting the members present shall choose a temporary chairperson.

1m. Appoint committees consisting of residents of the county to advise the board as it deems necessary.

2. Recommend program priorities, identify unmet service needs and prepare short-term and long-term plans and budgets for meeting such priorities and needs.

3. Prepare, with the assistance of the county director of public welfare under sub. (3m) (b) 5, a program plan and budget for submission to the county executive or county administrator in accordance with s. 46.031 for authorized services in the form and manner prescribed by the department.

4. Conduct a public hearing on the program plan and budget prepared under subd. 3 and report the results of the public hearing to the county executive or county administrator and county board.

5. Advise the county director of public welfare under sub. (3m) (b) 3 regarding purchasing and providing services and the selection of purchase of service vendors, and make recommendations to the county executive or county administrator regarding modifications in such purchasing, providing and selection.

6. Develop board operating procedures.



7. Comply with state requirements.

8. Assist in arranging cooperative working agreements with persons providing health, education, vocational or welfare services related to services provided under this section.

SECTION 834m. 46.22 (3) of the statutes is amended to read:

46.22 (3) (title) DIRECTOR IN CERTAIN COUNTIES. (a) In this subsection "county director" means a county director of public welfare appointed under sub. (2) (b) 2.

(b) ~~The county director of public welfare shall serve as the executive and administrative officer of the county department of public welfare. In consultation and agreement with the county board of public welfare he, the county director shall prepare and submit to the county board of supervisors an annual budget of all funds necessary for the county department, and shall prepare annually a full report of the operations and administration of the department. The county board of supervisors shall review and approve, reject or revise by majority vote the annual budget of the county department of public welfare. The county director shall recommend to the county board of public welfare the appointment of employes necessary to administer the functions of the department, subject to sub. (6) and s. 49.50 (2) to (5) and the rules promulgated thereunder. The county director shall make recommendations to the county board of supervisors who shall fix the salary of such employes.~~

SECTION 836m. 46.22 (3m) of the statutes is created to read:

46.22 (3m) DIRECTOR IN CERTAIN COUNTIES WITH A COUNTY EXECUTIVE OR COUNTY ADMINISTRATOR. (a) In this subsection "county director" means a county director of public welfare appointed under par. (b).

(b) In any county with a county executive or a county administrator which has not combined its department of public welfare with another county under s. 46.034, the county executive or county administrator, subject to s. 49.50 (2) to (5) and the rules promulgated thereunder, shall appoint the county director. The appointment is subject to the confirmation of the county board unless the county board, by ordinance, elects to waive confirmation or unless the appointment is made under a civil service system competitive examination procedure established under s. 59.07 (20) or ch. 63. The director shall:

1. Supervise and administer any program established under this section.

1m. Supervise the operations and administration of the county department of public welfare.

2. Determine administrative and program procedures.

3. Determine, subject to county board approval and with the advice of the county board of public wel-

fare, whether services are to be provided directly by the county agency or contracted for with other providers and make such contracts.

5. Assist the county board of public welfare in the preparation of the program plan and budget required under s. 46.031.

6. Make recommendations to the county executive or county administrator regarding modifications to the program plan and budget prepared by the county board of public welfare under sub. (2g) (b) 3.

7. Evaluate service delivery.

8. After consultation with the county board of public welfare, allocate services among service recipients to reflect the availability of limited resources.

9. Establish salaries and personnel policies of the program subject to approval of the county executive or county administrator and county board.

10. Perform other functions necessary to manage, operate, maintain and improve programs.

11. Comply with state requirements.

12. Establish priorities in addition to those mandated by the department.

13. Determine the number and location of outstations when appropriate to meet service demands.

15. Evaluate services delivery.

16. Cooperate to the extent feasible with the school board, health planning agencies, law enforcement agencies, and other human service agencies, committees and planning bodies in the geographic area served by the county department of public welfare.

17. In consultation with the county board of public welfare, prepare:

a. Intermediate-range plans and budget.

b. Such other reports as are required by the secretary and the county board.

SECTION 837. 46.22 (4) (j) of the statutes is amended to read:

46.22 (4) (j) To submit a program plan and budget in accordance with s. 46.031 for services authorized in this section, except for the administration of and cost of aid granted under ss. 49.02, ~~49.03~~, 49.19 and 49.45 to 49.47. The approved plan and budget shall not exceed the available amount of funds.

SECTION 838. 46.22 (4) (L) of the statutes is amended to read:

46.22 (4) (L) To administer the long-term support community options program under s. 46.27, if the county board of supervisors designates as the administrative agency the county department of public welfare ~~as the administrative agency or the combination of the county department of public welfare and a combined community human services department created under s. 46.23 with the powers and duties specified under ss. 51.42 and 51.437.~~

SECTION 839. 46.22 (4) (m) of the statutes is amended to read:

46.22 (4) (m) To collect and transmit information to the department so that a federal energy assistance payment or weatherization services may be made to an eligible household; to receive applications from individuals seeking low-income energy assistance under s. 49.80 (4); to provide information on the income eligibility for weatherization of a recipient of low-income energy assistance to an entity with which the department contracts for provision of weatherization under sub. (9); and to receive a request, determine a correct payment amount, if any, and provide payment, if any, for emergency assistance under s. 49.80 (8).

SECTION 839m. 46.22 (4) (n) of the statutes is amended to read:

46.22 (4) (n) To establish a community work experience program under 42 USC 609 if the county so elects and if the county pays the administrative costs associated with the program that are not reimbursed by the federal government. Any person participating in a community work experience program in a county is an employe of that county for purposes of worker's compensation benefits only. A county operating a community work experience program shall assist a person under s. 49.19 (4) (ds) who is caring for a child whose age is more than 3 years but less than 6 years in obtaining child day care licensed under s. 48.65 (1) for the child.

SECTION 840. 46.22 (4) (p) and (q) of the statutes are created to read:

46.22 (4) (p) To make certification or referral of eligibles for state or federal works or other assistance programs, eligibility for which is based on need.

(q) To administer general relief under s. 49.02.

SECTION 841. 46.22 (5) (a) 2 of the statutes is amended to read:

46.22 (5) (a) 2. State institutions. Mendota mental health institute, Winnebago mental health institute, university of Wisconsin hospital and clinics, center for the developmentally disabled, ~~central state hospital~~ and Ethan Allen school.

SECTION 842. 46.22 (5) (am) of the statutes is amended to read:

46.22 (5) (am) Paragraph (a) does not authorize the county department of public welfare to make investigations regarding admission to or release from the Waupun correctional institution, the ~~correctional institutions authorized under s. 46.05~~ Columbia correctional institution, the Menomonee Valley correctional institution, the Oshkosh correctional institution, the Green Bay correctional institution, the Dodge correctional institution, the Taycheedah correctional institution, county houses of correction, jails, detention homes or reforestation camps.

SECTION 843. 46.22 (5) (b) of the statutes is repealed.

SECTION 844. 46.22 (5) (f) of the statutes is amended to read:

46.22 (5) (f) ~~To make certification or referral of eligibles for state or federal works or other assistance programs, eligibility for which is based on need, when designated to perform such certification or referral services, and to certify eligibility for and distribute surplus commodities and foodstuffs.~~

SECTION 844m. 46.23 (title) of the statutes is amended to read:

**46.23 (title) Community human services department.**

SECTION 845. 46.23 (1) of the statutes is amended to read:

46.23 (1) INTENT. The intent of this section is to enable and encourage counties to develop and make available to all citizens of this state a comprehensive range of human services in an integrated and efficient manner; to utilize and expand existing governmental, voluntary and private community resources for the provision of services to prevent or ameliorate social, mental and physical disabilities; to provide for the integration of administration of those services and facilities organized under this section through the establishment of a unified ~~governing administrative structure and of a unified policy-making board of directors~~ body; and to authorize state consultative services, reviews and establishments of standards and grants-in-aid for such programs of services and facilities.

SECTION 845m. 46.23 (2) (intro.) of the statutes is amended to read:

46.23 (2) DEFINITIONS. (intro.) ~~In~~ Except as otherwise provided, in this section:

SECTION 846m. 46.23 (2) (a) of the statutes is amended to read:

46.23 (2) (a) "Board" means the community human services ~~governing and policymaking board of directors~~ department established under sub. (3) (a), except that in the term "community human services board", "board" means a community human services board appointed under sub. (4) (a).

SECTION 847. 46.23 (2) (c) of the statutes is amended to read:

46.23 (2) (c) "Director" means the ~~director appointed by the board with the approval of the county board or boards of supervisors. The county board or boards of supervisors may delegate this authority to the board established under this section~~ individual appointed to administer a program established under this section.

SECTION 848. 46.23 (2) (d) of the statutes is amended to read:

46.23 (2) (d) "Human services" means the total range of services to people including, but not limited to, health care, mental illness treatment, developmental disabilities services, general relief, income maintenance, probation and parole services, alcohol and drug abuse services, services to children, youth and aging, family counseling, exceptional educational services and manpower services.

SECTION 849m. 46.23 (3) (title), (a) and (b) of the statutes are amended to read:

46.23 (3) (title) COMMUNITY HUMAN SERVICES DEPARTMENT ESTABLISHMENT. (a) Upon approval by the secretary of a feasibility study and a program implementation plan, the county board of supervisors of any county, or the boards of supervisors of one or more contiguous counties may, by resolution of the county boards of supervisors, establish a ~~board~~ community human services department on a county, or multicounty or sub-county basis ~~having the composition, powers and duties provided in subs. (4) and (5) to provide the services required under this section.~~

(b) The county boards of supervisors shall review and approve the overall plan, program and budgets proposed by the ~~board~~ community human services department.

SECTION 849t. 46.23 (4) (title) of the statutes is amended to read:

46.23 (4) (title) COMMUNITY HUMAN SERVICES BOARD ORGANIZATION, APPOINTMENT, COMPOSITION AND TERMS OF MEMBERS.

SECTION 850m. 46.23 (4) (a) of the statutes is renumbered 46.23 (4) (a) 1 and amended to read:

46.23 (4) (a) 1. ~~The~~ Except as provided under subd. 2, the county board or boards of supervisors of any county or combination of counties establishing ~~or administering a program~~ a community human service department under sub. (3) (a) shall, before qualification under this section, appoint a governing and policy-making board of directors to be known as the community human services board.

SECTION 851m. 46.23 (4) (a) 2 of the statutes is created to read:

46.23 (4) (a) 2. In any county which has a county executive or county administrator and which has established a community human services department under sub. (3) (a), but not in combination with another county, the county executive or county administrator shall appoint, subject to confirmation by the county board, the community human services board, which shall be only a policy-making body determining the board outlines and principles governing the administration of programs under this section. A member of a community human services board appointed under this subdivision may be removed by the county executive or county administrator for cause.

SECTION 851t. 46.23 (4) (b) of the statutes is amended to read:

46.23 (4) (b) In any county or any combination of counties, the community human services board shall be composed of not less than 7 nor more than 15 persons of recognized ability and demonstrated interest in human services. Not less than one-third nor more than two-thirds of the community human services board members may be members of the county board of supervisors. The remainder of the community human services board members shall be consumers of services or citizens-at-large. No public or private provider of services may be appointed to the community human services board.

SECTION 852. 46.23 (4) (d) of the statutes is amended to read:

46.23 (4) (d) ~~Board members~~ Members of a community human services board shall serve for terms of 3 years, so arranged that as nearly as practicable, the terms of one-third of the members shall expire each year. Vacancies shall be filled in the same manner as the original appointments. ~~Any~~ Except as provided under sub. (4) (a) 2, any community human services board member may be removed from office for cause by a two-thirds vote of each county board participating in the appointment, on due notice in writing and hearing of the charges against the member.

SECTION 853m. 46.23 (5) (title) of the statutes is amended to read:

46.23 (5) (title) POWERS AND DUTIES OF BOARD IN CERTAIN COUNTIES.

SECTION 853s. 46.23 (5) (a) of the statutes is renumbered 46.23 (3m) and amended to read:

46.23 (3m) (title) TRANSFER OF POWERS AND DUTIES. The powers and duties of ~~boards~~ any county department that are ~~is~~ integrated into a community human services board ~~department established under this section~~ transfer to the community human services board department, including the powers and duties specified in ss. 46.22, 49.51, 51.42 and 51.437. The county board or boards of supervisors creating the community human services ~~board~~ department may also transfer to the community human services ~~board~~ department the powers and duties of a county unit created by the county board exercising its authority under s. 59.025 (3)-(a), of a board of health created or health officer appointed under s. 140.09 or of a county health commission or committee created under s. 141.01 or may transfer the operation of any other human services programs under county control.

SECTION 853w. 46.23 (5) (a) of the statutes is created to read:

46.23 (5) (a) In this subsection, "board" means a community human services board appointed under sub. (4) (a) 1.

SECTION 853y. 46.23 (5) (b) and (c) of the statutes are renumbered 46.23 (3) (am) and (ar) and amended to read:

46.23 (3) (am) The ~~board~~ community human services department shall prepare a local plan for the delivery of human services which includes an inventory of all existing resources, identifies needed new resources and services and contains a plan for meeting the health, mental health and social needs of individuals and families. The plan shall be based on an annual need survey of the prevalence and incidence of the various disabilities within the geographic boundaries of the ~~board~~ community human services department. The plan shall also include the establishment of long-range goals and intermediate-range plans, detailing priorities and estimated costs and providing for coordination of local services and continuity of care.

(ar) Prior to adoption of the plan by the ~~board~~ community human services department under par. (am), it shall hold a public hearing on the plan. As far as practicable, the ~~board~~ community human services department shall annually publish or otherwise circulate notice of its proposed plan and afford interested persons opportunity to submit data or views orally or in writing.

SECTION 854. 46.23 (5) (d) 7 of the statutes is amended to read:

46.23 (5) (d) 7. Shall appoint a ~~program~~ director on the basis of recognized and demonstrated interest in and knowledge of human services problems, with due regard to training, experience, executive and administrative ability and general qualification and fitness for the performance of the duties of the director. Such appointment shall be subject to the personnel policies and procedures established by the county board or boards of supervisors establishing such board.

SECTION 855. 46.23 (5) (d) 10 of the statutes is amended to read:

46.23 (5) (d) 10. May recommend to the county board or boards of supervisors the removal of the ~~program~~ director for cause. ~~The, and the~~ county board or boards of supervisors may remove the director for cause by a two-thirds vote of each such county, on due notice in writing and hearing of the charges against the director.

SECTION 855g. 46.23 (5m) of the statutes is created to read:

46.23 (5m) POWERS AND DUTIES OF BOARD IN CERTAIN COUNTIES WITH A COUNTY EXECUTIVE OR COUNTY ADMINISTRATOR. (a) In this subsection "board" means a community human services board appointed under sub. (4) (a) 2.

(b) The board shall:

1. Appoint committees consisting of residents of the county to advise the board as it deems necessary.
2. Recommend program priorities, identify unmet service needs and prepare short-term and long-term

plans and budgets for meeting such priorities and needs.

3. Prepare, with the assistance of the director, a program plan and budget for submission to the county executive or county administrator in accordance with s. 46.031 for authorized services in the form and manner prescribed by the department.

4. Conduct a public hearing on the program plan and budget prepared under subd. 3 and report the results of the public hearing to the county executive or county administrator and county board.

5. Advise the director regarding purchasing and providing services and the selection of purchase of service vendors, and make recommendations to the county executive or county administrator regarding modifications in such purchasing, providing and selection.

6. Develop board operating procedures.

7. Comply with state requirements.

8. Assist in arranging cooperative working agreements with persons providing health, education, vocational or welfare services related to services provided under this section.

SECTION 855m. 46.23 (6) (title) of the statutes is amended to read:

46.23 (6) (title) POWERS AND DUTIES OF DIRECTOR IN CERTAIN COUNTIES.

SECTION 855p. 46.23 (6) (a) of the statutes is renumbered 46.23 (6) (am).

SECTION 855t. 46.23 (6) (a) of the statutes is created to read:

46.23 (6) (a) In this subsection, "director" means a director appointed under sub. (5) (d) 7.

SECTION 856. 46.23 (6) (b) (intro.) of the statutes is amended to read:

46.23 (6) (b) (intro.) In consultation with the community human services board and subject to its approval, the director shall prepare:

SECTION 857. 46.23 (6) (c) (intro.) of the statutes is amended to read:

46.23 (6) (c) (intro.) The director shall make recommendations to the community human services board for:

SECTION 858. 46.23 (6m) of the statutes is created to read:

46.23 (6m) DIRECTOR IN CERTAIN COUNTIES WITH A COUNTY EXECUTIVE OR COUNTY ADMINISTRATOR. In any county with a county executive or county administrator in which the county board has established a community human services department under sub. (3) (a), but not in combination with another county, the county executive or county administrator shall appoint the director. The appointment is subject to confirmation by the county board unless the county board, by ordinance, elects to waive confirmation or

unless the appointment is made under a civil service system competitive examination procedure established under s. 59.07 (20) or ch. 63. Such director, subject only to the supervision of the county executive or county administrator, shall:

(a) Supervise and administer any program established under this section.

(b) Determine administrative and program procedures.

(c) Determine, subject to county board approval and with the advice of the community human services board, whether services are to be provided directly by the county agency or contracted for with other providers and make such contracts.

(e) Assist the community human services board in the preparation of the program plan and budget required under s. 46.031.

(f) Make recommendations to the county executive or county administrator regarding modifications to the program plan and budget prepared by the community human services board under sub. (5m) (b) 3.

(g) Evaluate service delivery.

(h) After consultation with the community human services board, allocate services among service recipients to reflect the availability of limited resources.

(i) Establish salaries and personnel policies of the program subject to approval of the county executive or county administrator and the county board.

(j) Perform other functions necessary to manage, operate, maintain and improve programs.

(k) Comply with state requirements.

SECTION 859. 46.23 (7) (a) of the statutes is renumbered 46.23 (7) (a) 1 and amended to read:

46.23 (7) (a) 1. The Except as provided under subd. 2, the secretary may, with the approval of the designated board, delegate any duty, authority or responsibility vested in the department relative to any program or service provided by the state on July 31, 1975, to any board which has an approved plan in effect for the affected program or service. The authority granted under this section shall include the authority to transfer to a board that portion of any unexpended appropriation which represents a savings to the department by virtue of the assumption by the board of the duty, authority or responsibility as delegated.

SECTION 860. 46.23 (7) (a) 2 of the statutes is created to read:

46.23 (7) (a) 2. In any county with a county executive or a county administrator which has established a community human services department under sub. (3) (a), but not in combination with another county, the delegation by the secretary under subd. 1 shall be subject to the approval of the county board, not the designated board.

SECTION 861m. 46.25 (1) of the statutes is amended to read:

46.25 (1) There is created a child and spousal support and establishment of paternity and medical liability support program in the department. The purpose of this program is to establish paternity when possible, to enforce support obligations owed by parents to their children and maintenance obligations owed to spouses or former spouses with whom the children reside ~~and~~, to locate persons who are alleged to have taken their child in violation of s. 946.71 or 946.715 or of similar laws in other states, and to locate and value property of any person having a support duty. To accomplish the objectives of ~~the~~ this program and of other assistance programs under ch. 49, county and state agencies will cooperate with one another to implement a child and spousal support and paternity establishment program in accordance with state and federal laws, regulations and rules and to assure proper distribution of benefits of all assistance programs authorized under ch. 49.

SECTION 862. 46.25 (2) of the statutes is amended to read:

46.25 (2) The department shall constitute the state location service which shall assist in locating parents who have deserted their children and other persons liable for support of dependents or persons who are alleged to have taken their child in violation of s. 946.71 or 946.715. ~~The department may request and shall receive any information which is appropriate and necessary for the state location service available from the records of all departments, boards, bureaus or other agencies of this state and the same shall provide such information as is necessary for this purpose within 7 days of such request. The department or county child and spousal support agency may make such information available only to those officials as defined by state or federal law, agencies of this state, other states and political subdivisions of this state and other states seeking to locate parents who have deserted their children or taken them in violation of s. 946.71 or 946.715. This information may be given to them only upon their assurance that it will be used solely in connection with their official duties. Disclosure of information under this subsection shall comply with s. 402 (a) (9) of the social security act, as amended (42 USC 602 (a) (9)) or of similar laws in another state, and in locating and valuing property of any person having a support duty.~~

SECTION 863. 46.25 (2m) of the statutes is created to read:

46.25 (2m) The department may request from any person any information it determines appropriate and necessary for the administration of this section, ss. 49.19, 49.46 and 49.47 and programs carrying out the purposes of 7 USC 2011 to 2029. Any person in this state shall provide this information within 7 days after receiving a request under this subsection. The department or the county child and spousal support agency may disclose information obtained under this subsection.

tion only in the administration of this section, ss. 49.19, 49.46 and 49.47 and programs carrying out the purposes of 7 USC 2011 to 2029.

SECTION 864. 46.25 (7) of the statutes is amended to read:

46.25 (7) The department may represent the state or any individual in any action to establish paternity or to establish or enforce a support or maintenance obligation. The department may delegate its authority to represent the state or any individual in any action to establish paternity or to establish or enforce a support or maintenance obligation under this section to the district attorney, or corporation counsel when authorized by county board resolution, pursuant to a contract entered into under s. 59.07 (97). The department shall ensure that any such contract is for an amount reasonable and necessary to assure quality service. The department may, by such a contract, authorize a county to contract with any attorney, collection agency or other person to collect unpaid child support or maintenance. If a county fails to fully implement the programs under s. 59.07 (97), the department may implement them and may contract with any appropriate person to obtain necessary services. The department shall establish a formula for disbursing funds appropriated under s. 20.435 (4) (p) to carry out a contract under this subsection.

SECTION 865. 46.25 (9) (intro.) of the statutes is created to read:

46.25 (9) (intro.) The department:

SECTION 866. 46.25 (10) (c) of the statutes is created to read:

46.25 (10) (c) The department may expend \$22,500 in fiscal year 1985-86 and \$22,500 in fiscal year 1986-87 from the appropriation under s. 20.435 (4) (de) to pay counties for the costs of processing immediate income withholding, pursuant to agreements entered into under par. (a) 1. The department shall develop a plan for allocating those moneys among counties with which the department enters into agreements.

SECTION 867. 46.257 of the statutes is created to read:

**46.257 Child support supplement program.** (1) The purposes of the child support supplement program include the following:

- (a) Improving the financial well-being of children.
- (b) Providing financial support to children with one or more noncustodial parents.
- (c) Reinforcing parental responsibility for child support.
- (d) Testing alternative procedures for providing child support and aid to families with dependent children.

(2) The department may initiate a child support supplement program under which a custodian of a minor child who receives inadequate child support

from his or her parent or parents may obtain a supplemental payment from public funds on behalf of the minor child.

(3) Under this program, the department may enter into agreements with counties under which the state or the county pays a child support supplement payment to a participating custodian of a minor child in that county who does not receive adequate child support, as determined according to the plan established by the department under sub. (6) (c).

(4) The state may not pay any supplemental payment under sub. (3) or any county's costs of administering the child support supplement program unless the state obtains federal financial participation in that program.

(5) (a) Any supplemental payment received by a custodian from the state or county under sub. (3) is unearned income under s. 49.046, 49.19 or 49.20.

(b) If a person would be eligible for aid to families with dependent children if he or she did not receive a child support supplement payment, receipt of that payment does not affect that person's eligibility for benefits under s. 49.46.

(6) To carry out the purpose of this section, the department shall:

(a) Establish a formula to determine the amount of the child support supplement. This formula shall be based on the number of children in the custody of the custodian.

(b) Establish a formula to determine when the state or county may obtain a contribution from a custodian who receives a child support supplement payment.

(c) At least 60 days before first entering into an agreement with a county under sub. (3), submit to the joint committee on finance a plan describing the formulas under pars. (a) and (b), the proposed methods of evaluating the impact and engaging in a cost-benefit analysis of the child support program, the proposed methods of administering and modifying the child support supplement program and the number of counties entering into agreements. The joint committee on finance shall review and approve, modify or disapprove the plan. If the joint committee on finance approves the plan as submitted by the department or as modified by the joint committee, the department may implement the plan.

(d) No later than January 1, 1989, submit to the governor and to the presiding officer of each house of the legislature a report evaluating the impact and providing a cost-benefit analysis of the child support supplement program.

(7) Supplemental payments under this section shall be paid from the appropriations under s. 20.435 (4) (d) and (p).

(8) This section applies from October 1, 1986 to September 30, 1994.

SECTION 868. 46.26 (3) (b) of the statutes is repealed.

SECTION 869. 46.26 (3) (c) of the statutes is amended to read:

46.26 (3) (c) ~~Beginning January 1, 1984, and ending June 30, 1985, and within~~ Within the limits of the appropriations under s. 20.435 (4) (cd) and (oo), ~~each county shall receive an amount allocated by the department under 1983 Wisconsin Act 27, section 2020 (6m) shall allocate funds to each county for services under this section.~~

SECTION 869m. 46.26 (3) (cm) of the statutes is created to read:

46.26 (3) (cm) Beginning May 1, 1986, the annual base allocation under this section shall reflect the cost of care, services and supplies purchased or provided by the department for persons who have attained 18 years of age but have not attained 19 years of age and who are subject to an order under s. 48.34 (4m). Beginning May 1, 1986, and ending December 31, 1986, 2.43831% of the total base allocation under this section in the state shall reflect the costs described in this paragraph. In each subsequent calendar year, 3.68172% of the total base allocations under this section in the state shall reflect the costs described in this paragraph. A county's base allocation is modified to reflect the costs described if the county, in calendar years 1983 and 1984, had an average rate under sub. (4) (a) for billings or deductions of over \$10,000 per year for the care, services and supplies purchased or provided by the department for persons who had attained 18 years of age but had not attained 19 years of age and who were subject to an order under s. 48.34 (4m). Each such county's percentage of the 2.43831% in 1986 or 3.68172% in any subsequent calendar year equals the amount so billed or deducted for that county divided by the amount so billed or deducted for all counties whose average yearly rate exceeded \$10,000. Counties whose base allocations are not modified under this paragraph may make claims under par. (f).

SECTION 870. 46.26 (3) (d) of the statutes is amended to read:

46.26 (3) (d) In addition to the funds allocated under ~~pars. (b) and par. (c)~~, the department shall allocate funds to counties under sub. (4) (b) 2 and shall consider each county's proportionate use of applicable departmental services under s. 48.34 during previous calendar years.

SECTION 870m. 46.26 (3) (f) of the statutes is created to read:

46.26 (3) (f) Beginning May 1, 1986, and ending December 31, 1986, in addition to the funds allocated under par. (c), the department shall allocate \$65,400 for counties whose base allocations are not modified under par. (cm) to reimburse those counties for costs described under par. (cm). In each subsequent calen-

dar year, in addition to the funds allocated under par. (c), the department shall allocate \$100,000 for counties whose base allocations are not modified under par. (cm) to reimburse those counties for costs described under par. (cm). Counties covered under this paragraph shall make claims to the department for allocations under this paragraph. If claims exceed the amounts available, the department shall prorate the amount in accordance with the percentage of claims attributable to each county. If claims are for less than the amount available, the department shall allow the counties covered under par. (cm) to make claims for the surplus amount and the department shall prorate the amount in accordance with the percentage of claims attributable to each county.

SECTION 871. 46.26 (4) (b) 1 of the statutes is amended to read:

46.26 (4) (b) 1. Assessment of costs under par. (a) shall be made periodically on the basis of a per person per day cost estimate adjusted at least annually by the department. Liability shall apply to county public welfare or social service departments established under s. 46.22, 46.23 or 49.51 in the county of the court exercising jurisdiction under ch. 48 for each person receiving department services under ss. 48.34 and 51.35 (3). In multicounty court jurisdictions, the county of residency within the jurisdiction shall be liable for costs under this subsection. Assessment of costs under par. (a) shall also be made according to the general placement type or level of care provided, as defined by the department, and prorated according to the ratio of the amount designated under sub. (3) ~~(b) to (c) and (d)~~ to the total applicable estimated costs of department care, services and supplies under ss. 48.34 and 51.35 (3).

SECTION 872. 46.26 (4) (b) 2 of the statutes is amended to read:

46.26 (4) (b) 2. If there is an ~~annual~~ increase in the per person daily cost assessment, there shall be an increase in the total funds available to all counties under sub. (3) (d) to cover increases for state charges under par. (a).

SECTION 873m. 46.26 (4) (d) 2 of the statutes is amended to read:

46.26 (4) (d) 2. Beginning July 1, ~~1983~~ 1985, and ending December 31, ~~1983~~ 1985, the per person daily cost assessment to counties shall be ~~\$80.22~~ \$90.24 for care in a juvenile correctional institution, ~~\$80.22~~ \$90.18 for care for children transferred from a juvenile correctional institution under s. 51.35 (3), ~~\$82.69~~ \$87.35 for care in a child caring institution, ~~\$56.40~~ \$58.51 for care in a group home for children, ~~\$18.21~~ \$20.08 for care in a foster home and ~~\$3.94~~ \$4.47 for departmental aftercare services.

SECTION 874m. 46.26 (4) (d) 3 of the statutes is amended to read:

46.26 (4) (d) 3. In calendar year ~~1984~~ 1986, the per person daily cost assessment to counties shall be ~~\$81.69~~ \$91.93 for care in a juvenile correctional institution, ~~\$81.69~~ \$91.87 for care for children transferred from a juvenile correctional institution under s. 51.35 (3), ~~\$86.91~~ \$90.87 for care in a child caring institution, ~~\$57.88~~ \$61.49 for care in a group home for children, ~~\$19.12~~ \$20.08 for care in a foster home and ~~\$4.03~~ \$4.71 for departmental aftercare services.

SECTION 875m. 46.26 (4) (d) 4 of the statutes is amended to read:

46.26 (4) (d) 4. Beginning January 1, ~~1985~~ 1987, and ending June 30, ~~1985~~ 1987, the per person daily cost assessment to counties shall be ~~\$83.92~~ \$93.59 for care in a juvenile correctional institution, ~~\$83.92~~ \$93.54 for care for children transferred from a juvenile correctional institution under s. 51.35 (3), ~~\$91.37~~ \$94.52 for care in a child caring institution, ~~\$59.34~~ \$64.62 for care in a group home for children, ~~\$20.08~~ for care in a foster home and ~~\$4.15~~ \$4.97 for departmental aftercare services.

SECTION 876r. 46.265 of the statutes is created to read:

**46.265 Diversion of youth from gang activities.** The department may enter into a contract with an organization to provide services in a county having a population of 500,000 or more for the diversion of youths from gang activities into productive activities, including placement in appropriate educational, recreational and employment programs. Notwithstanding s. 16.75, the department may enter into a contract under this section without soliciting bids or proposals and without accepting the lowest responsible bid or offer.

SECTION 876s. 46.27 (1) (a) of the statutes is renumbered 46.27 (1) (ar).

SECTION 876t. 46.27 (1) (a) of the statutes is created to read:

46.27 (1) (a) "Alzheimer's disease" has the meaning given under s. 46.87 (1) (a).

SECTION 876u. 46.27 (1) (ag) of the statutes is created to read:

46.27 (1) (ag) "Caregiver" has the meaning given under s. 46.87 (1) (b).

SECTION 877m. 46.27 (1) (cm), (d), (dm) and (e) of the statutes are created to read:

46.27 (1) (cm) "Recuperative care" has the meaning given under s. 50.01 (5m).

(d) "Residence" means the voluntary concurrence of physical presence with intent to remain in a place of fixed habitation. Physical presence shall be prima facie evidence of intent to remain.

(dm) "Respite care" has the meaning given under s. 50.01 (6g).

(e) "Voluntary" means according to a person's free choice, if competent, or by choice of a guardian, if incompetent.

SECTION 878. 46.27 (2) (g) of the statutes is created to read:

46.27 (2) (g) After December 31, 1985:

1. Require that a county, by use of a form provided by the department or other appropriate procedure, ensure that persons receiving services under this section meet the eligibility requirements for the program.

2. Periodically monitor the implementation of the program.

SECTION 878m. 46.27 (2) (h) of the statutes is created to read:

46.27 (2) (h) Promulgate rules to adopt a long-term community support service fee schedule as part of the uniform fee schedule under s. 46.03 (18) that is substantially similar to the fee calculation schedule existing on January 1, 1985, that was developed as a part of the guidelines required under par. (d).

SECTION 879. 46.27 (2m) of the statutes is created to read:

46.27 (2m) REIMBURSEMENT DISALLOWANCES. The department may disallow reimbursement under this section for services provided to persons who do not meet the eligibility requirements.

SECTION 880m. 46.27 (3) (b) 1 to 3 of the statutes are amended to read:

46.27 (3) (b) 1. A county department of social services or public welfare;

2. A combined ~~community services board with the powers and duties specified in ss. 51.42 and department under s. 51.437;~~ (5) (b).

3. A community human services ~~board~~ department created under s. 46.23; ~~or.~~

SECTION 881m. 46.27 (3) (b) 5 of the statutes is created to read:

46.27 (3) (b) 5. The departments under subs. 1 and 2 jointly, if the county long-term support planning committee develops no more than one annual community options plan under sub. (4).

SECTION 882. 46.27 (3) (e) of the statutes is amended to read:

46.27 (3) (e) After implementing the program for 12 months ~~or after January 1, 1984, whichever is later,~~ and within the limits of state and federal funds allocated under sub. (7), provide noninstitutional community alternatives for a significant number of persons in each of the groups listed in sub. (4) (a) 1 and eligible under sub. (6). The department shall determine what constitutes a "significant number of persons" for each participating county, based on county size and on the statewide proportion of persons from each group receiving medical assistance in a nursing home or state center for the developmentally disabled.



SECTION 882s. 46.27 (3) (h) of the statutes is created to read:

46.27 (3) (h) Identify the service needs of victims of Alzheimer's disease and of their caregivers.

SECTION 882sm. 46.27 (4) (c) 7 of the statutes is created to read:

46.27 (4) (c) 7. A description of services and programs to be provided to meet the needs of victims of Alzheimer's disease.

SECTION 882t. 46.27 (5) (d) 3 of the statutes is amended to read:

46.27 (5) (d) 3. Use funds received under this paragraph to pay for long-term community support services for persons who are eligible under sub. (6) (b).

SECTION 883. 46.27 (5) (e) of the statutes is amended to read:

46.27 (5) (e) Within the limits of state and federal funds allocated under sub. (7) and in accordance with the county's plan for gradual implementation and the requirements under sub. (6) (a) 3, apply the program to any person residing in a nursing home or state center for the developmentally disabled who wants to be assessed and to receive long-term community support services, and coordinate the program with the protective services system under ch. 55.

SECTION 883b. 46.27 (5) (f) of the statutes is created to read:

46.27 (5) (f) Implement the long-term community support service fee schedule under par. (g).

SECTION 883d. 46.27 (5) (g) of the statutes is created to read:

46.27 (5) (g) Assess a person who receives services under par. (b) at least 50% of the amount specified under the fee calculation schedule under par. (f) for the services provided that person.

SECTION 883m. 46.27 (5) (h) of the statutes is created to read:

46.27 (5) (h) Within the limits of state and federal funds allocated under sub. (7) and in accordance with the county's plan for gradual implementation, apply the program to any person who has been diagnosed by a physician as having Alzheimer's disease, who meets the level of care requirements under sub. (6r) (d) and who wants to be assessed and to receive long-term community support services.

SECTION 884. 46.27 (6) (a) 1. b of the statutes is amended to read:

46.27 (6) (a) 1. b. A Before January 1, 1986, a state center for the developmentally disabled for extended care placement, or to the Wisconsin veterans home at King, if the person's county of residence is participating in this program.

SECTION 885. 46.27 (6) (a) 1. bm of the statutes is created to read:

46.27 (6) (a) 1. bm. After December 31, 1985, a state center for the developmentally disabled for extended care placement, or to the Wisconsin veterans home at King.

SECTION 886. 46.27 (6) (a) 2. (intro.) of the statutes is amended to read:

46.27 (6) (a) 2. (intro.) ~~The requirement for an assessment under the program~~ Subdivision 1 does not apply to:

SECTION 887. 46.27 (6) (a) 2. c of the statutes is amended to read:

46.27 (6) (a) 2. c. Private pay patients seeking admission to or about to be admitted to a facility under subd. 1 who are informed about the program but waive the assessment, unless the patient will be eligible for medical assistance within 6 months of assessment.

SECTION 888. 46.27 (6) (a) 2. e of the statutes is created to read:

46.27 (6) (a) 2. e. Current residents of a nursing home or state center for the developmentally disabled who are eligible for an assessment under sub. (5) (e) and subd. 3, but who waive the assessment.

SECTION 889. 46.27 (6) (a) 2. f of the statutes is created to read:

46.27 (6) (a) 2. f. A person who enters a nursing home for recuperative care.

SECTION 889m. 46.27 (6) (a) 2. g of the statutes is created to read:

46.27 (6) (a) 2. g. A person who enters a nursing home for respite care.

SECTION 890. 46.27 (6) (a) 3 of the statutes is amended to read:

46.27 (6) (a) 3. In each participating county, assessments shall be conducted for those persons and in accordance with the procedures described in the county's community options plan. The county may elect to establish assessment priorities for persons in target groups identified by the county in its plan regarding gradual implementation. ~~The county may also elect to assess persons who are~~ On or before the date which is 36 months after the date upon which a county initially participates in the program or June 30, 1986, whichever is later, the county shall offer an assessment to any person who is eligible for medical assistance and who ~~are~~ is already admitted to a nursing ~~homes~~ home or state ~~centers~~ center for the developmentally disabled.

SECTION 891m. 46.27 (6) (c) 1 of the statutes is amended to read:

46.27 (6) (c) 1. If an assessment determines that nursing home care ~~is not~~ and community-based care are appropriate for a person who is eligible for medical assistance ~~or who will be eligible within 6 months~~ and if state or federal funds are available under sub. (7) (b) to support any needed noninstitutional services

for the person in the community, then medical assistance reimbursement is not available for nursing home services provided to the person. ~~An assessment determination that nursing home care is not appropriate supersedes a physician's plan of care authorizing nursing home care if the assessment determination includes review by a physician.~~ An aggrieved person may appeal the assessment decision under ss. 49.45 (5) and 49.50 (8).

SECTION 892. 46.27 (6g) of the statutes is created to read:

46.27 (6g) FISCAL RESPONSIBILITY. Within the limitations under sub. (7) (b), the fiscal responsibility of a county for an assessment, case plan or services provided to a person under this section is as follows:

(a) For a person seeking admission to or about to be admitted to a nursing home, the county in which the person has residence is the county of fiscal responsibility.

(b) For a person residing in a nursing home, the county in which the nursing home is located is the county of fiscal responsibility.

(c) For a person living in a nursing home whose legal residence is established in another county, the county in which the legal residence is established is the county of fiscal responsibility.

(d) For a person residing in a state facility under sub. (6) (a) 1. b, or for a person protectively placed under ch. 55, the county in which the person has residence before he or she enters the state facility or is protectively placed is the county of fiscal responsibility.

SECTION 893. 46.27 (6r) of the statutes is created to read:

46.27 (6r) ELIGIBILITY. No county may use funds received under sub. (7) (b) to pay for long-term community support services provided to any person who initially receives services under this section after December 31, 1985, unless one of the following applies:

(a) The person meets the level of care requirements under s. 49.45 (6m) (i) for reimbursement of nursing home care under the medical assistance program.

(b) The person has chronic mental illness, as defined under s. 51.01 (3g), affecting mental health to the extent that long-term or repeated hospitalization is likely unless the person receives long-term community support services.

(c) The person receives medical assistance, resides in a nursing home or a state center for the developmentally disabled immediately prior to receiving services under this section and is identified through the inspection of patient care under 42 USC 1396a (a) (31) as a person for whom community care is appropriate.

(d) The person has been diagnosed by a physician as having Alzheimer's disease and requires a level of care equivalent to either of the following:

1. Noninstitutional personal care, including personal assistance, supervision and protection, and periodic medical services and consultation with a registered nurse, or periodic observation and consultation for physical, emotional, social or restorative needs, but not regular nursing care.

2. Care, including social services and activity therapy, in a residential facility under the daily supervision of a licensed nurse with consultation from a registered nurse at least 4 hours per week.

SECTION 893d. 46.27 (7) (a) of the statutes is amended to read:

46.27 (7) (a) ~~From Before January 1, 1986, from the appropriation under s. 20.435 (4) (b), the department shall allocate funds to pay assessment and case plan costs under sub. (6) not otherwise paid under s. 46.032 or 49.45. The department shall reimburse counties for the cost of assessing persons eligible for medical assistance under s. 49.46 or 49.47 as part of the administrative services of medical assistance, payable under s. 49.45 (3) (a). Counties may use unspent funds allocated under this paragraph to pay the cost of long-term community support services.~~

SECTION 893h. 46.27 (7) (am) of the statutes is created to read:

46.27 (7) (am) After December 31, 1985, from the appropriation under s. 20.435 (4) (bd), the department shall allocate funds to pay assessment and case plan costs under sub. (6) not otherwise paid under s. 46.032 or 49.45. The department shall reimburse counties for the cost of assessing persons eligible for medical assistance under s. 49.46 or 49.47 as part of the administrative services of medical assistance, payable under s. 49.45 (3) (a). Counties may use unspent funds allocated under this paragraph to pay the cost of long-term community support services.

SECTION 893p. 46.27 (7) (b) 1 of the statutes is amended to read:

46.27 (7) (b) 1. ~~From Before January 1, 1986, from the appropriation under s. 20.435 (4) (b), the department shall allocate funds to pay the cost of providing long-term community support services under sub. (5) (b) to persons eligible for medical assistance under s. 49.46 or 49.47 or to persons whom the agency administering the program finds likely to become medically indigent within 6 months by spending excess income or assets for medical or remedial care. The average per person reimbursement under this paragraph may not exceed the state share of the average per person reimbursement rate the department expects under s. 49.45 (6m). The agency administering the program may spend funds received under this paragraph only in accordance with the case plan and service contract created for each person receiving long-term community support services.~~

SECTION 893t. 46.27 (7) (b) 1m of the statutes is created to read:

46.27 (7) (b) 1m. After December 31, 1985, from the appropriation under s. 20.435 (4) (bd), the department shall allocate funds to pay the cost of providing long-term community support services under sub. (5) (b) to persons eligible for medical assistance under s. 49.46 or 49.47 or to persons whom the agency administering the program finds likely to become medically indigent within 6 months by spending excess income or assets for medical or remedial care. The average per person reimbursement under this paragraph may not exceed the state share of the average per person reimbursement rate the department expects under s. 49.45 (6m). The agency administering the program may spend funds received under this paragraph only in accordance with the case plan and service contract created for each person receiving long-term community support services.

SECTION 894. 46.27 (7) (c) 1 of the statutes is amended to read:

46.27 (7) (c) 1. The department shall allocate funds under this subsection to each participating county. If, before January 1, 1986, a county elects to participate in the program for only part of a year, the department shall prorate the county's allocation for that year.

SECTION 894g. 46.27 (7) (f) of the statutes is created to read:

46.27 (7) (f) If the department determines that a county demonstrates a pattern of failure to serve clients whose cost of care significantly exceeds the average cost of care for long-term community support services provided under this section, the department may require that county to reserve a portion of funds allocated under this subsection for provision of service to those clients.

SECTION 894r. 46.27 (7) (g) of the statutes is created to read:

46.27 (7) (g) The department may carry forward up to \$500,000 of funds allocated under this subsection and not encumbered by counties by December 31 to the next state fiscal year. The department may transfer moneys within or between s. 20.435 (4) (b) or (bd) to accomplish this purpose. An allocation under this paragraph shall not affect a county's base allocation for the program. The department may allocate these transferred moneys during the next fiscal year to counties for the improvement or expansion of long-term community support services for clients whose cost of care significantly exceeds the average cost of care provided under this section, including any of the following:

1. Specialized training for providers of services under this section.
2. Start-up costs for developing needed services.
3. Home modifications.
4. Purchase of medical equipment or other specially adapted equipment.

SECTION 895. 46.27 (8) of the statutes is amended to read:

46.27 (8) COUNTY PARTICIPATION. ~~Any county may elect to participate in the program in 1984, subject to the condition that the total number of nursing home residents in all participating counties in 1984 may not exceed 75% of the state's nursing home population, excluding residents of state centers for the developmentally disabled. In 1985, any county may elect to participate in the program. In 1986, a county shall participate in and implement the program.~~

SECTION 896am. 46.27 (11) of the statutes is created to read:

46.27 (11) MEDICAL ASSISTANCE WAIVER. (a) On or before October 1, 1985, the department shall request a waiver from the secretary of the federal department of health and human services, under 42 USC 1396n (c), authorizing the department to provide as part of the medical assistance program home and community-based services for up to 1,000 persons at any one time who are eligible for long-term support community options program services under sub. (5) (b).

(b) The department shall include all assurances required under 42 USC 1396n (c) in its request.

(c) The following conditions apply under the waiver:

1. At the end of the 3-year period during which the waiver remains in effect the department may request a 3-year extension of the waiver.

2. The department shall annually submit to the secretary of the federal department of health and human services information showing the effect of the program on the type and amount of medical assistance provided and on the health and welfare of program participants.

3. Medical assistance reimbursement for services a county provides under this subsection shall be made from the appropriations under s. 20.435 (1) (o) and (4) (b) and (bd).

~~4. In state fiscal year 1985-86 and in state fiscal year 1986-87, the statewide average per person per month reimbursement for services provided under this subsection shall not exceed \$539.~~

**Vetoed  
in Part**

(d) This subsection applies on the date the secretary of the federal department of health and human services approves the waiver request submitted under par. (a). This subsection applies for 3 years following that date and, if the secretary of the federal department of health and human services approves an extension, shall apply for up to an additional 3 years.

SECTION 896b. 46.275 (3) (b) 2, 3 and 4 of the statutes are amended to read:

46.275 (3) (b) 2. A combined ~~community services board with the powers and duties specified in ss. 51.42 and department under s. 51.437~~ (5) (b).

3. A community human services board ~~created department established~~ under s. 46.23.

4. A community developmental disabilities services board ~~created department established~~ under s. 51.437.

SECTION 896c. 46.275 (4) (b) (intro.) of the statutes is amended to read:

46.275 (4) (b) (intro.) ~~A team composed jointly of departmental representatives and representatives of the~~ The department in conjunction with the county shall review any application for participation in the program as to eligibility and the appropriateness of planned services. The agency administering the program for the county in which the medical assistance recipient resides shall review any application for participation in the program. Reviews of all as to eligibility, except applications for relocation under sub. (3r) shall be by departmental representatives. No person may participate in the program unless all of the following occur:

SECTION 896d. 46.275 (4) (b) 1 of the statutes is amended to read:

46.275 (4) (b) 1. Consent for participation is given either by the person's parent, guardian or legal custodian, if the person is under age 18, or by the person or the person's guardian, if the person is age 18 or over. ~~If the person is under guardianship and subject to protective placement under s. 55.06 but the guardian does not consent to participation, the determination to participate in the program shall be made under s. 55.06. If the person is under age 18 and is not subject to s. 55.06 but the person's parent or guardian does not consent to participation, the determination to participate in the program shall be made under ss. 48.35 to 48.363, except that this subdivision does not limit the authority of the circuit court to enter, change, revise or extend a dispositional order under subch. VI of ch. 48 or to order a placement under s. 55.06.~~

SECTION 896f. 46.275 (4) (b) 4 of the statutes is renumbered 46.275 (4) (b) 3 and amended to read:

46.275 (4) (b) 3. The review team department determines that available home or community-based services are appropriate for that person.

SECTION 896h. 46.275 (4) (c) 2 of the statutes is amended to read:

46.275 (4) (c) 2. If a person who has been relocated from a state center for the developmentally disabled under this program seeks to return to the center within ~~90~~ 365 days after relocating because the person or the county agency administering the program, or the department under sub. (3r), finds that the services available are inappropriate, the center shall accept the person as a patient to fill the bed that the person vacated. After this ~~90-day~~ 365-day period, the person may only be readmitted into a bed not left vacant because of relocation under this section.

SECTION 896i. 46.275 (4) (e) of the statutes is repealed.

SECTION 896j. 46.275 (5) (a) 1 of the statutes is renumbered 46.275 (5) (a).

SECTION 896k. 46.275 (5) (a) 2 of the statutes is repealed.

SECTION 896L. 46.275 (5) (c) of the statutes is amended\* to read:

46.275 (5) (c) The total allocation under s. 20.435 (1) (b) and (o) to any county, or the department under sub. (3r), for services provided under this section may not exceed ~~\$\$\$~~ [\$55] ~~per person relocated under the program per day of relocation for fiscal year 1983~~ per person relocated under the program per day of relocation for fiscal year 1983-84 ~~and may not exceed \$56.38~~ and may not exceed \$56.38 ~~per person relocated under the program per day of relocation for fiscal year 1984-85~~ per person relocated under the program per day of relocation for fiscal year 1984-85 ~~1986-87.~~ The department shall request approval of these allocation amounts from the federal department of health and human services. If the federal department of health and human services approves a lesser allocation amount than that requested for approval, the allocation amount for services provided under this section per person relocated under the program per day of relocation for fiscal years 1985-86 and 1986-87 may not exceed the lesser amount so approved by the federal department of health and human services. A county may use funds received under this section only to provide services to persons who meet the requirements under sub. (4) and may not use unexpended funds received under this section to serve other developmentally disabled persons residing in the county.

Vetoed  
in Part

SECTION 896nc. 46.277 (title) and (1) of the statutes are amended to read:

**46.277 (title) Community integration program for persons relocated or meeting reimbursable levels of care.** (1) LEGISLATIVE INTENT. The intent of the program under this section is to ~~relocate persons from institutional settings, other than the state centers for the developmentally disabled, into appropriate community settings with the assistance of home and community-based care and with continuity of care provide home or community-based care to serve in a noninstitutional community setting a person who meets eligibility requirements under 42 USC 1396n (c) and is relocated from an institution other than a state center for the developmentally disabled or meets the level of care requirements for medical assistance reimbursement in a skilled nursing facility or an intermediate care facility, except that the number of persons who receive home or community-based care under this section is not intended to exceed the number of nursing home beds that are delicensed as part of a plan submitted by the facility and approved by the department.~~ The intent of the program is also that counties use all existing services for providing care under this

\* The veto of stricken text preserves that text.

section, including those services currently provided by counties.

SECTION 896nh. 46.277 (2) (intro.) of the statutes is amended to read:

46.277 (2) DEPARTMENTAL POWERS AND DUTIES. (intro.) The department may request a waiver from the secretary of the ~~U.S. federal~~ department of health and human services, under 42 USC 1396n (c), authorizing the department to integrate serve medical assistance recipients ~~who reside in facilities certified as medical assistance providers into, who meet the level of care requirements for medical assistance reimbursement in a skilled nursing facility or an intermediate care facility, in their communities by providing home and or community-based services as part of medical assistance.~~ The number of persons for whom the waiver is requested may not exceed the number of nursing home beds that are delicensed as part of a plan submitted by the facility and approved by the department. If the department requests a waiver, it shall include all assurances required under 42 USC 1396n (c) (2) in its request. ~~The department may request an extension to this waiver as provided in s. 46.275 (2).~~ If the department receives this waiver, it may request one or more 3-year extensions of the waiver under 42 USC 1396n (c) and shall perform the following duties specified in s. 46.275 (2) (a), (c) and (e) and shall:

SECTION 896p. 46.277 (2) (b) of the statutes is renumbered 46.277 (2) (d).

SECTION 896q. 46.277 (2) (b) and (c) of the statutes are created to read:

46.277 (2) (b) Fund home or community-based services provided by any county that meet the requirements of this section.

(c) To the maximum extent possible, authorize the provision of services under this section to serve persons, except those institutionalized in a state center for the developmentally disabled, in noninstitutional settings and coordinate application of the review criterion under s. 150.39 (5) with the services provided under this section.

SECTION 896rb. 46.277 (3) (a) of the statutes is amended to read:

46.277 (3) (a) ~~The provisions of s. Sections 46.27 (3) (b) and 46.275 (3) (a) and (c) to (e) apply to county participation in this program, except that services provided in the program shall substitute for care provided at a facility certified as a medical assistance provider a person in a skilled nursing facility or intermediate care facility who meets the level of care requirements for medical assistance reimbursement to that facility rather than for care provided at a state center for the developmentally disabled and except that the county board of supervisors may designate a county department of social services or public welfare as the agency that administers the program.~~ The number of persons who receive services provided by the program under

this paragraph may not exceed the number of nursing home beds that are delicensed as part of a plan submitted by the facility and approved by the department.

SECTION 896rh. 46.277 (3) (b) 1 of the statutes is amended to read:

46.277 (3) (b) 1. ~~Any facility certified as a medical assistance provider from which a patient is relocated in order to receive home or community-based services under the program. If the provision of services under this section results in a decrease in the statewide nursing home bed limit under s. 150.31 (3), the facility affected by the decrease shall submit a plan for closing delicensing all or part of the facility that is approved by the department.~~

SECTION 896rp. 46.277 (3) (b) 2 of the statutes is amended to read:

46.277 (3) (b) 2. Each county agency participating in the program shall provide ~~services to patients of any facility in the county who are relocated as a result of the facility's closing under subd. 1~~ home or community-based care to persons eligible under this section, except that the number of persons who receive home or community-based care under this section may not exceed the number of nursing home beds that are delicensed as part of a plan submitted by the facility and approved by the department.

SECTION 896t. 46.277 (4) of the statutes is renumbered 46.277 (4) (a) and amended to read:

46.277 (4) (a) Any medical assistance recipient ~~living in a facility certified as a medical assistance provider who meets the level of care requirements for medical assistance reimbursement in a skilled nursing facility or intermediate care facility~~ is eligible to participate in the program, except that the number of participants may not exceed the number of nursing home beds that are delicensed as part of a plan submitted by the facility and approved by the department. Such a recipient may apply, or any person may apply on behalf of such a recipient, for participation in the program. ~~The provisions of s. Section 46.275 (4) (b) apply~~ applies to participation in the program.

SECTION 896u. 46.277 (4) (b) of the statutes is created to read:

46.277 (4) (b) To the extent authorized under 42 USC 1396n, if a person discontinues participation in the program, a medical assistance recipient may participate in the program in place of the participant who discontinues if that recipient meets the level of care requirements for medical assistance reimbursement in a skilled nursing facility or intermediate care facility, except that the number of participants may not exceed the number of nursing home beds that are delicensed as part of a plan submitted by the facility and approved by the department.

SECTION 897. 46.28 (title) of the statutes is amended to read:

**46.28 (title) Revenue bonding and development subsidy for residential facilities.**

SECTION 897g. 46.28 (1) (a) of the statutes is amended to read:

46.28 (1) (a) "Authority" means the Wisconsin health facilities authority created under ch. 231 or the Wisconsin housing and economic development authority created under ch. 234.

SECTION 897m. 46.28 (1) (d) of the statutes is amended to read:

46.28 (1) (d) "Residential facility" means a living unit for the elderly or chronically disabled that is developed by a sponsor and that is not physically connected to a nursing home or hospital except by common service units for laundry, kitchen or utility purposes.

SECTION 897q. 46.28 (1) (e) of the statutes is amended to read:

46.28 (1) (e) "Sponsor" means a any of the following:

1. A nonprofit participating health institution, as defined in s. 231.01 (6), a,
2. A tribal council or housing authority or any nonprofit entity created by a tribal council, a nonprofit or limited profit agency or corporation, the,
3. The department, any board,
4. Any department created under s. 46.21, 46.22 (2), 46.23, 51.42 or 51.437-a,
5. A county commission on aging created under s. 59.07 (93) or any,
6. Any housing authority created under s. 59.075, 66.395, 66.40 or 66.4325.

SECTION 897s. 46.28 (1) (e) 7 of the statutes is created to read:

46.28 (1) (e) 7. Any housing corporation, limited-profit or nonprofit entity.

SECTION 897t. 46.28 (1) (e) 8 of the statutes is created to read:

46.28 (1) (e) 8. ~~With respect to a facility with more than 50 units, any other entity meeting criteria established by the authority and organized to provide housing for persons and families of low and moderate income.~~

Vetoed in Part

SECTION 898m. 46.28 (5) of the statutes is created to read:

Vetoed in Part

46.28 (5) The department and the authority may establish a development subsidy program to make residential facilities meeting the requirements of this subsection affordable to elderly or chronically disabled persons who are members of families whose annual income, as defined under 24 CFR 813.102, less payments received for community long-term support ser-

~~vices related to their disability, is not an amount which would disqualify the family as a very low income family, as defined under 24 CFR 813.102. The department and the authority may contract with a sponsor of a residential facility under this section to provide a development subsidy. Neither the department nor the authority may make grants under this subsection. If the sponsor does not comply with the terms of the contract, the department and the authority may terminate the subsidy under this subsection.~~

Vetoed in Part

SECTION 898t. 46.30 (1) (a) and (b) of the statutes are renumbered 46.30 (1) (b) and (c).

SECTION 898v. 46.30 (1) (a) of the statutes is created to read:

46.30 (1) (a) "Limited-purpose agency" means a private, nonprofit organization that is ~~one of the following~~:

Vetoed in Part

1. ~~A statewide organization whose project has statewide impact.~~
2. ~~An organization whose project is replicable in communities in the state.~~

Vetoed in Part

SECTION 898w. 46.30 (4) (a) of the statutes is amended to read:

46.30 (4) (a) The department shall allocate the federal community services block grant funds received under 42 USC 9903 and deposited in the appropriations under s. 20.435 (4) (mc) and (md) and the state supplement under s. 20.435 (4) (cv) as provided in this subsection.

SECTION 898x. 46.30 (4) (b) of the statutes is amended\* to read:

46.30 (4) (b) The department shall allocate at least 90% of the funds received under 42 USC 9903 to community action agencies ~~and [and] If organizations other than community action agencies are funded, the organizations shall include limited purpose agencies. The number of limited purpose agencies so funded shall include at least one organization that meets the definition under sub. (1) (a) 1. No limited purpose agency may be denied the opportunity to apply for this funding. Beginning January 1, 1986, the percentage of total funds allocated under this section for limited purpose agencies may not exceed the percentage of total funds allocated under this section for limited purpose agencies in the previous calendar year.~~

Vetoed in Part

SECTION 898y. 46.30 (4) (c) of the statutes is amended to read:

46.30 (4) (c) The department may not allocate more than 5% of the funds received under 42 USC 9903 for state administrative expenses.

SECTION 898z. 46.30 (4) (cm) of the statutes is created to read:

46.30 (4) (cm) The department shall allocate all of the funds under s. 20.435 (4) (cv) to community action agencies and organizations, including any of the 11

\* The veto of stricken text preserves that text.

federally recognized tribal governing bodies in this state and limited-purpose agencies in proportion to the share of funds actually allocated to these entities under 42 USC 9903.

SECTION 899. 46.70 (2) of the statutes is amended to read:

46.70 (2) From the appropriations under s. 20.435 (4) (dL) and (o), the department may make available to any of the 11 federally recognized tribal governing bodies in this state funds for the purposes stated in sub. (1), ~~except that beginning January 1, 1984, the department may make funds under this section available only to federally recognized tribal governing bodies that received funds under this section in calendar year 1983. Beginning January 1, 1983 1985, and ending December 31, 1983, each tribal governing body may apply to 1985, the department for may award to each tribal governing body up to \$25,000 \$26,000. Beginning January 1, 1984 1986, and ending December 31, 1984, each eligible tribal governing body may apply to 1986, the department for may award to each tribal governing body up to \$25,500 \$26,800. Beginning January 1, 1985 1987, and ending June 30, 1985, each eligible tribal governing body may apply to 1987, the department for may award to each tribal governing body up to \$13,000 \$13,800.~~ Receipt of funds is contingent upon department approval of the application. The department may partially approve any application and provide only part of the funds requested. Each application shall contain a plan for expenditure of funds, consistent with the purposes stated in sub. (1).

SECTION 899m. 46.73 of the statutes is created to read:

**46.73 Cancer reporting.** (1) Any hospital, as defined under s. 50.33 (2), any physician licensed under ch. 448, and any laboratory required to apply to the department for a certificate of approval under s. 143.15 (2) shall report information concerning any person diagnosed as having cancer or a precancerous condition to the department as prescribed by the department under sub. (2).

(2) The department shall prescribe:

(a) The form on which the report under sub. (1) shall be submitted.

(b) The time schedule under which the report under sub. (1) shall be submitted.

(c) The types of cancer and precancerous conditions to be reported under sub. (1).

(3) Any information reported to the department under sub. (1) which could identify any individual who is the subject of the report or the person submitting the report shall be confidential and may not be disclosed by the department except to the following:

(a) A central tumor registry in another state if the individual who is the subject of the information resides in the other state.

(b) A national tumor registry recognized by the department.

(4) The report of information under sub. (1) may not be construed as a violation of any person's responsibility for maintaining the confidentiality of patient health care records, as defined under s. 146.81 (4).

SECTION 901. 46.83 of the statutes is created to read:

**46.83 Health care for elderly persons.** (1) DEFINITIONS. In this section:

(a) "Eligible person" means a person who fulfills all of the following requirements:

1. Is 65 years of age or older and is eligible to receive federal medicare benefits under 42 USC 1395 to 1395xx.

2. Is not eligible to receive medical assistance because the person has an income which exceeds the amount specified under s. 49.47 (4) (c) 1.

3. Has an income of not more than 140% of the income poverty guidelines for the nonfarm population of the United States as prescribed by the federal office of management and budget under 42 USC 9902 (2).

(b) "Health maintenance organization" has the meaning given under s. 609.01 (2).

(2) DUTIES OF DEPARTMENT. (a) From the appropriation under s. 20.435 (1) (bs), the department shall establish a program to encourage eligible persons to enroll in health maintenance organizations.

(b) The department shall do all of the following:

1. Develop an application form, specifying the information an eligible person must provide, for use under sub. (3) (a).

2. Establish guidelines based on assets and income for use in determining the amounts that may be paid to a health maintenance organization on behalf of eligible persons.

3. Establish other necessary criteria for approval or denial of applications.

(3) APPLICATION. (a) An eligible person in an area selected under sub. (4) may apply to the department, on a form provided by the department, for a benefit under this section.

(b) The department shall review each application, and approve or deny the application based on the guidelines and criteria established under sub. (2) (b) 2 and 3. In determining the amount that will be paid, the department shall take into consideration the actual cost to the applicant of enrolling in a health maintenance organization. The department may pay all or any portion of the actual cost.

(c) If the department approves an application, it shall provide the eligible person with a voucher specifying the amount that the department will pay to a health maintenance organization on the person's behalf and the period of time during which the voucher remains in effect. That period may not begin before January 1, 1986, nor extend beyond June 30, 1987.

(4) PILOT PROGRAM. Based on the availability of federal funding for payments to health maintenance

organizations for medicare recipients under 42 CFR parts 405 and 417, the department shall determine the extent of the need for the program established under this section and, based upon the amount of the appropriation under s. 20.435 (1) (bs) and the costs of participation in health maintenance organizations in various areas of this state, shall select 2 or more areas served by more than one health maintenance organization in which residents who are eligible persons may participate in the program established under this section. The department shall determine the amount of the appropriation under s. 20.435 (1) (bs) that will be available for eligible persons in each area. The department may begin accepting applications on the effective date of this section .... [revisor inserts date]. No payments may be made before January 1, 1986.

(5) **STUDY.** The department shall study the impact of the program established under this section and of the federal program established under 42 CFR parts 405 and 417, including the utilization of inpatient care and treatment, outpatient care and treatment and prescription drugs by participants in the program or programs.

(6) **SUNSET.** (a) Subsections (1) to (4) do not apply after June 30, 1987.

(b) Subsection (5) does not apply after December 31, 1987.

**SECTION 901g.** 46.855 of the statutes is created to read:

**46.855 Alzheimer's disease; training and information grants.** From the appropriation under s. 20.435 (4) (bf), the department shall award a grant to a private nonprofit organization, as defined under s. 108.02 (19) to do all of the following:

(1) Provide training and technical assistance to the staff of county departments of public welfare and social services and departments created under s. 46.23, to the staff of administering agencies designated under s. 46.87 (3) (c) and to other providers of services to victims of Alzheimer's disease, as defined under s. 46.87 (1) (a).

(2) Develop training materials for educating persons who provide services to victims of Alzheimer's disease.

(3) Collect and disseminate information on Alzheimer's disease and coordinate public awareness activities related to the disease.

**SECTION 901r.** 46.87 of the statutes is created to read:

**46.87 Alzheimer's family and caregiver support program.** (1) In this section:

(a) "Alzheimer's disease" means a degenerative disease of the central nervous system characterized especially by premature senile mental deterioration, and also includes any other irreversible deterioration of intellectual faculties with concomitant emotional disturbance resulting from organic brain disorder.

(b) "Caregiver" means any person other than a paid provider who provides care for a person with Alzheimer's disease.

(2) From the appropriations under s. 20.435 (4) (b) and (o), the department shall allocate funds to agencies designated under sub. (3) (c), to be used for the administration and implementation of an Alzheimer's family and caregiver support program for victims of Alzheimer's disease and their caregivers.

(3) (a) A county board may apply to participate in the program created under this section by submitting to the department a letter of intent to participate which includes a description of the program and services related to Alzheimer's disease which the county board intends to provide.

(b) The department shall select counties to participate in the program on the basis of the criteria promulgated under sub. (7) (b).

(c) The county board for each county selected to participate shall designate one of the following as the administering agency for the program:

1. The county department of public welfare or social services under s. 46.22 or 49.51.

2. The department created under s. 51.42 or 51.437.

3. The department created under s. 46.23.

4. The county aging unit designated by the subunit of the department that administers programs for the aging under the federal older Americans act.

(4) If a county board does not submit an application under sub. (3) (a) by January 1, 1986, the department shall make that county's allocation available to a private nonprofit organization, as defined under s. 108.02 (18), to administer the program created under this section and shall select the organization according to the procedure established under sub. (7) (c). An organization selected as the administering agency under this subsection shall continue to be eligible to receive the county's allocation unless the county board subsequently submits to the department a letter of intent to participate and receives approval of its proposed program.

(5) The administering agency in each county may use the funds allocated to it to do any or all of the following:

(a) Provide services and goods to households that meet all of the following conditions:

1. At least one member of the household must be a person who has been diagnosed by a physician as having Alzheimer's disease.

2. Either the person with Alzheimer's disease or the person's caregiver resides in the county to which the household applies for participation in the program.

3. The total Wisconsin adjusted gross income, as defined under s. 71.02 (2) (i), of the household is \$40,000 or less, except that in determining household income the administering agency shall disregard any expenses attributable to the medical and other exceptional needs of the victim of Alzheimer's disease.



(b) Provide services and goods to victims of Alzheimer's disease living in residential facilities in the county who have a total Wisconsin adjusted gross income, as defined under s. 71.02 (2) (i), of \$40,000 or less, except that in determining income the administering agency shall disregard any expenses attributable to the person's medical and other exceptional needs.

(c) Contract with service providers to develop programs to serve victims of Alzheimer's disease outside of the home of the victim or the victim's caregiver.

(6) (a) For the purpose of distributing funds allocated under this section to households or individuals participating in the program, the administering agency shall determine all of the following:

1. The services and goods needed by the household to enable it to maintain the victim of Alzheimer's disease as a member of the household, or the services or goods needed by a victim of Alzheimer's disease living in a residential facility, and the cost of each service or good that is needed.

2. The ability of the household or of the person to pay for the services and goods identified under subd. 1, using as the basis for the determination the uniform fee schedule established by the department under s. 46.03 (18).

(b) An administering agency may pay to or expend on behalf of a participating household or individual person the cost of any goods and services identified under par. (a) 1, less the amounts the household or the person is able to pay, as determined under par. (a) 2, except that the amount paid or expended may not exceed \$4,000 in any 12-month period for each victim of Alzheimer's disease in the household or for an individual person living in a residential facility.

(8) The department shall collect and analyze information about victims of Alzheimer's disease who are served under this section.

SECTION 902. 46.95 (2) (e) of the statutes is amended to read:

~~46.95 (2) (e) Of the funds distributed under this section for fiscal year 1983-84, not less than 90% shall be used to continue funding domestic abuse services that currently receive state funds under this section. Of the funds distributed under this section for fiscal year 1984-85, not less than 95% shall be used to continue funding domestic abuse services that received state funds under this section during the previous fiscal year. For In funding new domestic abuse services, the department shall give preference to services in areas of the state where these services are not otherwise available. Any funds that are not spent under one category of this formula may be reallocated by the department to the other category.~~

SECTION 902m. 46.95 (3) of the statutes, as affected by chapter 111, laws of 1979, sections 5m and 18 (2) and 1983 Wisconsin Act 204, section 13, is repealed and recreated to read:

46.95 (3) COUNCIL ON DOMESTIC ABUSE. The council on domestic abuse shall:

(a) Review applications for grants under this section and advise the secretary as to whether the applications should be approved or denied. The council shall consider the criteria under sub. (2) (b) when reviewing the applications.

(b) Advise the secretary and the legislature on matters of domestic abuse policy.

(c) Develop with the judicial conference and provide without cost simplified forms for filing petitions for domestic abuse restraining orders and injunctions under s. 813.12.

SECTION 903. 46.96 (3) of the statutes is amended to read:

46.96 (3) From the amounts distributed under this section the department shall make grants to independent living centers that received state or federal funds designated for independent living centers in fiscal year 1982-83 in an amount up to \$607,900 in fiscal year 1983-84 and \$607,900 in fiscal year 1984-85 \$626,100 in fiscal year 1985-86 and \$644,900 in fiscal year 1986-87.

SECTION 903m. 46.96 (4) of the statutes is created to read:

46.96 (4) Beginning in fiscal year 1986-87, the department shall make a grant under sub. (2) for an independent living center to serve Ashland, Bayfield, Burnett, Douglas, Florence, Forest, Iron, Langlade, Lincoln, Marathon, Marinette, Menominee, Oconto, Oneida, Pierce, Sawyer, Shawano, Taylor, Vilas and Washburn counties. To the extent that funding allows, the department shall require the grant recipient to implement services in those counties over a 5-year period.

SECTION 904. 46.97 of the statutes is created to read:

**46.97 Grants for the provision of shelter for homeless individuals and families.** (1) DEFINITIONS. In this section:

(a) "Current operating budget" means the budget for the calendar or fiscal year during which an application is submitted, including all sources and amounts of revenue and all actual and planned expenditures.

(b) "Eligible applicant" means any of the following:

1. A county or municipal governing body.
2. A county or municipal governmental agency.
3. A community action agency.
4. A private nonprofit organization, as defined under s. 108.02 (19).

(c) "Proposed operating budget" means the budget proposed for the calendar or fiscal year following the year in which an application is submitted, including all anticipated revenue other than the amount sought in the grant application and all planned expenditures.

(d) "Shelter facility" means a temporary place of lodging for homeless individuals or families.

(2) PURPOSE; ALLOCATION. (a) From the appropriation under s. 20.435 (4) (cc), the department shall

award grants to eligible applicants for the purpose of supplementing the operating budgets of agencies and shelter facilities that have or anticipate an operating deficit because of the renovation or expansion of an existing shelter facility, the development of an existing building into a shelter facility, the expansion of shelter services for homeless persons or an inability to obtain adequate funding to continue the provision of an existing level of services.

(b) The moneys appropriated under s. 20.435 (4) (cc) shall be allocated as follows:

1. No more than \$300,000 in any year to eligible applicants located in Milwaukee county.

2. No more than \$50,000 in any year to eligible applicants located in Dane County.

3. No more than \$100,000 in any year to all other applicants.

(3) APPLICATION. (a) An eligible applicant may submit an application for any of the following:

1. A grant of not more than 25% of the current or proposed operating budget of a shelter facility operated by the applicant.

2. A grant of not more than 25% of the portion of the applicant's current or proposed operating budget allocated for providing homeless individuals with vouchers that may be exchanged for temporary shelter, except that no grant may be awarded for this purpose to an applicant located in Milwaukee county or Dane County which provides shelter services solely through the use of vouchers.

3. A grant of not more than 25% of the total current or proposed operating budgets of one or more shelter facilities from which the applicant purchases shelter for homeless persons and to which the applicant will distribute the money it receives under conditions described in the application.

4. A grant of not more than 25% of the total current or proposed operating budgets of 2 or more shelter facilities which the applicant represents and to which the applicant will distribute the money received under conditions described in the application.

(b) Applications shall be submitted in the form required by the department and shall be accompanied by the current or proposed operating budget or both, as required by the department, of each shelter facility or agency which will, directly or indirectly, receive any of the grant money, and an explanation of why the shelter facility or agency has or anticipates a deficit.

(4) RULE MAKING REQUIRED. The department shall promulgate by rule both of the following:

(a) Criteria for awarding grants.

(b) Criteria for determining whether an agency that operates a shelter facility or program is eligible for a grant.

(5) PROHIBITED USES. (a) The department may not provide a grant for any of the following purposes:

1. The construction of a new shelter facility.

2. The operation of a shelter care facility licensed under ch. 48.

3. The operation of a facility or private home providing shelter for victims of domestic abuse.

4. The operation of an agency that provides only information, referral or relocation services.

(b) No county or municipality may use any money received under this section to reduce the shelter benefits it is obligated to provide under s. 49.02 to recipients of general relief.

SECTION 904c. 46.98 (2) of the statutes is amended to read:

46.98 (2) DISTRIBUTION OF DAY CARE FUNDS. (a) The department shall, for the purposes specified in sub. (3), distribute the funds allocated for day care services under s. 49.52 (1) (d) to county either of the following:

1. County departments of public welfare and social services created under s. 46.22 or 49.51 or boards departments created under s. 46.23 in accordance with a formula.

2. Private nonprofit child care providers who provide day care for the children of migrant workers.

(b) The department shall promulgate by rule a procedure to be used annually to develop a formula for the distribution of the funds. ~~The department may not make payments under this section before January 1, 1985 under par. (a).~~

SECTION 904g. 46.98 (3) (d) of the statutes is created to read:

46.98 (3) (d) No funds distributed under sub. (2) (a) 1 may be used for investigations of child abuse and neglect reports under s. 48.981.

SECTION 904w. 46.98 (5) (f) of the statutes is created to read:

46.98 (5) (f) Before the department distributes any funds under sub. (2) (a) 2, it shall establish an annual grant process for selecting child care providers to whom the funds will be distributed. The department shall enter into a contract, specifying the conditions under which day care will be provided to the children of migrant workers, with each provider selected.

SECTION 904z. 46.985 of the statutes is created to read:

**46.985 Family support program.** (1) DEFINITIONS. In this section:

(a) "Administering agency" means the agency that administers the program in a service area.

(b) "Board" means any of the following in a county or combination of counties:

1. A board as defined under s. 46.23 (2) (a).

2. A board as defined under s. 51.42 (2) (a).

3. A board as defined under s. 51.437 (1) (a).

(c) "Child" means a person under 24 years of age.

(d) "Disabled" means having a severe physical, emotional or mental impairment which is diagnosed medically, behaviorally or psychologically, which is characterized by the need for individually planned and

coordinated care, treatment, vocational rehabilitation or other services and which has resulted or is likely to result in a substantial limitation on the ability to function in at least 3 of the following areas:

1. Self-care.
2. Receptive and expressive language.
3. Learning.
4. Mobility.
5. Self-direction.
6. Capacity for independent living.
7. Economic self-sufficiency.

(e) "Family" means a group that lives together and that consists of at least one disabled child and his or her parent.

(f) "Parent" means a parent, guardian, legal custodian or a person acting in the place of a parent, but does not include a foster parent or any other paid care provider.

(g) "Program" means the family support program in a service area.

(h) "Service area" means a county or combination of counties served by a board.

(2) DEPARTMENTAL POWERS AND DUTIES. In order to enable the parents of disabled children to care for their disabled children in their homes rather than placing the children in institutions or other out-of-home placements, thereby enhancing the quality of family life; to improve the availability and coordination of community services to families; and to increase the control of families over the types of services and goods provided to them, the department shall:

(a) After consulting with county departments of public welfare and social services, boards, providers of educational programs and services to families and representatives of families, promulgate rules for implementing the program, including all of the following:

1. Criteria for participation in the family support program and application procedures for boards.
2. Criteria by which boards may determine priorities for available funding.
3. Methods for ensuring the accountability of the program in each service area.

4. Procedures for coordinating the family support program and the use of its funds, throughout this state and in each service area, with other publicly funded programs including the community options program under s. 46.27; the community integration program under ss. 46.275 and 46.277; the social services, mental health and developmental disabilities programs under ss. 49.52, 51.42 and 51.437; the independent living center program under s. 46.96; and the medical assistance program under ss. 49.45 to 49.47.

5. Criteria for determining family eligibility for the program, in addition to the requirements specified in sub. (5).

6. Procedures for applying to an administering agency for family participation in the program.

7. Procedures for performing family needs assessments and developing service plans.

8. Criteria for determining a family's ability to bear the cost of the services and goods it needs which shall take into account the family's size, family income, the number of disabled children in the family and the medical and other expenses related to the exceptional needs of the disabled child.

9. Types of services and goods that may be approved for funding through the program.

10. Criteria for determining whether to provide a family with funding in excess of the amount specified in sub. (6) (g).

11. Criteria for determining approval of funding for a family in which the disabled child is 21 years of age or over.

(b) Select participants from among the boards that apply based on the criteria promulgated under sub. (2) (a) 1 and on the availability of funding.

(c) Specify the required content of the annual county program plan.

(d) Review and approve or disapprove each program plan submitted under sub. (3) (c).

(e) Annually submit to the governor and to the presiding officer of each house of the legislature a report on the family support program.

(3) DUTIES OF PARTICIPATING BOARDS. Each participating board shall do all of the following:

(a) Appoint members to a family support advisory committee or appoint an existing committee in the service area as the family support advisory committee to assist in developing the program plan and to monitor the program. The committee shall include, but need not be limited to, the following members:

1. Parents of disabled children including, if possible, parents from families that participate in the program. To the maximum extent possible, the parents shall be representative of the various disability, racial and ethnic groups in the service area. The members specified under this subdivision shall constitute a majority of the membership of the committee.

2. Persons from the service area representing the board, any county department of public welfare or social services, school districts and public health agencies. At least one of the committee members selected under this subdivision shall be a person providing community social services to disabled children or families eligible for the program.

3. Persons in the service area who provide social or educational services to disabled children other than the providers specified in subd. 2.

(b) Cooperate with the committee appointed under par. (a) to prepare a program plan. The program plan shall include all of the following:

1. A description of the proposed program.
2. The estimated number of families that will be assessed and served.

3. A list of specific groups, if any, that will be given priority for available funding.

4. A description of the outreach procedures that will be used to ensure that the program will be made available to children with physical, emotional and mental impairments.

5. The procedures that will be used to determine family needs.

6. A description of the methods that will be used for the development and monitoring of service plans and for coordinating the provision of services and goods to participating families.

7. A description of the methods that will be used to promote the creation of informal support and advocacy systems for families.

8. A description of the method that will be used to monitor the program.

(c) Submit the proposed program plan to the county board of supervisors in each county in the service area for review. After approval by the county board of supervisors in each county in which families are eligible to participate in the program, the board shall submit the proposed program plan to the department. After approval by the department, the program plan shall be included in the coordinated plan and budget required under s. 46.031.

(d) Act as the administering agency for the program or contract with a human services agency in the service area to act as the administering agency in order to implement the program within the limits of state and federal funds allocated under sub. (7).

(e) In conjunction with the administering agency and with any county department of public welfare or social services in the service area, coordinate the administration of the program with the administration of other publicly funded programs that serve disabled children.

(f) Submit all information and reports required by the department.

(4) DUTIES OF ADMINISTERING AGENCIES. In addition to the duties specified under sub. (6), each administering agency shall:

(a) Cooperate in the development of the program plan under sub. (3) (b).

(b) Provide information about the program and other programs for disabled children to families in the service area.

(c) Implement the program in accordance with the program plan.

(d) Designate one of its employees as the coordinator for each participating family.

(5) FAMILY ELIGIBILITY. A family is eligible to receive services and goods from the program if it meets all of the following requirements:

(a) The parent has a disabled child whom the parent wants to keep at home or return to the home from an institution or other out-of-home placement.

(b) The parent will be able to take care of the disabled child at home if financial, physical or other barriers are reduced or eliminated and adequate community support services are provided.

(6) APPLICATION, ASSESSMENT AND SERVICE PLAN.  
(a) A parent shall apply for the program to the administering agency in the county in which the family resides. The administering agency shall determine whether the family is eligible according to sub. (5) and the criteria promulgated under sub. (2) (a) 5 and shall approve or disapprove each application within 30 days after its receipt.

(b) If the administering agency approves an application under par. (a), it shall arrange for an assessment of the family's needs, except that an administering agency is not required to do an assessment if no program funds are available to provide services and goods to additional families. The assessment shall be performed in accordance with the procedures promulgated under sub. (2) (a) 7 either by an employe of the administering agency or, under a contract, by a person who is knowledgeable about the disabled child's condition and the related needs of the family. The person conducting the assessment shall do all of the following:

1. Ensure that the family participates in the assessment to the greatest extent possible.

2. Involve other persons who are knowledgeable about the disabled child's condition and who can identify and assist the family in assessing the social, psychological and medical needs of all family members.

3. Identify services and goods that the family is currently receiving, other services and goods available to the family through public and private agencies, friends and relatives and services and goods that the family is not currently receiving which the parent needs to maintain the disabled child at home.

4. Identify the services and goods needed by the family that are available from publicly funded sources other than the program or from private sources, including friends and relatives.

5. Identify the services and goods needed by the family that are available for funding through the program.

(c) For each family whose application is approved, the administering agency shall develop a service plan within 60 days after receipt of the application. In developing the service plan, the administering agency shall ensure that the family members are the primary decision makers. Each service plan shall include all of the following:

1. A description of the needs of the family, based on the assessment under par. (b).

2. A list of the services and goods the family receives that are provided through public or private funding sources other than the program.

3. A list of the services and goods that will be funded through the program, the estimated cost of

each and an estimate of the length of time each one will need to be funded through the program.

4. A written participation agreement, which shall be signed by a parent and a representative of the administering agency, governing expenditure of program funds by or on behalf of the family.

(d) The administering agency shall review each service plan at least once every 6 months, or more often at a parent's request. The participation agreement under par. (c) 4 may be amended by written agreement between the parent and the administering agency.

(e) The administering agency may approve funding for all or any part of the cost of any services and goods that have been identified as necessary in a family's service plan and which meet the criteria promulgated under sub. (2) (a) 9.

(f) An administering agency may approve the expenditure of program funds for a family whose disabled child is 21 years of age or over only with the approval of the department in accordance with the rules promulgated under sub. (2) (a) 11.

(g) Using the criteria promulgated under sub. (2) (a) 8, the administering agency shall determine the amount that will be paid to or expended on behalf of each participating family for the services and goods approved under par. (e). The amount that may be paid to or expended on behalf of a family may not exceed \$3,000 in any 12-month period for each disabled child in the family, except that the department may, upon request by an administering agency, approve a greater amount for a specific family with exceptional needs.

(h) If an administering agency denies an application or if it terminates a family's participation agreement, it shall provide the parent with a written notice of that fact stating the reason for the denial or termination and shall refer the family to other available agencies and resources. A parent whose application is denied or whose participation agreement is terminated may file a request with the department for a hearing under s. 227.064.

(7) FUNDING. (a) From the appropriations under s. 20.435 (4) (b) and (o), the department shall allocate to boards funds for the administration and implementation of the program.

(b) Funds allocated under this subsection may not be used to replace any other state and federal funds or any county funds that are currently being provided to a family under any program.

(c) The total amount of a board's allocation used to pay for staff salaries and other administrative costs associated with the program may not exceed 10% of the allocation.

SECTION 905. 46.99 of the statutes is created to read:

**46.99 Purchase of day care programs for student parents.** (1) DEFINITIONS. In this section:

(a) "Day care program" means a program established and provided by a school board under s. 120.13

(14) or purchased by a school board from a provider licensed under s. 48.65, which combines care for eligible children with parenting education and experience for student parents.

(b) "Eligible child" means a child under 3 years of age who resides with a parent who is a pupil enrolled in a school district.

(c) "School age mother" means a woman under 21 years of age who is not a high school graduate.

(d) "Student parent" means the parent with whom an eligible child resides.

(2) CONTRACTS WITH SCHOOL BOARDS. (a) From the appropriation under s. 20.435 (4) (eg), the department may contract with school boards for the provision of day care programs.

(b) Each biennium, the department shall estimate the number of live births to school age mothers residing in each school district and shall rank all school districts in this state from the highest estimated number of live births to the lowest.

(c) The department shall offer to contract for the provision of day care programs beginning with the school board in the district ranked highest under par. (b), and shall continue offering contracts to school boards in the order in which the districts are ranked until the moneys appropriated are fully committed. In each contract offer, the department shall specify the maximum number of eligible children for whom the department will provide funds and the maximum amount for which the school board is eligible. That amount shall be determined by multiplying the specified number of children times \$8 times the number of school days, as defined under s. 115.01 (10), in the district during the year for which the contract is offered. No school board may be offered more than 50% of the annual appropriation under s. 20.435 (4) (eg).

(3) CONTRACT ELIGIBILITY. A school board is eligible for a contract under sub. (2) only if it agrees to comply with all of the following conditions:

(a) It has established or will establish a school age mother program under subch. VI of ch. 115.

(b) It will develop a plan, to be approved by the department, for coordinating its day care program with other services, including public health, education, employment, family and social services, that are available in the community for student parents.

(c) The day care services it provides or purchases will be located either in the building in which a student parent attends school or on premises which are readily accessible to student parents.

(d) It will require that each student parent whose child receives day care services under this section must do both of the following:

1. Demonstrate an acceptable level of effort to complete high school.

2. Work in the day care center for at least 5 class hours a week, for which the school district will give the

student parent a grade and credit toward high school graduation.

(e) Notwithstanding s. 120.13 (14), it will not charge a student parent a fee for day care services provided to a child under this section.

(f) It will develop a plan, to be approved by the department and the state superintendent of public instruction, for the parenting education component of the day care program for which the school district seeks reimbursement under s. 115.93 (1m).

(4) **PAYMENT TO SCHOOL BOARDS.** The department shall pay a school board with which it contracts under sub. (2) \$8 per school day for each eligible child that receives day care in a program under this section. The contract shall specify the method and the schedule of payment.

(5) **NOTICE TO COUNTY DEPARTMENTS; PAYMENT.** (a) When the department offers a contract under sub. (2) (c) to a school board, and when the school board accepts the offer, the department shall notify the county department of public welfare or social services or the department created under s. 46.23 in each county in which the school district is located.

(b) The county department specified under par. (a) shall pay the school board from its child day care allocation under 1985 Wisconsin Act .... (this act), section 3023 (3) (f), an amount equal to the amount offered to the school board by the department under sub. (2) (c). If the school district is located in more than one county, the department shall determine the amount each county department shall pay the school board, based on the school district's population in each county.

(c) If the amount paid by a county department under par. (b) exceeds the amount actually paid by the department to the school board under sub. (4) in any school year, the school board shall either pay the county department the amount of the overpayment or, if the school board will provide the day care program in the next school year, credit the county department with that amount and apply the credit against the amount due under par. (b) for the next school year.

(6) **EVALUATION REQUIRED.** The department shall evaluate the results of each program established under this section and shall broadly disseminate to other school districts the results of each program it considers successful.

SECTION 906b. 47.03 (1) (b) of the statutes is amended to read:

47.03 (1) (b) Provide for appropriate facilities and necessary utilities to maintain a workshop for blind persons, visually impaired persons and severely handicapped persons until the date specified in the contract with a nonprofit corporation under s. 47.03 (1m) (a). The department shall pay wages to workshop employes that it finds are commensurate with their productive abilities and may furnish to workshop

employes materials and tools required for their employment.

SECTION 906d. 47.03 (1) (c) of the statutes is created to read:

47.03 (1) (c) Assure that sheltered employment opportunities are available at the workshop specified under sub. (1m) (d) to blind or visually impaired persons with multiple disabilities.

SECTION 906f. 47.03 (1m) of the statutes is created to read:

47.03 (1m) (a) The department shall contract with a nonprofit corporation to provide funds from the appropriation under s. 20.435 (5) (c) to assist the corporation in operating sheltered employment for blind, visually impaired and severely handicapped persons. The contract shall include a provision for fringe benefits for the blind employes of the nonprofit corporation. The department may not pay \$100,000 of the grant made in each fiscal year until the department determines, after an audit of the operations of the nonprofit corporation, that the contract for the fiscal year was fully performed. Contracts under this subsection are exempt from ss. 16.70 to 16.75, 16.755 to 16.82, 16.87, 16.89 and 46.036.

(b) It is the intent of the legislature to provide funding to the nonprofit corporation with which the department contracts under par. (a) over a 6-year period, beginning in fiscal year 1985-86. It is the intent of the legislature to provide the nonprofit corporation \$464,000 in fiscal year 1987-88, \$348,000 in fiscal year 1988-89, \$232,000 in fiscal year 1989-90 and \$116,000 in fiscal year 1990-91. In addition, it is the intent of the legislature to provide an annual \$100,000 contract compliance payment for each of those fiscal years, if the audit under par. (a) so indicates.

(c) The department shall require any nonprofit corporation with which it contracts under par. (a) to employ clients whose disability levels are, as a group, substantially similar in severity to the clients employed by the department under s. 47.03 (1) (b) on January 1, 1985.

(d) The department shall lease, without charge, the land and buildings which is partially occupied by the workshop operated by the department under s. 47.03 (1) (b), on the effective date of this paragraph .... [revisor inserts date], to the nonprofit corporation under par. (a).

(e) The nonprofit corporation under par. (a) shall report to the department, within 180 days after it first operates the workshop specified under par. (d), how it will use those state funds it receives which are in excess of operating costs to enhance the viability of the nonprofit corporation. The nonprofit corporation shall also report to the department every 6 months its specific actions to increase productivity and sales and to develop a comprehensive set of fund-raising activities to support the facility.

(f) The department shall make, from the appropriation under s. 20.435 (5) (c), building rental payments

to the nonprofit corporation at the prevailing market rate, as determined jointly by the department and the nonprofit corporation, for the period starting with the date specified in the contract until June 30, 1987, for the space occupied by the department.

(g) On the date specified in the contract between the department and the nonprofit corporation under par. (a), the department shall transfer to the nonprofit corporation the inventory of production materials and finished products for which payments have already been made and all accounts receivable.

SECTION 907. 47.03 (3) (b) of the statutes is amended to read:

47.03 (3) (b) The department shall offer to manufacturers and sellers of blind-made products labels which indicate that a product was made by blind persons. The labels shall be sold at a price that defrays the cost of producing or purchasing the labels. ~~All moneys received under this subsection shall be deposited in the appropriation under s. 20.435 (5) (jj).~~

SECTION 908. 47.04 of the statutes is created to read:

**47.04 Contractual services.** The department may contract with nongovernmental agencies to provide the agencies vocational rehabilitation services.

SECTION 908d. 48.06 (1) (am) of the statutes is renumbered 48.06 (1) (am) 1 and amended to read:

48.06 (1) (am) 1. All intake workers beginning employment after May 15, 1980, shall have such qualifications as are required to perform entry level social work in county departments of social services and shall have successfully completed 30 hours of intake training approved by the department prior to the completion of the first 6 months of employment in the position. The department shall monitor compliance with this subdivision according to rules promulgated by the department.

SECTION 908h. 48.06 (1) (am) 2 of the statutes is created to read:

48.06 (1) (am) 2. Each intake worker whose responsibilities include investigation or treatment of child abuse or neglect shall successfully complete additional training in child abuse and neglect protective services approved by the department under s. 48.981 (8) (d). Not more than 4 hours of the additional training may be applied to the requirement under subd. 1.

SECTION 908p. 48.06 (2) of the statutes is renumbered 48.06 (2) (a) and amended to read:

48.06 (2) (a) In counties having less than 500,000 population, the county board of supervisors shall authorize the county social services department or court or both to provide intake services required by s. 48.067 and agency staff needed to carry out the objectives and provisions of this chapter under s. 48.069. Intake services shall be provided by employes of the court or county social services department and may not be subcontracted to other individuals or agencies, except any county which had intake services subcon-

tracted from the county sheriff's department on April 1, 1980, may continue to subcontract intake services from the county sheriff's department. ~~All intake workers beginning employment after May 15, 1980 shall have those qualifications as are required to perform entry level social work in a county department of social services and shall have successfully completed 30 hours of intake training prior to the completion of the first 6 months of employment in the position. All such.~~ Intake workers shall be governed in their intake work, including their responsibilities for recommending the filing of a petition and entering into an informal disposition, by general written policies which shall be formulated by the circuit judges for the county, subject to the approval of the chief judge of the judicial administrative district.

SECTION 908t. 48.06 (2) (b) and (c) of the statutes are created to read:

48.06 (2) (b) All intake workers beginning employment after May 15, 1980, shall have the qualifications required to perform entry level social work in a county department of social services and shall have successfully completed 30 hours of intake training approved by the department prior to the completion of the first 6 months of employment in the position. The department shall monitor compliance with this paragraph according to rules promulgated by the department.

(c) Each intake worker whose responsibilities include investigation or treatment of child abuse or neglect shall successfully complete additional training in child abuse and neglect protective services approved by the department under s. 48.981 (8) (d). Not more than 4 hours of the additional training may be applied to the requirement under par. (b).

SECTION 912a. 48.275 (2) (a) of the statutes is amended to read:

48.275 (2) (a) If this state or a county provides legal counsel to a child subject to s. 48.12 or 48.13 and if the court or the district attorney moves for such an order, the court shall order the parents or guardian to provide a statement of income, assets and living expenses to the county department of social services or public welfare and shall order the parents or guardian of the child to reimburse the state or county ~~if required under in accordance with~~ par. (b) or (c). The court may not order reimbursement if a parent or guardian is the complaining or petitioning party or if the court finds that the interests of the parent or guardian and the interests of the child in the proceedings are substantially and directly adverse and that reimbursement would be unfair to the parent or guardian. The court may not order reimbursement until after the child is found to be delinquent under s. 48.12 or in need of protection and services under s. 48.13, or until after the completion of all court proceedings under this chapter.

SECTION 912b. 48.275 (2) (b) of the statutes is amended to read:

48.275 (2) (b) If this state provides the child with legal counsel and the court orders reimbursement under par. (a), the county department of social services or public welfare shall determine whether the parent or guardian is indigent as provided under s. 977.07 and shall determine the amount of reimbursement. If the parent or guardian is found not to be indigent, the amount of reimbursement shall be the maximum amount established by the public defender board. If the parent or guardian is found to be indigent in part, the amount of reimbursement shall be the amount of partial payment determined in accordance with the rules of the public defender board under s. 977.02 (3).

SECTION 912c. 48.275 (2) (c) of the statutes is amended to read:

48.275 (2) (c) If the county provides the child with legal counsel and the court orders reimbursement under par. (a), the court shall either make a determination of indigency or shall appoint a county agency to make the determination. If the court or the agency finds that the parent or guardian is not indigent or is indigent in part, the court shall establish the amount of reimbursement and shall order the parent or guardian to pay it.

SECTION 912r. 48.343 (9) of the statutes is created to read:

48.343 (9) If the violation is one under s. 23.33 concerning the use of all-terrain vehicles, order the child to enroll and participate in an all-terrain vehicle safety course.

SECTION 913. 48.355 (2) (a) of the statutes is amended to read:

48.355 (2) (a) In addition to the order, the judge shall make written findings of fact and conclusions of law based on the evidence presented to the judge to support the disposition of each individual coming before him or her. ~~If the child is placed outside the home, the findings of fact shall include a finding that reasonable efforts have been made to prevent the need to remove the child from his or her home, or, if applicable, that reasonable efforts have been made to make it possible for the child to return to his or her home.~~

SECTION 914. 48.355 (2) (b) 6 of the statutes is created to read:

48.355 (2) (b) 6. If the child is placed outside the home, the court's finding as to whether there have been reasonable efforts to prevent the removal of the child from the home or, if applicable, that reasonable efforts have been made to make it possible for the child to return to his or her home.

SECTION 915. 48.627 of the statutes is amended to read:

**48.627 Foster parent insurance.** The department shall, from the appropriations under s. 20.435 (4) ~~(db)~~ (a) and (pd), purchase insurance for licensed foster parents to cover the liability of the foster parents both of the following, to the extent not provided in the foster parent's homeowner's covered by any other insur-

~~ance policy, for injuries sustained or property damage caused by foster children in the foster parent's care, and subject to the limitations contained in the policy. The department may also purchase insurance to cover the cost of:~~

(1) The liability of foster parents for injuries or damages sustained by any person which are caused by a foster child in the foster parents' care or which arise out of or are related to their activities as foster parents.

(2) Injuries or property damages sustained by a foster parent or a member of the foster parent's family as a result of the act of a foster child in the foster parent's care, to the extent not covered by other insurance and subject to the limitations contained in the policy.

SECTION 915g. 48.65 (title) of the statutes is amended to read:

**48.65 (title) Day care centers licensed; fees.**

SECTION 915r. 48.65 (3) of the statutes is created to read:

48.65 (3) For the 2-year period beginning January 1, 1986, and ending December 31, 1987, and for each 2-year period thereafter, the department shall assess against and collect from each day care center licensed under this section an amount equal to the greater of the following:

(a) Ten dollars.

(b) One dollar for each child the day care center is licensed to serve.

SECTION 916. 48.675 (3) (intro.) of the statutes is amended to read:

48.675 (3) SUPPORT SERVICES. (intro.) The department shall provide funds from the appropriation under s. 20.435 (3) (ho) and (4) ~~(dd)~~ (a) to enable foster parents to attend education programs approved under sub. (2) and shall promulgate rules concerning disbursement of such funds. Moneys disbursed under this subsection may be used for the following purposes:

SECTION 917. 48.981 (1) (a) 4 of the statutes is amended to read:

48.981 (1) (a) 4. Permitting or requiring, allowing or encouraging a child to violate s. 944.30.

SECTION 918. 48.981 (1) (g) of the statutes is amended to read:

48.981 (1) (g) "Reporter" means a person who reports suspected abuse or neglect or a belief that abuse or neglect will occur under this section.

SECTION 919. 48.981 (1) (h) of the statutes is repealed and recreated to read:

48.981 (1) (h) "Subject" means a person named in a report or record as either of the following:

1. A child who is the victim or alleged victim of abuse or neglect or who is threatened with abuse or neglect.

2. A person who either is suspected of abuse or neglect, is exercising temporary or permanent control



over a child who is threatened with abuse or neglect or has been determined to have abused or neglected a child.

SECTION 920. 48.981 (2) of the statutes is amended to read:

48.981 (2) (title) **PERSONS REQUIRED TO REPORT.** A physician, coroner, medical examiner, nurse, dentist, chiropractor, optometrist, other medical or mental health professional, social or public assistance worker, school teacher, administrator or counselor, child care worker in a day care center or child caring institution, day care provider, alcohol or other drug abuse counselor, member of the treatment staff employed by or working under contract with a board established under s. 46.23, 51.42 or 51.437, physical therapist, occupational therapist, speech therapist, emergency medical technician — advanced (paramedic), ambulance attendant or police or law enforcement officer having reasonable cause to suspect that a child seen in the course of professional duties has been abused or neglected or having reason to believe that a child seen in the course of professional duties has been threatened with an injury abuse or neglect and that abuse or neglect of the child will occur shall report as provided in sub. (3). Any other person, including an attorney, having reason to suspect that a child has been abused or neglected or reason to believe that a child has been threatened with an injury abuse or neglect and that abuse or neglect of the child will occur may make such a report. No person making a report under this subsection may be discharged from employment for so doing.

SECTION 921. 48.981 (3) (a) of the statutes is amended to read:

48.981 (3) (a) (title) *Referral of report.* Persons required to report under sub. (2) shall immediately contact, by telephone or personally, the county agency, sheriff or city police department and, in the case of American Indian children, the tribal government and shall inform the agency or department of the facts and circumstances contributing to a suspicion of child abuse or neglect or to a belief that abuse or neglect will occur. The sheriff or police department shall within 12 hours, exclusive of Saturdays, Sundays or legal holidays, refer to the county agency and, in the case of American Indian children, the tribal government all cases reported to it. The county agency may require that a subsequent report be made in writing. Each county agency shall adopt a written policy specifying the kinds of reports it will routinely report to local law enforcement authorities.

SECTION 921m. 48.981 (3) (c) 1 of the statutes is amended to read:

48.981 (3) (c) 1. Within 24 hours after receiving a report under sub. (3) (a), the county agency shall, in accordance with the authority granted it under s. 48.57 (1) (a), initiate a diligent investigation to determine if the child is in need of protection or services. The investigation shall be conducted in accordance

with standards established by the department for conducting child abuse and neglect investigations and shall include observation of or an interview with the child, or both, and, if possible, a visit to the child's home or usual living quarters and an interview with the child's parents, guardian or legal custodian. At the initial visit to the child's home or living quarters, the person making the investigation shall identify himself or herself and the county agency involved to the child's parents, guardian or legal custodian. The county agency may contact, observe or interview the child at any location without permission from the child's parent, guardian or legal custodian if necessary to determine if the child is in need of protection or services, except that the person making the investigation may enter a child's home or living quarters only with permission from the child's parent, guardian or legal custodian or after obtaining a court order to do so.

SECTION 922. 48.981 (3) (c) 4 of the statutes is amended to read:

48.981 (3) (c) 4. The county agency shall determine, within 60 days after receipt of a report, whether abuse or neglect has occurred or ~~that the child has been threatened with an injury and that abuse of the child is likely to occur.~~ The determination shall be based on a preponderance of the evidence produced by the investigation. A determination that abuse or neglect has occurred may not be based solely on the fact that the child's parent, guardian or legal custodian in good faith selects and relies on prayer or other religious means for treatment of disease or for remedial care of the child. In making a determination that emotional damage has occurred, the county agency shall give due regard to the culture of the subjects and shall establish that the person alleged to be responsible for the emotional damage is unwilling to remedy the harm. This subdivision does not prohibit a court from ordering medical services for the child if the child's health requires it.

SECTION 923. 48.981 (3) (c) 5 of the statutes is amended to read:

48.981 (3) (c) 5. The county agency shall maintain a record of its actions in connection with each report it receives. The record shall include a description of the services provided to any child and to the parents, guardian or legal custodian of the child. The county agency shall update the record every 6 months until the case is closed.

SECTION 924. 48.981 (3) (c) 7 of the statutes is amended to read:

48.981 (3) (c) 7. The county agency shall cooperate with law enforcement officials, courts of competent jurisdiction, tribal governments and other human service agencies to prevent, identify and treat child abuse and neglect. The county agency shall coordinate the development and provision of services to abused and neglected children and to families where abuse or neglect has occurred or to children and families where

circumstances justify a belief that abuse or neglect will occur.

SECTION 925. 48.981 (3) (d) of the statutes is amended to read:

48.981 (3) (d) *Independent investigation.* If an agent or employe of a county agency required to investigate under this subsection is the subject of a report, or if the county agency determines that, because of the relationship between the county agency and the subject of a report, there is a substantial probability that the county agency would not conduct an unbiased investigation, it shall, after taking any action necessary to protect the child, notify the department. Upon receipt of the notice, the department or an agency designated by it shall conduct an independent investigation. If the department designates a county agency or board established under s. 51.42 or 51.437, that agency or board shall conduct the independent investigation. If a licensed child welfare agency agrees to conduct the independent investigation, the department may designate that agency to do so. The powers and duties of the department or other agency making an independent investigation are those given to county agencies under sub. (3) (c). In this paragraph, "agent" includes, but is not limited to, a foster parent or other person given custody of the child or a human service professional of a community board established under s. 46.23, 51.42 or 51.437, if the professional is working with the child under contract with or under the supervision of the county agency.

SECTION 926. 48.981 (6) of the statutes is amended to read:

48.981 (6) *PENALTY.* Whoever ~~wilfully~~ intentionally violates this section by failure to report as required may be fined not more than \$1,000 or imprisoned not more than 6 months or both.

SECTION 927. 48.981 (7) (a) 4 of the statutes is amended to read:

48.981 (7) (a) 4. A child's foster parent or other person having custody of the child, except that the person or agency maintaining the record or report may not disclose any information that would identify the reporter.

SECTION 928. 48.981 (7) (a) 7 of the statutes is amended to read:

48.981 (7) (a) 7. Another county agency currently investigating a report of suspected or threatened child abuse or neglect involving ~~the~~ a subject of the record or report.

SECTION 929. 48.981 (7) (a) 14 of the statutes is created to read:

48.981 (7) (a) 14. A grand jury if it determines that access to specified records is necessary for the conduct of its official business.

SECTION 930. 48.981 (7) (c) of the statutes is amended to read:

48.981 (7) (c) Notwithstanding par. (a), ~~a parent who is~~ the subject of a report may authorize the disclo-

sure of a record to ~~any other person~~ the subject's attorney. The authorization shall be in writing. Any information that would identify a reporter shall be deleted before disclosure of a record under this paragraph.

SECTION 930m. 48.981 (8) (d) of the statutes is created to read:

48.981 (8) (d) 1. Each county agency staff member and supervisor whose responsibilities include investigation or treatment of child abuse and neglect shall successfully complete training in child abuse and neglect protective services approved by the department. The department shall monitor compliance with this subdivision according to rules promulgated by the department.

2. Each year the department shall make available training programs that permit intake workers and county agency staff members and supervisors to satisfy the requirements under subd. 1 and s. 48.06 (1) (am) 2 and (2) (c).

SECTION 930s. 48.982 (3) of the statutes is amended to read:

48.982 (3) *STAFF AND SALARIES.* The board shall determine the qualifications of and appoint, in the classified service, an executive director and ~~clerical~~ clerical staff. The salaries of the executive director and ~~clerical~~ clerical staff and all actual and necessary operating expenses of the board shall be paid from the appropriation under s. 20.433 (1) (g).

SECTION 931. 49.002 of the statutes is amended to read:

**49.002 Legislative declaration.** It is declared to be legislative policy that all recipients of general relief shall have maximum exposure to job training and job opportunities through the Wisconsin state employment service as well as other government agencies. Applicants and recipients of general relief shall comply with the established work-seeking rules of the ~~relief-administering agency~~ municipality or county. Recipients of general relief shall also comply with the established work relief rules of the ~~relief-administering agency~~. Refusal of municipality or county. If a recipient of general relief refuses a bona fide offer of employment or training without good cause, or acceptance accepts a bona fide offer and subsequent inadequate performance subsequently performs inadequately through wilful neglect, or failure fails to comply with the work-seeking or work relief rules of the relief-administering agency, shall necessitate that local, municipal or county welfare officials municipality or county, the municipality or county shall discontinue general relief payments to such individual the recipient for a period not to exceed 30 days. Any Wisconsin taxpayer shall have standing in the circuit court for the purpose of obtaining an injunction to enforce this section. ~~All personnel shall do their best to get individuals off general relief and into self-supporting productive jobs.~~

SECTION 932. 49.01 (2) of the statutes is amended to read:

49.01 (2) "Dependent person" or "dependent" means ~~a person an individual~~ without the ~~present~~ presently available money ~~or~~, income ~~or~~, property or credit, or other means by which ~~the same~~ it can be presently obtained, ~~excluding the exemptions set forth under s. 49.06, sufficient to provide the necessary commodities and services specified in sub. (8). Credit received under s. 71.09 (7) and federal home energy assistance benefits authorized under 42 USC 8621 to 8629 are not income or resources for purposes of determining dependency or the amount of relief provided (5m).~~

SECTION 933. 49.01 (3) of the statutes is renumbered 49.04 (1g) and amended to read:

49.04 (1g) "Eligible" ~~In this section, "eligible" or "eligibility"~~ means a dependent person who has continuously resided for ~~one whole year~~ 365 consecutive days in this state immediately prior to an application for relief except that temporary assistance including medical care may be granted during the initial ~~year~~ qualifying period to meet an emergency situation pending the negotiations for the return of the applicant and family to the former place of residence or legal settlement outside this state or to meet a medical emergency developing during the initial ~~one-year~~ qualifying period of residence. Such temporary assistance shall not extend beyond 30 days unless a medical emergency requires further extension. Notwithstanding the foregoing, whenever anyone leaves this state, and was at the time of ~~his~~ departure eligible as to residential requirements to receive general assistance under this section other than emergency aid, such person upon returning within ~~one-year~~ 365 consecutive days to this state, shall be eligible to receive such general assistance in this state without limitation on the period of relief to be granted so long as the need continues.

SECTION 934. 49.01 (5r) of the statutes is created to read:

49.01 (5r) "General relief agency" means a county department of public welfare or social services organized under s. 46.034, 46.22 or 49.51, or a department created under s. 46.23.

SECTION 935. 49.01 (8) of the statutes is renumbered 49.01 (5m) and amended to read:

49.01 (5m) "Relief" "General relief" means such services, commodities or money as are reasonable and necessary under the circumstances to provide food, housing, clothing, fuel, light, water, medicine, medical, dental, and surgical treatment (including hospital care), optometrical services, nursing, transportation, and funeral expenses, and include wages for work relief. The food furnished shall be of a kind and quantity sufficient to provide a nourishing diet. The housing provided shall be adequate for health and decency. Where there are children of school age the general relief furnished shall include necessities for which no

other provision is made by law. The general relief furnished, whether by money or otherwise, shall be at such times and in such amounts, as will in the discretion of the general relief official or agency meet the needs of the recipient and protect the public.

SECTION 936g. 49.02 (title) and (1) of the statutes are amended to read:

**49.02 (title) General relief administration.** (1) ~~Every~~ Before January 1, 1987, every municipality shall furnish general relief to all eligible dependent persons therein and shall establish or designate an official or agency to administer ~~the same~~ general relief. The administering agency or official shall establish written criteria to be used to determine dependency and shall establish written standards of need to be used to determine the type and amount of general relief to be furnished. The agency or official shall review the standards of need at least annually. The administering agency or official may establish work-seeking rules for general relief applicants and recipients.

SECTION 936m. 49.02 (1m) of the statutes is created to read:

49.02 (1m) After December 31, 1986, every county shall furnish general relief to all dependent persons within the county and shall establish or designate a general relief agency to administer general relief. The general relief agency shall establish written criteria to be used to determine dependency and shall establish written standards of need to be used to determine the type and amount of general relief to be furnished. The general relief agency shall review the standards of need at least annually. The general relief agency may establish work-seeking rules for general relief applicants and recipients.

SECTION 937. 49.02 (2) of the statutes is amended to read:

49.02 (2) ~~Every~~ Before January 1, 1987, every county may furnish general relief ~~only~~ to all eligible dependent persons within the county but not having a legal settlement therein, and if it elects to do so, it shall establish or designate a general relief agency to administer the same.

SECTION 937m. 49.02 (2m) of the statutes is created to read:

49.02 (2m) After December 31, 1985, every county in which there is a city of 150,000 or more persons and every county in which there is a city whose population in 1980 is more than 22,500 and less than 23,000 shall furnish general relief to all dependent persons within the county and shall establish or designate a general relief agency to administer general relief. The general relief agency shall establish written criteria to be used to determine dependency and shall establish written standards of need to be used to determine the type and amount of general relief to be furnished. The general relief agency shall review the standards of need at least annually. The general relief agency may establish work-seeking rules for general relief applicants and recipients.

SECTION 939. 49.02 (3) of the statutes is amended to read:

49.02 (3) When the settlement of ~~an eligible a~~ dependent person is unknown or in doubt general relief may be initially administered by the municipality in which such person is found in need, but the matter shall be promptly investigated and reported or referred as the case may be to the county in which the municipality is situated.

SECTION 940. 49.02 (3) of the statutes, as affected by 1985 Wisconsin Act .... (this act), is repealed.

SECTION 941. 49.02 (4) of the statutes is repealed.

SECTION 942. 49.02 (5) (a) of the statutes is amended to read:

49.02 (5) (a) ~~Except Before January 1, 1987, except~~ as otherwise provided in this section, a municipality or county shall be liable for the emergency hospitalization of and care rendered by a physician ~~and surgeon~~ to a person who is determined to be ~~an eligible a~~ dependent person under this chapter, without previously authorizing the same, when, in the reasonable professional judgment of a physician, emergency medical treatment or hospitalization is necessary because severe physical or psychological damage to the person would result if the treatment or hospitalization was delayed pending the receipt of prior authorization from the municipality or county.

SECTION 943. 49.02 (5) (am) of the statutes is created to read:

49.02 (5) (am) After December 31, 1986, except as otherwise provided in this section, a general relief agency shall be liable for emergency hospitalization and care if a physician hospitalizes on an emergency basis or renders care on that basis in the county in which the general relief agency is located to a person who is determined to be a dependent person under this chapter, without previously authorizing the same, when, in the reasonable professional judgment of a physician, emergency medical treatment or hospitalization is necessary because severe physical or psychological damage to the person would result if the treatment or hospitalization was delayed pending the receipt of prior authorization from the general relief agency.

SECTION 943m. 49.02 (5) (ar) of the statutes is created to read:

49.02 (5) (ar) Beginning January 1, 1987, if a county transfers an individual in need of emergency medical treatment or hospitalization under this subsection to another county in order that the individual may obtain emergency medical treatment or hospitalization, the county so transferring shall be liable for the costs of the emergency medical treatment or hospitalization provided in the county to which the individual was transferred.

SECTION 944. 49.02 (5) (c) (intro.) and 1 of the statutes are amended to read:

49.02 (5) (c) (intro.) A municipality or county is not liable for treatment or hospitalization provided under

par. (a) before January 1, 1987, or under par. (am) after December 31, 1986, unless:

1. ~~Within~~ Before January 1, 1987, within 3 working days after the patient is initially provided emergency medical treatment or hospitalization an agent of the hospital has written notice of the treatment or hospitalization delivered to the relief administering agency or official of the municipality or county in which the hospital is located and within 3 working days after the patient is initially provided emergency medical treatment or hospitalization an agent of the hospital gives oral notice and mails written notice of the treatment or hospitalization to the relief administering agency or official of the municipality or county ~~in which of~~ the patient's ~~last known address is located~~ residence, if different than the municipality or county in which the hospital is located. Each notice provided under this subdivision shall include the patient's name and ~~last known address~~ residence and a statement about the nature of the illness or injury and the probable duration of necessary treatment and hospitalization. Each written notice provided under this subdivision shall also include a written statement by the attending physician certifying the need for the emergency medical treatment or hospitalization;

SECTION 945. 49.02 (5) (c) 1m of the statutes is created to read:

49.02 (5) (c) 1m. After December 31, 1986, within 3 working days after the patient is initially provided emergency medical treatment or hospitalization an agent of the hospital has written notice of the treatment or hospitalization delivered to the general relief agency of the county in which the hospital is located. Each notice provided under this subdivision shall include the patient's name and a statement about the nature of the illness or injury and the probable duration of necessary treatment and hospitalization. Each written notice provided under this subdivision shall also include a written statement by the attending physician certifying the need for the emergency medical treatment or hospitalization;

SECTION 946. 49.02 (5) (c) 2 of the statutes is amended to read:

49.02 (5) (c) 2. ~~Within~~ Before January 1, 1987, within 10 days after the patient is initially provided emergency medical treatment or hospitalization an agent of the hospital mails or delivers the form required under this subdivision to the general relief administering agency of the municipality or county in which the hospital is located. The hospital shall provide the information that it has obtained that is requested on a form developed and provided by the department. The hospital shall make reasonable efforts to obtain the information requested on the form either from the patient, if able, or some other person who has knowledge of the facts. The form shall, at a minimum, include the patient's phone number, the name of the patient's closest relative, the name of the patient's employer, information regarding

the patient's finances including income, assets, liabilities and insurance coverage and information related to the patient's eligibility for other medical and hospital assistance programs. The form shall also include, either from the patient, if able, or some other person who has knowledge of the facts, a sworn statement of facts relating to the patient's residence and legal settlement. For 20 days after the initial information is provided under this subdivision, the hospital has a continuing obligation to seek and report information relevant to the patient's care and eligibility under this section to the general relief administering agency of the municipality or county in which the hospital is located;

SECTION 947. 49.02 (5) (c) 2g of the statutes is created to read:

49.02 (5) (c) 2g. After December 31, 1986, within 10 days after the patient is initially provided emergency medical treatment or hospitalization an agent of the hospital mails or delivers the form required under this subdivision to the general relief agency of the county in which the hospital is located. The hospital shall provide the information that it has obtained that is requested on a form developed and provided by the department. The hospital shall make reasonable efforts to obtain the information requested on the form either from the patient, if able, or some other person who has knowledge of the facts. The form shall, at a minimum, include the patient's phone number, the name of the patient's closest relative, the name of the patient's employer, information regarding the patient's finances including income, assets, liabilities and insurance coverage and information related to the patient's eligibility for other medical and hospital assistance programs. For 20 days after the initial information is provided under this subdivision, the hospital has a continuing obligation to seek and report information relevant to the patient's care and eligibility under this section to the general relief agency of the county in which the hospital is located;

SECTION 948. 49.02 (5) (c) 2m of the statutes is amended to read:

49.02 (5) (c) 2m. ~~Within~~ Before January 1, 1987, within 10 days after the patient is initially provided emergency medical treatment or hospitalization an agent of the hospital mails or delivers to the general relief administering agency or official of the municipality or county in which the hospital is located a form signed by the patient, if able, that authorizes the general relief administering agency or official of the municipality or county in which the hospital is located to verify any information submitted to that agency or official by the hospital; and

SECTION 949. 49.02 (5) (c) 2r of the statutes is created to read:

49.02 (5) (c) 2r. After December 31, 1986, within 10 days after the patient is initially provided emergency medical treatment or hospitalization an agent of the hospital mails or delivers to the general relief agency

of the county in which the hospital is located a form signed by the patient, if able, that authorizes the general relief agency of the county in which the hospital is located to verify any information submitted to that agency by the hospital; and

SECTION 950. 49.02 (5) (cm) of the statutes is amended to read:

49.02 (5) (cm) ~~Each~~ Before January 1, 1987, each general relief administering agency or official of a municipality or a county that elects to require hospitals to obtain authorization under par. (c) 3 shall either establish a written procedure using medical criteria for responding to requests for authorization for continued treatment or hospitalization under par. (c) 3, or it shall delegate the authorization responsibility to the requesting hospital, the attending physician or other medical personnel designated by the agency or official. Each general relief administering agency or official shall inform the department as to whether it has developed a procedure for responding to requests or whether it has delegated the responsibility. Each general relief administering agency or official that develops a written procedure for responding to requests shall provide a copy to the department.

SECTION 951. 49.02 (5) (cr) of the statutes is created to read:

49.02 (5) (cr) After December 31, 1986, each general relief agency of a county that elects to require hospitals to obtain authorization under par. (c) 3 shall either establish a written procedure using medical criteria for responding to requests for authorization for continued treatment or hospitalization under par. (c) 3, or it shall delegate the authorization responsibility to the requesting hospital, the attending physician or other medical personnel designated by the general relief agency. Each general relief agency shall inform the department as to whether it has developed a procedure for responding to requests or whether it has delegated the responsibility. Each general relief agency that develops a written procedure for responding to requests shall provide a copy to the department.

SECTION 952. 49.02 (5) (d) of the statutes is repealed.

SECTION 953. 49.02 (5m) of the statutes, as affected by 1985 Wisconsin Act .... (this act), is repealed.

SECTION 954. 49.02 (5m) (a) 2 of the statutes is amended to read:

49.02 (5m) (a) 2. If there is no municipality or county of legal settlement, or if such municipality or county is not liable because the person has not resided within such municipality or county during the previous 24 months, the county ~~in which of~~ of the person's ~~last known address is located~~ residence is liable.

SECTION 955. 49.02 (5m) (a) 3 of the statutes is amended to read:

49.02 (5m) (a) 3. If there is no municipality or county of legal settlement, or if such municipality or county is not liable because the person has not resided

within such municipality or county during the previous 24 months, and the person has no ~~known address~~ residence, the county in which the injury or incident occurred for which emergency medical treatment or hospitalization was provided is liable.

SECTION 956. 49.02 (5m) (b) 2 of the statutes is amended to read:

49.02 (5m) (b) 2. The county in which the person's ~~last known address~~ residence is located.

SECTION 957. 49.02 (5m) (c) 2 of the statutes is amended to read:

49.02 (5m) (c) 2. If a municipality or county determines under par. (b) that the person has no place of settlement it shall within 45 days after the treatment or hospitalization was initially provided send a notice of that determination to the county ~~in which of the patient's last known address is located~~ residence. The notice shall also contain the patient's name, ~~last known address~~ and all facts relating to the person that are known to the municipality or county in which the hospital is located regarding the patient's treatment and hospitalization, injury or illness and residence.

SECTION 958. 49.02 (5m) (c) 3 of the statutes is amended to read:

49.02 (5m) (c) 3. If a municipality or county determines under par. (b) that the person has no place of legal settlement and has no ~~known address~~ residence, it shall within 45 days after the treatment or hospitalization was initially provided send a notice of that determination to the county in which the injury or incident occurred for which emergency medical treatment or hospitalization was provided. The notice shall also contain the patient's name and all facts relating to the person that are known to the municipality or county in which the hospital is located regarding the patient's treatment and hospitalization, injury or illness and residence.

SECTION 958m. 49.02 (5m) (d) 2 of the statutes is amended to read:

49.02 (5m) (d) 2. The municipality or county in which the hospital or other health care provider that provided the treatment or hospitalization is located shall, within 30 days after the date it mailed a notice under par. (c), notify the patient and the hospital or other health care provider that provided the treatment or hospitalization of an acknowledgment of liability by a municipality or county under subd. 1. The hospital or other health care provider shall recover the costs of the treatment or hospitalization specified under par. (a) directly from the municipality or county of acknowledged liability.

SECTION 959. 49.02 (5m) (e) 2 of the statutes is amended to read:

49.02 (5m) (e) 2. A proceeding under this paragraph shall be initiated by complaint. The complaint shall contain the names of the parties and matters and requests for relief as in complaints generally. The complainant shall serve the complaint and sufficient copies upon the department by ~~registered or certified~~

mail. The department shall note receipt of service on the original complaint and shall acknowledge receipt of service to the complainant. The department shall immediately send a copy of the complaint by ~~registered or certified~~ mail to all named defendants. Within 20 days after the department mailed the complaint, a defendant shall serve an answer upon the department by ~~registered or certified~~ mail. The department shall acknowledge receipt of an answer and shall immediately send a copy of the answer to all other parties to the proceeding by ~~registered or certified~~ mail. The department may allow additional defendants to be named at any point during a proceeding and may continue or adjourn a proceeding for a reasonable period of time to enable the defendant and all parties to receive notice of the joinder and an opportunity to respond. The department shall notify the parties of the time and place of hearing. The department shall make findings and issue an order and shall send a copy of the findings and order to each party and to the patient by ~~registered or certified~~ mail as soon as possible after the hearing. The order is subject to judicial review as provided under ss. 227.16 to 227.21.

SECTION 959m. 49.02 (5m) (e) 4 of the statutes is amended to read:

49.02 (5m) (e) 4. When a proceeding under this paragraph is finally determined on appeal, or if no appeal is taken within the prescribed time, the department shall send a copy of the final order to the hospital or other health care provider that provided the treatment or hospitalization and to the patient. The hospital or other health care provider shall recover the costs of the treatment or hospitalization specified under par. (a) directly from the municipality or county named in the order.

SECTION 960. 49.02 (6) of the statutes is amended to read:

49.02 (6) Officials and agencies administering general relief shall assist dependent persons to regain a condition of self-support through every proper means at their disposal and shall give such service and counsel to those likely to become dependent as may prevent such dependency.

SECTION 961. 49.02 (6c), (6g), (6n) and (6r) of the statutes are created to read:

49.02 (6c) No individual who receives treatment or hospitalization under sub. (5) may be liable for the costs of the treatment or hospitalization otherwise reimbursable under this section if both of the following conditions exist:

(a) The individual is a dependent person.

(b) The provider of the health care treatment or hospitalization fails to meet the requirements of sub. (5) (c) unless the provider's failure to meet those requirements results from an individual's wilful false representation.

(6g) No individual who receives treatment or hospitalization under sub. (5) may be liable for the differ-

ence between the costs of the treatment or hospitalization charged by the health care provider and the amount paid by the municipality or county.

(6n) Before January 1, 1987, except as provided in sub. (5), unless the county or municipality first gives prior authorization for medical treatment or hospitalization for a dependent person or certifies a health care provider as required under s. 49.035 (6) (a), no county or municipality may be liable for medical treatment or hospitalization provided the dependent person.

(6r) After December 31, 1986, except as provided in sub. (5), unless the general relief agency first gives prior authorization for medical treatment or hospitalization for a dependent person or certifies a health care provider as required under s. 49.035 (6) (a), no county may be liable for medical treatment or hospitalization provided the dependent person.

SECTION 962. 49.02 (9) of the statutes is amended to read:

49.02 (9) Any municipality or county may limit its liability for medical or dental care furnished as general relief, including emergency care provided under sub. (5), by adopting income and resource limitations which are not more restrictive than those set forth under s. 49.06. This limitation applies only to medical or dental care furnished as general relief on or after the date the municipality or county acts to limit its liability.

SECTION 962m. 49.02 (10) of the statutes is amended to read:

49.02 (10) ~~Any A municipality or county may shall~~ limit its liability for medical or dental care furnished as general relief, including emergency care provided under sub. (5), to the amount payable by medical assistance under ss. 49.43 to 49.47 for ~~similar care. This limitation applies only to medical or dental care furnished as general relief on or after the date the municipality or county acts to limit its liability for which a medical assistance rate exists.~~ No provider of medical or dental care may bill a general relief recipient for the cost of care exceeding the amount paid under this subsection by the municipality or county.

SECTION 963. 49.025 of the statutes is created to read:

SECTION 966. 49.032 of the statutes is created to read:

**49.032 General relief benefits.** (1) (a) In 1986, a county or municipality administering general relief under s. 49.02 or 49.03 shall determine need and make a benefit payment at least monthly. Benefit payments for a dependent person without other sources of income or resources, except as provided under s. 49.06 (1), shall be based on the following minimum monthly schedule: [See Figure 49.032 (1) (a) following]

Figure: 49.032 (1) (a)

Case size	Benefit amount
1	\$180
2	303
3	357
4	417
5	479

**49.025 State reimbursement of administrative costs.**

(1) From the appropriation under s. 20.435 (4) (eb), the department shall reimburse any county that administers general relief under s. 49.02 (2m) or 49.03 for allowable costs under sub. (3) of administering general relief provided under s. 49.02 incurred in 1986 at up to 10% of the allowable costs.

(1m) After December 31, 1986, from the appropriation under s. 20.435 (4) (eb), the department shall reimburse any county for allowable costs under sub. (3) of administering general relief provided under s. 49.02 at up to 10% of the allowable costs.

(2) A claim for reimbursement under sub. (1) or (1m) shall be filed with the department by March 1 of the year immediately following the calendar year in which costs were incurred. If the funds available under s. 20.435 (4) (eb) are insufficient to reimburse all eligible costs, the funds shall be prorated.

(3) Reimbursement under subs. (1), (1m) and (2) is based on the general relief administrative costs identified in the income maintenance cost allocation plan of the department that is submitted to and accepted by the federal departments of health and human services and agriculture.

SECTION 964. 49.03 of the statutes, as affected by 1985 Wisconsin Act .... (this act), is repealed.

SECTION 965. 49.03 (1) (a) and (b) of the statutes are amended to read:

49.03 (1) (a) Provide that the county shall bear the expense of maintaining all ~~eligible~~ dependents therein and thereupon the county shall, by a date certain in the resolution, relieve all ~~eligible~~ dependents in the county; and all powers conferred and duties imposed by this chapter upon municipalities shall be exercised and performed by the county, or

(b) Abolish all distinction between ~~eligible~~ county dependents and ~~eligible~~ municipal dependents as to medical, surgical, dental, hospital and nursing care and optometrical services; and, by a date certain in the resolution have the entire expense of such care a county charge.

(b) For each general relief case in par. (a) whose size exceeds 5 persons, a county or municipality shall make an additional minimum monthly payment of \$35 per person in excess of 5 in the case.

(c) After December 31, 1986, each general relief agency shall determine need and make a benefit payment at least monthly. Benefit payments for a dependent person without other sources of income or resources, except as provided under s. 49.06 (1), shall be based on the following minimum monthly schedule: [See Figure 49.032 (1) (c) following]

Figure: 49.032 (1) (c)

Case size	Benefit amount
1	\$190
2	313
3	367
4	429
5	493

(d) For each general relief case in par. (c) whose size exceeds 5 persons, the general relief agency shall make an additional monthly payment of \$40 per person in excess of 5 in the case.

(e) Depending on the type and amount of the dependent person's income or resources, if any, or number of days or type of need during a month, the benefit payments under this section may be adjusted by an amount that reflects the dependent person's reduced need.

(2) If a municipality or county calculates for a dependent person who is in need of general relief a general relief benefit amount for shelter and utility needs separately from a general relief benefit amount for basic maintenance needs, including food and clothing, the general relief benefit amount for basic maintenance needs shall be not less than one-third of the total payment amount required under this section, except that sub. (1) (e) applies.

(3) If in January 1985 a county or municipality provided monthly maximum general relief payments based on case size to dependent persons without income or resources, except as provided under s. 49.06 (1), which exceed the monthly general relief benefit amounts required under sub. (1) (a), the county or municipality may not, on or after January 1, 1986, issue monthly maximum general relief payments for dependent persons below the corresponding levels of the payments provided in January 1985.

(4g) If in 1986 a county or municipality provides a monthly general relief benefit to a dependent person which exceeds the monthly benefit amount required under sub. (1) (a), the department shall reimburse the county or municipality at the rate set forth under s. 49.035 (1) (b), from the appropriation under s. 20.435 (4) (eb), for the amount paid to the dependent person.

(4r) After December 31, 1986, if a general relief agency provides a monthly general relief benefit to a dependent person which exceeds the monthly benefit amount required under sub. (1) (c), the department

shall reimburse the general relief agency at the rate set forth under s. 49.035 (1) (c), from the appropriation under s. 20.435 (4) (eb), for the amount paid to the dependent person.

SECTION 967. 49.035 (1) and (2) of the statutes are repealed and recreated to read:

49.035 (1) From the appropriation under s. 20.435 (4) (eb) the department shall reimburse, except for medical costs:

(a) A county or municipality for up to 12.5% of the eligible costs paid by the county or municipality for general relief provided under s. 49.02 in 1985.

(b) A municipality for up to 12.5% of the eligible costs paid by the municipality and a county for up to 40% of the eligible costs paid by the county for general relief provided under s. 49.02 in 1986.

(c) A county for up to 40% of the eligible costs paid by the general relief agency for general relief provided under s. 49.02 after December 31, 1986.

(2) From the appropriation under s. 20.435 (4) (eb), the department shall reimburse, for general relief medical costs:

(a) A municipality for:

1. Up to 12.5% of eligible medical costs incurred by the municipality in 1985 or in 1986 on behalf of an individual client that are more than \$500 but not more than \$5,000 per claim period.

2. Up to 50% of eligible medical costs incurred by the municipality in 1985 or in 1986 on behalf of an individual client that exceed \$5,000 per claim period.

(b) A county for:

1. Up to 12.5% of eligible medical costs incurred by the county in 1985 on behalf of an individual client that are more than \$500 but not more than \$5,000 per claim period.

2. Up to 50% of eligible medical costs incurred by the county in 1985 on behalf of an individual client that exceed \$5,000 per claim period.



3. Up to 50% of eligible medical costs incurred by the county after December 31, 1985, on behalf of an individual client that are not more than \$10,000 per claim period.

4. Up to 80% of eligible medical costs incurred by the county after December 31, 1985, on behalf of an individual client that exceed \$10,000 per claim period.

(c) A county for up to 60% of the eligible medical costs incurred in 1986 for individual clients who are enrolled in a prepaid health care system with a uniform fee per person, if the following requirements are met:

1. The system is established through a process of competitive bidding that shall be among health care providers that are health maintenance organizations as defined under s. 609.01 (2).

2. The accepted bid or bids must meet acceptable standards, criteria for which shall be developed by the department.

3. The full range of medical or dental care furnished by the county as general relief, including emergency medical treatment and hospitalization, must be available for general relief clients under a contract between a county and a health maintenance organization for provision of general relief medical treatment and hospitalization.

(cm) After December 31, 1986, a county for up to 60% of the eligible medical costs for individual clients who are enrolled in a prepaid health care system with a uniform fee per person, if the following requirements are met:

1. The system is established through a process of competitive bidding that shall be among health care providers that are health maintenance organizations as defined under s. 609.01 (2).

2. The accepted bid or bids must meet acceptable standards, criteria for which shall be developed by the department.

3. The full range of medical or dental care furnished by the general relief agency as general relief, including emergency medical treatment and hospitalization, must be available for general relief clients under a contract between a general relief agency and a health maintenance organization for provision of general relief medical treatment and hospitalization.

SECTION 968. 49.035 (3) of the statutes is repealed.

SECTION 969. 49.035 (4) of the statutes is amended to read:

49.035 (4) Claims for reimbursement under subs. ~~(2)~~ (1) and ~~(3)~~ (2) shall be filed with the department by March 1 of the year immediately following the calendar year in which the costs were incurred. If the funds available under s. 20.435 (4) (eb) are insufficient to reimburse all eligible costs, the funds shall be prorated.

SECTION 970. 49.035 (5) of the statutes is amended to read:

49.035 (5) The department shall establish a uniform reporting system for use by counties and municipalities until January 1, 1987, to provide the department with case and fiscal information relating to general relief costs incurred before January 1, 1987.

SECTION 971. 49.035 (5m) of the statutes is created to read:

49.035 (5m) The department shall establish a uniform reporting system for use by counties after December 31, 1986, to provide the department with case and fiscal information relating to general relief costs incurred after 1986.

SECTION 972. 49.035 (6) (intro.) and (a) of the statutes are amended to read:

49.035 (6) (intro.) No county or municipality may receive reimbursement ~~under this section~~ for any general relief expenditures unless the county or municipality does all of the following:

(a) ~~Requires Before January 1, 1987, requires~~ prior authorization or health care provider certification for a specified period of time by the relief administering agency or official for all nonemergency medical care that is provided.

SECTION 972m. 49.035 (6) (am) of the statutes is created to read:

49.035 (6) (am) After December 31, 1986, requires prior authorization or health care provider certification for a specified period of time by the general relief agency for all nonemergency medical care that is provided.

SECTION 973. 49.035 (6) (b) of the statutes is repealed and recreated to read:

49.035 (6) (b) Develops and files with the department on or before October 1 of each year a medical cost containment plan for the subsequent calendar year. The plan shall include provisions limiting the inappropriate use of emergency room care and controlling payments to providers and may include provisions on supplying case management services. The department shall approve or disapprove the plan within a reasonable period of time after the plan is timely filed.

SECTION 974m. 49.035 (6m) of the statutes is created to read:

49.035 (6m) Notwithstanding sub. (6), the department may deny any general relief reimbursement if the county or municipality fails to comply with the general relief requirements of this chapter.

SECTION 975. 49.037 of the statutes is repealed and recreated to read:

**49.037 Procedural rights.** (1) An individual may apply for general relief and shall have the opportunity to do so. A municipality or county shall, in a prominent place in the general relief agency office, post notice of the right of any individual to apply.

(2) A municipality or county shall make available to an applicant for or recipient of general relief the following printed documents:

(a) A description of the general relief program which shall include at least the following information:

1. The kinds and levels of benefits available as general relief.

2. The application process, including time limitations.

3. The appeal rights for applicants and recipients and a description of the appeals process, including any time limitations.

(b) A statement of standards of general relief policies and procedures concerning all of the following:

1. Application for assistance.

2. Eligibility for benefits.

3. Amounts of assistance provided.

4. Actions of a recipient that will cause the termination, suspension or reduction of assistance.

(3) An application shall be in writing. A municipality or county shall make an application form available to an individual upon request. The municipality or county shall notify an applicant in writing of the disposition of the application within 15 working days after receipt of the application.

(4) The municipality or county shall inform each applicant for general relief of other public assistance programs administered by county, state or federal agencies, including temporary and interim assistance, low-income energy assistance authorized under 42 USC 8621 to 8629, aid to families with dependent children, emergency assistance for families with children, medical assistance, food stamps and supplemental security income and shall refer individuals to any local agency administering these programs. Application to or potential eligibility for aid under any of these programs, unemployment compensation or Hill-Burton benefits authorized under 45 USC 291c (e) may not constitute a basis for denial of eligibility for general relief. Any benefits expected by but not immediately available to a general relief applicant from any of these programs may not be considered presently available money, income, property or credit, or other means by which it can be presently obtained. Any benefit immediately available to a general relief applicant from any of these programs may not constitute the sole basis for denial of general relief if, despite the benefit, the applicant can be found a dependent person under s. 49.032.

(5) Written notice required under sub. (3) to an individual whose application is denied in whole or in part shall contain the following:

(a) Specific reasons for the denial.

(b) A statement of the evidence and policy relied upon in making the denial determination.

(c) A statement of the procedure by which the applicant may petition the municipality or county under sub. (7) for a review of the denial determination.

(6) (a) Except as provided under par. (d), if the municipality or county terminates, suspends or reduces the general relief payment to a recipient in a

continuing aid case, the determination to terminate, suspend or reduce is effective 10 working days after mailing or personal delivery of a written notice of the determination to the recipient affected by the action.

(b) Notwithstanding par. (a), if the recipient appeals the determination within 10 working days after the notice in par. (a) is mailed or personally delivered, the municipality or county shall continue the general relief payment to the recipient in the amount paid before the determination of termination, suspension or reduction until a hearing under sub. (7) is held and a decision under sub. (9) is issued.

(c) Written notice under par. (a) to a recipient in a continuing aid case shall contain the following:

1. A statement of the effective date of the determination.

2. Specific reasons for the determination.

3. A statement of the evidence and policy relied upon in making the determination.

4. A statement of the procedure by which the recipient may petition the municipality or county under sub. (7) for a review of the determination.

5. A statement of the recipient's right to continue to receive his or her general relief payment in the amount paid before the determination of termination, suspension or reduction, if the recipient appeals the determination within 10 working days after the municipality or county mailed or personally delivered the notice.

(d) For purposes of this subsection, a reduction of a recipient's general relief payment does not include a reduction made by a municipality or county of the amount of a recipient's general relief payment or voucher based on a reduction in a vendor's actual charge to a recipient.

(7) An individual whose application for general relief is not acted upon within the period required under sub. (3) or who is denied general relief in whole or in part, or whose general relief is terminated, suspended or reduced, may petition the municipality or county for a review of the action. The municipality or county shall provide a hearing petition form to an individual who requests a review. Upon receipt of the petition, the municipality or county shall hold a hearing at a date and place convenient to the petitioner. Unless the petitioner requests a deferral of the hearing, the municipality or county shall hold the hearing within 10 working days after receipt of the petition.

(8) At a hearing conducted under this section, the municipality or county shall:

(a) Permit the petitioner or his or her representative, at a reasonable time before the date of the hearing and during the hearing, to examine all documents or records to be used at the hearing.

(b) Permit the petitioner to present his or her case personally or with the aid of others, including legal counsel.

(c) Permit the petitioner or a representative to subpoena witnesses.

(d) Permit the petitioner or a representative to establish all facts and circumstances pertinent to his or her case.

(e) Permit the petitioner or a representative to question or refute any testimony or evidence, including permission to confront and cross-examine adverse witnesses.

(f) Furnish an impartial decision maker who may not communicate outside a hearing with either party concerning a hearing.

(g) Keep a record of the proceedings and make the record available to the petitioner upon appeal.

(9) The municipality or county shall issue its decision within 5 working days after the hearing under sub. (8). The hearing decision shall:

(a) Be based exclusively on evidence presented at the hearing, except that if an issue of creditability or veracity exists the decision may not be based on mere uncorroborated hearsay.

(b) Be issued and implemented within 5 working days after the date of the hearing.

(c) Inform the petitioner of the evidence and policies relied upon in reaching the decision and of the right to appeal to circuit court, including identification of the proper party to the appeal, the time limits and procedure for the appeal.

(10) Appeal of the decision under sub. (9) is to the circuit court. The review shall be conducted by the court without a jury and shall be confined to the record, except that in case of an alleged irregularity in procedure before the municipality or county, testimony on it may be taken in the court. If leave is granted to take this testimony, depositions and written interrogatories may be taken as set forth in ch. 804 before the date set for hearing if proper cause is shown for doing so.

(11) The provisions of s. 893.80 do not apply to claims arising as a result of a denial, suspension, reduction or termination of general relief.

SECTION 976c. 49.04 (1) of the statutes is amended to read:

49.04 (1) From the appropriation under s. 20.435 (4) (e), the state shall reimburse the counties for such temporary assistance as may be needed pursuant to s. 49.01 (3) for all dependent persons who do not have a settlement within any county in this state under s. 49.10, 1983 stats., and who have resided in the state less than ~~one year~~ 365 consecutive days, but expenses for medical care shall be paid only in those cases in which application for benefits under ss. 49.46 and 49.47 has been made during the first 30-day period and ineligibility for such benefits has been established. No state reimbursement for medical care may be paid if the person is found ineligible for medical assistance because of the divestment provisions under s. 49.45 (17).

SECTION 976n. 49.04 (3) of the statutes is amended to read:

49.04 (3) The presentation of a claim for reimbursement shall be accompanied by a verified copy of the sworn statement ~~required by s. 49.11 (1) of facts relating to residence~~, and an affidavit that diligent effort was made to ascertain the facts relating to the dependent's legal settlement and period of residence in the state, and reciting such other facts as the department requires. Any claim for relief furnished after June 30, 1953, shall be filed with the department on the following June 30 or not to exceed 30 days thereafter. If the department is satisfied as to the correctness of the claim it shall certify the same to the department of administration for payment to the county entitled thereto; provided that if the total amount payable to all counties exceeds the amount available under the appropriation made in s. 20.435 (4) (e) the department shall prorate the amount available among the counties according to the amounts due them. Any necessary audit adjustments for any current or prior fiscal years may be included in subsequent certifications.

SECTION 976w. 49.04 (5) of the statutes is created to read:

49.04 (5) The department shall settle all claims for which petition for hearing has been made under sub. (4), at the rate of 30 cents for every \$1 claimed by the county, if all of the following apply:

(a) The county petitioned the department under sub. (4) before April 1, 1985.

(b) The county agrees to accept the rate of settlement for all petitioned claims.

SECTION 977. 49.05 (1) of the statutes is amended to read:

49.05 (1) Any In 1986, except as provided under s. 49.055 (2), a municipality or county required by law to administer general relief may require persons an individual entitled to general relief to labor on any work relief project authorized and sponsored by the municipality or county, at work which they are the individual is capable of performing. ~~When~~ If a work relief project requires the employment of a skilled tradesman worker, and the number of such tradesmen workers so skilled listed on the general relief rolls of the municipality or county sponsoring the project is not sufficient to meet the requirements of the project, the municipality or county may hire tradesmen a skilled worker who are is not receiving public general relief, and they he or she shall be paid at the prevailing wage for such labor in the municipality or county.

SECTION 978. 49.05 (1g) of the statutes is created to read:

49.05 (1g) After December 31, 1986, except as provided under s. 49.055 (2), a general relief agency may require an individual entitled to general relief to labor on any work relief project authorized and sponsored by the general relief agency, at work which the individual is capable of performing. If a work relief project requires the employment of a skilled worker, and the number of workers so skilled listed on the general relief rolls of the general relief agency sponsoring the

project is not sufficient to meet the requirements of the project, the general relief agency may hire a skilled worker who is not receiving general relief, and he or she shall be paid at the prevailing wage for such labor in the city, village or town in which the work relief project is located.

SECTION 981. 49.05 (2) of the statutes is amended to read:

49.05 (2) The basis of total payment, including any amount of the payment which constitutes state reimbursement under s. 49.035 (1), of persons an individual granted work relief shall be determined by the unit of government responsible for the person's relief per hour of work relief performed by that individual, using as the hourly rate at least the federal minimum hourly wage prescribed by 29 USC 206 (a) (1).

SECTION 982. 49.05 (3) of the statutes is repealed and recreated to read:

49.05 (3) A work relief project may be authorized for the performance of any work not prohibited by law and an individual entitled to work relief may be assigned to work under the following conditions:

(a) By a county or municipality for a work relief project operated before January 1, 1987, by mutual agreement with the state, another county or another municipality, or with a school district, drainage district, utility district, metropolitan sewerage district or other governmental unit or with a nonprofit corporation, under which agreement:

1. The project may not be operated so as to supplant a regular employe of any governmental unit or nonprofit corporation.

2. The governmental unit or nonprofit corporation to which the labor of the individual is lent may provide for full or partial work relief reimbursement to the municipality or county lending the individual.

(b) After December 31, 1986, by a general relief agency for a work relief project operated by mutual agreement with the state, another general relief agency, or with a municipality, school district, drainage district, utility district, metropolitan sewerage district or other governmental unit or with a nonprofit corporation, under which agreement:

1. The project may not be operated so as to supplant a regular employe of any governmental unit or nonprofit corporation.

2. The governmental unit or nonprofit corporation to which the individual is lent may provide for full or partial work relief reimbursement to the general relief agency lending the individual.

SECTION 983. 49.05 (4) of the statutes is amended to read:

49.05 (4) ~~Municipalities or counties~~ A municipality or county granting work relief shall be directly liable to ~~persons an individual~~ granted work relief for any benefits legally recoverable under the worker's compensation law of ~~Wisconsin~~ this state, but may contract with another governmental unit, for whose

benefit ~~such the~~ work relief project is primarily designed, to share ~~such the~~ liability or wholly assume ~~the same it, and such that~~ other governmental unit is hereby authorized to may make such contracts of a contract sharing or total assumption of totally assuming liability.

SECTION 983h. 49.05 (5) of the statutes is amended to read:

49.05 (5) ~~Municipalities or counties~~ A municipality or county may authorize the sale of ~~products a product~~ made on any work relief project to a governmental unit, and to unit or to a religious, charitable or educational institutions institution.

SECTION 983p. 49.05 (6) of the statutes is amended to read:

49.05 (6) ~~Municipalities or counties~~ A municipality or county may operate a work relief projects project which will serve to rehabilitate a disabled persons individual so as to enable ~~such persons the individual~~ to qualify for employment in public or private industry.

SECTION 983t. 49.05 (7) of the statutes is repealed and recreated to read:

49.05 (7) The amount of payment computed under sub. (2) as applied to the amount of monthly general relief benefits paid to the dependent person under this section correspondingly reduces the amount of labor which may be required of the individual. No dependent person may be liable under s. 49.08 for the value of payment so computed.

SECTION 984. 49.05 (7m) of the statutes is created to read:

49.05 (7m) From the appropriation under s. 20.435 (4) (eb), the department shall reimburse the municipality or county for the value of work relief payment provided under sub. (2) at the reimbursement levels under s. 49.035, less any reimbursement received by the municipality or county under sub. (3) (a) 2 or (b) 2, and, after January 1, 1986, for the educational payment under sub. (9) at the reimbursement levels under s. 49.035.

SECTION 985. 49.05 (8) of the statutes is amended to read:

49.05 (8) Any ~~person individual~~ assigned to or working on a work relief project shall comply with appropriate work relief rules established by the ~~agency administering relief. If a person municipality or county. If an individual first fails to comply with appropriate work relief rules the relief agency municipality or county may discontinue or deny general relief benefits to such person the individual~~ for a period not to exceed 30 days. If an individual fails to comply 2 or more times with appropriate work relief rules the municipality or county may discontinue or deny general relief benefits to the individual for a period not to exceed 60 days.

SECTION 986. 49.05 (9) of the statutes is created to read:

49.05 (9) A municipality or county may authorize a recipient of general relief to enroll in and attend any of the educational programs set forth under s. 49.055 (1) or any other program that in the judgment of the municipality or county can assist the recipient in achieving financial independence in lieu of the performance by that recipient of labor under a work relief project under this section. The abatement of the benefit payment of any person granted this authorization shall be per hour of in-class attendance, using the hourly rate set forth under sub. (2).

SECTION 986m. 49.05 (10) of the statutes is created to read:

49.05 (10) The department shall promulgate rules to establish standards for determinations of benefit denial or discontinuance which exceed 30 days under sub. (8).

SECTION 987. 49.053 of the statutes is created to read:

**49.053 General relief grant diversion.** (1) In this section, "employer" means a governmental unit, an individual, a corporation, including a nonprofit corporation, a partnership or any other association.

(1m) A municipality or county may administer, by contract, a program of general relief grant diversion for general relief recipients. Under a grant diversion program, a municipality or county may use all or a part of the benefit payment provided under s. 49.02 to subsidize an employer at up to 50% of the wages he or she pays the recipient for a job performed by the recipient, for a period not to exceed 6 months, under a written contract between the municipality or county and an employer.

(2) The basis for cash wage payment to a general relief recipient performing work through a general relief grant diversion program shall be per hour of labor performed by the recipient, using as the hourly rate the higher of the following:

(a) The hourly wage rate paid other entry level employes of the employer who perform the same work.

(b) The federal minimum hourly wage prescribed by 29 USC 206 (a) (1).

(3) The amount of benefit payment provided under s. 49.02 for a general relief recipient that is used to subsidize the employer under this section correspondingly reduces the amount of labor which may be required of the individual at the rate which is the ratio between the amount used to subsidize the employer and the total wage paid. No dependent person may be liable under s. 49.08 for the value of payment so provided.

(4) From the appropriation under s. 20.435 (4) (eb), the department shall reimburse the municipality or county for the value of wage subsidization provided the employer of an individual under a general relief grant diversion program, at the reimbursement levels under s. 49.035.

(5) The contract under sub. (1) shall specify that the employer shall repay to the municipality or county the total amount of wage subsidization received if the employer fails to retain the general relief recipient in employment for 3 months following termination of wage subsidization, unless cause exists for the employer to dismiss the recipient.

(6) No contract between the municipality or county and an employer under sub. (1) may be in contravention of an applicable existing collective bargaining agreement entered into by the employer.

(7) A grant diversion program may not be operated so as to supplant a regular employe of an employer.

(8) A municipality or county operating a general relief grant diversion program shall be directly liable to an individual granted grant diversion for any benefits legally recoverable under the worker's compensation law of this state, unless the employer, by contract under sub. (1), agrees to share or totally assume this liability.

(9) A municipality or county that authorizes, operates or sponsors a grant diversion program shall establish written grant diversion rules.

(10) Any individual assigned to or working on a grant diversion project shall comply with appropriate grant diversion rules established under sub. (9). If an individual fails to comply with appropriate grant diversion rules the municipality or county may discontinue or deny general relief benefits to the individual for a period not to exceed 30 days. If an individual fails to comply 2 or more times with appropriate grant diversion rules the municipality or county may discontinue or deny general relief benefits to the individual for a period not to exceed 60 days.

(11) A municipality or county may not base a denial of eligibility for a general relief recipient on the receipt by that recipient of income earned under this section.

(12) The department shall promulgate rules to establish standards for determinations of benefit denial or discontinuance which exceed 30 days under sub. (10).

SECTION 988. 49.055 of the statutes is created to read:

**49.055 Approved educational program.** (1) Eligibility for general relief under s. 49.02 shall not be affected for any otherwise eligible applicant for or recipient of general relief while the applicant or recipient is enrolled in and in good standing in any of the following:

(a) A public school, as described in s. 115.01 (1).

(b) A course of study meeting the approval of or standards established by the state superintendent of public instruction for a determination of high school graduation equivalency under s. 115.29 (4).

(c) A program established by a district board of vocational, technical and adult education under ch. 38, which provides instruction in English as a 2nd lan-

guage or is a basic remedial education or literacy program.

(2) Eligibility for general relief under s. 49.05 (1), (1g) and (8) shall not be affected for any otherwise eligible applicant for or recipient of general relief while the applicant or recipient is enrolled in and in good standing in any program under sub. (1) if, solely by reason of the enrollment and good standing, the applicant or recipient is unable to meet requirements of grant diversion or work relief rules established by the municipality or county.

SECTION 989. 49.06 of the statutes is repealed and recreated to read:

**49.06 Income and property exemptions; property assignment.** (1) The following are not money, income, property or credit, or other means by which it can be presently obtained, for purposes of determining status as a dependent person or the amount of general relief benefit due:

(a) A policy of insurance, the cash or loan value of which is not in excess of \$300.

(b) After December 31, 1985, a vehicle, the equity value of which is \$1,500 or less.

(c) Credit received under s. 71.09 (7).

(d) Low-income energy assistance benefits authorized under 42 USC 8621 to 8629.

(e) Food stamp benefits authorized under 7 USC 2011 to 2029.

(f) After December 31, 1985, expenses constituting up to 18% of gross earned income or \$40 per month, whichever is lower, reasonably related to the performance of work, except work performed on a work relief project under s. 49.05.

(2) (a) No person may be denied general relief because the person possesses equity in the home in which he or she lives.

(b) Before January 1, 1987, no applicant for general relief may be required to assign the equity under par. (a) or insurance policy under sub. (1) (a) as a condition of receiving general relief. If a person is not in fact dependent, but by reason of a fallen market or economic or other conditions would be required to suffer a substantial loss if the person converted his or her limited real or personal holdings, the person may assign property to the municipality or county in order to become qualified to receive general relief. The municipality or county may sell, lease or transfer the property, defend and prosecute all actions concerning it, pay all just claims against it and do all other things necessary for the protection, preservation and management of the property.

(c) After December 31, 1986, no applicant for general relief may be required to assign the equity under par. (a) or insurance policy under sub. (1) (a) as a condition for receiving general relief. If a person is not in fact dependent, but by reason of a fallen market or economic or other conditions would be required to suffer a substantial loss if the person converted his or her limited real or personal holdings, the person may

assign property to the county in order to become qualified to receive general relief. The county may sell, lease or transfer the property, defend and prosecute all actions concerning it, pay all just claims against it and do all other things necessary for the protection, preservation and management of the property.

SECTION 990. 49.08 of the statutes is amended to read:

**49.08 (title) Recovery of general relief paid.** If any person is the owner of property at the time of receiving general relief under this chapter or as an inmate of any county or municipal institution in which the state is not chargeable with all or a part of the inmate's maintenance or as a tuberculosis patient provided for in ch. 149 and s. 58.06, or at any time thereafter, or if such person becomes self-supporting, the authorities charged with the care of the dependent, or the board in charge of the institution, may sue for the value of the general relief from such person or the person's estate; but except as hereinafter provided the 10-year statute of limitations may be pleaded in defense in any such action to recover general relief. Where the general relief recipient is deceased, a claim may be filed against the decedent's estate and the statute of limitations specified in s. 859.01 shall be exclusively applicable. The court may refuse to render judgment or allow the claim in any case where a parent, spouse, surviving spouse or child is dependent on such property for support. The court in rendering judgment shall take into account the current family budget requirement as fixed by the U.S. department of labor for such community or as fixed by the authorities of such community in charge of public assistance. The records kept by the municipality, county or institution are prima facie evidence of the value of the general relief furnished. This section shall not apply to any person who receives care for pulmonary tuberculosis as provided in s. 149.04.

SECTION 991. 49.10 of the statutes, as affected by 1985 Wisconsin Act .... (this act), is repealed.

SECTION 992. 49.10 (3) (a) and (c) of the statutes are amended to read:

49.10 (3) (a) Any person, except as otherwise provided in this section, without a settlement in any municipality in a county (which is not operating on the county system), who voluntarily resides in that county ~~one whole year~~ for 365 consecutive days without the receipt of aid, public or private, as a dependent person, gains a settlement in the county. That which interrupts residence toward the gaining or losing of settlement in a municipality likewise interrupts residence toward the gaining or losing of a county settlement. Every ~~such~~ settlement continues until it is lost by acquiring a new one in this state or by ~~so~~ residing for ~~one whole year~~ 365 consecutive days elsewhere than the county of settlement or by ~~so~~ residing ~~one whole year~~ 365 consecutive days in a municipality within the county of settlement, and the residence which went toward gaining the county settlement

shall, if voluntarily in the municipality, be included toward the gaining of settlement in the municipality.

(c) Time spent by any person while residing on land owned, operated or controlled by another municipality or county, shall not be included as a part of the ~~year~~ 365 consecutive days necessary to acquire a settlement in the town, city, village or county, wherein ~~such~~ the lands are located, but shall be included as a part of the ~~year~~ 365 consecutive days necessary to acquire a settlement in such other municipality or county.

SECTION 993. 49.10 (4) (intro.), (5) and (7) of the statutes are amended to read:

49.10 (4) (intro.) Every person (except as otherwise provided in this section) who voluntarily resides in any municipality or county operating on the county system ~~one whole year~~ 365 consecutive days without receiving aid, either public or private, as a dependent person, gains a legal settlement therein. Residence by a person within this state under the following circumstances shall not be considered as voluntary and shall be considered as interrupted, and no settlement status shall be changed:

(5) Time spent in the armed forces on active duty exceeding 30 days in the aggregate per year shall not be included as part of the ~~year~~ 365 consecutive days necessary to change settlement status.

(7) Every settlement continues until it is lost by voluntarily acquiring a new one in this state or by voluntarily residing for ~~one whole year~~ 365 consecutive days elsewhere than the municipality or county in which such settlement exists; and upon voluntarily acquiring a new settlement or upon voluntarily residing ~~one whole year~~ for 365 consecutive days elsewhere than the municipality or county of settlement, all former settlements are lost.

SECTION 994. 49.10 (12) (a) of the statutes is amended to read:

49.10 (12) (a) "Confinement" means legal detention of a person after imposition of sentence in any prison, jail, house of correction, ~~prison~~ camp or similar correctional facility, and includes the provisions of s. 56.08.

SECTION 995. 49.10 (12) (b) 1 of the statutes is amended to read:

49.10 (12) (b) 1. Public. Waupun correctional institution; ~~the correctional institutions authorized under s. 46.05~~ Columbia correctional institution; Menomonee Valley correctional institution; Oshkosh correctional institution; Fox Lake correctional institution; Green Bay correctional institution; Dodge correctional institution; Taycheedah correctional institution; ~~Oakhill correctional institution;~~ Kettle Moraine correctional institution; ~~Wisconsin correctional camp system;~~ community minimum security correctional residential centers institutions; Lincoln Hills school; Ethan Allen school; county jails or houses of correction; centers for the developmentally disabled; Mendota and Winnebago mental health

institutes; ~~central state hospital;~~ Wisconsin school for the visually handicapped; Wisconsin school for the deaf; federal, state, county or municipal hospitals, asylums, infirmaries, tuberculosis sanatoriums or homes for the aged; veterans' hospitals, domiciliaries and homes.

SECTION 996. 49.10 (12) (d) of the statutes is renumbered 49.01 (8g) and amended to read:

49.01 (8g) "Residence" ~~is~~ means the voluntary concurrence of physical presence with intent to remain in a place of fixed habitation. Physical presence ~~shall be~~ is prima facie evidence of intent to remain.

SECTION 997. 49.10 (12) (f) of the statutes is renumbered 49.01 (8r).

SECTION 998. 49.105 of the statutes is repealed.

SECTION 999. 49.11 of the statutes, as affected by 1985 Wisconsin Act .... (this act), is repealed.

SECTION 999m. 49.11 (4m) of the statutes is created to read:

49.11 (4m) PROCESSING FEE. The county or municipality acknowledging legal settlement under sub. (4), or found to be the place of legal settlement under sub. (7) or that otherwise has liability shall pay to the county or municipality that provided general relief a processing fee of \$20 per case for each month of general relief provided by the county or municipality.

SECTION 1000. 49.11 (7) (b) of the statutes is amended to read:

49.11 (7) (b) *Pleadings and hearing.* Such proceedings shall be commenced by complaint which shall be entitled "Before the department of health and social services of Wisconsin". The complaint shall contain the names of the parties and matters and prayers as in complaints generally. The complaint, with sufficient copies, may be served by ~~registered or certified~~ mail upon the department, which shall then note such service upon the original complaint and so notify the claimant. The department shall immediately transmit a copy by ~~registered or certified~~ mail to the defendant county or municipality, which shall have 20 days from the time of the mailing of such copy by ~~registered or certified~~ mail to serve an answer, with sufficient copies, upon the department. The department shall acknowledge such service and mail a copy of the answer to the claimant. The department shall notify the parties of the time and place of hearing thereon and may continue or adjourn such hearing for a reasonable period. The department shall make its findings and order and transmit copies thereof to the parties by ~~registered or certified~~ mail as soon as possible after such hearing.

SECTION 1002. 49.12 (4) of the statutes is repealed.

SECTION 1003. 49.12 (7) of the statutes is amended to read:

49.12 (7) Any dependent person who uses money, checks, share drafts, other drafts, vouchers or any other thing of value furnished to the person as general

relief for purposes other than as directed by the ~~county or~~ municipality or county furnishing such general relief shall be punished as provided in sub. (2).

SECTION 1004. 49.12 (11) of the statutes is amended to read:

49.12 (11) "Public assistance" as used in this section includes general relief and assistance obtained through the food stamp program.

SECTION 1004m. 49.123 of the statutes is created to read:

**49.123 Loss of eligibility.** A court may declare as ineligible for aid under s. 49.046 or general relief under this chapter any person who, with intent to secure that aid or general relief, whether for himself or herself or for some other person, is found under s. 49.12 (1) to have wilfully made any false representation concerning that aid or general relief as follows:

(1) If the value of the aid under s. 49.046 or general relief so secured exceeds \$100 but does not exceed \$500, the period of ineligibility is one month.

(2) If the value of the aid under s. 49.046 or general relief so secured exceeds \$500 but does not exceed \$2,500, the period of ineligibility is one month for each amount equaling \$500 by which the value of the aid or general relief so secured exceeds \$500.

SECTION 1005. 49.125 of the statutes is created to read:

**49.125 Recovery of food stamps.** The department, or a county or elected governing body of a federally recognized American Indian tribe or band acting on behalf of the department, may recover overpayments that arise from an overissuance of food coupons under the food stamp program administered under s. 46.22 (4) (e) or 49.51 (2) (a) 11. Recovery shall be made in accordance with 7 USC 2022.

SECTION 1005m. 49.13 (3) and (4) of the statutes are created to read:

49.13 (3) Notwithstanding subs. (1) and (2), personal identification documentation requirements may be waived for 10 days for an applicant for general relief, if all of the following occur:

(a) An authorized staff member of a shelter facility for homeless individuals and families or of an agency that provides or purchases that shelter prepares a sworn statement personally assuring the identity of the applicant.

(b) The applicant agrees to cooperate with the municipality or county by providing information necessary to obtain proper identification.

(4) Notwithstanding sub. (2), the municipality or county receiving an application under sub. (3) shall pay on behalf of any applicant under sub. (3) fees required for the applicant to obtain proper identification.

SECTION 1006. 49.15 (1) of the statutes is amended to read:

49.15 (1) Any person upon his or her application to the board of trustees may be admitted to the county

home upon such terms as may be prescribed by the board. If ~~such~~ the person or his or her relatives are unable to pay for his or her care and maintenance the person may be admitted as a charge of the ~~municipality or county~~ county of his or her ~~legal settlement or the county~~ if he or she has no settlement, but no municipality or county may be bound without the written approval of its relief officer or agency, except as provided in sub. (2) residence.

SECTION 1008. 49.15 (2) of the statutes is amended to read:

49.15 (2) The actual cost for care and maintenance rendered a general relief recipient who has ~~legal settlement~~ residence in another county shall be a proper general relief charge and a liability against the ~~place of settlement and recoverable pursuant to s. 49.11~~ county of residence.

SECTION 1010. 49.17 (1) of the statutes is amended to read:

49.17 (1) Any person upon application to the board of trustees may be admitted to the county hospital upon such terms as may be prescribed by the board. If ~~such~~ the person or his or her relatives are unable to pay for his or her care and maintenance ~~he the person~~ may be admitted as a charge of the municipality or county of his legal settlement or the county if he has no settlement, but no municipality or county shall be bound without the written approval of its relief officer or agency, except as provided in sub. (2) or her residence.

SECTION 1011. 49.17 (2) of the statutes is amended to read:

49.17 (2) The actual cost for hospitalization and treatment rendered a general relief recipient who has ~~legal settlement~~ residence in another county shall be a proper general relief charge and a liability against the ~~place of settlement and recoverable pursuant to s. 49.11~~ county of residence.

SECTION 1013. 49.172 (1) (c) of the statutes is amended to read:

49.172 (1) (c) ~~Except Before January 1, 1987, except as provided in par. (d), any person who has resided in this state for at least one year, and who meets the other standards for admission, is eligible for admission, and no person shall be excluded solely on the ground that he has no legal settlement in the county or counties which operate the infirmary.~~ The time spent by any person in a county infirmary either as a voluntary or a committed patient shall not be included as time necessary to acquire or lose a legal settlement in any municipality.

SECTION 1013m. 49.172 (1) (cm) of the statutes is created to read:

49.172 (1) (cm) After December 31, 1986, except as provided in par. (d), any person who meets the standards for admission is eligible for admission.

SECTION 1014. 49.172 (6) of the statutes is amended to read:



49.172 (6) The circuit court in the case of a commitment, and the board of trustees in the case of a voluntary admission, shall pass on the economic status of the patient at the time of commitment or admission, and in all cases in which the patient has legal settlement residence in another county shall notify the county of legal settlement residence of the fact of such commitment or admission.

SECTION 1015. 49.173 (1) (intro.) of the statutes is renumbered 49.173 (1) and amended to read:

49.173 (1) In the first instance the county or counties operating an infirmary shall defray the actual per capita cost of treatment, care and maintenance. To the extent that a patient is a public charge, such county or counties shall be reimbursed for such expenditures ~~on the following basis~~, as determined from annual infirmary reports filed with the department under s. 46.18 (8), (9) and (10); by the county of residence.

SECTION 1015a. 49.173 (1) (a) of the statutes is repealed.

SECTION 1015b. 49.173 (1) (b) of the statutes is repealed.

SECTION 1015c. 49.173 (1) (c) of the statutes is repealed.

SECTION 1015m. 49.173 (3) of the statutes is repealed.

SECTION 1016. 49.173 (4) of the statutes is amended to read:

49.173 (4) ~~Beginning with the fiscal year ending June 30, 1952, the~~ The records and accounts of each county infirmary shall may be audited annually. ~~Such audits shall be made by the department of revenue as provided in s. 73.10 (5) and (6) as soon as practicable following the close of the infirmary's fiscal year.~~ In addition to other findings, such audits shall ascertain compliance with the mandatory uniform cost record-keeping system requirements of s. 46.18 (8), (9) and (10), and verify the actual per capita person cost of maintenance, care and treatment of patients. ~~Any resulting adjustments to settlements already made under ss. 49.173 and 46.106 shall be carried into the next such settlement.~~

SECTION 1016d. 49.175 (3) of the statutes is amended to read:

49.175 (3) Any county operated or private residential care facility not certifiable as a Title XIX facility shall be licensed and governed under s. 50.03 by the department before receiving or caring for any dependent persons. ~~State aid shall be provided according to subs. (4) and (5) for those patients presently in private facilities who were receiving a public assistance grant under s. 49.18, 49.20 or 49.61, 1971 stats., as of December 31, 1973, or for those patients who were in county-operated facilities on that date.~~

SECTION 1016g. 49.175 (5) of the statutes is repealed.

SECTION 1016m. 49.175 (6) of the statutes is amended to read:

49.175 (6) ~~Liability, and the collection and enforcement thereof, for~~ The care, services and supplies provided under this section, ~~and the adjustment and settlement with the several counties for their proper share of all moneys collected under s. 46.10, shall be governed exclusively by s. 46.10 a liability against the patient's county of residence.~~

SECTION 1016pf. 49.177 (3m) (title) of the statutes is amended to read:

49.177 (3m) (title) ADJUSTMENTS TO STATE SUPPLEMENTAL PAYMENTS.

SECTION 1016ph. 49.177 (3m) (b) of the statutes is repealed and recreated to read:

49.177 (3m) (b) For the period from July 1, 1985, to June 30, 1986, the department shall increase the monthly state supplemental payments provided under this section by 2% to any person eligible under par. (a).

SECTION 1016ps. 49.177 (3m) (c) of the statutes is created to read:

49.177 (3m) (c) For the period from July 1, 1986, to June 30, 1987, the department shall increase the monthly state supplemental payments provided under this section by 2% of the total amount of monthly state supplemental payments authorized under par. (b).

SECTION 1017. 49.19 (1) (b) of the statutes is amended to read:

49.19 (1) (b) Any individual may apply for aid to families with dependent children and shall have opportunity to do so. Application for aid shall be made on forms prescribed by the department, except as provided in s. 49.46 (3) from October 1, 1986 to September 30, 1994. Any person having knowledge that any child is dependent upon the public for proper support or that the interest of the public requires that such child be granted aid may bring the facts to the notice of an agency administering such aid in the county in which the child resides.

SECTION 1017g. 49.19 (4) (bm) of the statutes is amended to read:

49.19 (4) (bm) The person applying for aid shall document, to the department's satisfaction, actual income as claimed in the application, and shall reveal all assets. Aid Except as specified in par. (br), aid is available only if the combined equity value of assets does not exceed \$1,000. One automobile with an equity value not exceeding \$1,500 ~~and~~, one home, as specified in par. (e), and, for each person, one burial plot and one burial agreement under s. 445.125 (1) (b) and (c) may not be included when determining the combined equity value of assets.

SECTION 1017r. 49.19 (4) (br) of the statutes is created to read:

49.19 (4) (br) Aid may be paid for up to 9 months to an otherwise eligible owner of real property other than

that specified under par. (bm) and that real property may be excluded as an asset for up to 9 months if all of the following conditions are met:

1. The owner enters into a signed, written agreement with the county department of public welfare or social services that he or she shall make a good faith effort to sell the real property and repay the amount of aid granted during the asset exclusion period up to the amount of net proceeds of the sale of the real property.

2. The net proceeds of the sale of the real property plus the combined equity value of all other countable assets exceed \$1,000 on the date of the agreement made under subd. 1.

SECTION 1018. 49.19 (4) (d) 4 of the statutes is amended to read:

49.19 (4) (d) 4. Is the wife of a husband who has continuously abandoned or failed to support her, if ~~the husband has been legally charged with abandonment under s. 52.05 or with failure to support under s. 52.055 or in proceedings have been commenced against the husband~~ under s. ~~52.10~~ 767.65; or

SECTION 1018m. 49.19 (4) (ds) of the statutes is amended to read:

49.19 (4) (ds) Aid may not be paid to any person who fails to meet any applicable requirements of a community work experience program established under s. 46.22 (4) (n) or 49.51 (2) (a) 15. Any person who would otherwise be exempt from registering for a work program because the person is caring for a child whose age is more than 3 years but less than 6 years may be required to participate in a community work experience program if child day care licensed under s. 48.65 (1) is available for the child.

SECTION 1019d. 49.19 (4) (es) of the statutes is amended to read:

49.19 (4) (es) In determining eligibility for aid to families with dependent children, all earned and unearned income of the applicant shall be considered, except aid received under this section. Eligibility does not exist if the total income considered exceeds ~~150%~~ 185% of the standard of need or if the total income considered after disregards are applied exceeds the standard of need.

SECTION 1019m. 49.19 (4) (ez) of the statutes is amended to read:

49.19 (4) (ez) If an alien applies for aid, the income and resources of any person ~~who~~ or public or private agency which executed an affidavit of support for the alien are deemed unearned income and resources of the alien for a 3-year period after the alien enters the United States, unless the department determines that the public or private agency no longer exists or has become unable to meet the alien's needs. The income and resources of the spouse of the executor, if the executor is an individual, are also deemed unearned income and resources of the alien for a 3-year period after the alien enters the United States, if the spouse is

living with the executor. The department may, by rule, specify the method of computing income and resources under this paragraph and may reduce the level of income and resources that are deemed unearned income and resources of the alien, to the extent required by P.L. 97-35, section 2320 (b). This paragraph does not apply if the alien is a dependent child and if the executor or the executor's spouse is the parent of the alien.

SECTION 1020b. 49.19 (4) (h) 1. b of the statutes is amended to read:

49.19 (4) (h) 1. b. ~~When~~ Except as provided under sub. (5) (a) 1m, when any person applies for or receives aid under this section, any right of the parent or any dependent child to support or maintenance from any other person, including any right to unpaid amounts accrued at the time of application and any right to amounts accruing during the time aid is paid under this section, is assigned to the state.

SECTION 1020bm. 49.19 (4) (h) 2 of the statutes is amended to read:

49.19 (4) (h) 2. If the person charged with the care and custody of the dependent child or children does not comply with the requirements of subd. 1. a, that person shall be ineligible for assistance under this section. In such instances, aid payments made on behalf of the dependent child or children shall be made in the form of protective payments. If the county department of public welfare or social services has been unsuccessful in finding a person other than the person charged with the care of the dependent child to receive the protective payment on behalf of the child, after performance of a reasonable effort to do so, the county department may make the payment on behalf of the child to the person charged with the care of the dependent child.

SECTION 1020e. 49.19 (4) (k) of the statutes is amended to read:

49.19 (4) (k) The total income of the AFDC group, including any nonrecurring lump sum payment of earned or unearned income and any other income not disregarded, may not exceed the applicable standard of need under sub. (11). If the total income exceeds the standard of need, all members of the AFDC group remain ineligible for the number of months that equals the total income divided by the standard of need.

SECTION 1020h. 49.19 (5) (a) 1m of the statutes is created to read:

49.19 (5) (a) 1m. The first \$50 of any money received by the department in a month under an assignment to the state under sub. (4) (h) for a person applying for or receiving aid to families with dependent children that shall be paid to the family applying for or receiving aid.

SECTION 1020L. 49.19 (5) (a) 2. (intro.) of the statutes is amended to read:

49.19 (5) (a) 2. (intro.) The first \$75, ~~or a lesser amount specified by the department,~~ shall be disregarded from the earned income of:

SECTION 1020n. 49.19 (5) (a) 4. (intro.) of the statutes is amended to read:

49.19 (5) (a) 4. (intro.) After disregarding the amounts specified under subds. 2 and 3, \$30 of earned income plus and an amount equal to one-third of the remaining earned income not disregarded, from the earned income of any person specified in subd. 2. ~~This disregard does~~ These disregards do not apply to:

SECTION 1020r. 49.19 (5) (a) 4. a of the statutes is amended to read:

49.19 (5) (a) 4. a. The earned income of a person who has received the ~~disregard~~ disregards for 4 consecutive months, until the person ceases to receive aid for 12 consecutive months.

SECTION 1020u. 49.19 (5) (a) 4m of the statutes is created to read:

49.19 (5) (a) 4m. After the person has received the benefit of the disregards under subd. 4 for 4 consecutive months, a disregard of \$30 of earned income shall be available for 8 additional consecutive months. This disregard does not apply to:

a. Earned income derived from a training or retraining project.

b. The earned income of a person whose income exceeds the person's need, unless the person has received aid under this section in any of the 4 months preceding the month in which the income exceeds the need.

SECTION 1020y. 49.19 (5) (a) 5 of the statutes is amended to read:

49.19 (5) (a) 5. The disregards specified in subds. 2 to ~~4~~ 4m do not apply to the earned income of any person who violates 45 CFR 233.20 (a) (11) (iii).

SECTION 1021. 49.19 (11) (a) 1. a and b of the statutes are amended to read:

49.19 (11) (a) 1. a. Monthly payments made under s. 20.435 (4) (d) and (p) to persons or to families with dependent children shall be based on family size and shall be at 85% of the total of the allowances under subds. 2 and 4 plus the following standards of assistance for the period from August 1, 1983 the first day of the first month beginning at least 20 days after the effective date specified in SECTION 3204 (intro.) of this act .... [revisor inserts date], to June 30, 1984 1986. [See Figure 49.19 (11) (a) 1. a. following]

Figure: 49.19 (11) (a) 1. a.

FAMILY SIZE	AREA I		AREA II	
	<del>\$290</del>	<u>\$308</u>	<del>\$281</del>	<u>\$298</u>
1	<del>513</del>	<u>545</u>	<del>498</del>	<u>528</u>
2	<del>604</del>	<u>641</u>	<del>585</del>	<u>620</u>
3	<del>720</del>	<u>764</u>	<del>699</del>	<u>742</u>
4	<del>827</del>	<u>877</u>	<del>803</del>	<u>852</u>
5	<del>894</del>	<u>949</u>	<del>867</del>	<u>920</u>
6	<del>968</del>	<u>1,027</u>	<del>939</del>	<u>997</u>
7	<del>1,026</del>	<u>1,088</u>	<del>996</del>	<u>1,057</u>
8	<del>1,075</del>	<u>1,140</u>	<del>1,042</del>	<u>1,106</u>
9	<del>1,100</del>	<u>1,167</u>	<del>1,067</del>	<u>1,132</u>
10				

b. Payments made from July 1, ~~1984 1986~~, to June 30, ~~1985 1987~~, shall be at 85% of the total of the allowances under subds. 2 and 4 plus the following standards of assistance: [See Figure 49.19 (11) (a) 1. b. following]

Figure: 49.19 (11) (a) 1. b.

FAMILY SIZE	AREA I		AREA II	
	<del>\$302</del>	<u>\$314</u>	<del>\$292</del>	<u>\$304</u>
1	<del>534</del>	<u>556</u>	<del>518</del>	<u>539</u>
2	<del>628</del>	<u>653</u>	<del>608</del>	<u>633</u>
3	<del>749</del>	<u>779</u>	<del>727</del>	<u>756</u>
4	<del>860</del>	<u>895</u>	<del>835</del>	<u>869</u>
5	<del>930</del>	<u>968</u>	<del>902</del>	<u>938</u>
6				

7	<del>1,007</del> <u>1,048</u>	<del>977</del> <u>1,016</u>
8	<del>1,067</del> <u>1,110</u>	<del>1,036</del> <u>1,078</u>
9	<del>1,118</del> <u>1,163</u>	<del>1,084</del> <u>1,128</u>
10	<del>1,144</del> <u>1,190</u>	<del>1,110</del> <u>1,155</u>

SECTION 1021m. 49.19 (11) (b) of the statutes is amended to read:

49.19 (11) (b) The department shall implement a program of emergency assistance to needy persons in cases of fire, flood or natural disaster or energy emergency. Eligibility shall not exceed the limitations for federal participation defined by federal regulations, including 45 CFR 233.120. The aid granted, except for cases of energy emergency, shall not exceed \$150 per family member.

SECTION 1022. 49.19 (12) of the statutes is amended to read:

49.19 (12) Monthly payments in foster care shall be provided according to the following age-related rates beginning January 1, 1983: ~~\$153~~ 1985: \$160 for children aged 4 and under; ~~\$198~~ \$217 for children aged 5 to 11; ~~\$222~~ \$265 for children aged 12 to 14 and ~~\$254~~ \$275 for children aged 15 to 17. In addition to these grants for basic maintenance, supplemental payments for special needs and initial clothing allowances shall be made according to rules which the department shall promulgate. Beginning January 1, ~~1984~~ 1986, the age-related rates shall be: ~~\$156~~ \$163 for children aged 4 and under; ~~\$208~~ \$224 for children aged 5 to 11; ~~\$243~~ \$274 for children aged 12 to 14 and ~~\$264~~ \$284 for children aged 15 to 17. Beginning January 1, ~~1985~~ 1987, the age-related rates shall be: ~~\$160~~ \$166 for children aged 4 and under; ~~\$217~~ \$231 for children aged 5 to 11; ~~\$265~~ \$283 for children aged 12 to 14 and ~~\$275~~ \$293 for children aged 15 to 17.

SECTION 1023. 49.195 (5) of the statutes is created to read:

49.195 (5) The state's share of amounts recovered under this section shall be credited to the appropriations under s. 20.435 (4) (L) and (Lm) in equal proportions until the appropriation under s. 20.435 (4) (Lm) is credited with an amount equal to the amounts in the schedule, after which all receipts shall be credited to the appropriation under s. 20.435 (4) (L).

SECTION 1024m. 49.197 of the statutes is created to read:

**49.197 Fraud investigation and reduction.** (1) DEPARTMENT INVESTIGATION. From the appropriations under s. 20.435 (4) (L), (Lm), (n) and (nL), the department shall establish a program to investigate suspected fraudulent activity on the part of recipients of medical assistance under ss. 49.46 and 49.47, aid to families with dependent children under s. 49.19 and the food stamp program administered under s. 46.22 (4) (e) or 49.51 (2) (a) 11. The department's activities under this subsection may include, but are not limited to, comparisons of information provided to the department by an applicant and information provided

by the applicant to other federal, state and local agencies, development of an advisory welfare investigation prosecution standard and administration of the welfare fraud investigation pilot project under sub. (2).

(2) WELFARE FRAUD INVESTIGATION PILOT PROJECT. (a) *Grants to county agencies.* From the appropriations under s. 20.435 (4) (Lm) and (nL), the department shall award grants to not more than 4 county departments of public welfare and social services and departments created under s. 46.23 for the purpose of encouraging activities to detect fraud and reduce the error rate in benefits provided to recipients of medical assistance under ss. 49.46 and 49.47, aid to families with dependent children under s. 49.19 and the food stamp program administered under s. 46.22 (4) (e) or 49.51 (2) (a) 11. One grant shall solely be for the purpose of pursuing eligibility verification of applications for medical assistance, aid to families with dependent children and the food stamp program by ascertaining if applicants for these benefits are concurrently recipients in another state.

(b) *Grant award procedure.* The department of health and social services shall solicit from county departments of public welfare and social services and departments created under s. 46.23 innovative proposals designed to accomplish the purposes specified under par. (a), shall develop criteria for use in reviewing the proposals received and shall award grants on the basis of the criteria it establishes.

(c) *Pilot project report.* The department of health and social services shall report to the joint committee on finance by January 1, 1987, on the feasibility of implementing on a statewide basis a welfare fraud investigation program taking into consideration the results of the pilot project authorized under this subsection.

SECTION 1025g. 49.30 of the statutes is repealed and recreated to read:

**49.30 Funeral expenses.** (1) If any recipient of benefits under s. 49.046, 49.177 or 49.46, or under 42 USC 1381 to 1385 in effect on May 8, 1980, dies and the estate of the deceased recipient is insufficient to pay the funeral, burial and actual cemetery expenses of the deceased recipient, the county or applicable tribal governing body or organization responsible for burial of the recipient shall pay, to the person designated by the county agency or applicable tribal governing body or organization responsible for the burial of the recipient, the following:

(a) The full amount of actual cemetery expenses.

(b) Except as provided under sub. (2), the lesser of \$618 in state fiscal year 1985-86 and \$636 in each state fiscal year thereafter or the funeral and burial

expenses not paid by the estate of the deceased and other persons.

(2) The state shall reimburse a county or applicable tribal governing body or organization for any amount paid under sub. (1) (a). The state shall reimburse a county or applicable tribal governing body or organization for the amount paid under sub. (1) (b) if the total amount of actual expenses paid for a deceased recipient under sub. (1) (b) do not exceed the amount specified in sub. (1) (b). If the total amount of actual expenses paid for a deceased recipient under sub. (1) (b) exceed the amount specified in sub. (1) (b), the state may not reimburse a county or applicable tribal governing body or organization for such amount unless the department approves the reimbursement due to unusual circumstances.

SECTION 1026m. 49.45 (2) (a) 19 of the statutes is amended to read:

49.45 (2) (a) 19. Determine for each ~~community mental health~~ board created under s. 51.42 a base level of medical assistance expenditures for inpatient hospital psychiatric care including alcohol or other drug abuse treatment services for persons age 22 to 64 and for medical day treatment and other mental health services, in order to implement determine liability under s. 49.46 (2) (b) 7 (e). In making this determination the department shall consider admissions by county of residence, sharing cost savings and other factors to provide incentives to control utilization of these services ~~in hospitals other than psychiatric or mental hospitals. The.~~ After taking into consideration the base level of each board's allocation under 1985 Wisconsin Act .... (this act), section 3023 (3) (n), payments to health maintenance organizations on behalf of medical assistance recipients and whether or not a board participates in the pilot program under sub. (6), the department shall transfer funds from the appropriation under s. 20.435 (1) (b) to the appropriation under s. 20.435 (4) (b) and shall allocate funds to the boards each board from the appropriation under s. 20.435 (4) (b) equal to 20% of the amount of its liability for the base level of expenditures each year, if a county-owned or county-operated special hospital licensed under s. 50.33 (1) (c) is located within the jurisdiction of the board, or funds equal to 10% of the base level of expenditures each year, if no county-owned or county-operated special hospital is located within the jurisdiction of the board as established under s. 49.46 (2) (e). The board may apply these funds against its liability for psychiatric, medical day treatment and mental health services ~~provided in any hospital authorized under s. 49.46 (2) (e).~~ Funds applied by any board against this liability shall be transferred or credited to the appropriation under s. 20.435 (1) (b). The board may retain the funds it receives under this subdivision that it does not apply against its liability for psychiatric services ~~provided in any hospital,~~ if it uses the funds to provide psychiatric inpatient care in a special or mental hospital for per-

sons aged 22 to 64 or to provide noninstitutional community programs.

SECTION 1027. 49.45 (6) (b) of the statutes is amended to read:

49.45 (6) (b) ~~Each community mental health board or community human services board created under s. 46.23 or 51.42 that participates in this pilot program is~~ liable for the entire nonfederal share of medical assistance expenditures for mental health, including alcohol and other drug abuse treatment. Mental health services for medical assistance recipients may be paid by medical assistance only if authorized by the board. Each board may apply the funds it receives under par. (a) against this liability. Funds applied by each board against this liability shall be transferred or credited to the appropriation under s. 20.435 (1) (b). The board may use the funds received that it does not apply against this liability for noninstitutional community programs. The board may retain any amounts that remain unexpended or unencumbered at the end of a calendar year to provide noninstitutional community programs during the next calendar year.

SECTION 1027bg. 49.45 (6m) of the statutes, as affected by 1985 Wisconsin Act .... (this act), is repealed and recreated to read:

49.45 (6m) PAYMENT TO NURSING HOMES. (a) 1. Reimbursement for nursing home care made under s. 20.435 (1) (b), (o) or (p) shall, except as provided in subd. 3, be determined according to a prospective reimbursement system established annually by the department and approved by the joint committee on finance. Any system or proposed system shall take into account and be consistent with applicable federal regulations.

2. The reimbursement system shall take effect after approval by the joint committee on finance.

3. The reimbursement rate for nursing homes reimbursed under s. 20.435 (1) (b), (o) or (p) may be suspended or modified by the joint committee on finance as may be necessary to conform to the requirements of federal Title XIX.

(b) Such charges for ancillary materials and services as would be incurred by a prudent buyer may be included as an adjustment to the rate determined by par. (a) when so determined by the department. The department may not authorize any adjustments to the rate established under par. (a) to pay for a cost overrun that the department fails to approve under s. 150.11 (3). The department may promulgate rules setting forth conditions and limitations to this paragraph.

(br) If the federal department of health and human services disallows use of the allocation of matching federal medical assistance funds under applicable federal acts or programs for the reduction of operation deficits under 1985 Wisconsin Act .... (this act), section 3023 (12) (c), all of the following apply:

1. Notwithstanding s. 20.435 (4) (b), (cd), (de) or (eb), the department shall reduce allocations of funds

to counties in the amount of the disallowance from the appropriations under s. 20.435 (4) (b), (cd), (de) or (eb) under the procedures specified under s. 16.544 to resolve the disallowance.

2. If a city or village owns and operates a facility that has received funds to reduce an operating deficit, the city or village shall reimburse the county in which the city or village is located in the amount of funds so received.

(c) As a condition of reimbursement under this section a nursing home shall:

1. Meet the staffing standard requirements for direct patient services including the supplement contained under par. (a) 1, for which reimbursement is made, and to maintain such records as prescribed by the department to document that such level of care was actually provided.

2. Provide at the time of a patient's admission to a home, for the development and implementation of a rehabilitation plan including the development of an alternate care plan for the patient.

3. Provide, upon request, cost information relating to the overall financial operation of the facility, including, but not limited to wages and hours worked, costs of food, housekeeping, maintenance and administration.

4. Agree to admit patients 7 days of the week.

5. Admit only patients assessed or who waive or are exempt from the requirement of assessment under s. 46.27 (6) (a).

(d) The department shall:

1. Take into account all pertinent federal regulations in establishing reimbursement under this section;

2. Terminate reimbursement to a home for such a patient, unless a utilization review team established pursuant to federal regulations upon review of the patient's needs and the implementation of a rehabilitation plan for that patient determines that the patient's need for care and services can only be provided in a nursing home and determines the appropriate level of care.

3. Establish, maintain, and periodically update a patient needs evaluation system to be used in determining the need and level of care at a nursing home, which shall include the social and rehabilitative needs of the patient, provide levels of care to correspond to the actual staff time required to provide such care, and define the contents of the services to be provided.

4. Periodically audit all nursing homes and intermediate care facilities receiving funds under this paragraph, and recover payments made where the home is not meeting the conditions under which the reimbursement was made as specified in par. (c) 1 and 2. Erroneous information provided under par. (c) 3 shall constitute grounds for recovery.

(e) The department shall establish an appeals mechanism within the department to review petitions from licensed nursing homes providing skilled, intermedi-

ate, limited, personal or residential care or providing care for the mentally retarded for modifications to any reimbursement under this subsection. The department may, upon the presentation of facts, modify a nursing home's reimbursement if demonstrated substantial inequities exist for the period appealed. Upon review of the department's decision the secretary may grant the modifications, which may exceed maximum reimbursement levels allowed under this subsection but may not exceed federal maximum reimbursement levels. The department shall develop specific criteria and standards for granting reimbursement modifications, and shall take into account the following, without limitation because of enumeration, in reviewing petitions for modification:

1. The efficiency and effectiveness of the facility if compared with facilities providing similar services and if valid cost variations are considered.

2. The effect of rate modifications upon compliance with federal regulations authorized under 42 USC 1396 to 1396p.

3. The need for additional revenue to correct licensure and certification deficiencies.

4. The relationship between total revenue and total costs for all patients.

5. The existence and effectiveness of specialized programs for the chronically mentally ill or developmentally disabled.

6. Exceptional patient needs.

7. Demonstrated experience in providing high quality patient care.

(g) Reimbursement under this section to intermediate care facilities or to skilled nursing facilities may not include the cost of care reimbursable for persons eligible for medicare benefits under 42 USC 1395 to 1395xx. Medical assistance recipients are not liable for these costs. The department may require that intermediate care facilities or skilled nursing facilities recover these costs from the appropriate agencies. The department may, by rule, require medicare certification under 42 USC 1395 to 1395xx, in whole or in part, of skilled nursing facilities. Any intermediate care facility or skilled nursing facility is subject to a fine of not less than \$10 nor more than \$100 for each day it refuses to recover costs or refuses to obtain the required certification.

(h) The department may require by rule that all claims for payment of services provided nursing home residents under this chapter be submitted or countersigned by the respective nursing home administrator. The department may specify those categories of services for which reimbursement will be made only if the services are rendered or authorized in writing by a primary health care provider designated by the recipient for the particular category of services.

(i) 1. On or after October 1, 1981, medical assistance reimbursement for inpatient nursing care may only be provided for persons receiving skilled, intermediate or limited levels of nursing care as these levels

are defined under Wis. Adm. Code section HSS 132.13.

2. Reimbursement for personal or residential care is available for a person in a facility certified under 42 USC 1396 to 1396p only if the person entered a facility before the date specified in subd. 1 and has continuously resided in a facility since the date specified in subd. 1. If the person has a primary diagnosis of developmental disabilities or chronic mental illness, reimbursement for personal or residential care is available only if the person entered a facility on or before November 1, 1983.

SECTION 1027bm. 49.45 (6m) (title) of the statutes is amended to read:

49.45 (6m) (title) PAYMENT TO FACILITIES.

SECTION 1027c. 49.45 (6m) (a) 1 of the statutes is renumbered 49.45 (6m) (ag) (intro.) and amended to read:

49.45 (6m) (ag) (intro.) Reimbursement Payment for nursing home care provided in a facility under this subsection made under s. 20.435 (1) (b), (o) or (p) shall, except as provided in subd. 3 pars. (bg), (bm) and (br), be determined according to a prospective reimbursement payment system established updated annually by the department and annually, beginning July 1, 1987, approved by the joint committee on finance. Any The payment system or proposed system shall take into account and be consistent with applicable federal regulations. implement standards which are reasonable and adequate to meet the costs which must be incurred by efficiently and economically operated facilities in order to provide care in conformity with this section, with federal regulations authorized under 42 USC 1396a (13) (A), 1396a (30), 1396b (i) (3) and 1396L and with quality and safety standards established under subch. II of ch. 50 and ch. 150. In administering this payment system, the department shall allow costs it determines are necessary and proper for providing patient care. The payment system shall reflect all of the following:

SECTION 1027e. 49.45 (6m) (a) 2 and 3 of the statutes are repealed.

SECTION 1027g. 49.45 (6m) (a) of the statutes is created to read:

49.45 (6m) (a) In this subsection:

1. "Cost center" means a group of similar facility expenses.
2. "Facility" means a nursing home as defined under s. 50.01 (3) or a community-based residential facility that is licensed under s. 50.03 and that is certified by the department as a provider of medical assistance.
3. "Net property tax" means property tax from which the Wisconsin state property tax credit has been deducted.

SECTION 1027i. 49.45 (6m) (ag) 1 to 8 of the statutes are created to read:

49.45 (6m) (ag) 1. A prudent buyer approach to payment for services, under which a reasonable price recognizing selected factors that influence costs is paid for service that is of acceptable quality.

2. Standards established by the department for costs of economically and efficiently operated facilities that shall be based upon allowable costs incurred by facilities in the state as available from information submitted under par. (c) 3 and compiled by the department.

3. For state fiscal year 1985-86, rates that shall be based by the department upon information from cost reports for the 1984 fiscal year of the facility.

4. For state fiscal year 1986-87, rates that may be based by the department upon information from cost reports for the 1985 fiscal year of the facility or upon information from cost reports, adjusted by a percentage rate for inflation determined by the department, for the 1984 fiscal year of the facility.

5. Consideration for special needs of facility residents.

6. Standards for capital payment that will be based upon replacement value of a facility as determined by a commercial estimator with which the department contracts, adjusted by a rate of return determined by the department.

7. Assurance of an acceptable quality of care for all medical assistance recipients provided nursing home care.

8. Calculation of total payments and supplementary payments to facilities that permits an increase in funds allocated under s. 20.435 (1) (b) and (o) for nursing home care provided medical assistance recipients over that paid for services provided in state fiscal year 1984-85 of no more than 3.5% during state fiscal year 1985-86 and an increase in those funds over that paid for services provided in state fiscal year 1985-86 of no more than 3.5% during state fiscal year 1986-87, excluding increases in total payments attributable to increases in recipient utilization of nursing home care.

SECTION 1027k. 49.45 (6m) (am) of the statutes is created to read:

49.45 (6m) (am) In determining payments for a facility under the payment system in par. (ag), the department shall consider all of the following cost centers:

1. Allowable direct care costs, including, if provided, any of the following:
  - a. Personal comfort supplies.
  - b. Medical supplies.
  - c. Transportation by common carrier or as provided by the facility to or from an office, clinic or other medical treatment center to receive medically necessary health treatment or care.
  - d. Services of facility medical personnel that are not separately billable under medical assistance requirements.

e. Nonbillable services of a registered nurse, licensed practical nurse, nursing assistant, ward clerk, activity person, recreation person, social worker, volunteer coordinator, teacher for residents aged 22 and older, vocational counselor for residents aged 22 and older, religious person, therapy aide, therapy assistant and counselor on resident living.

2. Allowable support service costs, including the following allowable facility expenses:

a. Dietary service for the provision of meals to facility residents.

b. Environmental service for the provision of maintenance, housekeeping, laundry and security service.

c. Administrative service for the provision of management or administration and general services of a facility.

3. Allowable fuel and utility costs, including the facility expenses that the department determines are allowable for the provision of:

a. Electrical service.

b. Water and sewer services.

c. Heat.

4. Net property tax or allowable municipal service costs incurred by the owner of the facility for the facility.

5. Capital payment necessary for the provision of service over time, including allowable facility expenses for suitable space, furnishings, property insurance and moveable equipment for patient care.

SECTION 1027m. 49.45 (6m) (ar) of the statutes is created to read:

49.45 (6m) (ar) In determining payments for a facility under par. (ag), the department may establish minimum patient day occupancy standards for determining costs per patient day and shall apply the following methods to calculate amounts payable for the cost centers described under par. (am):

1. For direct care costs:

a. The department shall establish standards for payment of allowable direct care costs that are 110% of the median for direct care costs for facilities that do not primarily service the developmentally disabled and separate standards for payment of allowable direct care costs that are 110% of the median for direct care costs for facilities primarily serving the developmentally disabled. The standards shall be adjusted by the department for regional labor cost variations. The department may decrease the percentage established for the standards only if amounts available under par. (ag) (intro.) are insufficient to provide total payment under par. (am), less capital costs under subd. 5.

b. The department shall establish the direct care component of the facility rate for each facility by comparing actual allowable direct care cost information of that facility adjusted for inflation to the standards established under subd. 1. a.

c. If a facility has an approved program for provision of service to emotionally disturbed or mentally retarded residents, residents dependent upon ventilators, or residents requiring supplemental skilled care due to complex medical conditions, a supplement to the direct care component of the facility rate under subd. 1. b shall be made to that facility according to a method developed by the department.

d. Beginning July 1, 1986, the department shall include in direct care costs an amount reasonably related to cost for medical transportation under par. (am) 1. c.

2. For support service costs:

a. The department shall establish one or more standards for the payment of support service costs that are not less than the median of support service costs for a sample of all facilities within the state.

b. The department shall establish the support service component of the facility rate for each facility by comparing actual allowable support service cost information of that facility, adjusted for inflation, to the applicable standard established under subd. 2. a.

c. Payment for administrative and general services shall not exceed a maximum cost amount as determined by the department.

d. The department may provide an efficiency incentive payment to a facility whose allowable support service costs are less than the standards set forth under subd. 2. a.

3. For fuel and utility costs:

a. The department shall establish standards, adjusted for heating degree day variations in the state, for payment of fuel and utility costs that are not less than the median of heating fuel and utility costs for a sample of all facilities within the state.

b. The department shall establish the fuel and utility component of the facility rate for each facility by comparing actual allowable fuel and utility cost information of that facility, adjusted for inflation, to the standard established under subd. 3. a.

c. The department may provide an efficiency incentive payment to a facility whose allowable fuel and heating costs are less than the standard set forth under subd. 3. a.

4. For net property taxes or municipal services, payment shall be made for those costs that range from the amount of the previous calendar year's tax or the amount of municipal service costs for a period specified by the department to a maximum limit as determined by the department.

5. Capital payment shall be based on a replacement value for a facility, as determined by a commercial estimator with which the department has contracted for service, and subject to limitations determined by the department, except that the department may not reduce final capital payment of a facility by more than \$3.50 per patient day.



SECTION 1027o. 49.45 (6m) (av) of the statutes is created to read:

49.45 (6m) (av) 1. The department shall calculate a payment rate for a facility by applying the criteria set forth under pars. (ag) 1 to 5, 7 and 8, (am) 1 to 4 and (ar) 1 to 4 to costs requested for payment by the facility.

2. The department shall compile an average payment rate for each facility based on that facility's rates for cost centers described under par. (am) 1 to 4 that were in effect on June 30 of the previous year.

3. The department shall calculate the facility's projected cost per patient day, based on that facility's cost centers under par. (am) 1 to 4, adjusted for inflation, with administrative and general costs limited to a maximum as determined by the department.

4. If the average payment rate for a facility compiled under subd. 2 exceeds the figure calculated under subd. 3, the department shall calculate the facility's payment rate by performing all of the following:

a. Subtract the figure calculated under subd. 3 from the facility's average payment rate under subd. 2.

b. Multiply the figure resulting under subd. 4. a by 50%.

c. Add the figure resulting under subd. 4. b to the figure calculated under subd. 3.

5. If the facility's payment rate under subd. 1 is less than a 3.5% increase over its average payment rate for the previous year under subd. 2, if the figure calculated for the facility under subd. 3 exceeds the payment rate for the facility under subd. 1 and if subd. 4 does not apply, all of the following shall apply:

a. The department shall develop costs of a facility that reflect characteristics similar to the facility in question.

b. If the previous year's average payment rate under subd. 2 for the facility is less than the costs developed under subd. 5. a, the department may grant for the facility an increase of no more than 3.5% of the previous year's average payment rate under subd. 2 for the facility.

c. If the previous year's average payment rate under subd. 2 for the facility exceeds the costs developed under subd. 5. a, the facility's payment rate shall be the facility's previous year's average payment rate under subd. 2.

6. The total payment rate for a facility as calculated under subd. 1, 4 or 5. b or c shall be the sum of the rate so calculated, plus capital payment calculated under pars. (am) 5 and (ar) 5 and payment for ancillary services and materials under par. (b), and supplemental payments calculated under par. (ar) 1. c.

SECTION 1027p. 49.45 (6m) (b) of the statutes is amended to read:

49.45 (6m) (b) ~~Such~~ The charges for ancillary materials and services as that would be incurred by a prudent buyer may be included as an adjustment to the rate determined by par. ~~(a)~~ (av) when so determined

by the department. The department may not authorize any adjustments to the rate established under par. ~~(a)~~ (av) to pay for a cost overrun that the department fails to approve under s. 150.11 (3). Ancillary materials and services for which payment may be made include, if provided, oxygen, medical transportation and laboratory and X-ray services. Payment for these services and materials shall not exceed medical assistance limitations for reimbursement of the services and materials. For services in a facility for which the department may make payment to a service provider other than a facility, the department may make payment to the facility but not in excess of the estimated amount of payment available if a separate service provider provided the service. The department may promulgate rules setting forth conditions of and limitations to this paragraph.

SECTION 1027r. 49.45 (6m) (bg) of the statutes is created to read:

49.45 (6m) (bg) The department shall determine payment levels for the provision of skilled, intermediate, limited, personal or residential care or care for the mentally retarded in the state centers for the developmentally disabled separately from the payment principles, applicable costs and methods established under this subsection.

SECTION 1027t. 49.45 (6m) (bm) of the statutes is created to read:

49.45 (6m) (bm) Except as provided in par. (bo), the department may establish payment methods for a facility for which any of the following apply:

1. The facility is newly constructed.

2. The total of licensed beds for the facility has significantly increased or decreased prior to calculation of its rate under the payment system.

3. The facility has undergone a change in certification or licensure level.

4. The facility has implemented or discontinued an approved program for provision of service to emotionally disturbed residents.

5. The facility has received approval or disapproval for provision of service to residents requiring supplemental skilled care due to complex medical conditions.

SECTION 1027u. 49.45 (6m) (bo) of the statutes is created to read:

49.45 (6m) (bo) The department may establish payment methods for capital payment for a newly constructed facility that first provided services after June 30, 1984.

SECTION 1027um. 49.45 (6m) (bp) of the statutes is created to read:

49.45 (6m) (bp) Notwithstanding pars. (ag) 3 and 4, (am) 5 and (ar) 5, the department may establish payment methods based on actual costs for capital payment for a facility that, after December 31, 1982, was constructed, was purchased or incurred annual remodeling costs of more than \$600,000.

SECTION 1027v. 49.45 (6m) (br) of the statutes is created to read:

49.45 (6m) (br) If the federal department of health and human services disallows use of the allocation of matching federal medical assistance funds under applicable federal acts or programs for the reduction of operation deficits under 1985 Wisconsin Act ... (this act), section 3023 (12) (c), all of the following apply:

1. Notwithstanding s. 20.435 (4) (b), (cd), (de) or (eb), the department shall reduce allocations of funds to counties in the amount of the disallowance from the appropriations under s. 20.435 (4) (b), (cd), (de) or (eb) under the procedures specified under s. 16.544 to resolve the disallowance.

2. If a city or village owns and operates a facility that has received funds to reduce an operating deficit, the city or village shall reimburse the county in which the city or village is located in the amount of funds so received.

SECTION 1027x. 49.45 (6m) (c) 1 of the statutes is amended to read:

49.45 (6m) (c) 1. Meet the staffing standard requirements for direct patient services care costs including the supplement contained under par. (a) ~~+~~ (ar) 1. c, for which reimbursement payment is made, and to maintain such records as prescribed by the department to document that such level of care was actually provided.

SECTION 1028. 49.45 (6m) (c) 5 of the statutes is amended to read:

49.45 (6m) (c) 5. Admit only patients assessed or who waive or are exempt from the requirement of assessment under s. 46.27 (6) (a).

SECTION 1028d. 49.45 (6m) (d) 1 of the statutes is repealed.

SECTION 1028f. 49.45 (6m) (d) 2 of the statutes is amended to read:

49.45 (6m) (d) 2. Terminate reimbursement payment to a home facility for such a patient, unless a utilization review team established pursuant to federal regulations upon review of the patient's needs and the implementation of a rehabilitation plan for that patient determines that the patient's need for care and services can only be provided in a nursing home facility and determines the appropriate level of care.

SECTION 1028k. 49.45 (6m) (e) (intro.) of the statutes is amended to read:

49.45 (6m) (e) (intro.) The department shall establish an appeals mechanism within the department to review petitions from licensed nursing homes facilities providing skilled, intermediate, limited, personal or residential care or providing care for the mentally retarded for modifications to any reimbursement payment under this subsection. The department may, upon the presentation of facts, modify a nursing home's reimbursement payment if demonstrated substantial inequities exist for the period appealed. Upon

review of the department's decision the secretary may grant the modifications, which may exceed maximum reimbursement payment levels allowed under this subsection but may not exceed federal maximum reimbursement levels. The department shall develop specific criteria and standards for granting reimbursement payment modifications, and shall take into account the following, without limitation because of enumeration, in reviewing petitions for modification:

SECTION 1028o. 49.45 (6m) (e) 2 of the statutes is amended to read:

49.45 (6m) (e) 2. The effect of rate modifications upon compliance with federal upper limit regulations and other pertinent federal regulations governing Title XIX of the social security act authorized under 42 USC 1396 to 1396p.

SECTION 1028s. 49.45 (6m) (f) of the statutes is created to read:

49.45 (6m) (f) The department shall use the appeals mechanism established under par. (e) to review applications from and award grants to facilities meeting the requirements specified under 1985 Wisconsin Act ... (this act), section 3023 (12) (b).

SECTION 1028w. 49.45 (6m) (g) of the statutes is amended to read:

49.45 (6m) (g) Reimbursement Payment under this section to intermediate care facilities or to skilled nursing facilities a facility may not include the cost of care reimbursable under 42 USC 1395 to 1395ff (medicare part A or part B) for persons eligible for medicare benefits under 42 USC 1395 to 1395ff 1395xx. Medical assistance recipients are not liable for these costs. The department may require that intermediate care facilities or skilled nursing facilities a facility recover these costs from the appropriate agencies. The department may, by rule, require medicare certification under 42 USC 1395 to 1395ff 1395xx, in whole or in part, of skilled nursing facilities. Any intermediate care facility or skilled nursing facility is subject to a fine of not less than \$10 nor more than \$100 for each day it refuses to recover costs or refuses to obtain the required certification.

SECTION 1028y. 49.45 (6m) (i) of the statutes is amended to read:

49.45 (6m) (i) 1. On or after October 1, 1981, medical assistance reimbursement payment for inpatient nursing care may only be provided for persons receiving skilled, intermediate or limited levels of nursing care as these levels are defined under Wis. Adm. Code ~~chapter H32~~ section HSS 132.13.

2. Reimbursement Payment for personal or residential care is available for a person in a facility certified under 42 USC 1396 to 1396K 1396p only if the person entered a facility before the date specified in subd. 1 and has continuously resided in a facility since the date specified in subd. 1. If the person has a primary diagnosis of developmental disabilities or chronic mental illness, reimbursement payment for personal

or residential care is available only if the person entered a facility on or before November 1, 1983.

SECTION 1029. 49.45 (9) of the statutes is amended to read:

49.45 (9) **FREE CHOICE.** Any person eligible for medical assistance under ss. 49.46 and 49.47 may use the physician, chiropractor, dentist, pharmacist, hospital, skilled nursing home, health maintenance organization, limited service health organization, preferred provider plan or other licensed, registered or certified provider of health care of his or her choice, except that free choice of a provider may be limited by the department if the department's alternate arrangements are economical and the recipient has reasonable access to health care of adequate quality. The department may also require a recipient to designate, in any or all categories of health care providers, a primary health care provider of his or her choice. After such a designation is made, the recipient may not receive services from other health care providers in the same category as the primary health care provider unless such service is rendered in an emergency or through written referral by the primary health care provider. Alternate designations by the recipient may be made in accordance with guidelines established by the department. Nothing in this subsection shall vitiate the legal responsibility of the physician, chiropractor, dentist, pharmacist, skilled nursing home, hospital, health maintenance organization, limited service health organization, preferred provider plan other licensed, registered or certified provider of health care to patients. All contract and tort relationships with patients shall remain, notwithstanding a written referral under this section, as though dealings are direct between the physician, chiropractor, dentist, pharmacist, skilled nursing home, hospital, health maintenance organization, limited service health organization, preferred provider plan or other licensed, registered or certified provider of health care and the patient. No physician, chiropractor, pharmacist or dentist may be required to practice exclusively in the medical assistance program.

SECTION 1030. 49.45 (20) of the statutes is created to read:

49.45 (20) **EXEMPTION FROM CONTINUATION REQUIREMENTS.** An insurer, as defined in s. 632.897 (1) (d), with which the department contracts under sub. (2) (b) 2 for the provision of health care to medical assistance recipients is exempt from the continuation of group coverage requirements of s. 632.897 with regard to those recipients, their spouses and dependents.

SECTION 1031. 49.45 (21) of the statutes is created to read:

49.45 (21) **TRANSFER OF BUSINESS, LIABILITY FOR REPAYMENTS.** (a) If any provider liable for repayment of improper or erroneous payments or overpayments under this subchapter sells or otherwise transfers ownership of his or her business or all or substantially

all of the assets of the business, the transferor and transferee are each liable for the repayment. Prior to final transfer, the transferee is responsible for contacting the department and ascertaining if the transferor is liable under this paragraph.

(b) If a transfer occurs and the applicable amount under par. (a) has not been repaid, the department may proceed against either the transferor or the transferee. Within 30 days after receiving notice from the department, the transferor or the transferee shall pay the amount in full. Upon failure to comply, the department may bring an action to compel payment. If a transferor fails to pay within 90 days after receiving notice from the department, the department may proceed under sub. (2) (a) 12.

(c) The department may enforce this subsection within 4 years following a transfer.

(d) This subsection supersedes any provision of chs. 180, 181 and 185.

SECTION 1031d. 49.45 (22) of the statutes is created to read:

49.45 (22) **MEDICAL ASSISTANCE SERVICES PROVIDED BY HEALTH MAINTENANCE ORGANIZATIONS.** If the department contracts with health maintenance organizations for the provision of medical assistance it shall give special consideration to health maintenance organizations that provide or that contract to provide comprehensive, specialized health care services to pregnant teenagers.

SECTION 1031g. 49.46 (1) (cg) of the statutes is created to read:

49.46 (1) (cg) Medical assistance shall be provided to a dependent child, a relative with whom the child is living or the spouse of the relative, if the spouse meets the requirements of s. 49.19 (1) (c) 2. a or b, for 4 calendar months after the month in which the child, relative or spouse is ineligible for aid to families with dependent children because of the collection or increased collection of maintenance or support, if the child, relative or spouse received aid to families with dependent children in 3 or more of the 6 months immediately preceding the month in which that ineligibility begins. Medical assistance eligibility under this paragraph applies only with respect to a child, relative or spouse who becomes ineligible for aid to families with dependent children after August 15, 1984, and before October 1, 1988.

SECTION 1031m. 49.46 (1) (cm) of the statutes is created to read:

49.46 (1) (cm) Medical assistance shall be provided to a family for 12 consecutive calendar months following the month in which the family is ineligible for aid to families with dependent children solely because the family no longer receives the earned income disregards under s. 49.19 (5) (a) 4 and 4m due to the expiration after September 30, 1984, of the time limit during which the disregards are applied.

SECTION 1031r. 49.46 (1) (cr) of the statutes is created to read:

49.46 (1) (cr) Medical assistance shall be provided for 12 consecutive calendar months to a family that ceased to receive aid to families with dependent children after September 30, 1981, and prior to October 1, 1984, solely because of the loss of the disregards for earned income under s. 49.19 (5) (a) 4, after receiving the disregards for 4 consecutive months, if the family:

1. Applies for the medical assistance no later than the last day of the 6th month commencing after the month in which the secretary of the federal department of health and human services promulgates final regulations under 42 USC 602 (a) (37).

2. Discloses in the application under subd. 1 any health insurance possessed by a member of the family.

3. Demonstrates that, but for the loss of the disregards for earned income under s. 49.19 (5) (a) 4, the family was continuously eligible for aid to families with dependent children from the date of that loss until the date of the application made under subd. 1.

SECTION 1032. 49.46 (2) (a) 4. a of the statutes is amended to read:

49.46 (2) (a) 4. a. Inpatient hospital services other than services in an institution for mental diseases, including psychiatric and alcohol or other drug abuse treatment services, subject to the limitations under par. (e).

SECTION 1034. 49.46 (2) (b) 6. f of the statutes is amended to read:

49.46 (2) (b) 6. f. Medical ~~Except as limited under par. (e), medical~~ day treatment services and other mental health services, including services provided by a psychiatrist, purchased or provided by a ~~community mental health~~ board created under s. 51.42 for the county in which the patient resides. ~~The board is liable for 10% of the rate established by the department for these services. The board and the department of public welfare or social services for the county in which the patient resides shall develop a written agreement for programs for persons requiring these mental health services.~~

SECTION 1035. 49.46 (2) (b) 7 of the statutes is repealed.

SECTION 1036. 49.46 (2) (b) 8 of the statutes is amended to read:

49.46 (2) (b) 8. Home or community-based services, if provided under s. 46.27 (11), 46.275 or 46.277.

SECTION 1037. 49.46 (2) (e) of the statutes is created to read:

49.46 (2) (e) The department shall pay for inpatient psychiatric care for persons aged 22 to 64, including alcohol and other drug abuse services, under par. (a) 4. a and services under par. (b) 6. f only if the board created under s. 46.23 or 51.42 for the county in which the person resides authorizes payment, except that this provision does not apply if the board created under s. 46.23 or 51.42 in the county in which the person resides participates in the program under s. 49.45 (6) or if the recipient of the care or services is enrolled in a

health maintenance organization under the department's authority under s. 49.45 (9). The board and the department of public welfare or social services for the county in which the patient resides shall develop a written agreement for programs for persons requiring these mental health services. The board is liable for a portion of the customary charge or of the medical assistance rate for these services, whichever is less, as follows:

1. For inpatient psychiatric care, including alcohol and other drug abuse services, under par. (a) 4. a for recipients aged 22 to 64, the board is liable for 20% of the charge or rate paid by the department.

2. For services under par. (b) 6. f, the board is liable for 10% of the charge or rate.

SECTION 1038. 49.46 (3) of the statutes is created to read:

49.46 (3) CHILD SUPPORT SUPPLEMENT. In developing a plan under s. 46.257 (6), the department may determine that physical custody of a minor child pursuant to a court order, or to a stipulation approved by a court, under ch. 767 constitutes application for benefits under this section. This subsection applies from October 1, 1986 to September 30, 1994.

SECTION 1038g. 49.47 (4) (b) 3 of the statutes is renumbered 49.47 (4) (b) 3g. (intro.) and amended to read:

49.47 (4) (b) 3g. (intro.) Liquid assets ~~not exceeding \$1,500, if single, \$2,250 for a family of 2, plus \$300 for each additional legal dependent. for a single person limited to:~~

SECTION 1038r. 49.47 (4) (b) 3g. a to e, 3m and 3r of the statutes are created to read:

49.47 (4) (b) 3g. a. In 1985, \$1,600.

b. In 1986, \$1,700.

c. In 1987, \$1,800.

d. In 1988, \$1,900.

e. After December 31, 1988, \$2,000.

3m. Liquid assets for a family of 2, limited to:

a. In 1985, \$2,400.

b. In 1986, \$2,550.

c. In 1987, \$2,700.

d. In 1988, \$2,850.

e. In 1989, \$3,000.

3r. Liquid assets limited to \$300 for each legal dependent in addition to a family of 2.

SECTION 1039. 49.47 (6) (a) of the statutes is repealed and recreated to read:

49.47 (6) (a) The department shall audit and pay charges to certified providers for medical assistance on behalf of the following:

1. All beneficiaries, for those services enumerated under s. 49.46 (2) (a) and (b) 3 and 6. a to d, h and i.

2. All beneficiaries who reside in an intermediate care facility or a skilled nursing facility, for those services enumerated under s. 49.46 (2) (b) 1, 2, 4, 5 and 6. f and g.

SECTION 1040. 49.47 (6) (d) of the statutes is created to read:

49.47 (6) (d) No payment under this subsection may include care for services rendered earlier than 3 months preceding the month of application.

SECTION 1041m. 49.50 (7g) of the statutes is created to read:

49.50 (7g) GRANT DIVERSION PROJECT PROGRAM. (a) In conjunction with the program under sub. (7), the department may administer by contract, in up to 10 counties, projects of grant diversion for recipients of aid to families with dependent children under the federal work supplementation program authorized by 42 USC 614. Under a grant diversion project, the department may use all or a part of the grant of an individual receiving aid to families with dependent children provided under s. 49.19 to supplement wages for a job performed by that individual under a contract between the department or its designated representative and a governmental unit or another individual, a corporation, including a nonprofit corporation, a partnership or any other association.

(b) From the appropriations under s. 20.435 (4) (d) and (p), the department shall reimburse a governmental unit or individual, a corporation, including a nonprofit corporation, a partnership or any other association contracting with the department under par. (a) to supplement the wages for a job performed by an individual under par. (a).

(c) The basis for payment of an individual performing work of a project under this subsection shall be per hour of labor performed by the individual using as the hourly rate the higher of the following, except that, if the labor performed is for a municipality as defined under s. 66.293 (3) (b), the wage shall be at the rate set forth under s. 66.293:

1. The hourly wage paid entry level employes of the governmental unit or individual, corporation, including a nonprofit corporation, partnership or any other association who perform the same work.

2. The federal minimum hourly wage prescribed by 29 USC 206 (a) (1).

(ca) Payment under par. (c), after the earned income disregards under s. 49.19 (5) (a) 2 and 3 have been applied, shall additionally be subject, for 9 consecutive months, to an earned income disregard of \$30 and a disregard equal to one-third of the remaining earned income.

(d) No contract between the department and a governmental unit or individual, a corporation, including a nonprofit corporation, a partnership or any other association under par. (a) may be in contravention of an existing collective bargaining agreement which is applicable entered into by the governmental unit or individual, corporation, including a nonprofit corporation, a partnership or any other association.

(e) Recipient participation in the grant diversion project shall be voluntary. The department shall pro-

mulgate rules establishing the criteria for recipient participation.

(f) As a part of the grant diversion project, the department may request a waiver from the secretary of the federal department of health and human services of application of the monthly employment time eligibility limitation set forth under 45 CFR 233.100 (a) (1) (i) for the aid to families with dependent children program. The department may request the waiver in order to conduct a study to determine the impact upon the employment and eligibility of certain AFDC recipients of the absence of requirements under 45 CFR 233.100 (a) (1) (i).

SECTION 1042. 49.50 (8) (c) of the statutes is repealed.

SECTION 1045. 49.51 (2) (a) 6 of the statutes is amended to read:

49.51 (2) (a) 6. Before January 1, 1987, the administration of general relief under ss. 49.02 and 49.03 in the event that the county administers general relief under those sections.

SECTION 1046. 49.51 (2) (a) 6m of the statutes is created to read:

49.51 (2) (a) 6m. After December 31, 1986, the administration of general relief under s. 49.02.

SECTION 1047. 49.51 (2) (a) 14 of the statutes is amended to read:

49.51 (2) (a) 14. To collect and transmit information to the department so that a federal energy assistance payment or weatherization services may be made to an eligible household; to receive applications from individuals seeking low-income energy assistance under s. 49.80 (4); to provide information on the income eligibility for weatherization of a recipient of low-income energy assistance to an entity with which the department contracts for provision of weatherization under sub. (9); and to receive a request, determine a correct payment amount, if any, and provide payment, if any, for emergency assistance under s. 49.80 (8).

SECTION 1047m. 49.51 (2) (a) 15 of the statutes is amended to read:

49.51 (2) (a) 15. To establish a community work experience program under 42 USC 609 if the county so elects and if the county pays the administrative costs associated with the program that are not reimbursed by the federal government. Any person participating in a community work experience program in a county is an employe of that county for purposes of worker's compensation benefits only. A county operating a community work experience program shall assist a person under s. 49.19 (4) (ds) who is caring for a child whose age is more than 3 years but less than 6 years in obtaining child day care licensed under s. 48.65 (1) for the child.

SECTION 1048. 49.52 (1) (a) of the statutes is amended to read:

49.52 (1) (a) ~~The department shall reimburse each county for reasonable costs of income maintenance administration from s. 20.435 (4) (de) and (p) under a contract according to s. 46.032. The~~ Before January 1, 1987, the department shall reimburse each county from the appropriations under s. 20.435 (4) (b), (d), (o) and (p) for 100% of the cost of aid to families with dependent children granted pursuant to s. 49.19, for social services as approved by the department under ss. 46.22 (4) (j) and (5m) (c) and 49.51 (2) (a), (3) (c) and (4), and for funeral expenses paid for recipients of aid under s. 49.30, except that no reimbursement may be made for the administration of or aid granted under ss. 49.02 and 49.03.

SECTION 1048c. 49.52 (1) (am) of the statutes is created to read:

49.52 (1) (am) After December 31, 1986, the department shall reimburse each county from the appropriations under s. 20.435 (4) (b), (d), (o) and (p) for 100% of the cost of aid to families with dependent children granted pursuant to s. 49.19 for social services as approved by the department under ss. 46.22 (4) (j) and (5m) (c) and 49.51 (2) (a), (3) (c) and (4), and for funeral expenses paid for recipients of aid under s. 49.30, except that no reimbursement may be made for the administration of or aid granted under s. 49.02.

SECTION 1048g. 49.52 (1) (ag) of the statutes is created to read:

49.52 (1) (ag) The department shall reimburse each county for reasonable costs of income maintenance administration within the limits of available federal funds and of the appropriations under ss. 20.435 (4) (de) and (nL) under a contract according to s. 46.032. The department shall determine reimbursement to counties for 1986 and the first 6 months of 1987 using the following method:

1. The state and federal income maintenance administration funds distributed to a county by contract under s. 46.032 for 1985 constitute the base allocation for that county.

2. a. For 1986, to the base allocation for each county under subd. 1 an amount is added or subtracted that is determined by computing 75% of the county's workload growth or decrease as a percentage of the projected statewide workload growth or decrease for 1986 as determined by the department, except that no county's allocation under this subdivision may be less than 95% of its base allocation under subd. 1.

b. For the first 6 months of 1987, to 50% of the base allocation under subd. 1 an amount is added or subtracted that is determined by computing 75% of the county's workload growth or decrease as a percentage of the projected statewide workload growth or decrease for the first 6 months of 1987 as determined by the department, except that no county's allocation may be less than 95% of 50% of its base allocation under subd. 1.

3. a. For 1986, an amount equal to 3% of the sum achieved by adding subds. 1 and 2. a is added to each county's allocation to provide for inflation.

b. For the first 6 months of 1987, an amount equal to 3% of the sum achieved by adding 50% of the totals under subds. 1 and 3. a and 100% of the total under subd. 2. b is added to each county's allocation to provide for inflation.

4. A county's percentage share of county funds matched to federal funds by all counties in 1984, constitutes the county's percentage share of ~~\$1,974,000~~ appropriated under s. 20.435 (4) (de) in 1985-86 and is added to the county's allocation in 1986.

Vetoed  
in Part

5. A county's percentage share of county funds matched to federal funds by all counties in 1984, constitutes the county's percentage share of ~~\$1,059,000~~ appropriated under s. 20.435 (4) (de) in 1986-87 and is added to the county's allocation for the first 6 months of 1987.

Vetoed  
in Part

6. If funds received by a county under subd. 4 for expenditure in 1986 are not spent or encumbered on or before December 31, 1986, the department shall redistribute the amount not spent or encumbered in the following manner:

a. If a county received no federal funds matched to county funds in 1984 and has requested federal funds matched to county funds for 1986, to that county, up to the amount that would have been that county's percentage share of county funds matched to federal funds by all counties in 1984, had that county requested federal funds matched to county funds for 1984.

b. If funds remain following redistribution under subd. 6. a, to all counties that received federal funds matched to county funds in 1984, under the percentage share basis established under subd. 4, except that no funds shall be distributed to a county that failed to spend or encumber the funds on or before December 31, 1986.

7. If funds received by a county under subd. 5 for expenditure in 1987 are not spent or encumbered on or before December 31, 1987, the department shall redistribute the amount not spent or encumbered in the following manner:

a. If a county received no federal funds matched to county funds in 1984 and has requested federal funds matched to county funds for the first 6 months of 1987, to that county, up to the amount that would have been that county's percentage share of county funds matched to federal funds by all counties in 1984, had that county requested federal funds matched to county funds for 1984.

b. If funds remain following redistribution under subd. 7. a, to all counties that received federal funds matched to county funds in 1984, under the percentage share basis established under subd. 5, except that no funds shall be distributed to a county that failed to spend or encumber the funds on or before December 31, 1987.

SECTION 1048r. 49.52 (1) (ar) of the statutes is created to read:

49.52 (1) (ar) The department shall develop funding incentives for counties to reduce rates of error. The department may use these incentives in formulating a method under par. (ag) to reimburse counties for reasonable costs of income maintenance administration for the 1987-89 biennium.

SECTION 1049. 49.52 (1) (d) of the statutes is amended to read:

49.52 (1) (d) From the appropriations under s. 20.435 (4) (b) and (o), the department shall allocate the funding for social services, including funding for foster care of a child receiving aid under s. 49.19, to county departments of public welfare and social services or to community human services boards created under s. 46.23 as provided under 1983 Wisconsin Act 27, section 2020 (6) (a) and (b). For the period from January 1, 1984, to June 30, 1985, the 1985 Wisconsin Act .... (this act), section 3023 (3). County matching funds are required for the allocations under 1985 Wisconsin Act .... (this act), section 3023 (3) (a), (as), (bm), (e) to (h), (i) to (n) and (qr). The ratio of state and federal funds to county matching funds shall equal 91 to 9. Matching funds may be from county tax levies, federal and state revenue sharing funds or private donations to the county that meet the requirements specified in s. 51.42 (8) (bd). Private donations may not exceed 25% of the total county match. If the county match is less than the amount required to generate the full amount of state and federal funds allocated for this period, the decrease in the amount of state and federal funds equals the difference between the required and the actual amount of county matching funds.

SECTION 1050d. 49.53 (1) of the statutes is amended to read:

49.53 (1) ~~Except~~ Before January 1, 1987, except as provided under sub. (2) or (3), no person may use or disclose information concerning applicants and recipients of general relief under ss. 49.02 and 49.03, aid to families with dependent children, social services, child and spousal support and establishment of paternity services under s. 46.25, or supplemental payments under s. 49.177, for any purpose not connected with the administration of the programs. Any person violating this subsection may be fined not less than \$25 nor more than \$500 or imprisoned in the county jail not less than 10 days nor more than one year or both.

SECTION 1050g. 49.53 (1m) of the statutes is created to read:

49.53 (1m) After December 31, 1986, except as provided under sub. (2) or (3), no person may use or disclose information concerning applicants and recipients of general relief under s. 49.02, aid to families with dependent children, social services, child and spousal support and establishment of paternity services under s. 46.25, or supplemental payments under s. 49.177, for any purpose not connected with the

administration of the programs. Any person violating this subsection may be fined not less than \$25 nor more than \$500 or imprisoned in the county jail not less than 10 days nor more than one year or both.

SECTION 1050m. 49.53 (3) of the statutes is created to read:

49.53 (3) Each county agency administering aid to families with dependent children may release the current address of a recipient of aid under s. 49.19 to a law enforcement officer if the officer meets all of the following conditions:

(a) The officer provides, in writing, the name and social security number of the recipient.

(b) The officer satisfactorily demonstrates, in writing, all of the following:

1. That the recipient is a fugitive felon under 42 USC 602 (a) (9).

2. That the location or apprehension of the felon under subd. 1 is within the official duties of the officer.

3. That the officer is making the request in the proper exercise of his or her duties under subd. 2.

SECTION 1051. 49.65 (1) of the statutes is amended to read:

49.65 (1) SUBROGATION. The department, county, municipality or elected tribal governing body providing any public assistance under this chapter as a result of the occurrence of an injury, sickness or death which creates a claim or cause of action, whether in tort or contract, on the part of a public assistance recipient or beneficiary or the estate of a recipient or beneficiary against a 3rd party, including an insurer, is subrogated to the rights of the recipient ~~or the~~ beneficiary or estate and may make a claim or maintain an action or intervene in a claim or action by the recipient ~~or the~~ beneficiary or estate against the 3rd party.

SECTION 1052. 49.65 (4) of the statutes is amended to read:

49.65 (4) RECOVERY; HOW COMPUTED. Reasonable costs of collection including ~~attorney's~~ attorney fees shall be deducted first. The amount of assistance granted as a result of the occurrence of the injury, sickness or death shall be deducted next and the remainder shall be paid to the public assistance recipient or other party entitled to payment.

SECTION 1053. 49.70 (2) of the statutes is amended to read:

49.70 (2) The department shall exercise the options to purchase such securities or accept an assignment of such securities when it finds that the owner of the securities is a resident of this state as provided in s. 49.01 ~~(3)~~ 49.04 (1g), and is in need of general relief, public assistance or welfare aid, or who but for the ownership of such securities would qualify for general relief, public assistance or other welfare aid. If the department exercises an option to purchase such security, the purchase price shall be paid out, at par value, as general relief, ~~as defined in s. 49.01 (8).~~ Where the department accepts an assignment of such

security as provided in this section it shall pay out as general relief, ~~as defined in s. 49.01 (8)~~, an amount equal to the par value of the security assigned. The general relief furnished, whether by money or otherwise, shall be at such times and in such amounts as will in the discretion of the department meet the needs of the recipient and protect the public. The department is authorized to exercise the options to purchase assigned to it in whole or in part, or to accept an assignment of such securities in whole or in part. The department is granted such authority as may be necessary and convenient to enable it to exercise the functions and perform the duties required of it by this section, including without limitation because of enumeration the authority to adopt and publish suitable rules governing eligibility and the furnishing and paying of general relief under this section, the authority to enter into suitable agreements with the owner of the security or other appropriate persons for the purpose of carrying out this section, and the authority to sell or transfer the securities or defend and prosecute all actions concerning it and pay all just claims against it and do all other things necessary for the protection, preservation and management of the securities.

SECTION 1055g. 49.80 of the statutes is created to read:

**49.80 Low-income energy assistance.** (1) DEFINITIONS. In this section:

(a) "County department" means a county department of public welfare as created under s. 46.22 or a county department of social services as created under s. 49.51 (2) (a).

(c) "Household" means any individual or group of individuals who are living together as one economic unit for whom residential energy is customarily purchased in common or who make undesignated payments for energy in the form of rent.

(em) "Utility allowance" means the amount of utility costs paid by those individuals in subsidized housing who pay their own utility bills, as averaged from total utility costs for the housing unit by the housing authority.

(f) "Weatherization" means an improvement of housing primarily designed to minimize the loss of an energy resource and includes the provision or installation of caulking, weather stripping or insulation.

(2) ADMINISTRATION. (a) The department shall administer low-income energy assistance as provided in this section to assist an eligible household to meet the costs of home energy with low-income home energy assistance benefits authorized under 42 USC 8621 to 8629.

(3) FUNDING. Subject to s. 16.54 (2), the department shall, within the limits of the availability of federal funds received under 42 USC 8621 to 8629:

(a) From the appropriation under s. 20.435 (4) (md), transfer or credit the following to the appropriation under s. 20.435 (4) (o) for social services under s. 49.52 (1) (d):

1. In federal fiscal year 1986, \$1,200,000.

2. In federal fiscal year 1987, \$1,200,000.

(b) By October 1 of every year from the appropriation under s. 20.435 (4) (md), determine under the revenue available the amounts payable under sub. (5) (b) and (c).

(c) From the appropriation under s. 20.435 (4) (mc), allocate the following for the department's expenses in administering the funds to provide low-income energy assistance:

1. In federal fiscal year 1986, \$1,100,000

2. In federal fiscal year 1987, \$1,100,000.

(d) From the appropriation under s. 20.435 (4) (md), allocate the following for the expenses of a county department in administering under sub. (4) the funds to provide low-income energy assistance:

1. In federal fiscal year 1986, \$3,100,000.

2. In federal fiscal year 1987, \$3,100,000.

(e) From the appropriation under s. 20.435 (4) (md):

1. Allocate the following under the priority of maintaining funding for the geographical areas on the effective date of this subdivision .... [revisor inserts date], and, if funding is reduced, prorating contracted levels of payment, for contracting for the provision of weatherization to a household eligible under sub. (9):

a. In federal fiscal year 1986, 15% of the moneys received under 42 USC 8621 to 8629.

b. In federal fiscal year 1987, 15% of the moneys received under 42 USC 8621 to 8629.

2. Allocate the following to a county department under s. 46.22 (4) (m) or 49.51 (2) (a) 14 for the payment of a household eligible for a benefit to meet weather-related or fuel supply shortage emergencies under sub. (8):

a. In federal fiscal year 1986, \$2,400,000.

b. In federal fiscal year 1987, \$2,400,000.

3. Allocate the following, except as provided under subs. 4 to 6, for the payment to a household eligible for low-income energy assistance under this section:

a. In federal fiscal year 1986, \$52,100,000.

b. In federal fiscal year 1987, \$52,100,000.

4. If federal funds received under 42 USC 8621 to 8629 and allocated under this subsection exceed \$70,400,000 in federal fiscal year 1986 or exceed \$70,400,000 in federal fiscal year 1987, and after allocation of this excess has been made as required under subd. 1, allocate the balance of moneys remaining, if any, in federal fiscal year 1986 or in federal fiscal year 1987 for the payment to a household eligible for low-income energy assistance under this section.

5. If federal funds received under 42 USC 8621 to 8629 total \$66,880,000 or more but do not total \$70,400,000 in federal fiscal year 1986 or in federal fiscal year 1987, allocate the moneys under subs. 1 to 3, except that the allocation under subd. 3 is the balance of moneys remaining after making the allocations in subs. 1 to 2.



6. If federal funds received under 42 USC 8621 to 8629 total less than \$66,880,000 in federal fiscal year 1986 or in federal fiscal year 1987, the department shall submit a plan of expenditure under s. 16.54 (2) (b).

(4) APPLICATION PROCEDURE. (a) A household may apply after September 30 and before May 16 of any year for low-income energy assistance from the county department under s. 46.22 (4) (m) or 49.51 (2) (a) 14 and shall have the opportunity to do so on a form prescribed by the department for that purpose. The federal social security administration may provide to the department information constituting an application under this paragraph for those households eligible under sub. (5) (a).

(b) If by February 1 of any year the number of households applying under par. (a) substantially exceeds the number anticipated, the department may reduce the amounts of payments made under sub. (6) made after that date. The department may suspend the processing of additional applications received until the department adjusts benefit amounts payable.

(5) ELIGIBILITY. Subject to the requirements of subs. (4) (b) and (8), the following shall receive low-income energy assistance under this section:

(a) A household receiving a benefit under s. 49.177 or 42 USC 1381 to 1383c, unless eligibility of the household depends upon an individual of the household whose benefit under 42 USC 1381 to 1383c is reduced because:

1. The individual resides for an entire month in a hospital, extended care facility, nursing home or intermediate care facility which receives medical assistance benefits on behalf of the individual.

2. The individual or individual and eligible spouse live in another individual's household and receive support and maintenance in kind from the other individual.

3. The individual who is a child lives together with a parent or the spouse of a parent whose income and resources are deemed to be included with those of the child, regardless of whether the income and resources are available to the child.

(b) A household with income which is not more than 105% of the income poverty guidelines for the nonfarm population of the United States as prescribed by the federal office of management and budget under 42 USC 9902 (2).

(c) A household with income which is more than 105% and not more than 150% of the income poverty guidelines for the nonfarm population of the United States as prescribed by the federal office of management and budget under 42 USC 9902 (2).

(d) A household with income within the limits specified under par. (b) that resides in public housing in which a utility allowance is applied to determine the amount of rent that is subsidized or administered by a municipality or county or by the state or federal government.

(e) A household with income within the limits of par. (c) that resides in public housing in which a utility allowance is applied to determine the amount of rent that is subsidized or administered by a municipality or county or by the state or federal government.

(6) BENEFITS. Within the limits of federal funds allocated under sub. (3) and subject to the requirements of sub. (4) (b) and s. 16.54 (2) (b), the following benefits shall be paid under this section:

(a) To a household eligible under sub. (5) (a), a benefit amount equal to that set forth under par. (b) or (c), depending on household income, which shall be mailed to the household.

(b) To a household eligible under sub. (5) (b), a base benefit amount.

(c) To a household eligible under sub. (5) (c), a benefit amount which is 66 2/3% of the base benefit amount in par. (b).

(d) To a household eligible under sub. (5) (d) or (e), a benefit amount equal to that set forth under par. (b) or (c), depending on household income, less the amount of utility allowance that is applied to the income of the household to determine the amount of rent.

(7) INDIVIDUALS IN STATE PRISONS. No payment under sub. (6) may be made to a prisoner who is imprisoned in a state prison under s. 53.01 or to a person placed at the Ethan Allen school or the Lincoln Hills school.

(8) EMERGENCY PROGRAM. A household eligible for a benefit under sub. (5) may also be eligible for a benefit payment to meet weather-related or fuel supply shortage emergencies. A county department under s. 46.22 (4) (m) or 49.51 (2) (a) 14 shall define the circumstances constituting an emergency for which a payment may be made and shall establish the amount of payment to an eligible household or individual.

(9) WEATHERIZATION PROGRAM. A household may receive weatherization from an entity with which the department contracts for provision of weatherization if the income of the household is up to 125% of the income poverty guidelines for the nonfarm population of the United States as prescribed by the federal office of management and budget under 42 USC 9902 (2).

SECTION 1055h. 49.80 (10) of the statutes, as affected by 1985 Wisconsin Act .... (this act), is repealed.

SECTION 1055m. 49.90 (10) of the statutes is created to read:

49.90 (10) If an action under this section relates to support of a child, to the extent appropriate the court shall determine support in the manner provided under s. 767.25.

SECTION 1056. 50.01 (1) of the statutes is renumbered 50.01 (1) (intro.) and amended to read:

50.01 (1) (intro.) "Community-based residential facility" means a place where 3 or more unrelated adults reside in which care, treatment or services

above the level of room and board but not including nursing care are provided to persons residing in the facility as a primary function of the facility, except that the department may approve an application from a nursing home which serves fewer than 20 residents and which otherwise meets the definition of this subsection to be licensed and regulated as a community-based residential facility. ~~The reception and care or treatment of a person in a "Community-based residential facility" does not include any of the following:~~

~~(a) A convent or facility owned or operated exclusively by and for members of a religious order shall not constitute the premises to be a "community-based residential facility". "Community-based residential facility" does not include a exclusively for the reception and care or treatment of members of that order.~~

(b) A facility or private home that provides care, treatment and services only for victims of domestic abuse, as defined in s. 46.95 (1) (a), and their children.

SECTION 1057. 50.01 (1) (c) of the statutes is created to read:

50.01 (1) (c) A shelter facility as defined under s. 46.97 (1) (d).

SECTION 1057g. 50.01 (5m), (6g) and (6r) of the statutes are created to read:

50.01 (5m) "Recuperative care" means care anticipated to be provided in a nursing home for a period of 90 days or less for a resident whose physician has certified that he or she is convalescing or recuperating from an illness or medical treatment.

(6g) "Respite care" means care anticipated to be provided in a nursing home for a period of 28 days or less for the purpose of temporarily relieving a family member or other caregiver from his or her daily caregiving duties.

(6r) "Short-term care" means recuperative care or respite care provided in a nursing home.

SECTION 1057m. 50.02 (3) (d) of the statutes is created to read:

50.02 (3) (d) The department shall promulgate rules to establish a procedure for the admission, evaluation and care of short-term care nursing home residents. These rules shall specify that the nursing home or community-based residential facility shall be required to provide to the department as documentation of this admission, evaluation and care only that amount of information commensurate with the length of stay and the medical needs, if any, of the particular resident.

SECTION 1057r. 50.02 (4) of the statutes is amended to read:

50.02 (4) **REPORTS TO THE BOARD ON AGING AND LONG-TERM CARE.** The department shall submit at least one report quarterly to the board on aging and long-term care regarding enforcement actions, consultation, staff training programs, new procedures and policies, complaint investigation and consumer participation in enforcement under this subchapter and changes that may be needed under this subchapter.

The department shall submit at least one report annually to the board on aging and long-term care regarding implementation of rules under sub. (3) (d).

SECTION 1058. 50.03 (13) (a) of the statutes is amended to read:

50.03 (13) (a) *New license.* Whenever ownership of a facility is transferred from the person or persons named in the license to any other person or persons, the transferee must obtain a new license. The license may be a probationary license. Penalties under sub. (1) shall apply to violations of this subsection. The transferee shall notify the department of the transfer, file an application under sub. (3) (b) and apply for a new license at least 30 days prior to final transfer. Retention of any interest required to be disclosed under sub. (3) (b) after transfer by any person who held such an interest prior to transfer may constitute grounds for denial of a license where violations of this subchapter for which notice had been given to the transferor are outstanding and uncorrected, if the department determines that effective control over operation of the facility has not been transferred. If the transferor was a provider under s. 49.43 (10), the transferee shall comply with s. 49.45 (21).

SECTION 1058m. 50.04 (1m) of the statutes is created to read:

50.04 (1m) **DEFINITIONS.** In this section, "class "C" repeat violation" means a class "C" violation by a nursing home under the same statute or rule under which, within the previous 2 years, the department has served the nursing home a notice of violation or a correction order or has made a notation in the report under sub. (3) (b).

SECTION 1059d. 50.04 (2m) of the statutes is amended to read:

50.04 (2m) **PLAN OF CARE AND ASSESSMENT REQUIRED.** No nursing home may admit any patient until a physician has completed a plan of care for the patient and the patient is assessed or the patient is exempt from or waives assessment under s. 46.27 (6) (a). Failure to comply with this subsection is a class ~~"B"~~ "C" violation under sub. (4) (b) ~~2~~ 3.

SECTION 1059eb. 50.04 (4) (a) 1 of the statutes is amended to read:

50.04 (4) (a) 1. If upon inspection or investigation the department determines that a nursing home is in violation of this subchapter or the rules promulgated ~~thereunder~~ under it and the violation is a class "A" or "B" violation, it shall promptly serve a notice of violation upon the licensee. Each notice of violation shall be prepared in writing and shall specify the nature of the violation, and the statutory provision or rule alleged to have been violated. The notice shall inform the licensee of the right to a hearing under par. (e). The written notice of a class "A" violation may be written and served by an agent of the department at the time of the inspection.

SECTION 1059ed. 50.04 (4) (a) 1g to 1r of the statutes are created to read:

50.04 (4) (a) 1g. a. If upon inspection or investigation the department determines that a nursing home is in violation of this subchapter or the rules promulgated under it and the violation is a class "C" violation, the department may serve a correction order upon the licensee unless the nursing home corrects the violation before the completion of the inspection or investigation. If the correction is made before the completion of the inspection or investigation, the department may make a notation in the report under sub. (3) (b) that shall specify the nature of the violation and the statute or rule alleged to have been violated.

b. If upon inspection or investigation the department determines that a nursing home is in violation of this subchapter or the rules promulgated under it and the violation is a class "C" repeat violation, the department may serve a correction order or notice of violation upon the nursing home. If the nursing home corrects the violation before completion of the inspection or investigation, the department may, as an alternative to serving a correction order or notice of violation, make a notation in the report under sub. (3) (b) that shall specify the nature of the violation and the statute or rule alleged to have been violated.

1m. A correction order shall be prepared in writing and shall specify the nature of the violation, the statutory provision or rule alleged to have been violated and the date by which the violation shall be corrected. The department may grant an extension of the date for correction specified in the correction order. The nursing home shall correct the class "C" violation by the date specified in the correction order or the extended date, if granted.

1r. The department may serve a notice of violation on a nursing home determined to be in violation of this subchapter or the rules promulgated under it for a class "C" violation if either of the following conditions apply:

a. The nursing home fails to make a correction by the date specified in a correction order served under subd. 1g. b or by an extension of the date, if granted.

b. The violation is a class "C" repeat violation, regardless of whether a correction order has first been served.

SECTION 1059eg. 50.04 (4) (c) 5 of the statutes is created to read:

50.04 (4) (c) 5. This paragraph does not apply to notices of violation served under par. (a) 1r.

SECTION 1059ei. 50.04 (4) (e) 1 of the statutes is amended to read:

50.04 (4) (e) 1. If a nursing home desires to contest any department action under this subsection, ~~including rejection and imposition of a plan of correction or under federal law requiring the department, as the designated medical assistance agency, to notify the nursing home of deficiencies under federal regulations~~

and report those deficiencies to the appropriate federal agency, it shall send a written request for a hearing under s. 227.07 to the division of hearings and appeals created under s. 15.103 (1) within 10 days of receipt of notice of the contested action. Department action that is subject to a hearing under this subsection includes imposition of a notice of a deficiency under federal regulations, a notation in the report under sub. (3) (b), imposition of a plan of correction and rejection of a nursing home's plan of correction, but does not include a correction order. Upon the request of the nursing home, the division shall grant a stay of the hearing under this paragraph until the department assesses a forfeiture, so that its hearing under this paragraph is consolidated with the forfeiture appeal hearing held under sub. (5) (e). All agency action under this subsection arising out of a violation, deficiency or rejection and imposition of a plan of correction shall be the subject of a single hearing. Unless a stay is granted under this paragraph, the division shall commence the hearing within 30 days of the request for hearing, within 30 days of the department's acceptance of a nursing home's plan of correction or within 30 days of the department's imposition of a plan of correction, whichever is later. If the department initiates decertification of a nursing home under federal regulations, a hearing on federal deficiencies that are the subject of that decertification may be held if informal reconsideration has been completed. The division shall send notice to the nursing home in conformance with s. 227.07. Issues litigated at the hearing may not be relitigated at subsequent hearings under this paragraph arising out of the same violation or deficiency.

SECTION 1059ek. 50.04 (5) (a) 1 and 2 of the statutes are amended to read:

50.04 (5) (a) 1. A class "A" violation may be subject to a forfeiture of ~~not less than \$1,000 and~~ not more than \$5,000 for each violation.

2. A class "B" violation may be subject to a forfeiture of ~~not less than \$100 and~~ not more than \$1,000 for each violation.

SECTION 1059em. 50.04 (5) (a) 3 of the statutes is renumbered 50.04 (5) (a) 3. (intro.) and amended to read:

50.04 (5) (a) 3. (intro.) A class "C" violation may be subject to a forfeiture of ~~not less than \$10 and~~ not more than \$100. No forfeiture may be assessed for a class "C" violation unless ~~the nursing home fails to submit a plan of correction under sub. (4) (c) 2, or the nursing home fails to correct the violation within the time specified in the plan of correction. at least one of the following applies:~~

SECTION 1059eo. 50.04 (5) (a) 3. a and b of the statutes are created to read:

50.04 (5) (a) 3. a. The department serves the nursing home a notice of violation following the nursing home's failure to correct a class "C" violation by the

date specified in a correction order or an extended date set by the department, if granted.

b. The department serves the nursing home a notice of violation for a class "C" repeat violation.

SECTION 1059eq. 50.04 (5) (a) 5 of the statutes is amended to read:

50.04 (5) (a) 5. A nursing home which violates a statute or rule and which has received a notice of violation of the same statute or rule on one or more separate prior occasions within the prior 2-year period may be subject to a forfeiture 3 times the amount authorized for the class of violation involved. This provision only applies if a violation directly threatens a resident's health, safety or welfare or violates a resident's rights, or if there is a reasonable probability that repeated violation will directly threaten a resident's health, safety or welfare or violate a resident's rights to a class "A" or class "B" violation. A notice of violation found to be unjustified after hearing may not be considered in determining whether to apply this subdivision.

SECTION 1059egm. 50.04 (5) (a) 6 of the statutes is amended to read:

50.04 (5) (a) 6. If a licensee fails to correct a violation within the time specified in the notice of violation or approved plan of correction, or within the extended correction time granted under sub. (4) (c) 4, or if violation continues after a report of correction, a separate forfeiture may be assessed upon the licensee in an amount not to exceed, for each day of continuing violation, \$5,000 for class "A" violations; and \$1,000 for class "B" violations; and \$100 for class "C" violations.

SECTION 1059es. 50.04 (5) (d) of the statutes is renumbered 50.04 (5) (d) 1 and amended to read:

50.04 (5) (d) 1. In the case of a class "B" or "C" violation, no forfeiture may be assessed for the violation from the day following the date of discovery until the date of notification. If the department fails to approve or reject a plan of correction within 15 days after its receipt of a complete plan, no forfeiture may be imposed for the period beginning with the 15th day after receipt and ending when notice of approval or rejection is received by the home. If a plan of correction is approved and carried out, no forfeiture may be assessed during the time period specified in the approved plan of correction, commencing on the day the plan of correction is received by the department.

SECTION 1059eu. 50.04 (5) (d) 2 of the statutes is created to read:

50.04 (5) (d) 2. In the case of a class "C" violation for which a notice of violation has been served, a forfeiture may be assessed:

a. Under par. (a) 3. a, for the period beginning on the date for correction set forth in the correction order or an extended date set by the department, if granted, and ending on the date on which the violation is corrected.

b. Under par. (a) 3. b, for each day of the period during which the violation occurred.

SECTION 1059ev. 50.04 (5) (dm) (intro.) of the statutes is amended to read:

50.04 (5) (dm) *Forfeiture assessment date.* (intro.) In the case of a class "B" or "C" violation, the department may not assess a forfeiture upon a nursing home until:

SECTION 1059ex. 50.12 of the statutes is amended to read:

**50.12 Waiver of federal requirements.** The department shall petition the secretary of the U.S. department of health and human services for a waiver of the requirement that it conduct annual medical assistance surveys of nursing homes, and for a waiver of the requirement that it conduct annual independent medical reviews and independent professional reviews, to allow the department under 42 USC 1396a (a) (26) and (31) to conduct biennial surveys and reviews and for any waivers necessary to implement the special requirements promulgated under s. 50.02 (3) (d).

SECTION 1059g. 50.535 (2) (a) of the statutes is amended to read:

50.535 (2) (a) In the administration of this subchapter or s. 140.05 (17), the department may enter into a written agreement with a city or county which designates the city or county as its agent in issuing permits to and making investigations or inspections of hotels, restaurants, tourist rooming houses, bed and breakfast establishments, campgrounds and camping resorts, recreational and educational camps, mobile home parks and public swimming pools. When the designation is made, no permit other than the permit issued by the city or county under this subsection may be required for the same operations by the department, the city or the county. The department shall coordinate the designation of agents under this subsection with the department of agriculture, trade and consumer protection to ensure that, to the extent feasible, the same city and county agencies are granted agent status under this subsection and under s. 97.41. Except as otherwise provided by the department, a city or county granted agent status shall regulate all types of establishments for which this subchapter permits the department to delegate regulatory authority.

SECTION 1059r. 50.57 (1) (d) of the statutes is amended to read:

50.57 (1) (d) Prescribe rules and fix standards, including rules covering the general sanitation and cleanliness of premises regulated under this subchapter, the proper handling and storing of food on such premises, the construction and sanitary condition of the premises and equipment to be used and the location and servicing of equipment. The rules relating to the public health and safety in bed and breakfast establishments may not be stricter than is reasonable for the operation of a bed and breakfast establishment, shall be less stringent than rules relating to other establishments regulated by this sub-

chapter and may not require 2nd exits for a bed and breakfast establishment on a floor above the first level.

SECTION 1059t. 51.035 of the statutes is created to read:

**51.035 Moratorium on outpatient mental health certifications.** The department may not grant certification to any facility to provide mental health services on an outpatient basis on or after the effective date of this section .... [revisor inserts date], unless the facility was certified to provide mental health services on an outpatient basis on the effective date of this section .... [revisor inserts date].

SECTION 1060. 51.04 of the statutes is amended to read:

**51.04 Outpatient treatment facility determination.** Any facility may apply to the department for determination of whether such facility is an outpatient treatment facility, as defined in s. 632.89 (1) (a) established and maintained according to rules promulgated by the department under s. 51.42 (12). The department shall charge a fee for each such determination.

SECTION 1061. 51.06 (1) (a) of the statutes is amended to read:

51.06 (1) (a) Education within the requirements of sub. (2), training, habilitative and rehabilitative services to those persons placed in its custody.

SECTION 1062. 51.06 (2) of the statutes is amended to read:

51.06 (2) ~~SCHOOL ACTIVITIES. Each center shall maintain a school department and shall have enrolled all those children 3 years of age or older who are eligible for schooling under state law. The~~ If an individual over the age of 2 years and under the age of 22 years and eligible for schooling under ss. 115.76 (2) and 115.85 is admitted to, is placed in or is a resident of a center, the individual shall attend a school program operated by the center or a school outside the center which is approved by the department of public instruction. A school program operated by the center shall be under the supervision of the department of public instruction and shall meet standards prescribed by that agency. If the welfare of the residents so requires, the department shall endeavor to make outside school facilities which are approved by the department of public instruction available for instructional purposes.

SECTION 1063. 51.06 (3) of the statutes is renumbered 51.06 (4).

SECTION 1064. 51.06 (3) of the statutes is created to read:

51.06 (3) **ADMISSION.** Individuals under the age of 22 years shall be placed only at the central center for the developmentally disabled unless the department authorizes the placement of the individual at the northern or southern center for the developmentally disabled.

SECTION 1065. 51.13 (4) (g) of the statutes is renumbered 51.13 (4) (g) (intro.) and amended to read:

51.13 (4) (g) (intro.) If the court finds that the minor is in need of psychiatric services, or services for developmental disability, alcoholism or drug abuse in an inpatient facility, that the inpatient facility to which the minor is admitted offers therapy or treatment which is appropriate for the minor's needs and which is the least restrictive therapy or treatment consistent with the minor's needs and, in the case of a minor aged 14 or older, the application is voluntary on the part of the minor, it shall permit voluntary admission. If the court finds that the therapy or treatment in the inpatient facility to which the minor is admitted is not appropriate or is not the least restrictive therapy or treatment consistent with the minor's needs, the court may order placement in or transfer to another more appropriate or less restrictive inpatient facility subject to approval of the minor if he or she is aged 14 or older, the treatment director of the facility or his or her designee, and the director of the appropriate board established under s. 51.42 or 51.437 if the board is to be responsible for the cost of the minor's therapy or treatment, except that the court may not permit or order placement in or transfer to the northern or southern centers for the developmentally disabled of a minor unless the department gives approval for the placement or transfer, and if the order of the court is approved by all of the following if applicable:

SECTION 1066. 51.13 (4) (g) 1 to 3 of the statutes are created to read:

51.13 (4) (g) 1. The minor if he or she is aged 14 or older.

2. The treatment director of the facility or his or her designee.

3. The director of the appropriate board created under s. 51.42 or 51.437 if the board is to be responsible for the cost of the minor's therapy or treatment.

SECTION 1067. 51.20 (2) of the statutes is amended to read:

51.20 (2) **NOTICE OF HEARING AND DETENTION.** Upon filing of a petition for examination, the court shall review the petition to determine whether an order of detention should be issued. The subject individual shall be detained only if there is cause to believe that the individual is mentally ill, drug dependent or developmentally disabled and the individual is eligible for commitment under sub. (1) (a) or (am) based upon specific recent overt acts, attempts or threats to act or on a pattern of recent acts or omissions made by the individual. If the subject individual is to be detained, a law enforcement officer shall present the subject individual with a notice of hearing, a copy of the petition and detention order and a written statement of the individual's right to an attorney, a jury trial if requested more than 48 hours prior to the final hearing, the standard upon which he or she may be committed under this section and the right to a hearing to

determine probable cause for commitment within 72 hours after the individual arrives at the facility, excluding Saturdays, Sundays and legal holidays. The officer shall orally inform the individual that he or she is being taken into custody as the result of a petition and detention order issued under this chapter. If the individual is not to be detained, the law enforcement officer shall serve these documents on the subject individual and shall also orally inform the individual of these rights. The individual who is the subject of the petition, his or her counsel and if the individual is a minor, his or her parent or guardian, if known, shall receive notice of all proceedings under this section. The court may also designate other persons to receive notices of hearings and rights under this chapter. The notice of time and place of a hearing shall be served personally on the subject of the petition, and his or her attorney, within a reasonable time prior to the hearing to determine probable cause for commitment. If the law enforcement officer has a detention order issued by a court, or if the law enforcement officer has cause to believe that the subject individual is mentally ill, drug dependent or developmentally disabled and is eligible for commitment under sub. (1) (a) or (am), based upon specific recent overt acts, attempts or threats to act or on a pattern of omissions made by the individual, the law enforcement officer shall take the subject individual into custody. If the individual is detained by a law enforcement officer, the individual shall be orally informed of his or her rights under this section on arrival at the detention facility by the facility staff, who shall also serve all documents required by this section on the individual. Placement shall be made in a hospital which is approved by the department as a detention facility or under contract with a board established under s. 51.42 or 51.437, approved public treatment facility, mental health institute, center for the developmentally disabled under the requirements of s. 51.06 (3), state treatment facility, or in an approved private treatment facility if the facility agrees to detain the subject individual. Upon arrival at the facility, the individual is deemed to be in the custody of the facility.

SECTION 1068. 51.20 (8) (b) of the statutes is amended to read:

51.20 (8) (b) If the court finds the services provided under par. (a) are not available, suitable, or desirable based on the condition of the individual, it may issue a detention order and the subject individual may be detained pending the hearing as provided in sub. (7) (c). Detention may be in a hospital which is approved by the department as a detention facility or under contract with a board established under s. 51.42 or 51.437, approved public treatment facility, mental health institute, center for the developmentally disabled under the requirements of s. 51.06 (3), state treatment facility, or in an approved private treatment facility if the facility agrees to detain the subject individual.

SECTION 1069. 51.20 (13) (c) 1 of the statutes is amended to read:

51.20 (13) (c) 1. The court shall designate the facility or service which is to receive the subject individual into the mental health system, except that, if the subject individual is under the age of 22 years and the facility is a center for the developmentally disabled, the court shall designate only the central center for the developmentally disabled unless the department authorizes designation of the northern or southern center for the developmentally disabled;

SECTION 1070. 51.20 (13) (c) 2 of the statutes is amended to read:

51.20 (13) (c) 2. The ~~community~~ board under s. 51.42 or 51.437 shall arrange for treatment in the least restrictive manner consistent with the requirements of the subject individual in accordance with a court order designating the maximum level of inpatient facility, if any, which may be used for treatment, except that, if the subject individual is under the age of 22 years and the facility is a center for the developmentally disabled, designation shall be only to the central center for the developmentally disabled unless the department authorizes the placement of the individual at the northern or southern center for the developmentally disabled; and

SECTION 1071. 51.20 (13) (f) of the statutes is amended to read:

51.20 (13) (f) The board established pursuant to s. 51.42 or 51.437 which receives an individual who is committed by a court under this section is authorized to place such individual in an approved treatment facility subject to any limitations which are specified by the court under par. (c) 2. The board shall place the subject individual in the treatment program and treatment facility which is least restrictive of the individual's personal liberty, consistent with the treatment requirements of the individual. The board shall have ongoing responsibility to review the individual's needs, in accordance with sub. (17), and transfer the person to the least restrictive program consistent with the individual's needs. If the subject individual is under the age of 22 years and if the facility appropriate for placement or transfer is a center for the developmentally disabled, placement or transfer of the individual shall be made only to the central center for the developmentally disabled unless the department authorizes the placement or transfer to the northern or southern center for the developmentally disabled.

SECTION 1072. 51.30 (4) (b) 10. c of the statutes is amended to read:

51.30 (4) (b) 10. c. When an individual is transferred from a treatment facility back to a correctional facility, the information provided under subd. 9 10. d.

SECTION 1073. 51.30 (4) (b) 10. d of the statutes is amended to read:

51.30 (4) (b) 10. d. ~~Such other~~ Any information as ~~may be~~ necessary to establish, or to implement

changes in, the individual's treatment plan or in the level and kind of supervision on probation or parole, as determined by the director of the facility or the treatment director. ~~Disclosure under subd. 10. d~~ In cases involving a person transferred back to a correctional facility, disclosure shall be made to clinical staff only. In cases involving a person on probation or parole, disclosure shall be made to a probation and parole agent only. The department shall promulgate rules governing the release of records under this subdivision.

SECTION 1073m. 51.30 (4) (b) 18 of the statutes is created to read:

51.30 (4) (b) 18. To staff members of the protection and advocacy agency designated under s. 51.62 (2) or to staff members of the private, nonprofit corporation with which the agency has contracted under s. 51.62 (3) (a) 3, if any, for the purpose of protecting and advocating the rights of persons with developmental disabilities as defined under s. 51.62 (1) (a), except that if the patient has a guardian information concerning the patient obtainable by staff members of the agency or nonprofit corporation with which the agency has contracted is limited to the name, birth date and county of residence of the patient, information regarding whether the patient was voluntarily admitted, involuntarily committed or protectively placed and the date and place of admission, placement or commitment, and the name and address of any guardian of the patient and the date and place of the guardian's appointment. Any staff member who wishes to obtain additional information shall notify the patient's guardian in writing of the request and of the guardian's right to object. The staff member shall send the notice by mail to the guardian's address. If the guardian does not object in writing within 15 days after the notice is mailed, the staff member may obtain the additional information. If the guardian objects in writing within 15 days after the notice is mailed, the staff member may not obtain the additional information.

SECTION 1074. 51.35 (1) (bm) of the statutes is created to read:

51.35 (1) (bm) Notwithstanding par. (b), transfer of a patient under the age of 22 years to a center for the developmentally disabled may be made only to the central center for the developmentally disabled unless the department authorizes the transfer of the patient to the northern or southern center for the developmentally disabled.

SECTION 1075. 51.37 (title) of the statutes is amended to read:

**51.37 (title) Criminal commitments; mental health institutes.**

SECTION 1076. 51.37 (2) of the statutes is repealed.

SECTION 1077. 51.37 (8) (b) of the statutes is amended to read:

51.37 (8) (b) If the condition of any prisoner committed or transferred under this section requires psychiatric or psychological treatment after his or her date of release as determined under s. 53.11 (7) (a), the director of the state treatment facility shall, within a reasonable time before the prisoner's release date, make a written application to the court which committed the prisoner under sub. (5) (a). Thereupon, the proceeding shall be upon application made under s. 51.20, but no physician or psychologist who is connected with a state prison, Winnebago or Mendota mental health institute, ~~central state hospital~~ or any county jail may be appointed as an examiner. If the court does not commit the prisoner, it may dismiss the application and order the prisoner returned to the institution from which he or she was transferred until the prisoner's release date. If the court commits the prisoner for the period commencing upon his or her release date, such commitment shall be to the care and custody of the board established under s. 51.42 or 51.437. ~~Any retransfer by the board to central state hospital is subject to s. 51.35 (1) (a).~~

SECTION 1078d. 51.42 (1) (a) of the statutes is amended to read:

51.42 (1) (a) *Purpose.* The purpose and intent of this section is to enable and encourage counties to develop a comprehensive range of services offering continuity of care; to utilize and expand existing governmental, voluntary and private community resources for provision of services to prevent or ameliorate mental disabilities, including but not limited to mental illness, mental retardation, alcoholism and drug abuse; to provide for the integration of administration of those services and facilities organized under this section through the establishment of a ~~unified governing and policy-making board of directors~~ community department; and to authorize state consultative services, reviews and establishment of standards and grants-in-aid for such program of services and facilities.

SECTION 1078f. 51.42 (1) (b) of the statutes is amended to read:

51.42 (1) (b) *Responsibility of county government.* The county boards of supervisors have the primary responsibility for the well-being, treatment and care of the mentally ill, developmentally disabled, alcoholic and other drug dependent citizens residing within their respective counties and for ensuring that those individuals in need of such emergency services found within their respective counties receive immediate emergency services. County liability for care and services purchased through or provided by a ~~board~~ community department established under this section shall be based upon the client's county of residence except for emergency services for which liability shall be placed with the county in which the individual is found. For the purpose of establishing county liability, "emergency" services includes those services provided under the authority of s. 51.15, 51.45 (11) (b)

and (12), 55.05 (4), 55.06 (11) (a) or 51.45 (11) (a) for not more than 72 hours. Nothing in this paragraph prevents recovery of liability under s. 46.10 or any other statute creating liability upon the individual receiving a service or any other designated responsible party, or prevents reimbursement by the department for the actual cost of all care and services from the appropriation under s. 20.435 (4) (da), as provided in s. 51.22 (3).

SECTION 1078m. 51.42 (2) (intro.) of the statutes is amended to read:

51.42 (2) DEFINITIONS. (intro.) ~~As used~~ Except as otherwise provided, in this section:

SECTION 1079m. 51.42 (2) (a) of the statutes is amended to read:

51.42 (2) (a) ~~“Board”~~ 1. Before January 1, 1986, in any county with a program under this section which is combined with the program of at least one other county, “board” means the community board of directors established under this section.

2. Except as provided under subd. 1, “board” means the community board of directors established under this section department established under sub. (3) (a), except that in the term “community board”, “board” means a community board appointed under sub. (4) (a).

SECTION 1079r. 51.42 (2) (am) 1 of the statutes is created to read:

51.42 (2) (am) 1. Before January 1, 1986, in any county with a program under this section which is combined with the program of at least one other county, “department” means the community board of directors established under this section.

2. Except as provided under subd. 1, “department” means the community department established under sub. (3) (a).

SECTION 1080. 51.42 (2) (b) of the statutes is amended to read:

51.42 (2) (b) ~~“Director” means the director appointed by the community board individual appointed to administer a program established under this section.~~

SECTION 1081m. 51.42 (3) (a) of the statutes is amended to read:

51.42 (3) (a) The county board of supervisors of every county, or the county boards of supervisors of any combination of counties, shall establish a community department on a county or multicounty basis to administer a community mental health, mental retardation, alcoholism and drug abuse program, make appropriations to operate the program and authorize the board of directors of the program community department to apply for grants-in-aid pursuant to under this section. The community board appointed under sub. (4) (a) 1 shall govern a community department established under this paragraph.

SECTION 1081q. 51.42 (3) (ar) (intro.) of the statutes is created to read:

51.42 (3) (ar) (intro.) A department established under par. (a) shall:

SECTION 1082. 51.42 (3) (d) of the statutes is amended to read:

51.42 (3) (d) The county board of supervisors of any county may designate the ~~board established under this section~~ community department as the ~~governing board~~ administrator of any other county health care program or institution, but the operation of such program or institution shall not be reimbursable under sub. (8).

SECTION 1083. 51.42 (4) (a) of the statutes is renumbered 51.42 (4) (a) 1 and amended to read:

51.42 (4) (a) 1. ~~The~~ Except as provided under subd. 2, the county board or boards of supervisors of every county or every combination of counties administering a program ~~establishing a community department under sub. (3) (a)~~ shall, before it qualifies under this section, appoint a governing and policy-making board of directors to be known as the community board. The community board shall govern a community department established under sub. (3) (a).

SECTION 1084m. 51.42 (4) (a) 2 of the statutes is created to read:

51.42 (4) (a) 2. In any county which has a county executive or county administrator and which has established a community department under sub. (3) (a), but not in combination with another county, the county executive or county administrator shall appoint, subject to confirmation by the county board, the community board, which shall be only a policy-making body determining the broad outlines and principles governing the administration of programs under this section. A member of a community board appointed under this subdivision may be removed by the county executive or county administrator for cause.

SECTION 1085. 51.42 (4) (b) of the statutes is amended to read:

51.42 (4) (b) In any county which does not combine with another county the community board shall be composed of not less than 9 nor more than 15 persons of recognized ability and demonstrated interest in the problems of the mentally ill, developmentally disabled, alcoholic or drug dependent persons. The community board shall have representation from each of the aforementioned mental disability interest groups. No more than 5 members may be appointed from the county board of supervisors.

SECTION 1086. 51.42 (4) (c) of the statutes is amended to read:

51.42 (4) (c) In any combination of counties, the community board shall be composed of 11 members with 3 additional members for each combining county in excess of 2. Appointments shall be made by the county boards of supervisors of the combining counties in a manner acceptable to the combining counties, from the interested groups mentioned in par. (b), but each of the combining counties may appoint to the



community board not more than 3 members from its county board of supervisors.

SECTION 1087. 51.42 (4) (d) of the statutes is amended to read:

51.42 (4) (d) The term of office of any member of the community board shall be 3 years, but of the members first appointed, at least one-third shall be appointed for one year; at least one-third for 2 years; and the remainder for 3 years. Vacancies shall be filled for the residue of the unexpired term in the manner that original appointments are made. Any Except as provided under sub. (4) (a) 2, any community board member may be removed from office for cause by a two-thirds vote of the appointing authority, on due notice in writing and hearing of the charges against him or her.

SECTION 1087g. 51.42 (5) (title) of the statutes is amended to read:

51.42 (5) (title) DUTIES OF BOARD IN CERTAIN COUNTIES.

SECTION 1087j. 51.42 (5) (intro.) of the statutes is renumbered 51.42 (3) (am) (intro.) and amended to read:

51.42 (3) (am) (intro.) Within the limits of available state and federal funds and of county funds appropriated to match state funds, boards community departments shall provide for the program needs of persons suffering from mental disabilities, including mental illness, mental retardation, alcoholism or drug abuse, by offering the following services:

SECTION 1087k. 51.42 (5) (intro.) of the statutes is created to read:

51.42 (5) (intro.) In this subsection, "board" means a community board appointed under sub. (4) (a) 1. The board shall:

SECTION 1087m. 51.42 (5) (a), (b), (c) and (f) of the statutes are renumbered 51.42 (3) (am) 1 to 4.

SECTION 1087o. 51.42 (5) (h) (intro.) of the statutes is renumbered 51.42 (3) (am) 5 and amended to read:

51.42 (3) (am) 5. Continuous planning, development and evaluation of programs and services for all population groups; ~~and shall.~~

SECTION 1087p. 51.42 (5) (h) 1 to 3 and 5 of the statutes are renumbered 51.42 (5) (a) to (c) and (e).

SECTION 1087q. 51.42 (5) (h) 4 of the statutes is renumbered 51.42 (5) (d) and amended to read:

51.42 (5) (d) Appoint a director of the program, subject to the approval of the county board or boards of supervisors, on the basis of recognized and demonstrated interest in and knowledge of the problems of mental health, mental retardation, alcoholism and drug addiction, with due regard to training, experience, executive and administrative ability, and general qualification and fitness for the performance of the duties of the director. The county board or boards of supervisors may delegate this such appointing authority to the board established under this section. ~~In any~~

~~county with a population of 500,000 or more that does not combine with another county to establish a board, the county executive shall appoint either the director of the department that administers the health and human services programs or a department head under s. 46.21 as the director of the program, subject to confirmation by the county board. In a county with a population of 500,000 or more, the director of the program serves at the pleasure of the county executive; and~~

SECTION 1087r. 51.42 (5) (h) 7 and 8 of the statutes are renumbered 51.42 (3) (ar) 1 and 2 and amended to read:

51.42 (3) (ar) 1. Enter into contracts to render services to or secure services from other agencies or resources including out-of-state agencies or resources. Notwithstanding ss. 59.07 (44), 59.456 and 59.47, a any multicounty board organized department under sub. (3) (a) or s. 51.437 ~~(7) (b) (5) (b)~~ may contract for professional legal services that are necessary to carry out the duties of the board multicounty department if the corporation counsel of each county of the multicounty board department has notified the board multicounty department that he or she is unable to provide such services in a timely manner; ~~and.~~

2. Enter into contracts for the use of any facility as an approved public treatment facility under s. 51.45 for the treatment of alcoholics if the board community department deems it to be an effective and economical course to follow.

SECTION 1088m. 51.42 (5a) of the statutes is created to read:

51.42 (5a) DUTIES OF BOARDS IN CERTAIN COUNTIES WITH A COUNTY EXECUTIVE OR COUNTY ADMINISTRATOR. (a) In this subsection "board" means a community board appointed under sub. (4) (a) 2.

(b) The board shall:

1. Appoint committees consisting of residents of the county to advise the board as it deems necessary.

2. Recommend program priorities, identify unmet service needs and prepare short-term and long-term plans and budgets for meeting such priorities and needs.

3. Prepare, with the assistance of the director, a program plan and budget for submission to the county executive or county administrator in accordance with s. 46.031 for authorized services in the form and manner prescribed by the department. The plan and budget shall establish priorities and objectives for the year as well as any modifications of long-range objectives.

4. Conduct a public hearing on the program plan and budget prepared under subd. 3 and report the results of the public hearing to the county executive or county administrator and county board.

5. Advise the director regarding purchasing and providing services and the selection of purchase of service vendors, and make recommendations to the

county executive or county administrator regarding modifications in such purchasing, providing and selection.

6. Develop board operating procedures.
7. Comply with state requirements.
8. Assist in arranging cooperative working agreements with persons providing health, education, vocational or welfare services related to services provided under this section.

SECTION 1088r. 51.42 (5m) (intro.) of the statutes is amended to read:

51.42 (5m) (title) POWERS OF COMMUNITY DEPARTMENTS. (intro.) Within the limits of state and county appropriations and maximum available funding from other sources, ~~boards~~ community departments may provide for the program needs of persons suffering from mental disabilities, including but not limited to mental illness, mental retardation, alcoholism or drug abuse, by offering the following services:

SECTION 1089. 51.42 (5s) of the statutes is amended to read:

51.42 (5s) EDUCATIONAL SERVICES. The ~~community~~ board ~~shall~~ may not furnish services and programs provided by the department of public instruction and local educational agencies.

SECTION 1089m. 51.42 (6) (title) of the statutes is amended to read:

51.42 (6) (title) POWERS AND DUTIES OF DIRECTOR IN CERTAIN COUNTIES.

SECTION 1089p. 51.42 (6) (a) of the statutes is renumbered 51.42 (6) (am).

SECTION 1089w. 51.42 (6) (a) of the statutes is created to read:

51.42 (6) (a) In this subsection, "director" means a director appointed under sub. (5) (d).

SECTION 1090. 51.42 (6) (b) (intro.) of the statutes is amended to read:

51.42 (6) (b) (intro.) In consultation and agreement with the community board, the director shall prepare:

SECTION 1091. 51.42 (6) (c) (intro.) of the statutes is amended to read:

51.42 (6) (c) (intro.) The director shall make recommendations to the community board for:

SECTION 1092. 51.42 (6m) of the statutes is created to read:

51.42 (6m) DIRECTOR IN CERTAIN COUNTIES WITH A COUNTY EXECUTIVE OR COUNTY ADMINISTRATOR. In any county with a county executive or county administrator in which the county board has established a community department, but not in combination with another county, the county executive or county administrator shall appoint the director. In any county with a population of 500,000 or more, the county executive or county administrator shall appoint either the director of the department that administers the health and human services programs or a department head under s. 46.21 as the director of the program. The appointment is subject to confirma-

tion by the county board unless the county board, by ordinance, elects to waive confirmation or unless the appointment is made under a civil service system competitive examination procedure established under s. 59.07 (20) or ch. 63. Such director, subject only to the supervision of the county executive or county administrator, shall:

(a) Supervise and administer any program established under this section, subject to such delegation of authority as is not inconsistent with this section and the rules promulgated thereunder.

(b) Determine administrative and program procedures.

(c) Determine, subject to county board approval and with the advice of the community board, whether services are to be provided directly by the county agency or contracted for with other providers and make such contracts.

(e) Assist the community board in the preparation of the program plan and budget required under s. 46.031.

(f) Make recommendations to the county executive or county administrator regarding modifications to the program plan and budget prepared by the community board under sub. (5a) (b) 3.

(g) Evaluate service delivery.

(h) After consultation with the community board, allocate services among service recipients to reflect the availability of limited resources.

(i) Establish salaries and personnel policies of the program subject to approval of the county executive or county administrator and county board.

(j) Perform other functions necessary to manage, operate, maintain and improve programs.

(k) Comply with state requirements.

(L) Utilize available community resources and develop new resources necessary to carry out the purposes of this section.

(m) In consultation with the community board, prepare:

1. Intermediate-range plans and budget.

2. An annual report of the operation of the program.

3. Such other reports as are required by the secretary and the county board.

SECTION 1093. 51.42 (8) (b) of the statutes is amended to read:

51.42 (8) (b) From the appropriations under s. 20.435 (4) (b) and (o), the department shall allocate the funding for services provided or purchased by boards created under this section or s. 46.23 or 51.437, to boards created under this section or s. 46.23 or 51.437 as provided under ~~1983 Wisconsin Act 27, section 2020 (6) (a) and (e). For the period from January 1, 1984, to June 30, 1985, the 1985 Wisconsin Act ... (this act), section 3023 (3). County matching funds are required for the allocations under 1985 Wisconsin Act ... (this act), section 3023 (3) (a), (as), (bm), (g),~~

**Vetoed in Part** ~~(h), (i), (km), (L), (N) and (qr).~~ The ratio of state and federal funds to county matching funds shall equal 91 to 9. Matching funds may be from county tax levies, federal and state revenue sharing funds or private donations to the county that meet the requirements specified in par. (bd). Private donations may not exceed 25% of the total county match. If the county match is less than the amount required to generate the full amount of state and federal funds allocated for this period, the decrease in the amount of state and federal funds equals the difference between the required and the actual amount of county matching funds.

SECTION 1093m. 51.42 (8) (h) of the statutes is amended to read:

51.42 (8) (h) Each board established under either this section or s. 51.437, or both, shall apply all funds it receives under pars. (a) to (c) to provide the services ~~enumerated in ss. 51.42 (5) and (5m), 51.437 (5) required under this section and ss. 51.437 and 51.45 (2) (g) to meet the needs for service quality and accessibility of the persons in its jurisdiction, except that the board may pay for inpatient treatment only with funds designated by the department for this purpose. The board may expand programs and services with county funds not used to match state funds under this subsection subject to the approval of the county board or boards of supervisors and with other local or private funds subject to the approval of the department and the county board or boards of supervisors. The county board or boards of supervisors may delegate this authority to the board established under this section. The board shall report to the department all county funds allocated to the board and the use of such funds. Moneys collected under s. 46.10 shall be applied to cover the costs of primary services, exceptional and specialized services or to reimburse supplemental appropriations funded by counties. Boards shall include collections made on and after October 1, 1978, by the department that are subject to s. 46.10 (8m) (b) and (c) and are distributed to boards under s. 20.435 (4) (gg), as revenues on their grant-in-aid expenditure reports to the department.~~

SECTION 1094. 51.437 (1) of the statutes is amended to read:

51.437 (1) (title) DEFINITIONS. ~~In~~ Except as otherwise provided, in this section, "services" mean:

(c) "Services" means specialized services or special adaptations of generic services directed toward the prevention and alleviation of a developmental disability or toward the social, personal, physical or economic habilitation or rehabilitation of an individual with such a disability, and includes diagnosis, evaluation, treatment, personal care, day care, domiciliary care, special living arrangements, training, sheltered employment, protective and other social and socio-legal services, follow-along services and transportation services necessary to assure delivery of services to individuals with developmental disabilities.

(1m) Education, recreation, counseling of the individual with a developmental disability and his or her family and information and referral services are optional services that are not required under this section.

SECTION 1095m. 51.437 (1) (a) of the statutes is created to read:

51.437 (1) (a) 1. Before January 1, 1986, in a county with a program under this section which is combined with the program of at least one other county, "board" means the community developmental disabilities services board established under this section.

2. Except as provided under subd. 1, "board" means the community developmental disabilities services department established under sub. (5), except that in the term "community developmental disabilities board", "board" means the community developmental disabilities board appointed under sub. (7).

SECTION 1095r. 51.437 (1) (am) of the statutes is created to read:

51.437 (1) (am) 1. Before January 1, 1986, in any county with a program under this section which is combined with the program of at least one other county, "department" means the community developmental disabilities services board established under this section.

2. Except as provided under subd. 1, "department" means the department established under sub. (5).

SECTION 1096. 51.437 (1) (b) of the statutes is created to read:

51.437 (1) (b) "Director" means the individual appointed to administer a program established under this section.

SECTION 1097. 51.437 (1m) (title) of the statutes is created to read:

51.437 (1m) (title) OPTIONAL SERVICES.

SECTION 1097g. 51.437 (4) (intro.) of the statutes is renumbered 51.437 (4) (a) and amended to read:

51.437 (4) (a) The county boards of supervisors have the primary governmental responsibility for the well-being of those developmentally disabled citizens residing within their respective counties and the families of the ~~mentally retarded~~ developmentally disabled insofar as the usual resultant family stresses bear on the well-being of the developmentally disabled citizen.

(c) County liability for care and services purchased through or provided by a ~~board~~ community developmental disabilities services department established under this section shall be based upon the client's county of residence except for emergency services for which liability shall be placed with the county in which the individual is found. For the purpose of establishing county liability, "emergency" services means those services provided under the authority of s. 51.15, 55.05 (4) or 55.06 (11) (a). Nothing in this paragraph prevents recovery of liability under s. 46.10 or any other statute creating liability upon the individual receiving a service or any other designated responsible party.

(d) Adjacent counties, lacking the financial resources and professional personnel needed to provide or secure such services on a single-county basis, may and shall be encouraged to combine their energies and financial resources to provide these joint services and facilities with the approval of the department. ~~This~~

(e) The responsibility of a community developmental disabilities services department established under this section includes:

SECTION 1097r. 51.437 (4) (a) to (d) of the statutes are renumbered 51.437 (4) (e) 1 to 4.

SECTION 1098h. 51.437 (5) of the statutes is renumbered 51.437 (5) (a) and amended to read:

51.437 (5) (title) FURNISHING OF SERVICES; COMBINATION. (a) The county board of supervisors shall establish community developmental disabilities services ~~boards~~ departments on a county or multicounty basis to furnish services within the counties. Within the limits of available state and federal funds and of county funds appropriate to match state funds, the community developmental disabilities services department shall establish a community development disabilities services program. Such services shall be provided either directly or by contract.

SECTION 1098m. 51.437 (6) of the statutes is amended to read:

51.437 (6) EDUCATIONAL SERVICES. The community developmental disabilities ~~board shall~~ services department may not furnish services and programs provided by the department of public instruction and local educational agencies.

SECTION 1098r. 51.437 (7) (title) of the statutes is amended to read:

51.437 (7) (title) ESTABLISHMENT OF BOARD.

SECTION 1099h. 51.437 (7) (a) of the statutes is renumbered 51.437 (7) (am) 1 and amended to read:

51.437 (7) (am) 1. The community developmental disabilities services board shall be composed of not less than 9 nor more than 15 persons of recognized ability and demonstrated interest in the problems of the developmentally disabled but not more than 3 members shall be appointed from the county board of supervisors. ~~Except that when~~

2. If counties combine to furnish services, the community developmental disabilities services board shall be composed of 11 members and with 2 additional members for each combining county in excess of 2. Appointments shall be made by the county boards of the combining counties in a manner acceptable to the combining counties, but each of the combining counties may appoint only 2 members from its county board.

3. At least one-third of the members of the community developmental disabilities services board serving at any one time shall be appointed from the developmentally disabled citizens or their parents residing in the county or combining counties.

4. Appointments to the community developmental disabilities services board shall be for staggered 3-year terms. Vacancies shall be filled for the residue of the unexpired term in the manner that original appointments are made. Any Except as provided under par. (a) 2, any member may be removed from office for cause by a two-thirds vote of the appointing authority, on due notice in writing and hearing of the charges against him or her.

SECTION 1099m. 51.437 (7) (a) of the statutes is created to read:

51.437 (7) (a) 1. Except as provided under subd. 2, the county board or boards of supervisors of every county or combination of counties establishing a community developmental disabilities services department under sub. (5) shall, before qualification under this section, appoint a community developmental disabilities services board.

2. In any county which has a county executive or county administrator and which has established a community developmental disabilities services department under sub. (5), but not in combination with another county, the county executive or county administrator shall appoint, subject to confirmation by the county board, the community developmental disabilities services board, which shall be only a policy-making body determining the broad outlines and principles governing the administration of programs under this section. A member of the community developmental disabilities services board appointed under this subdivision may be removed by the county executive or county administrator for cause.

SECTION 1101h. 51.437 (7) (b) of the statutes is renumbered 51.437 (5) (b) and amended to read:

51.437 (5) (b) A county board of supervisors may designate the community ~~board~~ department established under s. 51.42 as the community developmental disabilities ~~board~~ services department. The combined ~~board~~ department shall plan for and establish a community developmental disabilities program ~~as provided in sub. (9) to deliver the services required under this section.~~ The county board of supervisors may designate the combined ~~board~~ department as the administrative agency of the long-term support community options program under s. 46.27 and the community intergration programs under ss. 46.275 and 46.277.

SECTION 1101m. 51.437 (9) (intro.) of the statutes is amended to read:

51.437 (9) (title) DUTIES OF BOARD IN CERTAIN COUNTIES. (intro.) ~~Within the limits of available state and federal funds and of county funds appropriated to match state funds, the~~ In this subsection, "board" means a community developmental disabilities services board appointed under sub. (7) (a) 1. The board shall:

SECTION 1102b. 51.437 (9) (a) of the statutes is amended to read:

51.437 (9) (a) ~~Establish a community developmental disabilities services program, appoint~~ Appoint the director of the program subject to the approval of the county board or boards of supervisors, establish salaries and personnel policies for the program subject to the approval of the county board or boards of supervisors and arrange and promote local financial support for the program. The county board or boards of supervisors may delegate ~~this such appointing authority to the board established under this section.~~ The first step in the establishment of a program shall be the preparation of a local plan which includes an inventory of all existing resources, identifies needed new resources and services and contains a plan for meeting the needs of developmentally disabled individuals based upon the services designated under sub. (1) (c). The plan shall also include the establishment of long-range goals and intermediate-range plans, detailing priorities and estimated costs and providing for coordination of local services and continuity of care.

SECTION 1102d. 51.437 (9) (c) of the statutes is renumbered 51.437 (5) (c) and amended to read:

51.437 (5) (c) ~~Enter~~ A department established under par. (a) or a combined department under par. (b) shall enter into contracts to provide or secure services from other agencies or resources including out-of-state agencies or resources. Notwithstanding ss. 59.07 (44), 59.456 and 59.47, ~~a any multicounty board organized department under sub. (4) or (7) (b) this subsection~~ may contract for professional legal services that are necessary to carry out the duties of the board multicounty department if the corporation counsel of each county of the multicounty board department has notified the board multicounty department that he or she is unable to provide such services in a timely manner.

SECTION 1102g. 51.437 (9b) of the statutes is created to read:

51.437 (9b) DUTIES OF BOARD IN CERTAIN COUNTIES WITH A COUNTY EXECUTIVE OR A COUNTY ADMINISTRATOR. (a) In this subsection "board" means a community developmental disabilities services board appointed under sub. (7) (a) 2.

(b) The board shall:

1. Appoint committees consisting of residents of the county to advise the board as it deems necessary.

2. Recommend program priorities, identify unmet service needs and prepare short-term and long-term plans and budgets for meeting such priorities and needs.

3. Prepare, with the assistance of the director, a program plan and budget for submission to the county executive or county administrator in accordance with s. 46.031 for authorized services in the form and manner prescribed by the department. The first step in the establishment of a program shall be the preparation of a local plan which includes an inventory of all existing resources and services and contains a plan for meeting the needs of developmentally dis-

abled individuals based upon the services designated under sub. (1) (c).

4. Conduct a public hearing on the program plan and budget prepared under subd. 3 and report the results of the public hearing to the county executive or county administrator and county board.

5. Advise the director regarding purchasing and providing services and the selection of purchase of service vendors, and make recommendations to the county executive or county administrator regarding modifications in such purchasing, providing and selection.

6. Develop board operating procedures.

7. Comply with state requirements.

8. Assist in arranging cooperative working agreements with persons providing health, education, vocational or welfare services related to services provided under this section.

SECTION 1102m. 51.437 (10) (title) of the statutes is amended to read:

51.437 (10) (title) DIRECTOR IN CERTAIN COUNTIES.

SECTION 1102r. 51.437 (10) (intro.) of the statutes is renumbered 51.437 (10) (am).

SECTION 1103. 51.437 (10) (a) of the statutes is renumbered 51.437 (10) (ar), and 51.437 (10) (ar) (intro.), as renumbered, is amended to read:

51.437 (10) (ar) (intro.) The director and the community developmental disabilities services board shall prepare:

SECTION 1103m. 51.437 (10) (a) of the statutes is created to read:

51.437 (10) (a) In this subsection, "director" means the director of a community developmental disabilities services program appointed under sub. (9) (a).

SECTION 1105. 51.437 (10m) of the statutes is created to read:

51.437 (10m) DIRECTOR IN CERTAIN COUNTIES WITH A COUNTY EXECUTIVE OR COUNTY ADMINISTRATOR. In any county with a county executive or a county administrator in which the county board has not established a community developmental disabilities services department in combination with another county, the county executive or county administrator shall appoint the director. The appointment is subject to confirmation by the county board unless the county board, by ordinance, elects to waive confirmation or unless the appointment is made under a civil service system competitive examination procedure established under s. 59.07 (20) or ch. 63. The director, subject only to the supervision of the county executive or county administrator, shall:

(a) Supervise and administer any program established under this section.

(b) Determine administrative and program procedures.

(c) Determine, subject to county board approval and with the advice of the community developmental disabilities services board, whether services are to be

provided directly by the county agency or contracted for with other providers and make such contracts.

(e) Assist the community developmental disabilities services board in the preparation of the program plan and budget required under s. 46.031.

(f) Make recommendations to the county executive or county administrator regarding modifications to the program plan and budget prepared by the community developmental disabilities services board under sub. (9b) (b) 3.

(g) Evaluate service delivery.

(h) After consultation with the community developmental disabilities services board allocate services among service recipients to reflect the availability of limited resources.

(i) Establish salaries and personnel policies of the program subject to approval of the county executive or county administrator and county board.

(j) Perform other functions necessary to manage, operate, maintain and improve programs.

(k) Comply with state requirements.

(L) Assist in arranging cooperative working agreements with other persons providing health, education, vocational or welfare services related to services provided under this section.

(m) Arrange and promote local financial support for the program.

(n) In consultation with the board, prepare:

1. Intermediate-range plans and budget.
2. An annual report of the operation of the program.
3. Such other reports as are required by the department and the county board of supervisors.

SECTION 1105m. 51.437 (14) (a), (c) and (g) of the statutes are amended to read:

51.437 (14) (a) Review requests and certify ~~boards~~ community developmental disabilities services departments created under sub. (4) (5) to assure that the ~~boards departments~~ are in compliance with the respective subsections.

(c) Periodically review and evaluate each ~~board's~~ community developmental disabilities services department's program.

(g) Ensure that ~~boards~~ community developmental disabilities services departments that elect to provide special educational programs to children aged 3 years and under comply with requirements established by the department of public instruction.

SECTION 1105r. 51.62 of the statutes is created to read:

**51.62 Protection and advocacy system.** (1) DEFINITIONS. In this section:

(a) "Developmental disability" means a severe, chronic disability of a person that is characterized by all of the following:

1. Is attributable to a mental or physical impairment or a combination of a mental and a physical impairment.

2. Is manifested before the person has attained the age of 22.

3. Is likely to continue indefinitely.

4. Results in substantial functional limitation in at least 3 of the following areas of major life activity:

- a. Self-care.

- b. Receptive and expressive language.

- c. Learning.

- d. Mobility.

- e. Self-direction.

- f. Capacity for independent living.

- g. Economic self-sufficiency.

5. Requires a combination and sequence of special interdisciplinary or generic care, treatment or other services that are of lifelong or extended duration and are individually planned and coordinated.

(b) "Inpatient health care facility" has the meaning provided under s. 140.86 (1), except that it does include community-based residential facilities as defined under s. 50.01 (1).

(c) "Protection and advocacy agency" means an entity designated by the governor to implement a system to protect and advocate the rights of persons with developmental disabilities, as authorized under 42 USC 6012.

(2) DESIGNATION. (a) The governor shall designate as the protection and advocacy agency a private, non-profit corporation that is independent of all of the following:

1. A state agency.

2. The council on developmental disabilities.

3. An agency that provides treatment, services or habilitation to persons with developmental disabilities.

(b) After the governor has designated a protection and advocacy agency under par. (a), the protection and advocacy agency so designated shall continue in that capacity unless and until the governor redesignates the protection and advocacy agency to another private, nonprofit corporation that meets the requirements of par. (a). The governor may redesignate this private, nonprofit corporation the protection and advocacy agency only if all of the following conditions are met:

1. Good cause exists for the redesignation.

2. Prior notice and an opportunity to comment on a proposed redesignation has been given to all of the following:

- a. The council on developmental disabilities.

- b. Major organizations, in the state, of persons with developmental disabilities and families and representatives of these persons.

- (c) If the governor has designated a protection and advocacy agency before the effective date of this paragraph .... [revisor inserts date], that entity shall continue in that capacity unless and until the governor redesignates the protection and advocacy agency to

another private, nonprofit corporation that meets the requirements of par. (a).

(3) AGENCY POWERS AND DUTIES. (a) The protection and advocacy agency may:

1. Pursue legal, administrative and other appropriate remedies to ensure the protection of the rights of persons with developmental disabilities and to provide information on and referral to programs and services addressing the needs of persons with developmental disabilities.

2. Have access to records as specified under ss. 51.30 (4) (b) 18 and 146.82 (2) (a) 9.

3. Contract with a private, nonprofit corporation to confer to that corporation the powers and duties specified for the protection and advocacy agency under this subsection, except that the corporation may have access to records as specified under ss. 51.30 (4) (b) 18 and 146.82 (2) (a) 9 only if all of the following conditions are met:

a. The contract of the corporation with the protection and advocacy agency so provides.

b. The department has approved the access.

(b) The protection and advocacy agency shall pay reasonable costs related to the reproducing or copying of patient health care or treatment records.

(4) DEPARTMENTAL DUTIES. The department shall provide the protection and advocacy agency with copies of annual surveys and plans of correction for intermediate care facilities for the mentally retarded on or before the first day of the 2nd month commencing after completion of the survey or plan.

SECTION 1106. 51.67 of the statutes is amended to read:

**51.67 Alternate procedure; protective services.** If, after hearing under s. 51.13 (4) or 51.20, the court finds that commitment under this chapter is not warranted and that the subject individual is a fit subject for guardianship and protective placement or services, the court may, without further notice, appoint a temporary guardian for the subject individual and order temporary protective placement or services under ch. 55 for a period not to exceed 30 days. If the court orders temporary protective placement for an individual under the age of 22 years in a center for the developmentally disabled, this placement may be made only at the central center for the developmentally disabled unless the department authorizes the placement or transfer to the northern or southern center for the developmentally disabled. Any interested party may then file a petition for permanent guardianship or protective placement or services under ch. 55. If the individual is in a treatment facility, the individual may remain in the facility during the period of temporary protective placement if no other appropriate facility is available.

SECTION 1107. Chapter 52 (title) of the statutes is repealed.

SECTION 1108. 52.01 (title) of the statutes is renumbered 49.90 (title).

SECTION 1109. 52.01 (1) (a) of the statutes is renumbered 49.90 (1) (a) and amended to read:

49.90 (1) (a) The parent and spouse of any dependent person ~~(as defined in s. 49.01)~~ who is unable to maintain himself or herself shall maintain such dependent person, so far as able, in a manner approved by the authorities having charge of the dependent, or by the board in charge of the institution where such dependent person is; but no parent shall be required to support a child 18 years of age or older.

SECTION 1110. 52.01 (1) (b) and (c) of the statutes are renumbered 49.90 (1) (b) and (c).

SECTION 1111. 52.01 (1m) of the statutes is renumbered 49.90 (1m) and amended to read:

49.90 (1m) Each spouse has an equal obligation to support the other spouse as provided in this chapter. Each parent has an equal obligation to support his or her minor children as provided in this chapter and ~~chs. ch. 48 and 49.~~

SECTION 1112. 52.01 (2) to (5) of the statutes are renumbered 49.90 (2) to (5).

SECTION 1113. 52.01 (6) of the statutes is renumbered 49.90 (6) and amended to read:

49.90 (6) If any relative who has been ordered to maintain ~~a~~ an institutionalized dependent person neglects to do as ordered, the authorities in charge of the dependent or board in charge of the institution may recover in an action on behalf of the municipality or county or institution for general relief or support accorded the dependent person against such relative the sum prescribed for each week the order was disobeyed up to the time of judgment, with costs.

SECTION 1114. 52.01 (7) and (9) of the statutes are renumbered 49.90 (7) and (9).

SECTION 1115. 52.03 of the statutes is renumbered 767.42.

SECTION 1116. 52.05 of the statutes is repealed.

SECTION 1117. 52.055 of the statutes is repealed.

SECTION 1118. 52.06 of the statutes is repealed.

SECTION 1119. 52.07 of the statutes is repealed.

SECTION 1120. 52.10 (title), (1) and (2) (title) of the statutes are renumbered 767.65 (title), (1) and (2) (title).

SECTION 1121. 52.10 (2) (a) of the statutes is renumbered 767.65 (2) (a) and amended to read:

767.65 (2) (a) "Court" means the court assigned to exercise jurisdiction under ~~ch. 767 or, if there is none, the court having jurisdiction under s. 52.05~~ this chapter to enforce support and, when the context requires, means the court or agency of any other state as defined in a substantially similar reciprocal law.

SECTION 1122. 52.10 (2) (am), (b) to (g), (i) to (k), (kz), (m) and (n) of the statutes are renumbered 767.65 (2) (am), (b) to (g), (i) to (k), (kz), (m) and (n).

SECTION 1123. 52.10 (3) to (42) of the statutes are renumbered 767.65 (3) to (42).

SECTION 1124. 53.01 of the statutes is amended to read:

**53.01 State prisons named and defined.** The penitentiary at Waupun is named "Waupun Correctional Institution". The correctional treatment center at Waupun is named "Dodge Correctional Institution". The penitentiary at Green Bay is named "Green Bay Correctional Institution". The maximum/medium security penitentiary at Milwaukee is named "Menomonee Valley Correctional Institution". The medium/maximum penitentiary at Portage is named "Columbia Correctional Institution". The medium security institution at Oshkosh is named "Oshkosh Correctional Institution". The medium security penitentiary near Fox Lake is named "Fox Lake Correctional Institution". The penitentiary at Taycheedah is named "Taycheedah Correctional Institution". The medium security penitentiary at Plymouth is named "Kettle Moraine Correctional Institution". The resource facility at Oshkosh is named "Wisconsin Resource Center". ~~The minimum security penitentiary at Oregon is named "Oakhill Correctional Institution". The institutions named in this section, the Wisconsin correctional camp system, the correctional institutions authorized under s. 46.05, community minimum security correctional residential centers when established institutions authorized under s. 46.045, and state-local shared correctional facilities when established under s. 46.053, are state prisons.~~

SECTION 1125. 53.02 (4a) of the statutes is amended to read:

53.02 (4a) (title) MINIMUM SECURITY CORRECTIONAL INSTITUTIONS. For all purposes of discipline and judicial proceedings the ~~Wisconsin minimum security correctional camp system institutions~~ and precincts thereof shall be deemed, as to each inmate, to be in the county in which the ~~camp or facility institution~~ to which the inmate is assigned is located, and the courts of that county shall have jurisdiction of all crimes committed within the same. Every activity conducted under the jurisdiction of and by the ~~Wisconsin minimum security correctional camp system institutions~~ wherever located is, as to each inmate, a precinct of the ~~camp or other facility institution~~ to which he is assigned.

SECTION 1126. 53.02 (4n) of the statutes is repealed:

SECTION 1127. 53.02 (4s) of the statutes is repealed:

SECTION 1128. 53.05 (1) (intro.) of the statutes is amended to read:

53.05 (1) (intro.) The department may designate under s. 46.052 (1) (b) a section of the Winnebago mental health institute as a correctional treatment facility for the treatment of drug abuse of inmates. For administrative purposes only, the facility shall be ~~attached to a prison designated under s. 53.01 part of the minimum security correctional institution system.~~ For purposes of discipline and for judicial proceedings, the facility authorized by s. 46.052 (1) (b) and the precincts thereof shall be deemed to be in Winnebago

county and the courts of that county shall have jurisdiction of all crimes committed within the facility. Every activity conducted under the jurisdiction of and by the Wisconsin corrections drug abuse treatment program wherever located is a precinct of the facility. The department shall ensure that the residents at the institution and the residents in the drug abuse treatment program:

SECTION 1128g. 53.33 (2) (a) 1 of the statutes is amended to read:

53.33 (2) (a) 1. The department shall ~~not pay for the first 60 days of confinement.~~ Confinement begins make payments under this paragraph beginning when an offender is detained in a county jail or other county facility pursuant only to a departmental hold and ends ending when the revocation process is completed and a final departmental order has been entered.

SECTION 1128r. 53.33 (2) (a) 3 of the statutes is amended to read:

53.33 (2) (a) 3. After verification by the department, it shall reimburse the county at a rate of \$30 per person per day subject to the conditions in subds. 1 and 2. If ~~\$638,500~~ \$400,000 for fiscal year ~~1983-84~~ 1985-86 or ~~\$842,200~~ \$400,000 for fiscal year ~~1984-85~~ 1986-87 is insufficient to provide complete reimbursement at that rate, the department shall prorate the payments to counties for that fiscal year.

SECTION 1129. 53.386 of the statutes is created to read:

**53.386 State liability for prisoners and forensic patients.** The liability of the state for medical and dental services furnished to residents housed in prisons identified in s. 53.01 or in Ethan Allen school or Lincoln Hills school or to forensic patients in state institutions for those services which are not provided by employes of the department shall be limited to the amounts payable under ss. 49.43 to 49.47 for similar services. The department may waive any such limit if it determines that needed services cannot be obtained for the applicable amount. No provider of services may bill the resident or patient for the cost of services exceeding the amount of the state's liability under this section.

SECTION 1130. 54.03 (2) of the statutes is amended to read:

54.03 (2) "Hospital" has the meaning provided in s. 50.33 ~~(4) (2)~~, except that "hospital" does not include a center for developmentally disabled as defined in s. 51.01 (3).

SECTION 1131. 54.04 of the statutes is created to read:

**54.04 Authorizations, orders and rates.** Any condition consistent with this chapter which was imposed on a hospital by the Wisconsin hospital rate review program under s. 146.60, 1983 stats., and which is in effect on February 1, 1985, remains in effect until the condition expires, as provided by the Wisconsin hospital rate review program, or until the condition is



affected by rules promulgated by the commission under this chapter, whichever is sooner.

SECTION 1131m. 54.07 (1) of the statutes is amended to read:

54.07 (1) The commission shall create a schedule allowing each hospital to request rate changes annually. ~~To the extent practicable, this schedule shall coincide with each hospital's fiscal year. The schedule may deviate from a hospital's fiscal year by no more than 31 days. Any hospital may submit a rate request up to 90 days before this scheduled date. If a hospital fails to submit a rate request during this period, the, on or after the date the hospital receives its audited financial statements.~~ The commission may schedule a review of the hospital's rates and revise the rates on its own initiative or at the request of any person when good cause is shown. A hospital may submit a rate request on or after the scheduled date.

SECTION 1132. 54.09 (1) (a) of the statutes is amended to read:

54.09 (1) (a) Necessary operating expenses, including wages, employe fringe benefits, purchased services, professional fees, repairs and maintenance, dietary and medical supplies, pharmaceuticals, utilities, insurance, ~~depreciation,~~ standby costs and applicable taxes. Any amount representing the value of services performed by members of a religious order or other organized religious group may only be included if actually paid to members of the religious group and shall be equivalent to the amounts paid to employes for similar work. The commission may not use previously accumulated depreciation of capitalized assets to offset operating expenses.

SECTION 1133. 54.09 (1) (b) of the statutes is amended to read:

54.09 (1) (b) Interest expenses on debt incurred for capital or operating costs. Interest payments on debts incurred for capital costs shall be offset by income earned on investments unless the income is assigned by the donor. For the purpose of calculating the interest expense on debt incurred for capital costs to be included as financial requirements after the sale and revaluation of a hospital, the debt may not exceed the revalued price of the hospital, as provided in sub. (4).

SECTION 1134. 54.09 (1) (i) 1 of the statutes is amended to read:

54.09 (1) (i) 1. "Available funds" includes cash and investments that are not assigned by the donor and are available to meet capital needs. Available funds do not include operating fund working capital requirements, prospective accumulations that are authorized by the commission ~~or by the rate review program under s. 146.60,~~ donor-restricted or creditor-restricted funds, grants, commitments for capital requirements, debt retirement expenses or the amounts disallowed under s. 54.13 (1) (b). The commission may authorize prospective accumulations if a project approved under ch. 150 has lending requirements that necessitate such an accumulation or can lower its interest costs by bor-

rowing, or if financial needs of a hospital occur because of balloon payments. The commission may also authorize prospective accumulations to finance a capital project during the 2 1/2 years prior to the date the hospital applies to the department for approval of the project under ch. 150, if the cost of the project equals or exceeds 25% of the hospital's gross patient revenue for the current fiscal year, the hospital has submitted a 3-year capital expenditure plan to the commission and the department indicates that the project is consistent with the projected needs of the community and the state medical facilities plan under s. 150.83. No approval of prospective accumulations under this subdivision requires the department to approve the project under ch. 150.

SECTION 1135. 54.09 (4) of the statutes is created to read:

54.09 (4) After the sale of a hospital, the commission may calculate depreciation under sub. (1) based on a revaluation of the hospital's plant and equipment in order to determine its reasonable value. The revaluation shall be based on appraisals conducted by 2 independent appraisers, one of whom shall be selected by the hospital and one by the commission. The hospital shall pay the cost of both appraisals.

SECTION 1136. 54.13 (1) (d) (intro.) of the statutes is amended to read:

54.13 (1) (d) (intro.) The amount by which incremental expenses that are associated with the cost of a project approved under ch. 150 ~~and are charged to all of the hospital's patients~~ exceed 105% of the expenses projected in the hospital's application for approval of the project. This paragraph does not apply if:

SECTION 1137. 54.13 (1) (g) of the statutes is created to read:

54.13 (1) (g) Amounts paid for services regulated under s. 111.18 (2).

SECTION 1137e. 54.15 (2) of the statutes is amended to read:

54.15 (2) Any hospital that is dissatisfied with the results of its settlement conference under sub. (1) is entitled to a hearing before the commission under sub. (3) if it submits a timely request. Each request for a hearing shall be submitted to the commission within 10 days following completion of the settlement conference. ~~The hospital may request an informal hearing under sub. (3) or a formal hearing under sub. (4). At either hearing the~~ The hospital may present testimony based on any standard for decision making listed in s. 54.11. All questions of fact shall be determined without ascribing greater weight to evidence presented by commission staff than to evidence presented by any other party, solely due to its presentation by the staff.

SECTION 1137m. 54.15 (3) (b) of the statutes is amended to read:

54.15 (3) (b) A hospital that requests an informal hearing shall present the reasons supporting its proposed rate increase and financial requirements. Commission staff shall respond by explaining its

disagreement and its alternate recommendations. Within the time limits specified in par. (a), the hospital, ~~parties to the review~~ and commission staff may each cross-examine witnesses and rebut arguments presented. ~~Other parties may present positions but may not cross-examine witnesses. No party except the~~ The hospital, parties to the review and the commission staff may use outside experts to present their position. The presiding commissioners may impose an overall time limit on the length of the hearing.

SECTION 1137s. 54.15 (3) (c) of the statutes is created to read:

54.15 (3) (c) The commission may, by order, conduct a class 1 contested case proceeding under ch. 227 in place of an informal hearing under pars. (a) and (b).

SECTION 1138. 54.15 (4) of the statutes is repealed.

SECTION 1138g. 54.15 (5) of the statutes is amended to read:

54.15 (5) The commission shall keep a complete record of all hearings and investigations conducted under sub. (3) ~~or (4)~~ using a stenographic, electronic or other method to record all testimony presented. ~~The commission shall provide a transcribed, certified copy of all or any part of this record free on the request of any party to a formal hearing or investigation under sub. (4).~~ The commission shall also provide a transcribed, certified copy of all or any part of this record on the request of any party to ~~an informal a hearing or investigation under sub. (3),~~ but may charge the requester for the costs involved.

SECTION 1138r. 54.15 (6) (b) of the statutes is amended to read:

54.15 (6) (b) Notwithstanding par. (a), no person may request a hearing under s. 227.064 pertaining to the subject matter of a hearing under sub. (3) ~~or (4)~~.

SECTION 1139. 54.17 (1) (a) of the statutes is amended to read:

54.17 (1) (a) The commission shall determine allowable financial requirements under s. 54.09 and disallowances under s. 54.13. From the difference between these amounts the commission shall subtract the hospital's estimated general relief payments under ss. 49.02 ~~to and~~ 49.04, medical assistance payments under ss. 49.43 to 49.47 and medicare payments under 42 USC 1395 to 1395xx, unless the commission determines that the hospital's estimates are incorrect, in which case it shall subtract its own estimated general relief, medical assistance and medicare payments. The commission shall, by order, establish maximum rates that allow the hospital to generate revenue sufficient to provide this remainder. The commission shall by rule establish acceptable methods of estimating payments by general relief, medical assistance and medicare under this paragraph. Each hospital shall choose one of these methods and use it consistently unless the commission authorizes the hospital to change its method.

SECTION 1139m. 54.17 (1) (c) of the statutes is amended to read:

54.17 (1) (c) If the hospital disputes the recommendations of the commission staff and requests a hearing under s. 54.15 (3) ~~or (4)~~, the commission shall establish by order maximum rates for the hospital's year under review at the conclusion of the hearing. ~~The commission shall issue its order under this paragraph within 50 days after a hospital requests an informal hearing or within 75 days after a hospital requests a formal hearing under s. 54.15 (2). If any party files a brief at a formal hearing, the commission shall issue its order under this paragraph within 85 days after the hospital requested the formal hearing. If oral arguments before the commission are requested at a formal hearing, the commission shall issue its order under this paragraph within 105 days after the hospital requested the formal hearing. If the commission conducts an informal hearing, it shall issue its order within 50 days after the date the hospital requested the hearing.~~

SECTION 1140. 54.17 (4) (bm) 2 of the statutes is amended to read:

54.17 (4) (bm) 2. The hospital fails to use the funds it has prospectively accumulated pursuant to an order issued under this chapter ~~or pursuant to s. 146.60~~ for a project that is subject to ch. 150.

SECTION 1140k. 54.21 (2) of the statutes is repealed and recreated to read:

54.21 (2) (a) A hospital whose gross annual patient revenue is less than \$10,000,000, adjusted as provided in s. 54.26, for the hospital's last fiscal year is eligible to receive automatic approval of its rate request if it meets all of the following criteria:

1. The commission has conducted a complete review of the hospital's rates and has set the hospital's rates in a preceding year.

2. The hospital requests a rate increase that is less than an inflationary index consisting of an average of the consumer price index and of the hospital market basket index.

(b) Any hospital that receives automatic approval of its rate request under this subsection shall publish as a class 1 notice under ch. 985, in one or more newspapers likely to give notice to its patients and payers, a list of the price adjustments it is making to 100 of its charge elements as specified by the commission. The hospital shall publish this notice prior to implementing its rate increase.

(c) The commission may, by rule, extend automatic approval status under this subsection to other hospitals.

SECTION 1140L. 54.21 (2m) of the statutes is created to read:

54.21 (2m) The commission may grant hospitals whose gross annual patient revenue is less than \$10,000,000, adjusted as provided in s. 54.26, a rate increase that takes effect over a 2-year period with an automatic escalation clause taking effect at the end of

the first year. A hospital that receives a 2-year rate increase is not required to request a rate increase at the end of the first year.

SECTION 1140t. 54.26 of the statutes is created to read:

**54.26 Annual adjustments.** The limits on gross annual patient revenue in ss. 54.13 (1) (b) and 54.21 (2) (a) (intro.) and (2m) shall be adjusted annually to reflect annual changes in the average of the consumer price index and of the hospital market basket index.

SECTION 1141. 54.29 (3) (c) of the statutes is amended to read:

54.29 (3) (c) The degree to which general relief under ss. 49.02 ~~to~~ and 49.04, medical assistance under ss. 49.43 to 49.47 and medicare under 42 USC 1395 to 1395xx do not pay rates equal to the rates paid by nongovernment payers. Reports under this paragraph shall be issued annually and shall discuss these effects on both a statewide and individual hospital basis.

SECTION 1142. 54.31 of the statutes is amended to read:

**54.31 Financing the commission's operations.** Commencing July 1, 1985, the commission shall annually, within 90 days after the commencement of each fiscal year, estimate its total expenditures during the ensuing calendar year. From the appropriation under s. 20.441 (1) (a) the commission shall draw the amount that is budgeted for this calendar year. The commission shall assess the remaining amount to the hospitals in proportion to each hospital's respective gross private-pay patient revenues during the hospital's last entire fiscal year. Each hospital shall pay its assessment for the ensuing year on or before December 1. All payments shall be deposited in the appropriation under s. 20.441 (1) (g).

SECTION 1142m. 54.33 of the statutes is amended to read:

**54.33 Applicability.** This chapter does not apply after July 1, ~~1989~~ 1987.

SECTION 1143. 55.06 (9) (a) of the statutes is amended to read:

55.06 (9) (a) The court may order protective services under s. 55.05 (2) (d) as an alternative to placement. When ordering placement, the court, on the basis of the evaluation and other relevant evidence shall order placement through the appropriate board designated under s. 55.02 or an agency designated by it. Placement shall be made in the least restrictive environment consistent with the needs of the person to be placed. Factors to be considered in making protective placement shall include the needs of the person to be protected for health, social or rehabilitative services and the level of supervision needed. Placement under this section does not replace commitment of a person in need of acute psychiatric treatment under s. 51.20 or 51.45 (13). Placement may be made to such facilities as nursing homes, public medical institu-

tions, centers for the developmentally disabled under the requirements of s. 51.06 (3), foster care services and other home placements, or to other appropriate facilities but may not be made to units for the acutely mentally ill. The prohibition of placements in units for the acutely mentally ill does not prevent placement by a court for short-term diagnostic procedures under par. (d). Placement in a locked unit shall require a specific finding of the court as to the need for such action. A placement facility may transfer a patient from a locked unit to a less restrictive environment without court approval.

SECTION 1144. 56.21 (1) of the statutes is renumbered 56.21 (1) (a).

SECTION 1145. 56.21 (1) (b) of the statutes is created to read:

56.21 (1) (b) Inmates are included under par. (a) if they are participating in a structured work program away from the institution grounds under s. 53.15. Inmates are not included under par. (a) if they are participating in a work release program under s. 56.065 (2) or in the transitional employment program, but they are eligible for worker's compensation benefits as provided under ch. 102.

SECTION 1146. 58.05 (6) of the statutes is amended to read:

58.05 (6) Every such corporation that shall receive nonresident patients into such hospital, asylum or institution for care, treatment or relief shall execute to this state and file in the office of the secretary of state a bond in such sum and with such surety or sureties as the governor shall determine and approve, conditioned to indemnify the state and every ~~municipality therein~~ county in the state against expense in case any such patient shall become a pauper in this state. When any nonresident patient shall have been discharged from such hospital, asylum or institution and shall leave this state all liability of such corporation upon its bond on account of such patient shall thereupon cease.

SECTION 1147. 59.025 of the statutes is repealed and recreated to read:

**59.025 Administrative home rule.** Every county may exercise any organizational or administrative power, subject only to the constitution and any enactment of the legislature which is of statewide concern and which uniformly affects every county.

SECTION 1148. 59.026 of the statutes is created to read:

**59.026 Construction of powers.** For the purpose of giving to counties the largest measure of self-government in accordance with the spirit of the administrative home rule authority granted to counties in s. 59.025, it is hereby declared that this chapter shall be liberally construed in favor of the rights, powers and privileges of counties to exercise any organizational or administrative power.

SECTION 1149. 59.03 (4) of the statutes is amended to read:

59.03 (4) COMPATIBILITY. No county officer or employe is eligible to the office of supervisor, but a supervisor may also be a member of a committee, board or commission appointed by the county executive or county administrator or appointed or created under s. 59.025 (3) by the county board, a town board, a mosquito control district, the common council of his or her city, the board of trustees of his or her village or the board of trustees of a county institution appointed under s. 46.18. ~~A supervisor in a county having a population over 500,000 may not accept any compensation in addition to his or her regular salary for serving as a member of any committee, board or commission appointed under s. 59.025 (3).~~

SECTION 1150. 59.031 (title) of the statutes is amended to read:

**59.031 (title) County executive.**

SECTION 1151. 59.031 (1) of the statutes is renumbered 59.031 (1) (a).

SECTION 1152. 59.031 (2) (intro.) of the statutes is amended to read:

59.031 (2) DUTIES AND POWERS. (intro.) The county executive shall be the chief executive officer of the county. The county executive shall take care that every county ordinance and state or federal law is observed, enforced and administered within his or her county if such ordinance or law is subject to enforcement by the county executive or any person supervised by the county executive. The duties and powers of the county executive shall be, without restriction because of enumeration, to:

SECTION 1153. 59.031 (2) (a) of the statutes is amended to read:

59.031 (2) (a) Coordinate and direct by executive order or otherwise all administrative and management functions of the county government not otherwise vested by law in ~~boards or commissions, or in~~ other elected officers.

SECTION 1154. 59.031 (2) (b) of the statutes is repealed and recreated to read:

59.031 (2) (b) In any county with a population of 500,000 or more, appoint and supervise the heads of all departments except where the statutes provide that the appointment shall be made by a board or commission or by other elected officers. Notwithstanding any statutory provision that a board or commission or the county board or county board chairperson appoint a department head, except ss. 17.21 and 59.72 (3) (b) 2, the county executive shall appoint and supervise the department head. Notwithstanding any statutory provision that a board or commission supervise the administration of a department, the department head shall supervise the administration of the department and the board or commission shall perform any advisory or policy-making function authorized by statute. An appointment by the county executive under this paragraph does not require the confirmation of the board. Any department head appointed by a county

executive under this subsection may be removed at the pleasure of the county executive.

SECTION 1155. 59.031 (2) (bm) 1. (intro.) of the statutes is amended to read:

59.031 (2) (bm) 1. (intro.) ~~Appoint~~ In any county with a population of 500,000 or more, appoint the following persons:

SECTION 1156. 59.031 (2r) of the statutes is created to read:

59.031 (2r) In any county with a population of less than 500,000, appoint and supervise the heads of all county departments except those elected by the people and except where the statutes provide that the appointment shall be made by other elected officers. Notwithstanding any statutory provision that a board or commission or the county board or county board chairperson appoint a department head, except s. 17.21, the county executive shall appoint and supervise the department head. Notwithstanding any statutory provision that a board or commission supervise the administration of a department, the department head shall supervise the administration of the department and the board or commission shall perform any advisory or policy-making function authorized by statute. An appointment by the county executive under this subsection requires the confirmation of the county board unless the county board, by ordinance, elects to waive confirmation or unless the appointment is made under a civil service system competitive examination procedure established under s. 59.07 (20) or ch. 63. Any department head appointed by a county executive under this subsection may be removed at the pleasure of the county executive unless the department head is appointed under a civil service system competitive examination procedure established under s. 59.07 (20) or ch. 63.

SECTION 1157. 59.031 (3) of the statutes is amended to read:

59.031 (3) ADMINISTRATIVE SECRETARIES TO COUNTY EXECUTIVE; STAFF. The county executive may appoint administrative secretaries ~~who~~ using hiring procedures which shall be exempt from county civil service competitive examination procedures and such additional staff assistants as the county board provides.

SECTION 1158. 59.031 (4) of the statutes is amended to read:

59.031 (4) COMPENSATION OF COUNTY EXECUTIVE, DEPUTY, AND STAFF ASSISTANTS. The county board shall fix the compensation of the county executive, his administrative secretary and his staff assistants, provided that the salary of the county executive shall be established at least 90 days prior to any election held to fill the office ~~and may not be increased during his term of office nor decreased during such term without his consent.~~

SECTION 1159. 59.032 (title) and (1) (title) of the statutes are repealed.

SECTION 1160. 59.032 (1) of the statutes is renumbered 59.031 (1) (b).

SECTION 1161. 59.032 (2) to (7) of the statutes are repealed.

SECTION 1162. 59.033 (2) (intro.) of the statutes is amended to read:

59.033 (2) DUTIES AND POWERS. (intro.) The county administrator shall be the chief administrative officer of the county. The county administrator shall take care that every county ordinance and state or federal law is observed, enforced and administered within his or her county if such ordinance or law is subject to enforcement by the county administrator or any other person supervised by the county administrator. The duties and powers of the county administrator shall be, without restriction because of enumeration, to:

SECTION 1163. 59.033 (2) (b) of the statutes is amended to read:

59.033 (2) (b) Appoint and supervise the heads of all departments of the county except those elected by the people and except where the statutes provide that the appointment shall be made by ~~a board or commission or by other~~ elected officers; but the county administrator shall also appoint and supervise all department heads where the law provides that the appointment shall be made by a board or commission, by the chairperson of the county board or by the county board. Notwithstanding any statutory provision that a board or commission supervise the administration of a department, the department head shall supervise the administration of the department and the board or commission shall perform any advisory or policy-making function authorized by statute. Such appointments shall require the confirmation of the county board. ~~The county administrator may file with the county board, charges for the removal, discharge or suspension of any person so appointed.~~ Any department head appointed by a county administrator under this paragraph may be removed at the pleasure of the county administrator unless the department head is appointed under a civil service system competitive examination procedure established under s. 59.07 (20) or ch. 63.

SECTION 1164. 59.034 of the statutes is created to read:

**59.034 Administrative coordinator.** In any county which has not created the office of county executive or county administrator, the county board shall designate, no later than January 1, 1987, an elected or appointed official to serve as administrative coordinator of the county. The administrative coordinator shall be responsible for coordinating all administrative and management functions of the county government not otherwise vested by law in boards or commissions, or in other elected officers.

SECTION 1165m. 59.035 (2) of the statutes is created to read:

59.035 (2) Any county having a population of less than 500,000 may create a department of administration and assign any administrative function to the department as it deems appropriate, except that no

administrative function may be assigned to the department if any other provision of state law requires the performance of the function by any other county office, department or commission unless the administrative function is under the jurisdiction of the county civil service commission or the county auditor, in which case, the function may be assigned to the department notwithstanding ss. 59.07 (20), 59.72, 59.84 and 63.01 to 63.17. Except as provided under sub. (1), in any county with a county executive or county administrator, the county executive or county administrator shall have the authority to appoint and supervise the head of a department of administration; and except as provided under sub. (1), the appointment is subject to confirmation by the county board unless the appointment is made under a civil service system competitive examination procedure established under s. 59.07 (20) or ch. 63.

SECTION 1166. 59.05 (1) of the statutes is amended to read:

59.05 (1) The board, at the first meeting after each regular election at which members are elected for full terms, shall elect a member chairperson. The chairperson shall perform all duties required of the chairperson until the board elects a successor. The chairperson may administer oaths to persons required to be sworn concerning any matter submitted to the board or a committee thereof or connected with their powers or duties. The chairperson shall countersign all ordinances of the board, and shall preside at meetings when present. When directed by ordinance the chairperson shall countersign all county orders, transact all necessary board business with local and county officers, expedite all measures resolved upon by the board and shall take care that all federal, state and local laws, rules and regulations pertaining to county government are enforced. ~~Notwithstanding s. 59.031 (2) (b), the chairperson shall appoint the head of the county auditing department, subject to confirmation by the county board.~~

SECTION 1167. 59.06 (2) (intro.) of the statutes is amended to read:

59.06 (2) (intro.) ~~Committeemen~~ Except as provided under sub. (3), committee members shall receive such compensation for their services as the board allows, not exceeding the per diem and mileage allowed to members of the board and such committee members shall receive such compensation, mileage and reimbursement for other expenses as the board allows for their attendance at any school, institute or meeting which the board directs them to attend. No supervisor shall be allowed pay for committee service while the board is in session, nor for mileage except in connection with services performed within the time herein limited. The number of days for which compensation and mileage may be paid a committee member in any year, except members of committees appointed to have charge of the erection of any county

building, and except as otherwise provided by law, are limited as follows:

SECTION 1168. 59.06 (3) of the statutes is created to read:

59.06 (3) A supervisor in a county having a population of 500,000 or more may not accept any compensation in addition to his or her regular salary for serving as a member of any committee, board or commission appointed by the county board or by the county executive.

SECTION 1169. 59.07 (intro.) of the statutes is repealed and recreated to read:

**59.07 General powers of board.** (intro.) The board of each county shall have the authority to exercise any organizational or administrative power, subject only to the constitution and any enactment of the legislature which grants the organizational or administrative power to a county executive or county administrator or to a person supervised by a county executive or county administrator or any enactment which is of statewide concern and which uniformly affects every county. Any organizational or administrative power conferred under this section shall be in addition to all other grants. A county board may exercise any organizational or administrative power under this section without limitation due to enumeration. The board of each county may exercise the following powers, which shall be broadly and liberally construed and limited only by express language:

SECTION 1169m. 59.07 (2) (c) of the statutes is amended to read:

59.07 (2) (c) *Employe insurance.* Provide for individual or group hospital, surgical and life insurance for county officers and employes and for payment of premiums therefor. In addition, a county with at least 100 employes may elect to provide health care benefits on a self-insured basis to its officers and employes, and any 2 or more counties which together have at least 100 employes may jointly provide health care benefits on a self-insured basis to officers and employes of the counties. Counties which elect to provide health care benefits on a self-insured basis to their officers and employes shall be subject to the requirements set forth under s. 120.13 (2) (c) to (e).

SECTION 1169r. 59.07 (11) of the statutes is amended to read:

59.07 (11) **JOINT COOPERATION.** Join with the state, other counties and municipalities in a cooperative arrangement as provided by s. 66.30, including the acquisition, development, remodeling, construction, equipment, operation and maintenance of land, buildings and facilities for regional projects, whether or not such projects are located within the county; ~~and enact ordinances as set forth in s. 66.433 (3) (c) if approved as part of such cooperative arrangement for an inter-governmental community relations social development commission.~~

SECTION 1170. 59.07 (16) of the statutes is amended to read:

59.07 (16) **ZONING, BUILDING INSPECTOR.** ~~For~~ Except as provided under s. 59.97 (2) (bm), for the enforcement of all laws, ordinances, rules and regulations enacted pursuant to under s. 59.97, appoint a building inspector, define his duties and fix his term of office and compensation.

SECTION 1171. 59.07 (44) of the statutes is renumbered 59.07 (44) (a) and amended to read:

59.07 (44) (a) ~~In~~ Except as provided under par. (b), in counties not having a population of 500,000 or more, employ a corporation counsel, and fix his salary. The corporation counsel appointed under this paragraph may be terminated at any time by a majority vote of all the members of the board.

(c) The corporation counsel may, when authorized by a majority of the county board, appoint one or more assistant corporation counsels to aid him in the performance of his duties. The assistants so appointed shall have authority to perform all the duties of the corporation counsel. ~~His employment may be terminated at any time by a majority vote of all the members of the board.~~ The duties of the corporation counsel shall be limited to civil matters and may include giving legal opinions to the board and its committees and interpreting the powers and duties of the board and county officers. Whenever any of the powers and duties conferred upon the corporation counsel are concurrent with similar powers or duties conferred by law upon the district attorney, the district attorney's powers or duties shall cease to the extent that they are so conferred upon the corporation counsel and the district attorney shall be relieved of the responsibility for performing such powers or duties. Opinions of the corporation counsel on all such matters shall have the same effect as opinions of the district attorney. The corporation counsel may request the attorney general to consult and advise with him in the same manner as district attorneys as provided by s. 165.25 (3).

SECTION 1172. 59.07 (44) (b) of the statutes is created to read:

59.07 (44) (b) In any county with a county executive or county administrator, the county executive or county administrator shall have the authority to appoint and supervise the corporation counsel if the county board authorizes the establishment of the office of corporation counsel. Such appointment shall be subject to confirmation by the county board unless the county board, by ordinance, elects to waive confirmation or unless the appointment is made under a civil service system competitive examination procedure established under s. 59.07 (20) or ch. 63. The corporation counsel may be removed by the county executive or county administrator with the concurrence of the county board unless the corporation counsel is appointed under such an examination procedure.

SECTION 1173m. 59.07 (48) (title) of the statutes is renumbered 59.035 (title) and amended to read:

**59.035 (title) Department of administration.**

SECTION 1174. 59.07 (48) of the statutes is renumbered 59.035 (1) and amended to read:

59.035 (1) In counties having a population of 500,000 or more, create a department of administration, provide for the appointment by the county executive of a director of such department and assign such administrative functions to the department as it deems appropriate, subject to the limitations of this subsection. No such function shall be assigned to the department where the performance of the same by some other county office, department or commission is required by any provision of the constitution or statutes of this state, except that administrative functions under the jurisdiction of the county civil service commission or the county auditor may be so assigned notwithstanding ~~sub. (20) and ss. 59.07 (20), 59.72, 59.84 and 63.01 to 63.17. The person holding the position of director of the department of administration, under the classified service, on June 16, 1974, shall continue in that capacity under civil service status until his death, resignation or removal from the position. Thereafter such~~ Such director shall be appointed by the county executive in the unclassified civil service and is subject to confirmation by the county board, as provided in s. 59.031 (2) (bm).

SECTION 1174m. 59.07 (94) of the statutes is created to read:

59.07 (94) **ADVOCACY FOR WOMEN AND AGRICULTURE.** Appropriate money to county commissions to conduct advocacy activities on behalf of women or agriculture.

SECTION 1174r. 59.07 (142) of the statutes is amended to read:

59.07 (142) **COOPERATIVE LAW ENFORCEMENT AGREEMENTS WITH INDIAN TRIBES.** Except as provided in s. 165.91 (4), upon adoption of a resolution a county board may enter into an agreement and seek funding under s. 165.91 with an Indian tribe whose tax-exempt reservation is located in the county to establish a cooperative county-tribal law enforcement program to provide law enforcement services on the reservation. ~~This subsection does not apply after July 1, 1986.~~

SECTION 1175. 59.07 (143) of the statutes is created to read:

59.07 (143) **MILWAUKEE LAKEFRONT PARKING FACILITY.** A county having a population of 500,000 or more may do both of the following:

(a) Contract with the state to utilize and pay reasonable charges for the utilization of all or a portion of the parking facility authorized under s. 13.485 and to guaranty all or a portion of the debt service for revenue obligations issued under s. 13.485 as compensation for benefits to be derived by the county and the public from the facility funded by the issuance.

(b) Take any action necessary to facilitate contracting with the state under par. (a), including the levying of any direct annual tax for that purpose.

SECTION 1176. 59.071 (7) of the statutes is amended to read:

59.071 (7) **EXAMINATION AND AUDIT.** The accounts and books of the agency, including its receipts, disbursements, contracts, mortgages, investments and other matters relating to its finances, operation and affairs shall be examined and audited annually by the county auditor, ~~by the department of revenue under s. 73.10~~ or by an independent certified public accountant designated by the county board or boards where counties have joined in the formation of the agency.

SECTION 1177. 59.077 of the statutes is repealed.

SECTION 1178. 59.08 (1) of the statutes is amended to read:

59.08 (1) All public work, including any contract for the construction, repair, remodeling or improvement of any public work, building, or furnishing of supplies or material of any kind where the estimated cost of such work will exceed \$20,000 shall be let by contract to the lowest responsible bidder. Any public work, the estimated cost of which does not exceed \$20,000, shall be let as the board may direct. If the estimated cost of any public work is between \$5,000 and \$20,000, the board shall give a class 1 notice under ch. 985 before it contracts for the work or shall contract with a person qualified as a bidder under s. 66.29 (2). A contract, the estimated cost of which exceeds \$20,000, shall be let and entered into under s. 66.29, except that the board may by a three-fourths vote of all the members entitled to a seat provide that any class of public work or any part thereof may be done directly by the county without submitting the same for bids. This section does not apply to highway contracts which the county highway committee or the county highway commissioner is authorized by law to let or make.

SECTION 1181. 59.395 (7) of the statutes is renumbered 59.395 (8).

SECTION 1182. 59.395 (7) of the statutes is created to read:

59.395 (7) Cooperate with the department of health and social services with respect to the child and spousal support and establishment of paternity and medical liability support program under ss. 46.25 and 59.07 (97), and provide that department with any information from court records which it requires to administer that program.

SECTION 1183. 59.47 (15) of the statutes is created to read:

59.47 (15) Enforce actions for wage claims and deficiencies referred by the department of industry, labor and human relations under s. 109.09 (1).

SECTION 1185. 59.475 of the statutes is amended to read:

**59.475 Shawano county district attorney for Menominee county.** Menominee county is attached to Shawano county for judicial purposes to the extent of the office and functions of the district attorney, and the district attorney of Shawano county shall serve as

district attorney for Menominee county with all the duties, rights and powers of district attorney therein, and no district attorney may be elected in Menominee county, the county not being organized for that purpose. The county board of Menominee county may, however, employ or authorize the appointment of a corporation counsel ~~as provided in under~~ s. 59.07 (44) and the district attorney's powers and duties in Menominee county shall cease to the extent they are conferred upon the corporation counsel. The county boards of Menominee county and Shawano county shall enter into an agreement on administration of this section and the prorating of expenditures involved, and for such purposes the county board of supervisors of Menominee county may appropriate, levy and collect a sum each year sufficient to pay its share of the expenses. If the 2 county boards are unable to agree on the prorating of expenditure involved, then the circuit judges for the circuit court for Menominee and Shawano counties shall, upon appropriate notice and hearing, determine the prorating of the expenditures on the basis of a fair allocation to each county under such procedures as they prescribe. If the circuit judges are unable to agree, the chief judge of the judicial administrative district shall make the determination. The district attorney of Shawano county shall be on a full-time basis as long as his or her duties include serving as district attorney for Menominee county.

SECTION 1186. 59.58 (1) of the statutes is renumbered 59.58 (1) (a) and amended to read:

59.58 (1) (a) ~~Whenever~~ Except as provided under par. (b), whenever any county adopts a tract index system or any recognized chain of title system, the county board thereof may create a department to be known as an abstract department, either in connection with or independent of the office of the register of deeds, as said county board deems advisable and may appoint a competent person for a term of two years, who shall be known as the county abstractor, and shall have charge of and operate said abstract department. The board shall furnish a seal for said abstractor, who shall place said seal on each and every abstract issued by him.

SECTION 1187. 59.58 (1) (b) of the statutes is created to read:

59.58 (1) (b) In any county with a county executive or a county administrator, if the county creates an abstract department under par. (a), the county executive or county administrator shall appoint and supervise the county abstractor. Such appointment shall be subject to confirmation by the county board unless the county board, by ordinance, elects to waive confirmation or unless the appointment is made under a civil service system competitive examination procedure established under s. 59.07 (20) or ch. 63.

SECTION 1188m. 59.69 (1) (a) of the statutes is amended to read:

59.69 (1) (a) In counties containing less than 500,000 population, the county board may annually,

at the same time that other county taxes are levied, levy a tax upon the taxable property of such county ~~not exceeding four-tenths of a mill upon each dollar of the equalized valuation of the taxable property upon which other county taxes are levied and collected.~~

SECTION 1190. 59.84 (title) of the statutes is amended to read:

**59.84 (title) Budgetary procedure in certain counties.**

SECTION 1191. 59.84 (1) of the statutes is amended to read:

59.84 (1) APPLICATION. The provisions of this section shall apply to all counties having a population of 500,000 or more. Any county with a county executive or county administrator may elect to be subject to the provisions of this section.

SECTION 1191m. 59.965 (2) (d) 6 of the statutes is amended to read:

59.965 (2) (d) 6. When the board has acquired title to lands in fee either for the county or the state, the county may use and develop any portion of the lands not directly needed for expressway-roadway purposes and which do not interfere with the primary expressway purpose, and without exclusion because of enumeration the power to use the subsoil beneath the ground, the ground level area or air space above the ground, for parking, storage or building purposes subject to municipal land use zoning regulations except as to parking, but if the expressway right-of-way area is either on the federal interstate system or on a state trunk highway, the consent of the department of transportation to such development and use shall be obtained prior to construction or initiation of such use, and the state shall receive a share of the rentals or sale price derived from such use in the proportion that the amount of federal or state funds used in the purchase of the site bears to the total cost of the land and improvement which is the subject of the sale or rental. Such sharing shall not be made until the county has been reimbursed for all sums expended by it, in the developments referred to in this paragraph, and such sharing shall terminate when the fair proportion of the federal and state funds allocable to the purchase of the area so developed has been reimbursed. In lieu of sharing in the proportion of the amount of federal or state funds used in the purchase of the site to the total cost of the land and improvement which is the subject of the sale or rental, the state and the county may share the rentals or sale price on the basis of a different formula for such sharing if the department of transportation and the county agree to a different formula.

SECTION 1192. 59.97 (2) (a) of the statutes is renumbered 59.97 (2) (a) 1 and amended to read:

59.97 (2) (a) 1. ~~The~~ Except as provided under subd. 2, the county board of any county may create a planning and zoning committee as a county board agency or may create a planning and zoning commission consisting wholly or partially of persons who are not



members of the county board, designated the county zoning agency. In lieu of creating a committee or commission for this purpose, the county board may designate a previously established committee or commission as the county zoning agency, authorized to act in all matters pertaining to county planning and zoning.

SECTION 1193. 59.97 (2) (a) 2 of the statutes is created to read:

59.97 (2) (a) 2. If the county board in any county with a county executive authorizes the creation of a county planning and zoning commission, designated the county zoning agency, the county executive shall appoint the commission, subject to confirmation by the county board.

SECTION 1194g. 59.97 (2) (bm) of the statutes is created to read:

59.97 (2) (bm) The head of the county zoning agency appointed under s. 59.97 (10) (b) 2 shall have the administrative powers and duties specified for the county zoning agency under this section, and the county zoning agency shall be only a policy-making body determining the broad outlines and principles governing such administrative powers and duties and shall be a quasi-judicial body with decision-making power including but not limited to conditional use, planned unit development and rezoning. The building inspector shall enforce all laws, ordinances, rules and regulations under this section.

SECTION 1194m. 59.97 (10) (b) of the statutes is amended to read:

59.97 (10) (b) The 1. Except as provided under subd. 2, the county board shall designate an officer to administer the zoning ordinance, who may be the secretary of the zoning agency, a building inspector appointed under s. 59.07 (16) or other appropriate person.

3. The officer thus designated under subd. 1 or 2 shall cause a record to be made immediately after the approval of an ordinance or amendment thereto, or change in district boundary, approved by the town board, of all lands, premises and buildings in the town used for purposes not conforming to the regulations applicable to the district in which they are situated. Such record shall include the legal description of the lands, the nature and extent of the uses therein, and the names and addresses of the owner or occupant or both. Promptly on its completion such record shall be published in the county as a class 1 notice, under ch. 985. Such record, as corrected, shall be on file with the register of deeds 60 days after the last publication and shall be prima facie evidence of the extent and number of nonconforming uses existing on the effective date of the ordinance in the town. Corrections prior to the filing of the record with the register of deeds may be made on the filing of sworn proof in writing, satisfactory to the officer administering the zoning ordinance.

SECTION 1194r. 59.97 (10) (b) 2 of the statutes is created to read:

59.97 (10) (b) 2. Notwithstanding subd. 1 and s. 59.07 (16), in any county with a county zoning agency and a county executive or county administrator, the county executive or county administrator shall appoint and supervise the head of the county zoning agency and the county building inspector, in separate or combined positions. The appointment is subject to confirmation by the county board unless the county board, by ordinance, elects to waive confirmation or unless the appointment is made under a civil service system competitive examination procedure established under s. 59.07 (20) or ch. 63. The county board, by resolution or ordinance, may provide that, notwithstanding s. 17.10 (6), the head of the county zoning agency and the county building inspector, whether serving in a separate or combined position, if appointed under this subdivision, may not be removed from his or her position except for cause.

SECTION 1195. 60.34 (5) (b) of the statutes is amended to read:

60.34 (5) (b) On or before January 15 and February 15 and any other date specified by the town board, make a payment to the appropriate treasurer of any school district, and to the appropriate vocational, technical and adult education district treasurer, if the district has not received a payment under par. (a) during that month. That payment shall be the proportion of the school district's or vocational, technical and adult education district's levy that the general property taxes collected in the town, except collections for state trust fund loans, state tax ~~and~~, state special charges and school district levies offset by school aid credits paid under s. 79.10 (3), up to the last day of the preceding month bears to the total general property tax levy in the town for all purposes except levies for state trust fund loans, state tax ~~and~~, state special charges and school district levies offset by school aid credits paid under s. 79.10 (3). The town treasurer may make the payments required under this paragraph without authorization by the town board.

SECTION 1196. 60.34 (5) (c) of the statutes is amended to read:

60.34 (5) (c) On or before January 15 and any other date specified by the town board, pay, under s. 74.031, to the appropriate school district treasurer and vocational, technical and adult education district treasurer the proportion of the district's levy that the general property taxes collected in the town, except collections for state trust fund loans, state tax ~~and~~, state special charges and school district levies offset by school aid credits paid under s. 79.10 (3), up to the last day of the preceding month bears to the total general property tax levy in the town for all purposes except levies for state trust fund loans, state tax ~~and~~, state special charges and school district levies offset by school aid credits paid under s. 79.10 (3).

SECTION 1197. 61.26 (12) of the statutes is amended to read:

61.26 (12) Perform those duties conferred upon town treasurers in s. 60.34 (5). The village board may specify additional dates on which the village treasurer shall pay to the appropriate school district treasurer and vocational, technical and adult education district treasurer the proportion of the district's levy that the general property taxes collected in the village, except collections for state trust fund loans, state tax and, state special charges and school district levies offset by school aid credits paid under s. 79.10 (3), up to the last day of the preceding month bears to the total general property tax levy in the village for all purposes except levies for state trust fund loans, state tax and, state special charges and school district levies offset by school aid credits paid under s. 79.10 (3). The village treasurer may make the payments required under this subsection without authorization by the village board.

SECTION 1197g. 61.46 of the statutes is amended to read:

**61.46 Village taxes.** (1) **GENERAL; LIMITATION.** The village board shall, on or before ~~the fifteenth day of~~ December 15 in each year, by resolution to be entered of record, determine the amount of corporation taxes to be levied and assessed on the taxable property in such village for the current year, ~~which shall not exceed in any one year two per centum of the assessed valuation of such property.~~ Before levying any tax for any specified purpose, exceeding one per centum per cent of the assessed valuation aforesaid, the village board shall, and in all other cases may in its discretion, submit the question of levying the same to the village electors at any general or special election by giving ~~ten~~ 10 days' notice thereof prior to such election by publication in a newspaper published in the village, if any, and if there be is none, then by posting notices in ~~three~~ 3 public places in said village, setting forth in such notices the object and purposes for which such taxes are to be raised and the amount of the proposed tax.

(2) **HIGHWAY.** The village board shall, at the same time and in like manner, determine the amount, if any, of highway tax to be levied and collected in such village for the current year, ~~which shall not exceed in any one year one tenth of one per centum on the assessed valuation of such property.~~ Such highway tax shall thereafter be assessed and collected by the village treasurer at the time and in the manner provided for the collection of other village taxes; and such highway tax shall be kept as a separate fund, and shall be expended under the direction of the village board in the improvement of the streets, highways and bridges in said village.

SECTION 1197r. 61.47 of the statutes is amended to read:

**61.47 Street and sidewalk improvement tax.** For the purpose of improving the streets, making and improving sidewalks and crosswalks and setting out shade and ornamental trees in such village; the board may ~~determine and fix an amount not exceeding seven mills nor less than one mill on the dollar of the~~

~~assessed valuation of property in said village, levy a tax in addition to the highway tax provided for in s. 61.46 (2), and the amount fixed shall be levied, certified and collected as provided in these statutes. All moneys so collected shall be paid to the village treasurer and expended under the direction of the board of trustees.~~

SECTION 1198. 62.09 (9) (gm) of the statutes is amended to read:

62.09 (9) (gm) 1. On or before January 15 and February 15 and any other date specified by the common council the treasurer shall also make a payment to the treasurer of any appropriate district that has not received a payment under par. (g) during that month. That payment shall be the proportion of the district's levy that the general property taxes collected in the city, except collections for state trust fund loans, state tax and, state special charges and school district levies offset by school aid credits paid under s. 79.10 (3), up to the last day of the preceding month bears to the total general property tax levy in the city for all purposes except levies for state trust fund loans, state tax and, state special charges and school district levies offset by school aid credits paid under s. 79.10 (3).

2. On or before January 15 and any other date specified by the common council the city treasurer shall also pay under s. 74.031 to the appropriate district treasurer the proportion of the district's levy that the general property taxes collected in the city up to the last day of the preceding month, except collections for state trust fund loans, state tax and, state special charges and school district levies offset by school aid credits paid under s. 79.10 (3), bears to the total general property tax levy in the city for all purposes except levies for state trust fund loans, state tax and, state special charges and school district levies offset by school aid credits paid under s. 79.10 (3). The city treasurer may make the payments required under this subdivision without authorization by the common council.

SECTION 1198e. 62.12 (4) of the statutes is repealed.

SECTION 1198m. 62.18 (16) (a) of the statutes is amended to read:

62.18 (16) (a) Any city may levy a special tax ~~of not more than one mill and a half on the dollar of the assessed value of the taxable property in any sewer district for the extension or improvement of the sewer system of such its sewer district.~~

SECTION 1198r. 65.07 (1) (a) and (f) of the statutes are amended to read:

65.07 (1) (a) A sufficient general city fund to pay the expenses of city departments, boards and commissions which are subject to the control of the common council; ~~provided that the aggregate amount of such tax shall not exceed 11 mills upon each dollar of the total assessed valuation of the taxable property in the city.~~ The rate of taxation for the purposes enumerated in this paragraph shall be established only by affirma-

tive vote of at least two-thirds of all members elected to the common council.

(f) A school construction fund, as constituted and for the purposes specified in s. 119.48, ~~not exceeding 0.6 mills on each dollar of the assessed valuation of all taxable property in the city.~~

SECTION 1199. 66.03 (5) of the statutes is amended to read:

66.03 (5) APPORTIONMENT BOARD. The boards or councils of the municipalities, or committees, thereof selected for that purpose, acting together, shall constitute an apportionment board. When any municipality is dissolved by reason of all of its territory being so transferred the board or council thereof existing at the time of such dissolution shall, for the purpose of this section, continue to exist as the governing body of such municipality until there has been an apportionment of assets by agreement of the interested municipalities or by an order of the circuit court. After an agreement for apportionment of assets has been entered into between the interested municipalities, or an order of the circuit court becomes final, a copy of such apportionment agreement, or of such order, certified to by the clerks of the interested municipalities, shall be filed with the department of revenue, the department of natural resources, the department of transportation, the state superintendent of public instruction, the department of administration, and with any other department or agency of the state from which the town may be entitled by law to receive funds or certifications or orders relating to the distribution or disbursement of funds, with the county treasurer, with the treasurer of any municipality, or with any other entity from which payment would have become due if such dissolved municipality from which such territory was transferred had continued in existence. Thereafter payments from the shared revenue account made pursuant to ch. 79, payments of forest crop taxes under s. 77.05, of transportation aids under s. 20.395, of state aids for school purposes under ch. 121, payments for managed forest land under subch. VI of ch. 77 and all payments due from a department or agency of the state, from a county, from a municipality, or from any other entity from which payments would have become due if such dissolved municipality from which such territory was transferred had continued in existence, shall be paid to the interested municipality as provided by such agreement for apportionment of assets or by any order of apportionment by the circuit court and such payments shall have the same force and effect as if made to the dissolved municipality from which such territory was transferred.

SECTION 1200. 66.044 (3) of the statutes is amended to read:

66.044 (3) The ordinance shall provide that the governing body of the city or village shall authorize an annual detailed audit of its financial transactions and accounts by ~~the department of revenue pursuant to s.~~

~~73.10 or by a public accountant licensed under ch. 442 the designation to be made and designated~~ by the governing body.

SECTION 1200m. 66.082 of the statutes is created to read:

**66.082 Regulation of cable television by municipalities.** (1) LEGISLATIVE FINDINGS (a) The legislature finds that:

1. The federal cable communications policy act of 1984 authorizes, and, for systems installed and services provided after July 1, 1984, requires, the award of a franchise to a cable operator.

2. The practice of individual municipalities in this state prior to December 29, 1984, requiring a franchise for operation of a cable television system within their respective boundaries conformed to the policy and regulations issued by the federal communications commission.

3. Prior to December 29, 1984, federal law did not prohibit requiring compensation for operation of a cable television system in a city, town or village.

4. The federal cable communications policy act of 1984 authorizes a city, town or village to impose a limited franchise fee based on the gross revenues a cable operator derives from operation of a cable television system in the city, town or village.

5. Section 637 of the federal communications policy act of 1984 reaffirms the authority of cities, towns and villages to award cable television system franchises and maintains the integrity of existing franchises.

6. Regulation of cable television services by cities, towns and villages is necessary to ensure citizens adequate and efficient cable television service and to protect and promote public health, safety and welfare.

7. It is in the public interest to maintain the authority of cities, towns and villages to grant and revoke cable television franchises, require the payment of franchise fees and establish rates charged to customers by franchise holders.

(b) In this section the legislature intends to:

1. Clarify the legislature's position on certain anti-trust and franchise fee and other compensation issues which affect the cities, towns and villages of this state, which are related to the regulation of cable television services and which have arisen in recent state and federal court actions.

2. Reaffirm the policy of the legislature, which is to provide that the exercise of the police power of this state concerning cable television service remain in the cities, towns and villages of this state.

3. Authorize cities, towns and villages to impose franchise fees for the purpose of raising general revenue.

4. Maintain the spirit of the compromise between the cable industry and municipalities effected under the federal cable communications policy act of 1984, the enactment of which the municipalities agreed to support because it provides for their clear right to

impose and collect a limited franchise fee based on cable operator income or gross revenues.

(2) DEFINITIONS. In this section:

(a) "Affiliate", when used in relation to any person, means another person who owns or controls, is owned or controlled by, or is under common ownership control with such person.

(b) "Cable operator" means any person who provides cable service over a cable television system and who:

1. Directly or through one or more affiliates owns a significant interest in the cable television system; or
2. Otherwise controls or is responsible for, through any arrangement, the management and operation of the cable television system.

(c) "Cable service" means:

1. The one-way transmission to subscribers of video programming or of other programming service; and
2. Subscriber interaction, if any, which is required for the selection of such video programming or other programming service.

(d) "Cable television system" means a facility which consists of a set of closed transmission paths and associated signal generation, reception and control equipment designed to provide cable service which includes video programming and which is provided to multiple subscribers within a community. "Cable television system" does not include any of the following:

1. A facility which serves only to retransmit the television signals of one or more television broadcast stations.
2. A facility that serves only subscribers in one or more multiunit dwellings under common ownership, control or management unless such facility uses any public right-of-way.
3. A facility of a common carrier which is subject, in whole or in part, to the provisions of 47 USC 201 to 222, except that the facility is a cable television system to the extent that the facility is used in transmission of video programming directly to subscribers.
4. Any facility of any electric utility used solely for operating its electric utility system.

(e) "Franchise fee" means any fee, assessment or other compensation which a municipality requires a cable operator to pay, with respect to the operation of cable television systems, solely because of the cable operator's status as such, and includes any compensation required under s. 66.045.

(f) "Municipality" means a city, village or town.

(g) "Other programming service" means information which a cable operator makes available to all subscribers generally.

(h) "Video programming" means programming provided by, or generally considered comparable to, programming provided by a television broadcast station.

(3) FRANCHISES. A municipality may operate or regulate a cable television system and in such operation and regulation may, without limitation because of enumeration:

(a) Own and operate a cable television system.

(b) Grant or revoke one or more franchises authorizing the construction and operation of a cable television system and govern the operation of any franchise granted.

(c) Require the payment of franchise fees which, notwithstanding s. 66.70, may be based on the income or gross revenues of a cable television system, or measured by such income or gross revenues.

(d) Contract for operation of a municipally owned cable television system.

(e) Establish rates and regulate services to the extent provided under federal law.

(4) CONSTRUCTION. The authority granted under this section to a municipality to operate and regulate a cable television system is in addition to any other power which the municipality has and the authority of a municipality to operate and regulate a cable television system is limited only by the express language of this section.

SECTION 1204. 66.185 of the statutes is amended to read:

**66.185 Hospital, accident and life insurance.** Nothing in the statutes shall be construed to limit the authority of the state or municipalities, as defined in s. 345.05, to provide for the payment of premiums for hospital, surgical and other health and accident insurance and life insurance for employes and officers and their spouses and dependent children, and such authority is hereby granted. A municipality may also provide for the payment of premiums for hospital and surgical care for its retired employes. In addition, a municipality may, by ordinance or resolution, elect to offer to all of its employes a health care coverage plan through a program offered by the group insurance board under ch. 40. Municipalities which elect to participate under s. 40.51 (7) shall be subject to the applicable sections of ch. 40 instead of this section.

SECTION 1205. 66.186 of the statutes is amended to read:

**66.186 (title) Health insurance; first class cities.** The common council of any 1st class city of the first class may, by ordinance or resolution, provide for general hospital, surgical and group insurance for both active and retired city officers and city employes and their respective dependents and for payment of premiums therefor in private companies, or may, by ordinance or resolution, elect to offer to all of its employes a health care coverage plan through a program offered by the group insurance board under ch. 40. Municipalities which elect to participate under s. 40.51 (7) shall be subject to the applicable sections of ch. 40 instead of this section. Contracts for such insurance may be entered into for active officers and employes separately from such contracts for retired

officers and employes. Appropriations may be made for the purpose of financing such insurance. Moneys accruing to such fund, by investment or otherwise, shall not be diverted for any other purpose than those for which such fund was set up or to defray management expenses of such fund or to partially pay premiums so as to reduce costs to the city or to persons covered by such insurance, or both.

SECTION 1206. 66.28 (4) of the statutes is amended to read:

66.28 (4) A city, village, town or county may dispose of any firearm or ammunition under this section only by return to the rightful owner, destruction or transfer to the state crime ~~laboratory~~ laboratories under s. 165.75, ~~the division of law enforcement services~~ of the department of justice, the federal bureau of investigation or the alcohol, tobacco and firearms bureau of the U.S. department of treasury.

SECTION 1206f. 66.30 (1) (c) of the statutes is amended to read:

66.30 (1) (c) 1. If the purpose of the intergovernmental cooperation is participation in the scheduled air passenger service assistance program, "municipality" means a city, county, town or village.

2. Subdivision 1 does not apply after December 31, 1987.

SECTION 1206m. 66.432 (2) of the statutes is amended to read:

66.432 (2) **ANTIDISCRIMINATION HOUSING ORDINANCES.** Cities, villages ~~and~~, towns ~~and~~ counties may enact ordinances prohibiting discrimination in the sale or rental of any type of housing within their respective boundaries solely on the basis of sex, race, color, physical condition, developmental disability as defined in s. 51.01 (5), sexual orientation, religion, national origin or ancestry. Such an ordinance may be similar to s. 101.22 or may be more inclusive in its terms or in respect to the different types of housing subject to its provisions, but any such ordinance establishing a forfeiture as a penalty for violation shall not be less than the statutory forfeitures under s. 101.22. ~~Counties may enact such ordinances under ss. 59.07 (11) and 66.433.~~

SECTION 1207. 66.46 (2) (k) of the statutes is amended to read:

66.46 (2) (k) "Tax incremental district" means a contiguous geographic area within a city defined and created by resolution of the local legislative body, consisting solely of whole units of property as are assessed for general property tax purposes, other than railroad rights-of-way, rivers or highways. Railroad rights-of-way, rivers or highways may be included in a tax incremental district only if they are continuously bounded on either side, or on both sides, by whole units of property as are assessed for general property tax purposes which are in the tax incremental district. "Tax incremental district" does not include any area identified as a wetland on a map under s. 23.32.

SECTION 1207m. 66.46 (6) (am) 1 of the statutes is amended to read:

66.46 (6) (am) 1. No expenditure may be made later than 5 years after the tax incremental district is created, if the tax incremental district is created after December 31, 1980; no expenditure may be made later than 9 years after the tax incremental district was created, if the tax incremental district is located within a 1st class city and if the tax incremental district was created on or before December 31, 1980, and after May 1, 1976; no expenditure may be made later than 7 years after the tax incremental district was created, if the tax incremental district is not located within a 1st class city and if the tax incremental district was created on or before December 31, 1980, and after May 1, 1976; and no expenditure may be made later than 8 years after the tax incremental district was created, if the tax incremental district was created on May 1, 1976.

SECTION 1208. 66.46 (6m) (a) of the statutes is amended to read:

66.46 (6m) (a) The city shall cause ~~the department of revenue under s. 73.10~~ or a certified public accountant to conduct audits of each tax incremental district to determine if all financial transactions are made in a legal and proper manner and to determine if the tax incremental district is complying with its project plan and with this section. Any city that creates a tax incremental district under this section and has an annual general audit may include the audits required under this subsection as part of the annual general audit.

SECTION 1208r. 66.521 (2) (k) 9 of the statutes is amended to read:

66.521 (2) (k) 9. Dock, wharf, airport, railroad or mass transit facilities;

SECTION 1209. 66.522 of the statutes is created to read:

**66.522 Annual revenue bonding limit.** (1) **DEFINITIONS.** In this section:

(a) "Authorized change" means any change authorized by the governor under s. 14.06.

(am) "Bonding year deadline" means the 7th calendar day prior to the last business day of the year.

(b) "Carry-forward project" means any activity under 26 USC 103 (n) (10) (E).

(c) "Ceiling amount" means the annual ceiling amount applicable to this state under 26 USC 103 (n) (4).

(d) "Department" means the department of development.

(e) "Private activity bond" means an obligation under 26 USC 103 (n) (7).

(f) "State use limit" means the annual aggregate of the amounts authorized under ss. 39.37 (4m) (b), 231.03 (6w) (a) 2 and 234.18 (2m) (a) 2.

(g) "Student loan bond" means an obligation under 26 USC 103 (n) (8), the interest on which is tax-exempt under 26 USC 103 (a).

(2) DEPARTMENT CERTIFICATION. (a) 1. No municipality may issue any private activity bond unless the department has certified that the amount of the bond is available to the municipality under subd. 2.

2. A municipality shall submit an application to the department for certification under this paragraph no sooner than 60 days prior to the anticipated date of issuance and no later than the bonding year deadline. The department may prescribe information to be included on the application. Upon receipt of an application, the department, no later than the bonding year deadline, shall certify the amount of the proposed private activity bond which is the subject of the application and which the department determines does not exceed the sum of an amount, as affected by any authorized change, which is equal to the ceiling amount minus the state use limit, as affected by any authorized change and minus the aggregate principal amount which has been certified under this paragraph in the same year and which has not expired under par.

(b). No authorized change which is a decrease in the amount equal to the ceiling amount minus the state use limit, as affected by any authorized change, may exceed the ceiling amount minus the state use limit, as affected by any authorized change, minus the aggregate principal amount of private activity bonds which has been certified under this subsection in the same year and which has not expired and minus the aggregate principal amount certified to be applied by municipalities to carry-forward projects under par. (d) 3 in the same year.

(b) Certification by the department under par. (a) shall expire 60 days after the department issues the certification or at the end of the year in which the certification is issued, whichever is sooner. A municipality may not issue a private activity bond if the department's certification of the availability of the amount of the bond has expired under this paragraph.

(c) No later than 5 days after a certification has expired under par. (b), the municipality which received the certification shall notify the department in writing of the amount of the obligation actually issued under the certification. The municipality shall include with the notice a statement signed by the person providing bond counsel services to the municipality that a reasonable basis exists to conclude that any obligation issued under the certification is a private activity bond.

(d) 1. No municipality may elect to apply any bonding authority to a carry-forward project unless the department has certified that the amount proposed to be applied to a carry-forward project is available to the municipality under subd. 3.

2. A municipality shall submit an application to the department for certification under this paragraph no later than the bonding year deadline. A municipality shall include with the application a copy of the statement it intends to file with the internal revenue service under 26 USC 103 (n) (10) and a statement signed by

the person providing bond counsel services to the municipality that a reasonable basis exists to conclude that the project which is the subject of the application qualifies as a carry-forward project.

3. Upon receipt of an application under subd. 2, the department, no sooner than 7 nor later than 4 days prior to the last business day of the year, shall certify the amount proposed to be applied to a carry-forward project which is the subject of the application and which the department determines does not exceed the amount equal to the ceiling amount minus the state use limit, as affected by any authorized change, minus the aggregate principal amount of private activity bonds which has been certified under this subsection in the same year and which has not expired and minus the aggregate principal amount certified to be applied by municipalities to carry-forward projects in the same year under this subdivision.

4. A municipality shall submit to the department a copy of any statement filed with the internal revenue service under 26 USC 103 (n) (10).

(e) Annually, no later than 4 days prior to the last business day of the year, the department shall assign to the building commission in writing any amount which the department determines is remaining when the aggregate principal amount of private activity bonds which has been certified by the department under par. (a) 2 in the same year and which has not expired under par. (b) plus the aggregate principal amount which the department has certified to be applied by municipalities to carry-forward projects under par. (d), in the same year, is subtracted from the sum of an amount, as affected by any authorized change, which is equal to the ceiling amount minus the state use limit, as affected by any authorized change.

(f) In its action under pars. (a) and (d), the department and every municipality shall provide for a certification of no consideration, as required under 26 USC 103 (n) (12) (A).

(g) The department shall process any application for certification under par. (a) or (d) in the order in which the application is received by the department.

SECTION 1209am. 66.886 (2) (a) 1 of the statutes is amended to read:

66.886 (2) (a) 1. No resolution adopted by the commission under s. 66.91 (1), (3) (c) or (6), 67.05 (1) or 67.12 (12), no schedule of charges under s. 66.076, 66.898 (4), 66.899 or 66.91 (5) (b) 3, and no decision to borrow against taxes under s. 67.12 (1) is valid unless adopted by an affirmative vote of at least a two-thirds majority of all commissioners.

~~SECTION 1209ap. 66.894 (1) (c) of the statutes is amended to read:~~

~~66.894 (1) (c). Facilities for the treatment and disposal of sewage transmitted into the interceptor sewers of the district, except as provided under sub. (1m).~~

~~SECTION 1209ap. 66.894 (1m) of the statutes is created to read:~~

Vetoed  
in Part

Vetoed  
in Part

~~66.894 (1m) CONSTRUCTION POWER LIMITED. The commission may not construct a solid waste facility for which an operating license is required under s. 144.44 (4) in any 4th class city which is located in a county with a population of 500,000 or more unless the facility is located in a county park abutting Lake Michigan.~~

SECTION 1209ar. 66.899 of the statutes is created to read:

**66.899 Noncontractual sewerage service.** (1) Notwithstanding ss. 66.076 and 66.91 (5), if the commission establishes a system to recover capital costs within the district on the basis of the value of property in the area to be served, as equalized under s. 70.57, the commission shall establish a system of sewerage service charges to recover capital costs which shall be used with respect to any area which is served by the district and which is outside the boundaries of the district and outside of any municipality which has contracted with the district under s. 66.898. The charges shall be equal to the amount the commission would be authorized to levy as taxes upon the area served if the area were within the district's boundaries.

(2) Any charge made by the district under this section is reviewable under s. 66.912 (5) if the charge has been paid.

(3) Section 66.91 (5) (b) and (d) apply to charges assessed under this section.

(4) The commission may charge municipalities assessed under this section reasonable interest for late payments.

SECTION 1209b. 66.902 (1) (a) (intro.) of the statutes is amended to read:

66.902 (1) (a) (intro.) The commission may adopt the rules both necessary and proper to promote the best results from the construction, operation and maintenance of the sewerage system, to prevent damage to the sewerage system from misuse, injury to employes, surcharging all or part of the sewerage system or interference with the process of sewage treatment or disposal or to comply with federal or state pretreatment requirements. Such rules are applicable to all users. The rules may, without limitation by enumeration:

SECTION 1209c. 66.904 (2) (cm) of the statutes is created to read:

66.904 (2) (cm) 1. Except as provided under subd. 4, in determining the lowest responsible bid for any contract awarded prior to December 31, 1993, the commission may evaluate the multiplier effect on state revenues and tax receipts of contract moneys which will be spent in this state under the contract. The commission shall promulgate by rule any condition and evaluation criterion which it applies to a bid evaluated under this subdivision. If the commission accepts a bid evaluated under this subdivision, it shall file with the secretary of the commission a written report detailing the reasons for its acceptance. The secretary shall make the report available for public

inspection. The commission shall include in the annual report prepared under s. 66.886 (9) a summary of all bids accepted after an evaluation under this subdivision.

2. In determining the lowest responsible bid for any contract awarded under this subsection, the commission may use life-cycle cost estimates as part of any evaluation under this subdivision, including the applicable costs of energy efficiency, acquisition and conversion, money, transportation, warehousing and distribution, training, operation and maintenance and disposition or resale.

3. The commission shall include in any advertisement for bids which it intends to evaluate under this paragraph notice of the conditions and evaluation criteria which it intends to apply to the bids.

4. This paragraph does not apply to any contract financed in whole or in part by federal funding if any condition of the funding prohibits acceptance of a bid based on the type of evaluation authorized under this paragraph.

5. Notwithstanding any other provision of law, this state may not deem any contract awarded by the commission under this paragraph ineligible for funding by this state because the dollar amount of the contract awarded by the commission is higher than the lowest dollar bid received by the commission.

SECTION 1209d. 66.904 (2) (e) of the statutes is created to read:

66.904 (2) (e) Paragraphs (a) to (d) do not apply to contracts awarded under s. 66.905.

SECTION 1209h. 66.904 (3) (c) (intro.) of the statutes is amended to read:

66.904 (3) (c) (intro.) The commission may require any construction contract and any other contract specified by the commission's ~~principal administrative officer~~ executive director to include a bond, which shall guarantee one of the following:

SECTION 1209p. 66.904 (4) of the statutes is amended to read:

66.904 (4) DAY LABOR. The commission may use day labor to do any work if the ~~principal administrative officer~~ executive director of the district in writing so recommends. All bids or part of a bid for any such work, supplies or materials may be rejected by the commission or may be subsequently relet.

SECTION 1209t. 66.905 of the statutes is created to read:

**66.905 Minority business demonstration and training program.** (1) DEFINITIONS. In this section:

(a) "Minority business" means a sole proprietorship, partnership, joint venture or corporation that is at least 51% owned and controlled by one or more minority group members.

(b) "Minority group member" has the meaning given under s. 560.036 (1) (f).

(2) PROGRAM CREATED. From the amounts allocated for purposes of this section under s. 20.866 (2)

(to), the district shall fund a demonstration and training program for the purpose of developing the capability of minority businesses to participate in construction projects funded under the combined sewer overflow abatement program under s. 144.242.

(3) **REQUEST FOR PROPOSALS.** The executive director shall request proposals for prime contracts from bondable general contractors or construction contractors that are bona fide independent minority businesses. Each proposal submitted shall include all of the following conditions:

(a) A goal that at least 25% of the total number of workers in all construction trades employed on the project will be minority group members.

(b) A subcontracting plan that provides sufficient detail to enable the executive director to determine that the prime contractor has made or will make a good faith effort to award at least 20% of the total contract amount to bona fide independent minority business subcontractors.

(c) Assurance that the prime contractor has, in cooperation with local trade unions, developed a program of preapprenticeship training and has experience in providing the training to minority group members.

(d) Assurance that the prime contractor has developed and has experience in providing a program of management and technical assistance to minority business subcontractors. The management and technical assistance program shall include all of the following:

1. On-site administrative support.
2. Assistance with managing scheduling, finances and property.
3. The provision of other management services necessary to assist minority businesses in developing construction capabilities and opportunities for participation in construction projects.

(4) **DETERMINATIONS BY EXECUTIVE DIRECTOR.** (a) In determining whether a business is a bona fide minority business, the executive director shall take into consideration all of the following:

1. Whether the ownership and control of the business by minority group members is real, substantial and continuing.

2. Whether the minority owners enjoy the customary incidents of ownership and share the risks and profits to an extent commensurate with their ownership interests.

3. Whether the minority owners possess the power to make major decisions on policy and management and to direct the operations of the business on a day-to-day basis.

4. Whether there is any formal or informal restriction, including any provision of the bylaws, partnership agreement, joint venture agreement or corporate charter of the business, that provides for cumulative voting rights or other method of preventing minority owners from making decisions without the cooperation or vote of any nonminority owner.

5. Whether the securities constituting ownership of a corporation claiming to be a minority business are held directly by minority group members. No security held in trust or by a guardian for a child may be considered to be held directly by a minority group member.

6. Whether the contribution of capital or expertise by a minority owner of the business for the purpose of acquiring an interest in the business is real and substantial. If a contribution consists only of a promise to contribute capital or a note payable to the business or a nonminority owner, or mere participation as an employe of the business, the executive director shall not consider it a real and substantial contribution.

7. Whether nonminority owners of the business are disproportionately responsible for the operation of the business.

8. If the minority owners contract with another person for the management of the business, whether the ultimate power to hire and discharge managers rests with the minority owners or with the person with whom the minority owners contract.

(b) In determining whether a business is independent, the executive director shall consider all relevant factors, including the date the business was established, the adequacy of its resources for the work it is expected to perform under the contract and the degree to which financial, equipment leasing and other relationships with nonminority businesses vary from customary industry practices. Recognition of a business as a separate entity for a tax or corporate purpose is not necessarily sufficient to prove that a business is independent.

(5) **AWARD OF CONTRACT.** For each contract to be awarded under this section, the executive director shall select from among all applicants the proposal that best meets the requirements under sub. (3), taking into consideration the cost of implementing the proposal. The district shall award contracts to the applicants selected by the executive director under this subsection.

(6) **REVIEW COMMITTEE.** The executive director may establish a committee to assist him or her in reviewing proposals and selecting the prime contractors to which contracts will be awarded.

(7) **IMPLEMENTATION PLAN REQUIRED.** The executive director shall develop a plan for the expeditious implementation of the program created under this section and shall submit the plan to the secretary of natural resources for review and comment. The secretary of natural resources shall provide the executive director with comments or recommendations for changes in the plan, if any, within 30 days after the plan is submitted. No contracts may be awarded under sub. (5) until 30 days after the date the plan is submitted to the secretary of natural resources or until the date the executive director receives the secretary's comments or recommendations, whichever is earlier.



SECTION 1209v. 66.91 (1) (fa) of the statutes is created to read:

66.91 (1) (fa) Notwithstanding any contrary provision of s. 66.066, the district may issue bond anticipation notes under s. 66.066 (2) (m) in the form of commercial paper. If the district issues such commercial paper, the district may borrow to pay the interest on such paper, may obtain credit and liquidity facilities and may delegate authority to any person to sell, execute, determine the interest rates, maturities and amounts of such paper and to conduct the issuance of such paper as provided by the commission in the resolution under s. 66.066 (2) (m) authorizing the issuance. Such issuance under a single resolution shall be deemed a single issue of securities issued as of the date of the sale of the first such paper and not as a series of refundings. A resolution authorizing the issuance of commercial paper under this paragraph and any taxes levied or any pledge made on such issuance is irrevocable as specified in the authorizing resolution.

SECTION 1209w. 66.91 (5) (a) of the statutes is amended to read:

66.91 (5) (a) ~~The~~ For service provided to any user, the commission may establish, assess and collect service charges under s. 66.076 or under this subsection. Charges For service to any user outside the district and not located in a municipality which has contracted with the district under s. 66.898, the commission may establish, assess and collect service charges under s. 66.899. Except as provided under s. 66.899 (2), any charge made by the district under this subsection are is reviewable as provided in under s. 66.912 (5). The sewerage service charges established under s. 66.076 or under this subsection with respect to capital costs for areas within the district service to any user shall be uniform with the schedule of sewerage service charges with respect to capital costs used in contracts executed under s. 66.898 (4).

SECTION 1209wp. 66.91 (5) (b) 3. b of the statutes is amended to read:

66.91 (5) (b) 3. b. Submit the schedule of charges it adopts and each modification of the schedule to each municipality ~~within the district~~ subject to the charges.

SECTION 1209wr. 66.91 (5) (b) 3. c of the statutes is amended to read:

66.91 (5) (b) 3. c. Bill periodically each municipality ~~within the district~~ subject to the charges for the charges due under this subsection.

SECTION 1209wx. 66.912 (5) of the statutes is amended to read:

66.912 (5) REVIEW BY PUBLIC SERVICE COMMISSION. ~~Upon~~ Except as provided under s. 66.899 (2), upon complaint to the public service commission by any user that charges, rules and practices under this section are unreasonable or unjustly discriminatory, according to the standards and criteria which the commission is required to follow under state or federal law, including, without limitation because of enumeration, this section, ch. 147 and 33 USC 1251 et seq., or

upon complaint of a holder of a revenue bond or other evidence of debt, secured by a mortgage on the sewerage system or any part thereof or pledge of the income of sewerage service charges, that charges are inadequate, the public service commission shall investigate the complaint. If sufficient cause therefor appears, the public service commission shall set the matter for a public hearing upon 10 days' notice to the complainant and the commission. After the hearing, if the public service commission determines that the charges, rules or practices complained of are unreasonable or unjustly discriminatory, it shall determine and by order fix reasonable charges, rules and practices and shall make such other order respecting such complaint as may be just and reasonable. The proceedings under this subsection shall be governed, as far as applicable, by ss. 196.26 to 196.40. The commission may submit the factual data, reports and analyses considered by it in establishing the charges, rules or practices subject to a complaint under this subsection. The public service commission shall give due weight to such data, reports and analyses. Judicial review of the determination of the public service commission may be had by any person aggrieved in the manner prescribed under ch. 227. If any user pays a charge and the public service commission or court, on appeal from the public service commission, finds such charge, after reviewing a complaint filed under this subsection, to be excessive, the district shall refund to the user the excess plus the interest thereon computed at the rate then paid by the district for borrowing funds for a term of one year or less.

SECTION 1210. 66.92 (3) of the statutes is amended to read:

66.92 (3) The department of veterans affairs shall furnish any county, city, village, town or agency thereof with information and assistance to facilitate housing for veterans and military personnel ~~and the~~. The department of veterans affairs shall call upon the department of development Wisconsin housing and economic development authority for assistance in carrying out the purpose of this subsection. The department Wisconsin housing and economic development authority shall furnish such assistance when requested and the salaries and expenses therefor shall be paid out of the appropriation for the department of veterans affairs.

SECTION 1210m. 67.01 (9) (g) of the statutes is amended to read:

67.01 (9) (g) To revenue bonds and revenue bond anticipation notes issued for the purpose of purchasing, acquiring, constructing, extending, adding to or improving public utilities, including street railways, ~~pursuant to~~ under ss. 66.06 to 66.078, nor to refunding bonds authorized ~~pursuant to~~ under s. 66.066 (2) (b), nor to commercial paper issued under s. 66.91 (1) (fa), nor to public improvement bonds authorized under s. 66.059.

SECTION 1210s. 70.06 (3r) of the statutes is created to read:

70.06 (3r) No chairperson of a county board may serve as an assessor for a municipality in that county.

SECTION 1210t. 70.11 (29m) of the statutes is created to read:

70.11 (29m) NONPROFIT THEATERS. All of the property owned or leased by a corporation, organization or association exempt from taxation under section 501 (c) (3) of the internal revenue code, if all of the property is used for the purposes for which the exemption was granted, the property includes one or more buildings listed on the national register of historic places, the property includes one or more theaters for performing theater arts which have a total seating capacity of not less than 800 persons and the corporation, organization or association operates the theater or theaters.

SECTION 1214d. 70.11 (31) of the statutes is created to read:

70.11 (31) CAMPS FOR MENTALLY OR PHYSICALLY DISABLED PERSONS. Land, not exceeding 50 acres, and the buildings on that land used as a residential campground exclusively for mentally or physically disabled persons and their families as long as the property is used for that purpose and not for the pecuniary profit of any individual.

SECTION 1214j. 70.11 (31m) of the statutes is created to read:

70.11 (31m) RAILROAD HISTORICAL SOCIETIES. Right-of-way and rolling stock owned by railroad historical societies.

SECTION 1214k. 70.11 (32) of the statutes is created to read:

70.11 (32) NONPROFIT YOUTH HOCKEY ASSOCIATIONS. Land not exceeding 10 acres, the buildings on that land and personal property if the land, buildings and personal property are owned by, and used exclusively for the purposes of, a nonprofit youth hockey association that owns its skating facilities, except that the exemption under this subsection does not apply to the property of a nonprofit youth hockey association if any of its property was funded in whole or in part by industrial revenue bonds. Leasing all or a portion of the property does not render that property taxable if all of the leasehold income is used for maintenance of the leased property.

SECTION 1214m. 70.111 (4) of the statutes is amended to read:

70.111 (4) CROPS. Growing and harvested crops, and the seed, fertilizer and supplies used in their production or handling, in the hands of the grower, including nursery stock and trees growing for sale as such, medicinal plants, perennial plants that produce an annual crop and plants growing in greenhouses or under hotbeds, sash or lath. This exemption also applies to trees growing for sale as Christmas trees.

SECTION 1214r. 70.111 (21) of the statutes is created to read:

70.111 (21) STRUCTURES FOR GINSENG. Any temporary structure in the hands of a grower of ginseng used or designed to be used to provide shade for ginseng plants.

SECTION 1214rk. 70.375 (1) (av) of the statutes is created to read:

70.375 (1) (av) "Mine site" means the underground and surface area disturbed by a mine, including the locations from which the minerals or refuse or both have been removed, the surface area covered by refuse, and any surface areas in which structures, haulageways, pipelines, equipment, materials and any other things used directly in connection with the mine are situated.

SECTION 1214rm. 70.375 (1) (bm) of the statutes is created to read:

70.375 (1) (bm) "Mining-related purposes" means activities which are directly in response to the application for a mining permit under s. 144.85; directly in response to construction, operation, curtailment of operation or cessation of operation of a metalliferous mine site; or directly in response to conditions at a metalliferous mine site which is not in operation. "Mining-related purposes" also includes activities which anticipate the economic and social consequences of the cessation of mining. "Mining-related purposes" also includes the purposes under s. 70.395 (2) (g).

SECTION 1214rs. 70.375 (6) of the statutes is amended to read:

70.375 (6) INDEXING. For calendar year 1983 and corresponding fiscal years and thereafter, the dollar amounts in sub. (5) and s. 70.395 (1), (1m) and (2) (d) 1m and 5. a and (2) (dg) shall be changed to reflect the percentage change between the gross national product deflator for June of the current year and the gross national product deflator for June of the previous year, as determined by the U.S. department of commerce as of December 30 of the year for which the taxes are due, except that no annual increase may be more than 10%. The revised amounts shall be rounded to the nearest whole number divisible by 100 and shall not be reduced below the amounts under sub. (5) on November 28, 1981. Annually, the department shall adopt any changes in dollar amounts required under this subsection and incorporate them into the appropriate tax forms.

SECTION 1214s. 70.395 (2) (d) (intro.) of the statutes is amended to read:

70.395 (2) (d) (intro.) Annually on the first Monday in January, except as provided in subd. 6, the department of administration shall distribute, upon certification by the board:

SECTION 1214sm. 70.395 (2) (d) 1m of the statutes is amended to read:

70.395 (2) (d) 1m. To each county in which metalliferous minerals are extracted, 20% of the tax collected

annually under ss. 70.38 to 70.39 from persons extracting metalliferous minerals in the county or \$250,000, whichever is less, to be used for ~~metalliferous mining-related~~ mining-related purposes listed under par. (g) and s. 70.396, and other metalliferous ~~mining-related purposes as defined by the board.~~

SECTION 1214tm. 70.395 (2) (d) 5 of the statutes is renumbered 70.395 (2) (d) 5. a.

SECTION 1214tn. 70.395 (2) (d) 5. b of the statutes is created to read:

70.395 (2) (d) 5. b. Annually, after the board has determined that the use of the funds is for mining-related purposes associated with construction of the specific project in the project fiscal year, to each county that contains a metalliferous mining site at which construction is begun prior to January 1, 1989, but at which extraction has not been engaged in, \$300,000 annually reduced by the amount of property taxes paid to the county during the current fiscal year on improvements and also reduced by any payments received under subds. 1 and 1m. The funds under this subparagraph shall be used only for mining-related purposes. Payments shall be made on a project fiscal year basis commencing on the date of commencement of construction, and are payable 30 days following the close of the fiscal year.

SECTION 1214tu. 70.395 (2) (dg) of the statutes is amended to read:

70.395 (2) (dg) Each person constructing a metalliferous mining site shall annually pay to the department of revenue for deposit in the investment and local impact fund, as a construction fee, an amount sufficient to make the construction period payments under par. (d) 5. a and b in respect to that site. Any person paying a construction fee under this paragraph may credit against taxes due under s. 70.375 an amount equal to the payments that the taxpayer has made under this paragraph, provided that the credit does not reduce the taxpayer's liability under s. 70.375 below the amount needed to make the first-dollar payments as defined under sub. (1) (a) 2 for that year in respect to the taxpayer's mine. Any amount not creditable because of that limitation in any year may be carried forward.

SECTION 1214v. 70.395 (2) (g) 7 of the statutes is amended to read:

70.395 (2) (g) 7. Other expenses associated with the construction and, operation, cessation of operation or closure of the mining facility mine site.

SECTION 1214w. 70.395 (2) (hg) of the statutes is created to read:

70.395 (2) (hg) The board shall, by rule, establish fiscal guidelines and accounting procedures for the use of payments under pars. (d), (f) and (g), sub. (3) and s. 144.855 (5).

SECTION 1214x. 70.395 (2) (hr) of the statutes is created to read:

70.395 (2) (hr) The board shall, by rule, establish procedures to recoup payments made, and to withhold payments to be made, under pars. (d), (f) and (g), sub. (3) and s. 144.855 (5) for noncompliance with this section or rules adopted under this section.

SECTION 1214y. 70.395 (2) (hw) of the statutes is created to read:

70.395 (2) (hw) A recipient of a discretionary payment under par. (f) or (g), sub. (3) or s. 144.855 (5) or any payment under par. (d) which is restricted to attorney-related purposes who uses the payment for attorney fees may do so only for the purposes under par. (g) 6 and for processing mining-related permits or other approvals required by the municipality. The board shall recoup or withhold payments which are used or proposed to be used by the recipient for attorney fees except as authorized under this paragraph.

SECTION 1214z. 70.395 (3) of the statutes is amended to read:

70.395 (3) FEDERAL REVENUE DISTRIBUTION. The investment and local impact fund board shall distribute federal mining revenue received by the state from the sales, bonuses, royalties and rentals of federal public lands located within the state. The distribution of such federal revenues by the board shall give priority to those municipalities socially or economically impacted by mining on such federal lands and shall be used for planning, construction and maintenance of public facilities or provision of public services. The funds distributed under this subsection may be used only for mining-related purposes.

SECTION 1214zm. 70.396 (1) of the statutes is repealed and recreated to read:

70.396 (1) For mining-related purposes.

SECTION 1216b. 70.40 (1) of the statutes is amended to read:

70.40 (1) ~~Except as provided in sub. (6), every~~ Every person operating an iron ore concentrates dock in this state, shall on or before December 15 of each year pay an annual occupational tax equal to 5 cents per ton upon all iron ore concentrates handled by or over the dock during the ~~preceding year ending April 30 except that as of December 15, 1979, such tax shall apply to the year ending on the preceding December 31. Iron ore concentrates taxed under ss. 70.37 to 70.395 are exempt from taxation under this section.~~ In this section "dock" means a wharf or platform for the loading or unloading of materials to or from ships.

SECTION 1216d. 70.40 (6) of the statutes is repealed.

SECTION 1216m. 70.57 (1) of the statutes is amended to read:

70.57 (1) The department of revenue before August 15 of each year shall complete the valuation of the property of each county and taxation district of the state. From all the sources of information accessible to it the department shall determine and assess by class the value of all property subject to general prop-

erty taxation in each county and taxation district. It shall set down a list of all the counties and taxation districts and opposite to the name of each county and taxation district the valuation determined by the department, which shall be the full value according to its best judgment. There shall also be prepared a list of all the counties of the state, with opposite the name of each county the valuation determined, which shall be certified by the secretary of revenue as the assessment of the counties of the state made by the department, and be delivered to the department of administration. In any case where the department, through mistake or inadvertence, has assessed to any county or taxation district, the current year or in the previous year, a greater or less valuation for any year than should have been assessed, it shall correct the error by adding to or subtracting from (as the case may be) the valuation of the county or taxation district as determined by it at the next succeeding assessment in the year after the error is discovered, the amount omitted from or added to the true valuation of the county in the former assessment in consequence of the error, and the result shall be taken as the full value of the county for the latter year and a final correction of the error.

SECTION 1216n. 70.57 (2) of the statutes is amended to read:

70.57 (2) If the state board of assessors, the tax appeals commission or a court makes a final redetermination on the assessment of property subject to taxation under s. 70.995 that is higher or lower than the previous assessment, the department of revenue shall recertify the equalized value of the school district in which the property subject to taxation under s. 70.995 is located.

SECTION 1216o. 70.62 (2) of the statutes is repealed.

SECTION 1216p. 70.65 (2) of the statutes is amended to read:

70.65 (2) The aggregate amount of state, county, local, school and other general property taxes minus credits applied under s. 79.10 (9), except credits determined under s. 79.10 (7m), shall be carried in a single column in the tax roll opposite the parcel or tract of land against which the tax is levied, or, in case of personal property, in a single column opposite the name of the person against whom the tax is levied. Each tax bill or receipt shall show the purpose for which the taxes are to be used, giving the breakdown for state, county, local, school and other general property taxes. The tax roll shall indicate all corrections made under ss. 70.43 and 70.44.

~~SECTION 1216r. 70.665 of the statutes, as affected by 1985 Wisconsin Act 12, is repealed and recreated to read:~~

~~70.665 Tax bill. (1) The real and personal property tax bills prepared by the clerks of all taxation districts shall be mailed to taxpayers, or to the taxpayer's designee with a copy furnished to the taxpayer by the des-~~

~~ignee, be uniform, be prescribed by the department of revenue and shall show:~~

~~(a) The name and address of the property owner and, in respect to real property, the description of the property.~~

~~(b) The assessed value of the property as it appears on the tax roll and the estimated fair market value of the property. The clerks shall also include with the tax bill an explanation prescribed by the department of revenue of the procedure used to establish the estimated fair market value. In this paragraph, 'estimated fair market value' means the assessed value of the property divided by the assessment ratio of all taxable property in the taxation district for the same year, as determined by the department of revenue.~~

~~(c) For each property taxpayer:~~

~~1. a. The amount of the school district tax allocable to the property that would be levied if there were no distribution of general and categorical school aids under chs. 115 and 121 and ss. 24.78 and 43.70.~~

~~b. The amount of those aids allocable to the property distributed to the school district for which the taxpayer pays taxes plus the school district's portion of state tax credits as determined under par. (d).~~

~~c. The amount of the school district tax minus the school district's portion of state tax credits as determined under par. (d) allocable to the property.~~

~~2. a. The amount of the vocational, technical and adult education district tax allocable to the property that would be levied if there were no distribution of aids under ss. 38.28 and 38.32.~~

~~b. The amount of those aids allocable to the property distributed to the vocational, technical and adult education district for which the taxpayer pays taxes plus that district's portion of state tax credits as determined under par. (d).~~

~~c. The amount of the vocational, technical and adult education district tax minus the district's portion of state tax credits as determined under par. (d) allocable to the property.~~

~~3. a. The amount of municipal taxes and county taxes allocable to the property that would be levied if there were no distribution of highway aids under s. 86.30 and shared revenue under subch. I of ch. 79.~~

~~b. The amount of that highway aid and shared revenue allocable to the property paid to the municipality or county for which the taxpayer pays taxes, plus the municipality's or county's portion of state tax credits as determined under par. (d).~~

~~c. The amount of the municipality's or county's tax minus the municipality's or county's portion of state tax credits as determined under par. (d).~~

~~4. a. The amount of taxes for each other jurisdiction allocable to the property.~~

~~b. The jurisdiction's portion of state tax credits as determined under par. (d).~~

Vetoed  
in Part

Vetoed  
in Part

Vetoed  
in Part

~~c. The jurisdiction's tax minus the jurisdiction's portion of state tax credits as determined under par. (d).~~

~~5. a. The total amount of tax allocable to the property that would be levied if there were no distribution of state aids specified in subds. 1 to 4.~~

~~b. The total amount of state aids and credits specified in subds. 1 to 4 allocable to the property.~~

~~c. The total amount of tax allocable to the property minus the amount of tax credits distributed under subch. II of ch. 79.~~

~~d. The aggregate net tax rate after distribution of credits under subch. II of ch. 79.~~

~~(d) For the purpose of their being shown on the tax bill only, each taxing jurisdiction's portion of the tax credits distributed under subch. II of ch. 79 shall equal the amount determined as follows:~~

~~a. For bills before those based on the 1987 assessment, divide the amount of the jurisdiction's tax allocable to the property that would be levied if there were no distribution of the aids specified in par. (c) by the total tax allocable to the property that would be levied for all jurisdictions if there were no distribution of aids specified in par. (c). For bills beginning with those based on the 1987 assessment, divide the amount of the jurisdiction's tax allocable to the property levied net of credits applied under s. 79.10 (9), except credits determined under s. 79.10 (7m), by the total tax allocable to the property levied net of credits applied under s. 79.10 (9), except credits determined under s. 79.10 (7m).~~

~~b. Multiply the result under subd. 1. a by the total of the amounts determined under ss. 79.10 (4) and (5) and 79.10s allocable to the property.~~

~~c. Add to the amount under subd. 1. b, for school districts only, the amount of the credits as determined under s. 79.10 (3) allocable to the property.~~

~~(e) If possible, the total amount of tax allocable to the property that was levied the preceding year.~~

~~(2) The dollar amounts required under sub. (1) shall correspond to the calendar year that includes the due date for the property taxes.~~

~~(3) The real property tax bills prepared by the clerks of all taxation districts shall include a notice prescribed by the department of revenue that the taxpayer may be eligible for the homestead credit.~~

~~(4) Failure to receive a tax bill does not affect the validity of the taxes levied or the collection of delinquent taxes.~~

SECTION 1219. 70.995 (8) (a) of the statutes is amended to read:

70.995 (8) (a) The secretary of revenue shall establish a state board of assessors, which shall be comprised of the members of the department of revenue whom the secretary designates. The state board of assessors shall investigate any objection filed under par. (c) or (d) if the fee under that paragraph is paid. The state board of assessors, after having made the

investigation, shall notify the person assessed or the person's agent and the appropriate municipality of its determination by 1st class mail. Beginning with objections filed in 1989, the state board of assessors shall make its determination on or before March 1 of the year after the filing. If the determination results in a refund of property taxes paid, the state board of assessors shall include in the determination a finding of whether the refund is due to false or incomplete information supplied by the person assessed. The person assessed or the municipality having been notified of the determination of the state board of assessors shall be deemed to have accepted the determination unless the person or municipality files a petition for review with the clerk of the tax appeals commission as provided in s. 73.01 (5) and the rules of practice promulgated by the commission. If an assessment is reduced by the state board of assessors, the municipality affected may seek review of the reduction before the tax appeals commission even though the municipality did not file an objection to the assessment with the board. If an assessment is increased by the board, the person assessed may seek review of the increase before the commission even though the person did not file an objection to the assessment with the board.

SECTION 1220. 70.995 (8) (b) of the statutes is amended to read:

70.995 (8) (b) The department of revenue shall annually notify each manufacturer assessed under this section and the municipality in which the manufacturing property is located of the full value of all real and personal property owned by the manufacturer. The notice shall be in writing and shall be sent by 1st class mail. In addition, the notice shall specify that objections to valuation, amount or taxability must be filed with the state board of assessors within 60 days of issuance of the notice of assessment, that the fee under par. (c) or (d) must be paid and that the objection is not filed until the fee is paid. A statement shall be attached to the assessment roll indicating that the notices required by this section have been mailed and failure to receive the notice does not affect the validity of the assessments, the resulting tax on real or personal property, the procedures of the tax appeals commission or of the state board of assessors or the enforcement of delinquent taxes by statutory means.

SECTION 1221. 70.995 (8) (c) of the statutes is amended to read:

70.995 (8) (c) All objections to the amount ~~or~~ valuation or taxability of real or personal property shall be first made in writing on a form prescribed by the department of revenue and shall be filed with the state board of assessors within the time prescribed in par. (b). A \$45 fee shall be paid when the objection is filed unless a fee has been paid in respect to the same piece of property and that appeal has not been finally adjudicated. The objection is not filed until the fee is paid. Neither the state board of assessors nor the tax

appeals commission may waive the requirement that objections be in writing.

SECTION 1222. 70.995 (8) (d) of the statutes is amended to read:

70.995 (8) (d) A municipality may file an objection with the state board of assessors ~~seeking an increase in assessment made to the amount, valuation or taxability~~ under this section of a specific property having a situs in the municipality, whether or not the owner of the specific property in question has filed an objection. ~~The objections of the municipality shall be limited to valuation of the property.~~ Objection shall be made on a form prescribed by the department and filed with the board within 60 days of the date of the issuance of the assessment in question. A \$45 filing fee shall be paid when the objection is filed unless a fee has been paid in respect to the same piece of property and that appeal has not been finally adjudicated. The objection is not filed until the fee is paid. The board shall forthwith notify the person assessed of the objection to the assessment filed by the municipality.

SECTION 1223. 70.995 (8) (dm) of the statutes is created to read:

70.995 (8) (dm) The department shall refund filing fees paid under par. (c) or (d) if the appeal in respect to the fee is denied because of lack of jurisdiction.

SECTION 1223d. 71.01 (1g) of the statutes is created to read:

71.01 (1g) MARITAL PROPERTY AGREEMENTS. The department of revenue shall notify a taxpayer whose return is under audit that a marital property agreement under s. 766.58 is effective for tax purposes for any period during which both spouses are domiciled in this state only if it is filed with the department before any assessment resulting from the audit is issued. A marital property agreement under s. 766.58 does not affect the determination of the income that is taxable by this state, or of the person who is required to report taxable income to this state, during the period that one or both spouses are not domiciled in this state or if it was not filed with the department before an assessment was issued.

SECTION 1223g. 71.01 (1r) of the statutes is created to read:

71.01 (1r) PART-YEAR RESIDENTS AND NONRESIDENTS. If a spouse is not domiciled in this state for the entire taxable year, the tax liability and reporting obligation of both spouses during the period a spouse is not domiciled in this state shall be determined without regard to ch. 766 except as provided in this chapter.

SECTION 1225. 71.01 (3) (e) of the statutes is repealed.

SECTION 1226. 71.01 (3) (f) of the statutes is repealed.

SECTION 1227. 71.01 (3) (g) of the statutes is repealed.

SECTION 1227m. 71.01 (4) (a) 6m of the statutes is created to read:

71.01 (4) (a) 6m. By adding to federal taxable income expenses as follows:

a. Expenses allowable under section 274 of the internal revenue code with respect to an activity, except admissions to an organized athletic event or other public event or performance that takes place in Wisconsin, that is of the type generally considered to constitute entertainment, amusement or recreation, or with respect to a facility used in connection with those activities, except to the extent that food, beverage and facility expenses are allowed as a deduction under subd. 6m. c.

b. Business gifts allowable as a deduction under section 274 of the internal revenue code, except for gifts of Wisconsin agricultural commodities, as defined under s. 96.01 (3), made directly or indirectly to any individual to the extent that those gifts of Wisconsin agricultural commodities when added to prior expenses of the taxpayer for gifts of Wisconsin agricultural commodities made to that individual during the same taxable year do not exceed \$15.

c. All business meal expenses allowable under section 274 of the internal revenue code that are not incurred in a clear business setting, and 50% of the excess, including tax and gratuities, over \$25 times the number of persons participating in the meal, except expenses for food and beverages furnished primarily for employes on the taxpayer's premises.

d. Business travel expenses allowable under section 162, 212 or 274 of the internal revenue code for trips lasting one year or more in one city.

e. Business travel expenses allowable under section 162, 212 or 274 of the internal revenue code for travel by luxury water transportation in excess of otherwise available business transportation.

f. Travel expenses allowable under section 162, 212 or 274 of the internal revenue code for conventions, meetings or seminars held on cruise ships and not treated as income.

g. Business travel expenses allowable under section 162, 212 or 274 of the internal revenue code for travel as a form of education.

SECTION 1234. 71.01 (4) (g) 8 of the statutes is amended to read:

71.01 (4) (g) 8. For taxable year 1984 ~~and subsequent years~~, "internal revenue code" means the federal internal revenue code as amended to December 31, 1983, except that "internal revenue code" does not include section 168 (f) (8) of the code (relating to a special rule for leases) and except that in respect to computing the deduction for depreciation on property located outside this state and first placed in service by the taxpayer on or after January 1, 1983, "internal revenue code" means that code as amended to December 31, 1980. For the purposes of this subdivision, s. 71.04 (15) (b), (d), (er), (f), (fn), (fo), (fp) and (fq) apply as appropriate.

SECTION 1235. 71.01 (4) (g) 9 of the statutes is renumbered 71.01 (4) (g) 20.

SECTION 1236. 71.01 (4) (g) 9 of the statutes is created to read:

71.01 (4) (g) 9. For taxable year 1985 and subsequent years, "internal revenue code" means the federal internal revenue code as amended to December 31, 1984, except that "internal revenue code" does not include section 168 (f) (8) of the code (relating to a special rule for leases) and except that in respect to computing the deduction for depreciation on property located outside this state and first placed in service by the taxpayer on or after January 1, 1983, "internal revenue code" means that code as amended to December 31, 1980. For the purposes of this subdivision, s. 71.04 (15) (b), (d), (er), (f), (fn), (fo), (fp) and (fq) apply as appropriate.

SECTION 1237m. 71.01 (4) (h) of the statutes is created to read:

71.01 (4) (h) The tax imposed under this section on each domestic insurer that provides insurance on a debtor to provide indemnity for payments becoming due on a specific loan or other credit transaction while the debtor is disabled as defined in the policy on or measured by its entire net income attributable to that business in this state may not exceed 2% of the gross premiums as defined in s. 76.62 received during the taxable year by the insurer on all such policies the subject of which resides or is located in this state. For purposes of this paragraph, the tax imposed under this section on this line of insurance shall be computed by the same general method prescribed in paragraphs (b), (c) and (d) for insurance other than life insurance with appropriate substitutions of data applying to this line of insurance.

SECTION 1238. 71.02 (1) (a) of the statutes is renumbered 71.02 (1) (c), and 71.02 (1) (c) 9, as renumbered, is amended to read:

71.02 (1) (c) 9. For taxable year 1984 ~~and subsequent years~~, for a corporation or common law trust which qualifies as a regulated investment company or real estate investment trust under the internal revenue code as amended to December 31, 1983, "net income" means the federal regulated investment company taxable income or federal real estate investment trust taxable income of the corporation or trust as determined under the internal revenue code as amended to December 31, 1983, except that "internal revenue code" does not include section 168 (f) (8) of the code (relating to a special rule for leases) and except that in respect to computing the deduction for depreciation on property located outside this state and first placed in service by the taxpayer on or after January 1, 1983, "internal revenue code" means that code as amended to December 31, 1980. For the purposes of this subdivision, s. 71.04 (15) (b), (d), (er), (f), (fn), (fo), (fp) and (fq) apply as appropriate.

SECTION 1239. 71.02 (1) (b) of the statutes is renumbered 71.02 (1) (f).

SECTION 1240. 71.02 (1) (c) of the statutes is renumbered 71.02 (1) (e).

SECTION 1241. 71.02 (1) (c) 10 of the statutes is created to read:

71.02 (1) (c) 10. For taxable year 1985 and subsequent years, for a corporation or common law trust which qualifies as a regulated investment company or real estate investment trust under the internal revenue code as amended to December 31, 1984, "net income" means the federal regulated investment company taxable income or federal real estate investment trust taxable income of the corporation or trust as determined under the internal revenue code as amended to December 31, 1984, except that "internal revenue code" does not include section 168 (f) (8) of the code (relating to a special rule for leases) and except that in respect to computing the deduction for depreciation on property located outside this state and first placed in service by the taxpayer on or after January 1, 1983, "internal revenue code" means that code as amended to December 31, 1980. For the purposes of this subdivision, s. 71.04 (15) (b), (d), (er), (f), (fn), (fo), (fp) and (fq) apply as appropriate.

SECTION 1243. 71.02 (1) (d) of the statutes is renumbered 71.02 (1) (b).

SECTION 1244. 71.02 (1) (e) of the statutes is renumbered 71.02 (1) (a).

SECTION 1245. 71.02 (1) (f) of the statutes is renumbered 71.02 (1) (g).

SECTION 1246. 71.02 (1) (g) of the statutes is renumbered 71.02 (1) (d).

SECTION 1247. 71.02 (2) (a) of the statutes is renumbered 71.02 (2) (c).

SECTION 1248. 71.02 (2) (b) of the statutes is renumbered 71.02 (2) (d), and 71.02 (2) (d) 10, as renumbered, is amended to read:

71.02 (2) (d) 10. For ~~the~~ taxable year 1984 ~~and thereafter~~, for natural persons, fiduciaries and tax-option corporations "internal revenue code" means the federal internal revenue code in effect on December 31, 1983, except that it includes section 218 of the internal revenue code (relating to the deduction of political contributions) as it existed immediately prior to its repeal in 1978 by section 113 (a) of P.L. 95-600 and section 911 (c) of the internal revenue code (relating to the foreign earned income exclusion) as it existed on December 31, 1977, and it does not include the changes to the internal revenue code enacted by sections 111 and 113 (relating to U.S. citizens or residents working abroad) and section 251 (relating to incentive stock options) of P.L. 97-34. Amendments to the internal revenue code enacted after December 31, 1983, do not apply to this subsection with respect to taxable year 1984 ~~and thereafter~~.

SECTION 1249. 71.02 (2) (c) of the statutes is renumbered 71.02 (2) (mb).

SECTION 1250m. 71.02 (2) (d) of the statutes is renumbered 71.02 (2) (me) and amended to read:

71.02 (2) (me) "Wisconsin taxable income" of natural persons means Wisconsin adjusted gross income less ~~itemized deductions or less~~ the Wisconsin stan-

standard deduction, with losses, depreciation, recapture of benefits, offsets, depletion, deductions, penalties, expenses and other negative income items determined according to the manner that income is or would be allocated.

SECTION 1251. 71.02 (2) (d) 11 of the statutes is created to read:

71.02 (2) (d) 11. For taxable year 1985, for natural persons, fiduciaries and tax-option corporations "internal revenue code" means the federal internal revenue code in effect on December 31, 1984, except that it includes section 218 of the internal revenue code (relating to the deduction of political contributions) as it existed immediately prior to its repeal in 1978 by section 113 (a) of P.L. 95-600 and section 911 (c) of the internal revenue code (relating to the foreign earned income exclusion) as it existed on December 31, 1977, and it does not include the changes to the internal revenue code enacted by sections 111 and 113 (relating to U.S. citizens or residents working abroad) and section 251 (relating to incentive stock options) of P.L. 97-34. Amendments to the internal revenue code enacted after December 31, 1984, do not apply to this subsection with respect to taxable year 1985.

SECTION 1252m. 71.02 (2) (d) 12 of the statutes is created to read:

71.02 (2) (d) 12. For taxable year 1986 and subsequent years, for natural persons, fiduciaries and tax-option corporations "internal revenue code" means the federal internal revenue code in effect on December 31, 1984, except that in respect to calculating the depreciation deduction and gain or loss on the sale or other disposition of depreciable property that is residential real property or used in farming, as defined in section 464 (e) (1) of the internal revenue code, if the taxpayer's nonfarm Wisconsin adjusted gross income exceeds \$55,000 or gross farm profit exceeds \$155,000 for taxable year 1986 or for taxable year 1987 or thereafter exceeds either of those 2 dollar amounts as indexed under s. 71.09 (2) without regard to s. 71.09 (2e), for property placed in service by the taxpayer during taxable year 1986 and thereafter "internal revenue code" means the federal internal revenue code as amended to December 31, 1980. Amendments to the internal revenue code enacted after December 31, 1984, do not apply to this subsection with respect to taxable year 1986 and thereafter.

SECTION 1253. 71.02 (2) (e) of the statutes is renumbered 71.02 (2) (i).

SECTION 1254m. 71.02 (2) (eg) of the statutes is created to read:

71.02 (2) (eg) "Married person" or "spouse" means a person determined under section 143 (a) of the internal revenue code to be married, unless the context requires otherwise. A decree of divorce, annulment or legal separation terminates the marriage and the application of ch. 766 to property of the spouses after the date of the decree, unless the decree provides otherwise.

SECTION 1255. 71.02 (2) (f) of the statutes is repealed.

SECTION 1255m. 71.02 (2) (fg) of the statutes is created to read:

71.02 (2) (fg) "Person feeling aggrieved" and "person aggrieved" include the spouse of a person against whom an additional assessment was made or who was denied a claim for refund for a taxable year for which a separate return was filed and include either spouse for a taxable year for which a joint return was filed or, if no return was filed, a joint return could have been filed.

SECTION 1255r. 71.02 (2) (fr) of the statutes is created to read:

71.02 (2) (fr) "Small business stock" means an equity security that the taxpayer has held for at least 5 years and that is issued by a corporation that, on the December 31 before acquisition by the taxpayer, fulfills all the following requirements and so certifies to the taxpayer upon acquisition:

1. Has at least 50% of its property and at least 50% of its payroll, both as computed under s. 71.07, in this state.

2. Has no more than 200 employees covered by Wisconsin unemployment insurance, including employees of any corporation that owns more than 50% of the stock of the issuing corporation.

3. Derives no more than 25% of its gross receipts from rents, interest, dividends and sales of assets combined.

4. Has not issued stock that is listed on the New York stock exchange, the American stock exchange or the national association of securities dealers' automated quotation system.

5. Has not conducted a trade or business in corporate or noncorporate form or combination thereof for a period exceeding 5 years. A trade or business is considered to be conducted if a specific or similar group of activities was carried on for the purpose of earning income or profit. In this subdivision, "group of activities" includes but is not limited to the production, distribution and sale of goods, the sale of services, the payment of expenses and the collection of income.

6. Has not liquidated its assets in whole or in part for tax purposes only in order to fulfill the requirements under this paragraph and then reorganized.

SECTION 1256. 71.02 (2) (g) of the statutes is renumbered 71.02 (2) (mj).

SECTION 1257. 71.02 (2) (gh) of the statutes is renumbered 71.02 (2) (mp).

SECTION 1258. 71.02 (2) (gn) of the statutes is renumbered 71.02 (2) (ms).

SECTION 1259. 71.02 (2) (gp) of the statutes is renumbered 71.02 (2) (kg).

SECTION 1260. 71.02 (2) (gq) 1 of the statutes is renumbered 71.02 (2) (km) 1.

SECTION 1261. 71.02 (2) (gq) 2 of the statutes is renumbered 71.02 (2) (km) 2 and amended to read:



71.02 (2) (km) 2. For ~~the taxable year 1979 and thereafter years 1979 to 1985~~, except as otherwise provided, the Wisconsin standard deduction is the larger of the low-income allowance as provided in this paragraph or \$2,300 for an unmarried individual or \$3,400 in the aggregate for a husband and wife.

SECTION 1262. 71.02 (2) (gq) 3 of the statutes is repealed.

SECTION 1263. 71.02 (2) (gq) 4 of the statutes is repealed.

SECTION 1264. 71.02 (2) (gq) 5 of the statutes is renumbered 71.02 (2) (km) 5 and amended to read:

71.02 (2) (km) 5. For a fiscal year taxpayer, any increase in the standard deduction, ~~including the low-income allowance~~, over the standard deduction permissible in the previous calendar year must be prorated by taking into account the number of days of the taxpayer's fiscal year falling ~~into~~ in each calendar year.

SECTION 1265. 71.02 (2) (gq) 6 of the statutes is renumbered 71.02 (2) (km) 6.

SECTION 1266. 71.02 (2) (gq) 7 of the statutes is renumbered 71.02 (2) (km) 7 and amended to read:

71.02 (2) (km) 7. With respect to nonresident natural persons deriving income from property located, business transacted or personal or professional services performed in this state, including natural persons changing their domicile into or from this state, ~~for the taxable year 1977 and thereafter, the low-income allowance authorized under this paragraph is limited, and for the taxable year 1979 and thereafter, the Wisconsin standard deduction is and itemized deductions are based on federal adjusted gross income and are limited, by such fraction of that amount as Wisconsin adjusted gross income is of federal adjusted gross income for unmarried persons, and as combined Wisconsin adjusted gross income is of combined or joint federal adjusted gross income for married persons. In this subdivision, for married persons filing separately "adjusted gross income" means the separate adjusted gross income of each spouse, and for married persons filing jointly "adjusted gross income" means the total adjusted gross income of both spouses.~~

SECTION 1267. 71.02 (2) (gr) of the statutes is renumbered 71.02 (2) (kr) and amended to read:

71.02 (2) (kr) Beginning Except as provided in s. 71.09 (2e), beginning with calendar year 1986 1987 and corresponding fiscal years and thereafter, the dollar amounts of the standard deduction in par. ~~(gq) 2~~ (km) 2m shall be changed to reflect the percentage change, minus 3%, between the U.S. consumer price index for all urban consumers, U.S. city average, for June of the current year and the U.S. consumer price index for all urban consumers, U.S. city average, for June of the previous year, as determined by the U.S. department of labor, but in no case may the amounts be increased by more than 7% or decreased by any amount. The revised amounts shall be rounded to the

nearest whole number which is a multiple of \$10, unless the digit in the units place is 5 and all of the numbers to the right of the 5 are zeroes, in which case the amount shall be rounded so that the digit in the tens place is an even number. The percentage change in the consumer price index shall be rounded to the nearest one-tenth of a percentage point, unless the digit in the hundredths place is 5 and all of the numbers to the right of the 5 are zeroes, in which case the amount shall be rounded to the nearest one-tenth that is an even number; the dollar amount that is to be adjusted is the rounded amount from the previous year. The percentages in par. (km) 2m shall be adjusted to reflect the other changes made under this paragraph.

SECTION 1268. 71.02 (2) (h) of the statutes is renumbered 71.02 (2) (g).

SECTION 1269. 71.02 (2) (i) of the statutes is renumbered 71.02 (2) (f).

SECTION 1270. 71.02 (2) (j) of the statutes is renumbered 71.02 (2) (em).

SECTION 1271. 71.02 (2) (k) of the statutes is renumbered 71.02 (2) (h).

SECTION 1272. 71.02 (2) (km) 2m of the statutes is created to read:

71.02 (2) (km) 2m. For taxable year 1986 and thereafter, except as otherwise provided, the Wisconsin standard deduction is whichever of the following amounts is appropriate. For a single individual who has a Wisconsin adjusted gross income of less than \$7,500, the standard deduction is \$5,200. For a single individual who has a Wisconsin adjusted gross income of at least \$7,500 but not more than \$50,830, the standard deduction is the amount obtained by subtracting from \$5,200 12% of Wisconsin adjusted gross income in excess of \$7,500 but not less than \$0. For a single individual who has a Wisconsin adjusted gross income of more than \$50,830, the standard deduction is \$0. For a married couple filing jointly that has an aggregate Wisconsin adjusted gross income of less than \$10,000, the standard deduction is \$7,200. For a married couple filing jointly that has an aggregate Wisconsin adjusted gross income of at least \$10,000 but not more than \$77,500, the standard deduction is the amount obtained by subtracting from \$7,200 10.667% of aggregate Wisconsin adjusted gross income in excess of \$10,000 but not less than \$0. For a married couple filing jointly that has an aggregate Wisconsin adjusted gross income of more than \$77,500, the standard deduction is \$0. For a married individual filing separately who has a Wisconsin adjusted gross income of less than \$4,750, the standard deduction is \$3,420. For a married individual filing separately who has a Wisconsin adjusted gross income of at least \$4,750 but not more than \$36,810, the standard deduction is the amount obtained by subtracting from \$3,420 10.667% of Wisconsin adjusted gross income in excess of \$4,750 but not less than \$0. For a married individual filing separately who has a Wisconsin adjusted gross

income of more than \$36,810, the standard deduction is \$0. The secretary of revenue shall prepare a table under which deductions under this subdivision shall be determined. That table shall be published in the department's instructional booklets.

SECTION 1272m. 71.02 (2) (km) 8 of the statutes is created to read:

71.02 (2) (km) 8. If a person and that person's spouse are not both domiciled in this state during the entire taxable year, the Wisconsin standard deduction or itemized deduction on a joint return is determined by multiplying the Wisconsin standard deduction or itemized deduction, each calculated on the basis of federal adjusted gross income, by a fraction the numerator of which is their joint Wisconsin adjusted gross income and the denominator of which is their joint federal adjusted gross income. For a married person who is not domiciled in this state for the entire taxable year and who files a separate return, the Wisconsin standard deduction and itemized deduction are determined under subd. 7.

SECTION 1273. 71.02 (2) (L) of the statutes is renumbered 71.02 (2) (b).

SECTION 1274. 71.02 (2) (m) of the statutes is renumbered 71.02 (2) (j) and amended to read:

71.02 (2) (j) "Wisconsin net operating loss" of persons other than corporations ~~for years prior to 1965 means Wisconsin net business loss as computed pursuant to s. 71.06, 1963 Stats., and for 1965 and thereafter~~ means "federal net operating loss" adjusted by the modifications as prescribed in s. 71.05 (1) and (4) and (5), except that no deductions allowable on schedule A for federal income tax purposes are allowable.

SECTION 1275. 71.02 (2) (p) of the statutes is renumbered 71.02 (2) (a).

SECTION 1276m. 71.03 (2) (d) of the statutes is amended to read:

71.03 (2) (d) All payments received from the employe's retirement system of the city of Milwaukee, Milwaukee county employes' retirement system, sheriff's annuity and benefit fund of Milwaukee county, police officer's annuity and benefit fund of Milwaukee, fire fighter's annuity and benefit fund of Milwaukee, or the public employe trust fund as successor to the Milwaukee public school teachers' annuity and retirement fund and to the Wisconsin state teachers retirement system, which are paid on the account of any person who was a member of the paying or predecessor system or fund as of December 31, 1963, or was retired from any of the systems or funds as of December 31, 1963, but such exemption shall not exclude from gross income tax sheltered annuity benefits.

SECTION 1278. 71.03 (2) (g) of the statutes is repealed.

SECTION 1278m. 71.03 (7) of the statutes is repealed.

SECTION 1279. 71.04 (1) of the statutes is amended to read:

71.04 (1) Payments, not including the value of incentive stock options as defined in section 422A of the internal revenue code as amended to December 31, 1984, made within the year for wages, salaries, commissions and bonuses of employes and of officers if reasonable in amount, for services actually rendered in producing such income; provided, there is reported the name, address and amount paid each such employe or officer residing within this state to whom a compensation of \$500 or more has been paid during the assessment year. The department may waive the reporting requirement herein with respect to a corporation claiming deduction from gross income of wages, salaries, commissions or bonuses in the taxable year 1969 or thereafter, if the department is satisfied that failure to report has resulted in no revenue loss to the state.

SECTION 1279m. 71.04 (2) (b) 10 of the statutes is created to read:

71.04 (2) (b) 10. The value of incentive stock options, as defined in section 422A of the internal revenue code as amended to December 31, 1984.

SECTION 1279n. 71.04 (2) (b) 11 to 17 of the statutes are created to read:

71.04 (2) (b) 11. Expenses allowable under section 274 of the internal revenue code with respect to an activity, except admissions to an organized athletic event or other public event or performance that takes place in Wisconsin, that is of the type generally considered to constitute entertainment, amusement or recreation, or with respect to a facility used in connection with those activities, except to the extent that food, beverage and facility expenses are allowed as a deduction under subd. 13.

12. Business gifts allowable as a deduction under section 274 of the internal revenue code, except for gifts of Wisconsin agricultural commodities, as defined under s. 96.01 (3), made directly or indirectly to any individual to the extent that those gifts of Wisconsin agricultural commodities when added to prior expenses of the taxpayer for gifts of Wisconsin agricultural commodities made to that individual during the same taxable year do not exceed \$15.

13. All business meal expenses allowable under section 274 of the internal revenue code that are not incurred in a clear business setting, and 50% of the excess, including tax and gratuities, over \$25 times the number of persons participating in the meal, except expenses for food and beverages furnished primarily for employes on the taxpayer's premises.

14. Business travel expenses allowable under section 162, 212 or 274 of the internal revenue code for trips lasting one year or more in one city.

15. Business travel expenses allowable under section 162, 212 or 274 of the internal revenue code for travel by luxury water transportation in excess of otherwise available business transportation.

16. Travel expenses allowable under section 162, 212 or 274 of the internal revenue code for conven-

tions, meetings or seminars held on cruise ships and not treated as income.

17. Business travel expenses allowable under section 162, 212 or 274 of the internal revenue code for travel as a form of education.

SECTION 1279p. 71.04 (4) (c) of the statutes is created to read:

71.04 (4) (c) In pars. (a) and (b), "dividends received" means gross dividends received minus taxes on those dividends paid to a foreign nation and claimed as a deduction under this chapter.

SECTION 1280. 71.04 (11) of the statutes is amended to read:

71.04 (11) Amounts expended for the purchase of seeds and tree plants for planting, and for preparing land for planting and for planting and caring for, maintenance and fire protection of forest crops on ~~"Forest Crop Lands"~~ forest croplands and managed forest land under ch. 77, but the taxpayer may elect to defer the deduction of such amounts until the crop or the property, or any portion thereof, is sold or disposed of; except that the method so elected must be followed without change; and notice of the election of such method must be given to the assessing authority that such election is made.

SECTION 1281b. 71.04 (15) (b) of the statutes is amended to read:

71.04 (15) (b) In this subsection, "internal revenue code" means such code as applicable to the determination of net income of the calendar year 1972 for federal income tax purposes. In determining the Wisconsin tax on or measured by net income of any year subsequent to 1972 except for depreciable property acquired in taxable year 1981 and thereafter by the taxpayers listed under par. (bm) 1 and 2 and except for depreciable property that is residential real property or, if the corporation's Wisconsin gross farm receipts or sales exceeds \$155,000 for taxable year 1986 or for taxable year 1987 or thereafter exceeds the dollar amount as indexed under s. 71.09 (2) without regard to s. 71.09 (2e), used in farming, as defined in section 464 (e) (1) of the internal revenue code, and acquired in taxable year 1986 and thereafter by any corporation, in this subsection "internal revenue code" means such code as applicable to the determination of net income for such subsequent year for federal income tax purposes or as applicable to determination of net income of 1972 for federal income tax purposes, at the option of the corporation, except that for taxable year 1981 and thereafter "internal revenue code" does not include section 168 (f) (8) of the code (relating to a special rule for leases) and except that for property located outside this state and first placed in service by the taxpayer on or after January 1, 1983, "internal revenue code" means that code as amended to December 31, 1980, or the code as applicable to the determination of net income for 1972, at the option of the corporation. In this paragraph, "property" means only property owned by the taxpayer.

SECTION 1281e. 71.04 (15) (br) of the statutes is created to read:

71.04 (15) (br) In this subsection, for depreciable property that is residential real property or used in farming, as defined in section 464 (e) 1 of the internal revenue code, and acquired in taxable year 1986 and thereafter by any corporation "internal revenue code" means that code in effect on December 31, 1980.

SECTION 1281g. 71.04 (15) (ep) of the statutes is created to read:

71.04 (15) (ep) For all corporations, with respect to the sale, exchange, abandonment or other disposition of property that is residential real property or, subject to the dollar amount limits in par. (b), used in farming, as defined in section 464 (e) (1) of the internal revenue code, and acquired in taxable year 1986 and thereafter in which gain or loss is recognized by the owner of the property, the Wisconsin adjusted basis of the property shall be determined under this subsection and under the applicable provisions of this chapter.

~~SECTION 1281j. 71.04 (15) (f) of the statutes is amended to read:~~

~~71.04 (15) (f) With respect to property that is residential real property or, subject to the dollar amount limits in par. (b), used in farming, as defined in section 464 (e) (1) of the internal revenue code, and acquired before taxable year 1986 by any corporation which has, in any taxable year prior to deriving income with a Wisconsin situs for Wisconsin income or franchise tax purposes, taken depreciation or amortization of depreciable property for federal income tax purposes, the federal adjusted basis of its depreciable property as of the beginning of the income year in which such corporation begins operations in this state shall be the Wisconsin adjusted basis of such property. For taxable years ending before January 1, 1981, with respect to any corporation listed under par. (bm) 1 and 2, and with respect to property that is residential real property or subject to the dollar amount limits in par. (b), used in farming, as defined in section 464 (e) (1) of the internal revenue code, and acquired in taxable year 1986 and thereafter by any corporation, which has, in any year prior to deriving income with a Wisconsin situs for Wisconsin income or franchise tax purposes, taken depreciation or amortization of depreciable property for federal income tax purposes, the federal adjusted basis of its depreciable property as of the beginning of the income year in which such corporation begins operations in this state shall be the Wisconsin adjusted basis of such property.~~

SECTION 1281jm. 71.04 (15) (fm) of the statutes is amended to read:

71.04 (15) (fm) For taxable years ending after December 31, 1980, with respect to any corporation listed under par. (bm) 1 and 2, and with respect to property that is residential real property or, subject to the dollar amount limits in par. (b), used in farming, as defined in section 464 (e) (1) of the internal revenue code, and acquired in taxable year 1986 and thereafter

Vetoed  
in Part

by any corporation, that has, in any year before it derives any income with a Wisconsin situs for Wisconsin income tax purposes, taken depreciation or amortization of depreciable property acquired during taxable year 1981 and thereafter, the Wisconsin adjusted basis of that property, as of the beginning of the income year in which the corporation begins operations in this state shall be the adjusted basis that would have been computed under the depreciation provisions of the internal revenue code in effect on December 31, 1980.

SECTION 1281k. 71.043 (3) of the statutes is amended to read:

71.043 (3) If any corporation in any year is entitled to a credit under this section, such credit, to the extent not offset by the tax liability of the same year may be offset against the tax liability of the subsequent year, and if not completely offset by the tax liability of such year, the remainder of such credit may be offset against the tax liability of the following year. A credit under sub. (2) may be carried forward and offset against tax liability in the next succeeding 5 15 years.

~~SECTION 1281m. 71.044 of the statutes is created to read:~~

Vetoed  
in Part

~~71.044 Resident partners of nonresident partnerships. Resident partners of partnerships not subject to taxation under this chapter shall calculate their tax under the internal revenue code.~~

SECTION 1282. 71.05 (1) (a) 2 of the statutes is repealed.

SECTION 1283. 71.05 (1) (a) 5 of the statutes is repealed.

SECTION 1284. 71.05 (1) (a) 6 of the statutes is repealed.

SECTION 1286. 71.05 (1) (a) 11 of the statutes is repealed.

SECTION 1287. 71.05 (1) (a) 12 of the statutes is repealed.

SECTION 1288. 71.05 (1) (a) 13 of the statutes is repealed.

SECTION 1289. 71.05 (1) (a) 16 of the statutes is repealed.

SECTION 1290. 71.05 (1) (a) 23 of the statutes is repealed.

SECTION 1290g. 71.05 (1) (a) 25 of the statutes is repealed.

SECTION 1290h. 71.05 (1) (a) 26 of the statutes is created to read:

71.05 (1) (a) 26. Combined net losses, exclusive of net gains, for the taxable year, from businesses, from rents, from partnerships, from S corporations, from estates or from trusts, under section 165 of the internal revenue code, except losses allowable under sections 1211 and 1231 of the internal revenue code, otherwise includable in calculating Wisconsin income if those losses are incurred in the operation of a farming business, as defined in section 464 (e) 1 of the internal revenue code to the extent that those combined net losses

exceed \$20,000 if nonfarm Wisconsin adjusted gross income exceeds \$55,000 but does not exceed \$75,000, exceed \$17,500 if nonfarm Wisconsin adjusted gross income exceeds \$75,000 but does not exceed \$100,000, exceed \$15,000 if nonfarm Wisconsin adjusted gross income exceeds \$100,000 but does not exceed \$150,000, exceed \$12,500 if nonfarm Wisconsin adjusted gross income exceeds \$150,000 but does not exceed \$200,000, exceed \$10,000 if nonfarm Wisconsin adjusted gross income exceeds \$200,000 but does not exceed \$250,000, exceed \$7,500 if nonfarm Wisconsin adjusted gross income exceeds \$250,000 but does not exceed \$300,000, exceed \$5,000 if nonfarm Wisconsin adjusted gross income exceeds \$300,000 but does not exceed \$400,000 and exceed \$0 if nonfarm adjusted gross income exceeds \$400,000, except that, beginning with taxable year 1987, the dollar amounts of nonfarm Wisconsin adjusted gross income shall be indexed under s. 71.09 (2) without regard for s. 71.09 (2e).

SECTION 1290r. 71.05 (1) (a) 27 of the statutes is created to read:

71.05 (1) (a) 27. Expenses as follows:

a. Expenses allowable under section 274 of the internal revenue code with respect to an activity, except admissions to an organized athletic event or other public event or performance that takes place in Wisconsin, that is of the type generally considered to constitute entertainment, amusement or recreation, or with respect to a facility used in connection with those activities, except to the extent that food, beverage and facility expenses are allowed as a deduction under subd. 27. c.

c. All business meal expenses allowable under section 274 of the internal revenue code that are not incurred in a clear business setting, and 50% of the excess, including tax and gratuities, over \$25 times the number of persons participating in the meal, except expenses for food and beverages furnished primarily for employes on the taxpayer's premises.

d. Business travel expenses allowable under section 162, 212 or 274 of the internal revenue code for trips lasting one year or more in one city.

e. Business travel expenses allowable under section 162, 212 or 274 of the internal revenue code for travel by luxury water transportation in excess of otherwise available business transportation.

f. Travel expenses allowable under section 162, 212 or 274 of the internal revenue code for conventions, meetings or seminars held on cruise ships and not treated as income.

g. Business travel expenses allowable under section 162, 212 or 274 of the internal revenue code for travel as a form of education.

SECTION 1291. 71.05 (1) (b) 2 of the statutes is repealed.

SECTION 1292. 71.05 (1) (b) 5 of the statutes is repealed.

SECTION 1293. 71.05 (1) (b) 6 of the statutes is repealed.

SECTION 1294. 71.05 (1) (b) 7 of the statutes is repealed.

SECTION 1294m. 71.05 (1) (b) 8 of the statutes is repealed.

SECTION 1295. 71.05 (1) (b) 9 of the statutes is repealed.

SECTION 1296. 71.05 (1) (b) 10 of the statutes is repealed.

SECTION 1297. 71.05 (1) (b) 11 of the statutes is created to read:

71.05 (1) (b) 11. Any amounts that are recoveries of federal itemized deductions for which no tax benefit was received for Wisconsin purposes.

SECTION 1297m. 71.05 (1) (b) 12 of the statutes is created to read:

71.05 (1) (b) 12. The amount of net capital gains on small business stock otherwise subject to the tax under s. 71.01 (1) if the taxpayer has not acquired the stock by gift and submits with the taxpayer's return a copy of the certification under s. 71.02 (2) (fr) (intro.).

SECTION 1298. 71.05 (1) (d) of the statutes is renumbered 71.05 (1) (d) 1 and amended to read:

71.05 (1) (d) 1. The carry back of losses to reduce income of prior years shall not be permitted. There shall be added any amount deducted as a federal net operating loss carry-over and there ~~may shall~~ be subtracted for the first taxable year for which the subtraction may be made any Wisconsin net operating loss carry-forward allowable under subd. 2 in an amount not in excess of the Wisconsin taxable income computed before the deduction of ~~such the~~ Wisconsin net operating loss carry-forward. ~~A Wisconsin net operating loss, to the extent not offset against other income of the year of loss may be carried forward against Wisconsin taxable income of consecutive succeeding years subsequent to the loss year for a period not to exceed 5 years.~~

SECTION 1299. 71.05 (1) (d) 2 of the statutes is created to read:

71.05 (1) (d) 2. A Wisconsin net operating loss may be carried forward against Wisconsin taxable incomes of the next 15 taxable years to the extent not offset against other income of the year of loss and to the extent not offset against Wisconsin modified taxable income of any year between the loss year and the taxable year for which the loss carry-forward is claimed. In this subdivision, "Wisconsin modified taxable income" means income as prescribed in s. 71.02 (2) (me) with the following exceptions: a net operating loss deduction or offset for the loss year or any taxable year thereafter is not allowed, the deduction for long-term capital gains under section 1202 of the internal revenue code is not allowed, the amount deductible for losses from sales or exchanges of capital assets may not exceed the amount includable in income for gains from sales or exchanges of capital assets and

"Wisconsin modified taxable income" may not be less than zero.

SECTION 1299r. 71.05 (1) (g) of the statutes is amended to read:

71.05 (1) (g) Add or subtract from federal adjusted gross income, as appropriate, on sale, exchange, abandonment or other disposition in a transaction in which gain or loss is recognized to the owner of property acquired from a decedent, as described in section 1014 of the internal revenue code in effect on December 31, 1975, exclusive of property constituting income under section 102 (b) of the internal revenue code, the difference between the federal basis and the Wisconsin basis. The Wisconsin basis of property acquired from a decedent shall be determined under the internal revenue code in effect on December 31, 1975, but the value used for property is the value properly includable for Wisconsin inheritance tax purposes instead of the value of property includable for federal estate tax purposes. In this paragraph, the exclusion under s. 72.12 (6) (b) shall not be deemed property properly includable for inheritance tax purposes, but the transfer of property exempt under s. 72.15 (5) shall be deemed property properly includable for inheritance tax purposes and, if at least 50% of the marital property held by a decedent and the decedent's surviving spouse at the time of the decedent's death is includable for purposes of computing the federal estate tax on the decedent's estate, all of the decedent's property and all of the decedent's spouse's marital property ~~and all of the decedent's individual property~~ shall be deemed property properly includable for inheritance tax purposes.

SECTION 1300. 71.05 (1) (j) of the statutes is repealed.

SECTION 1301. 71.05 (1) (k) of the statutes is repealed.

SECTION 1302. 71.05 (1) (L) of the statutes is repealed.

SECTION 1303. 71.05 (2) (a) 1 of the statutes is renumbered 71.05 (2) (a) 6.

SECTION 1304. 71.05 (2) (a) 2 of the statutes is renumbered 71.05 (2) (a) 4.

SECTION 1305. 71.05 (2) (a) 3 of the statutes is renumbered 71.05 (2) (a) 7.

SECTION 1306. 71.05 (2) (a) 4 of the statutes is renumbered 71.05 (2) (a) 1.

SECTION 1307. 71.05 (2) (a) 5 of the statutes is renumbered 71.05 (2) (a) 3.

SECTION 1308. 71.05 (2) (a) 6 of the statutes is renumbered 71.05 (2) (a) 2.

SECTION 1309. 71.05 (2) (a) 7 of the statutes is renumbered 71.05 (2) (a) 5.

SECTION 1309m. 71.05 (2m) of the statutes is amended to read:

71.05 (2m) TRANSITIONAL ADJUSTMENT; LOSS CARRY-FORWARDS. For taxable year 1982 and thereafter, the amount of any long-term capital loss carry-forward from any taxable year prior to the 1982 tax-

able year which is not allowed as a deduction under section 1211 (b) of the internal revenue code may be deducted, subject to the annual limitations provided in section 1211 (b) of the internal revenue code. A deduction is authorized under this subsection only when the amount of capital loss or capital loss carry-forward deducted in determining federal adjusted gross income for the taxable year is less than the limitations provided in section 1211 (b) of the internal revenue code. For taxable years 1982 to 1985 for married persons, the annual limitation referred to in this subsection shall be determined under the separate return provisions of section 1211 (b) (2) of the internal revenue code. For taxable year 1986 and thereafter for married persons, the annual limitation shall be determined under section 1211 (b) of the internal revenue code.

SECTION 1309r. 71.05 (2r) of the statutes is created to read:

71.05 (2r) TRANSITION. In regard to property that is residential real property or, subject to the dollar amount limits in s. 71.04 (15) (b), used in farming, as defined in section 464 (e) (1) of the internal revenue code, and placed in service by the taxpayer during taxable year 1986 and thereafter but before the property is used in the production of income subject to taxation under this chapter, the property's adjusted basis and the depreciation or other deduction schedule are not required to be changed from the amount allowable on the owner's federal income tax returns for any year because the property is used in the production of income subject to taxation under this chapter.

SECTION 1309s. 71.05 (2t) of the statutes is created to read:

71.05 (2t) DIFFERENCE IN BASIS. With respect to depreciable property that is residential real property or, subject to the dollar amount limits in s. 71.04 (15) (b), used in farming, as defined in section 464 (e) (1) of the internal revenue code, and disposed of in taxable year 1986 and thereafter, any difference between the adjusted basis for federal income tax purposes and the adjusted basis under this chapter shall be taken into account in determining net income or loss in the year or years the gain or loss is reportable under this chapter.

SECTION 1309t. 71.05 (2u) of the statutes is created to read:

71.05 (2u) CARRY-OVER BASIS PRECLUDED. With respect to property that is residential real property or, subject to the dollar amount limits in s. 71.04 (15) (b), used in farming, as defined in section 464 (e) (1) of the internal revenue code, and acquired in a transaction occurring in taxable year 1986 and thereafter in which the adjusted basis of the property in the hands of the transferee is the same as the adjusted basis of the property in the hands of the transferor, the Wisconsin adjusted basis of that property on the date of transfer is the adjusted basis allowable under the depreciation provisions of the internal revenue code as defined for

Wisconsin purposes for the property in the hands of the transferor.

SECTION 1310m. 71.05 (3) (a) of the statutes is repealed.

SECTION 1311m. 71.05 (3) (c) of the statutes is repealed.

SECTION 1312m. 71.05 (3) (e) of the statutes is repealed.

SECTION 1313m. 71.05 (3) (f) of the statutes is repealed.

SECTION 1314m. 71.05 (3) (g) of the statutes is repealed.

SECTION 1315m. 71.05 (3) (h) of the statutes is repealed.

SECTION 1315mg. 71.06 (1) of the statutes is amended to read:

71.06 (1) ~~For calendar or fiscal years ending on or after July 31, 1976, a~~ A corporation may offset against its Wisconsin net business income any Wisconsin net business loss sustained in any of the next 5 15 preceding income years to the extent not offset by other items of Wisconsin income in the loss year and by Wisconsin net business income of any year between the loss year and the income year for which an offset is claimed. For purposes of this section Wisconsin net business income or loss shall consist of all the income attributable to the operation of a trade or business in this state, less the business expenses allowed as deductions under s. 71.04. The Wisconsin net business income or loss of corporations engaged in business within and without the state shall be determined under s. 71.07 (2), (3) or (5). Nonapportionable losses having a Wisconsin situs under s. 71.07 (1m) shall be included in Wisconsin net business loss; and nonapportionable income having a Wisconsin situs under s. 71.07 (1m), whether taxable or exempt, shall be included in other items of Wisconsin income and Wisconsin net business income for purposes of this section.

SECTION 1315p. 71.08 (4) of the statutes is amended to read:

71.08 (4) A personal exemption for the decedent under s. 71.09 (6p) shall not be allowed the executor or administrator, except against the tax on income of the decedent in the year of death. If the decedent would have been entitled to an exemption for the decedent's spouse or a dependent under s. 71.09 (6p), had the decedent lived, such exemption shall be allowed to the executor or administrator so long as over one-half of the support of the spouse or dependent is supplied by the decedent or by the executor or administrator from the decedent's estate and the gross income of the spouse or dependent for the calendar year in which the taxable year of the executor or administrator begins is less than \$500. ~~If the decedent was a married person at the date of death and if in any year subsequent to the year of death the decedent's surviving spouse is a head of family within the meaning of s. 71.09 (6p), and such surviving spouse does not take a head of family exemption on the individual return, the head of family~~

~~exemption may be taken on the return of the executor or administrator of the decedent's estate.~~

SECTION 1317. 71.09 (1c) of the statutes is repealed.

SECTION 1318. 71.09 (1d) of the statutes is repealed.

SECTION 1319. 71.09 (1e) of the statutes is created to read:

71.09 (1e) The tax to be assessed, levied and collected upon the taxable incomes of all fiduciaries and single individuals for calendar year 1986 and corresponding fiscal years and for calendar and fiscal years thereafter shall be computed at the following rates:

- (a) On all taxable income from \$0 to \$7,500, 5%.
- (b) On all taxable income exceeding \$7,500 but not exceeding \$15,000, 6.6%.
- (c) On all taxable income exceeding \$15,000 but not exceeding \$30,000, 7.5%.
- (d) On all taxable income exceeding \$30,000, 7.9%.

SECTION 1320. 71.09 (1f) of the statutes is created to read:

71.09 (1f) The tax to be assessed, levied and collected upon the taxable incomes of all married persons for calendar year 1986 and corresponding fiscal years and for calendar and fiscal years thereafter shall be computed at the following rates:

- (a) For joint returns:
  1. On all taxable income from \$0 to \$10,000, 5%.
  2. On all taxable income exceeding \$10,000 but not exceeding \$20,000, 6.6%.
  3. On all taxable income exceeding \$20,000 but not exceeding \$40,000, 7.5%.
  4. On all taxable income exceeding \$40,000, 7.9%.
- (b) For married persons filing separately:
  1. On all taxable income from \$0 to \$5,000, 5%.
  2. On all taxable income exceeding \$5,000 but not exceeding \$10,000, 6.6%.
  3. On all taxable income exceeding \$10,000 but not exceeding \$20,000, 7.5%.
  4. On all taxable income exceeding \$20,000, 7.9%.

SECTION 1321. 71.09 (2) of the statutes is amended to read:

71.09 (2) Commencing with calendar year 1980 and corresponding fiscal years and thereafter to 1982, the dollar amounts in sub. (1b) shall be changed to reflect the percentage change between the U.S. consumer price index for all urban consumers, U.S. city average, for the month of June of the current year and the U.S. consumer price index for all urban consumers, U.S. city average, for the month of June of the previous year, as determined by the U.S. department of labor, but in no case may the amounts be increased by more than 10%. The revised amounts shall be rounded to the nearest whole number divisible by 100, and in no case may be reduced below the amounts appearing in sub. (1b) on February 28, 1979. ~~Commencing~~ Except as provided in sub. (2e), commencing with calendar

year ~~1986~~ 1987 and corresponding fiscal years and thereafter, the dollar amounts in sub. ~~(1b)~~ subs. (1e) and (1f) (a) shall be changed to reflect the percentage change, minus 3%, between the U.S. consumer price index for all urban consumers, U.S. city average, for June of the current year and the U.S. consumer price index for all urban consumers, U.S. city average, for June of the previous year, as determined by the U.S. department of labor, but in no case may the amounts be increased by more than 7% or decreased by any amount. The amounts in sub. (1f) (b) shall be set at 50% of the amounts in sub. (1f) (a). The revised amounts shall be rounded to the nearest whole number which is a multiple of \$10. The department of revenue shall annually adopt by rule any changes in dollar amounts required under this subsection, and incorporate them in the income tax forms and instructions, unless the digit in the units place is 5 and all of the digits to the right of the 5 are zeroes, in which case the amount shall be rounded so that the digit in the tens place is an even number. The percentage change in the consumer price index shall be rounded to the nearest one-tenth of a percentage point, unless the digit in the hundredths place is 5 and all of the numbers to the right of the 5 are zeroes, in which case the amount shall be rounded to the nearest one-tenth that is an even number; the dollar amount that is to be adjusted is the rounded amount from the previous year.

SECTION 1322. 71.09 (2c) of the statutes is repealed.

SECTION 1322m. 71.09 (2e) of the statutes is created to read:

71.09 (2e) (a) In October of odd-numbered years, beginning in 1987, if the general purpose revenues balance for the preceding fiscal year, as determined by the annual fiscal report required under s. 16.40 (3), is less than the required balance under s. 20.003 (4) as identified under figure 20.005 (1) for that fiscal year, there shall be no indexing adjustment under sub. (2) and s. 71.02 (2) (kr) for that year.

(b) In October of even-numbered years, beginning in 1988, if the general purpose revenues balance for the preceding fiscal year, as determined by the annual fiscal report required under s. 16.40 (3), is substituted for the gross June 30 balance in the general fund summary for that fiscal year provided under figure 20.005 (1) and the resulting gross June 30 balance for the succeeding fiscal year is thereby less than the balance required under s. 20.003 (4), there shall be no indexing adjustment under sub. (2) and s. 71.02 (2) (kr) for that year.

SECTION 1322p. 71.09 (2f) of the statutes is created to read:

71.09 (2f) The department of revenue shall annually publish notice of the standard deduction amounts and the brackets for the individual income tax in the administrative register and shall incorporate any changes in dollar amounts required under sub. (2) and

s. 71.02 (2) (kr) in the income tax forms and instructions.

SECTION 1324. 71.09 (6p) (intro.) of the statutes is amended to read:

71.09 (6p) (intro.) On income of the calendar year 1983 ~~1986~~ and corresponding fiscal years and thereafter, there may be deducted from the tax after it has been computed according to the rates of this section and, for taxable year 1983, according to the rates of s. 71.014, personal exemptions for natural persons as follows:

SECTION 1325. 71.09 (6p) (a) of the statutes is amended to read:

71.09 (6p) (a) An exemption of \$20 for the taxpayer and an additional exemption of \$20 for the spouse of the taxpayer, to the extent such exemption is not used as a deduction on the separate tax of the spouse, and provided the spouse is not the dependent of another taxpayer; but for each taxpayer and also for the spouse of a married taxpayer who \$25 if the taxpayer has reached the age of 65 prior to the close of the calendar or fiscal year, the exemption shall be \$25. The determination of whether an individual is married shall be made as of the close of the taxable year, unless the spouse dies during the taxable year, in which case such determination shall be made as of the time of death. An individual separated from his or her spouse under a decree of divorce or separate maintenance shall not be considered married.

SECTION 1326. 71.09 (6p) (b) of the statutes is amended to read:

71.09 (6p) (b) An exemption of ~~\$20~~ \$50 for each person for whom the taxpayer is entitled to an exemption for the taxable year under section 151 (e) of the federal internal revenue code.

SECTION 1327. 71.09 (6p) (c) of the statutes is repealed.

SECTION 1328. 71.09 (6p) (d) (intro.) of the statutes is repealed.

SECTION 1329. 71.09 (6p) (d) 1 and 2 of the statutes are consolidated, renumbered 71.09 (6p) (d) and amended to read:

71.09 (6p) (d) With respect to persons who change their domicile into or from this state during the taxable year, ~~personal exemptions shall be limited to such fraction of the amount so determined that the number of months of domicile within this state, including any month during which the person is domiciled in this state for at least 15 days, is of the number of months in the taxable year, but the total deduction for all personal exemptions shall not be less than \$5.~~ 2. With respect to and nonresident persons, personal exemptions shall be limited to such the fraction of the amount so determined as that Wisconsin adjusted gross income is of federal adjusted gross income, except that for married persons personal exemptions shall be limited to such fraction of the amount so determined as their Wisconsin adjusted gross income is of their federal adjusted gross income, but the total

~~deduction for all personal exemptions shall not be less than \$5. In this paragraph, for married persons filing separately "adjusted gross income" means the separate adjusted gross income of each spouse and for married persons filing jointly "adjusted gross income" means the total adjusted gross income of both spouses. If a person and that person's spouse are not both domiciled in this state during the entire taxable year, their personal exemptions on a joint return are determined by multiplying the personal exemption that would be available to each of them if they were both domiciled in this state during the entire taxable year by a fraction the numerator of which is their joint Wisconsin adjusted gross income and the denominator of which is their joint federal adjusted gross income.~~

SECTION 1329m. 71.09 (6r) of the statutes is created to read:

71.09 (6r) For taxable year 1986 and thereafter, single persons, married persons filing separately and married persons filing jointly may claim as a credit against, but not to exceed the amount of, Wisconsin net income taxes due, an amount calculated as follows:

(a) Add the amount of interest allowed as an itemized deduction under section 163 of the internal revenue code and paid on a loan to purchase or refinance a residence in this state or paid on a land contract in respect to a residence in this state; in respect to members of the United States Congress, the amount of interest allowed as an itemized deduction under section 163 of the internal revenue code and paid to purchase or refinance a residence in or near Washington, D.C. or paid on a land contract in respect to such a residence; for taxable years 1986 to 1988 only, the amount of interest allowed as an itemized deduction under section 163 of the internal revenue code and paid by an employe on a loan to purchase stock in an employe-owned business, as defined in s. 560.16 (1) (c), from which that employe receives at least 50% of that employe's wage and salary income; the amount of interest, up to \$1,200, allowed as an itemized deduction under section 163 of the internal revenue code and not paid on a loan to purchase or refinance a residence or paid on a land contract in respect to a residence or paid to purchase stock in the corporation from which the employe receives at least 50% of that employe's wage and salary income; the deduction for charitable contributions under section 170 of the internal revenue code; the medical expenses allowed under section 213 of the internal revenue code and any amount expended by an adoptive parent or a prospective adoptive parent in adoption fees, court costs or legal fees relating to the adoption of a child, whether or not the adoption process is completed, to the extent that this amount, when added to allowable medical deductions under section 213 of the internal revenue code, exceeds 5% of the person's federal adjusted gross income.



(b) Subtract the standard deduction under s. 71.02 (2) (km) 2m from the amount under par. (a).

(c) Multiply the amount under par. (b) by .05.

(d) With respect to persons who change their domicile into or from this state during the taxable year and nonresident persons, the credit under this section shall be limited to the fraction of the amount so determined that Wisconsin adjusted gross income is of federal adjusted gross income. In this paragraph, for married persons filing separately "adjusted gross income" means the separate adjusted gross income of each spouse and for married persons filing jointly "adjusted gross income" means the total adjusted gross income of both spouses. If a person and that person's spouse are not both domiciled in this state during the entire taxable year, their personal exemptions on a joint return are determined by multiplying the personal exemption that would be available to each of them if they were both domiciled in this state during the entire taxable year by a fraction the numerator of which is their joint Wisconsin adjusted gross income and the denominator of which is their joint federal adjusted gross income.

SECTION 1330. 71.09 (7) (a) 1 of the statutes is renumbered 71.09 (7) (a) 6 and amended to read:

71.09 (7) (a) 6. "Income" means the sum of adjusted gross income as defined in s. 71.02 (2) (e), maintenance payments, support money, cash public assistance and general relief (not including credit granted under this subsection), the gross amount of any pension or annuity (including railroad retirement benefits, all payments received under the federal social security act and veterans disability pensions), nontaxable interest received from the federal government or any of its instrumentalities, worker's compensation, unemployment compensation, the gross amount of "loss of time" insurance and compensation and other cash benefits received from the United States for past or present service in the armed forces, and scholarship and fellowship gifts or income, all regardless of the fact that they may be excluded from adjusted gross income as defined in s. 71.02 (2) (e). "Income" also includes the following amounts that are not included in adjusted gross income: capital gains, gain on the sale of a personal residence excluded under section 121 of the internal revenue code, dividends, contributions to individual retirement accounts under section 219 of the internal revenue code (except rollover contributions), intangible drilling costs, depletion allowances and the amount by which the value of a share of stock at the time a qualified or restricted stock option is exercised exceeds the option price. Depreciation deducted in determining Wisconsin adjusted gross income as defined in s. 71.02 (2) (e) shall be added to "income". "Income" does not include gifts from natural persons, cash reimbursement payments made under title XX of the federal

social security act, or surplus food or other relief in kind supplied by a governmental agency. "Income" does not include the gain on the sale of a personal residence deferred under section 1034 of the internal revenue code or nonrecognized gain from involuntary conversions under section 1033 of the internal revenue code. A marital property agreement under s. 766.58 has no effect in computing "income" for a person whose homestead is not the same as the homestead of that person's spouse.

SECTION 1331. 71.09 (7) (a) 2 of the statutes is renumbered 71.09 (7) (a) 4.

SECTION 1332. 71.09 (7) (a) 3 of the statutes is renumbered 71.09 (7) (a) 5.

SECTION 1333. 71.09 (7) (a) 4 of the statutes is renumbered 71.09 (7) (a) 3.

SECTION 1334. 71.09 (7) (a) 5 of the statutes is renumbered 71.09 (7) (a) 1.

SECTION 1335. 71.09 (7) (a) 6 of the statutes is renumbered 71.09 (7) (a) 8 and amended to read:

71.09 (7) (a) 8. "Rent constituting property taxes accrued" means 25% of the gross rent actually paid in cash or its equivalent in 1964 or any subsequent calendar year by a claimant and his or her household solely for the right of occupancy of their Wisconsin homestead in such calendar year, and which rent constitutes the basis, in the succeeding calendar year, of a claim for relief under this section by such claimant. A marital property agreement under s. 766.58 has no effect in computing "rent constituting property taxes accrued" for a person whose homestead is not the same as the homestead of that person's spouse.

SECTION 1336. 71.09 (7) (a) 7 of the statutes is renumbered 71.09 (7) (a) 2.

SECTION 1337. 71.09 (7) (a) 8 of the statutes is renumbered 71.09 (7) (a) 7 and amended\* to read:

71.09 (7) (a) 7. "Property taxes accrued" means property taxes, exclusive of special assessments, delinquent interest and charges for service, levied on a claimant's homestead in 1964 or any calendar year thereafter under ch. 70, less the tax credit, if any, afforded in respect of such property by s. 79.10 (3) to (5). If a homestead is owned by 2 or more persons or entities as joint tenants or tenants in common and one or more such persons or entities is not a member of the claimant's household, "property taxes accrued" is that part of property taxes levied on such homestead (reduced by the tax credit under s. 79.10 (3) to (5)) as reflects the ownership percentage of the claimant and the claimant's household. A marital property agreement under s. 766.58 has no effect in computing "property taxes accrued" for a person whose homestead is not the same as the homestead of that person's spouse. For purposes of this paragraph property taxes are "levied" when the tax roll is delivered to the local treasurer with the warrant for collection. If a

\* The veto of stricke text preserves that text.

homestead is sold during the calendar year of the levy the "property taxes accrued" for the seller and buyer shall be the amount of the tax levy prorated to each in the closing agreement pertaining to the sale of the homestead or, if not so provided for in the closing agreement, the tax levy shall be prorated between seller and buyer in proportion to months of their respective ownership, provided that the seller and buyer occupy the homestead during the periods of their respective ownership. If a household owns and occupies 2 or more homesteads in the same calendar year "property taxes accrued" shall be the sum of the prorated taxes attributable to the household for each of such homesteads. If the household owns and occupies the homestead for part of the calendar year and rents a homestead for part of the calendar year, it may include both the proration of taxes on the homestead owned and "rent constituting property taxes accrued" with respect to the months the homestead is rented, in computing the amount of the claim under pars. (gn) to (gm) [grm] (grn). If a homestead is an integral part of a multipurpose or multidwelling building, property taxes accrued are the percentage of the property taxes accrued on that part of the multipurpose or multidwelling building occupied by the household as a principal residence plus that same percentage of the property taxes accrued on as much of the land surrounding it, not exceeding one acre, that is reasonably necessary for use of the multipurpose or multidwelling building as a principal residence, except as the limitations of par. (h) apply. If the homestead is part of a farm, "property taxes accrued" are the property taxes accrued on up to 120 acres of land contiguous to the claimant's principal residence and include the property taxes accrued on all improvements to real property located on such land, except as the limitations of par. (h) apply. For claims for 1967 and subsequent years, monthly parking permit fees collected under s. 66.058 (3) (c) shall be considered property taxes.

Vetoed in Part

~~SECTION 1337c. 71.09 (7) (grm) (intro.) of the statutes is amended to read:~~

~~71.09 (7) (grm). The amount of any claim filed in 1985 or thereafter and based on property taxes accrued or rent constituting property taxes accrued during the previous year is limited as follows:~~

Vetoed in Part

~~SECTION 1337k. 71.09 (7) (grn) of the statutes is created to read:~~

~~71.09 (7) (grn). The amount of any claim filed in 1986 and thereafter and based on property taxes accrued or rent constituting property taxes accrued during the previous year is limited as follows:~~

~~1. If the household income was \$8,650 or less in the year to which the claim relates, the claim is limited to 80% of the property taxes accrued or rent constituting property taxes accrued or both in that year on the claimant's homestead.~~

~~2. If the household income was more than \$8,650 in the year to which the claim relates, the claim is limited to 80% of the amount by which the property taxes~~

~~accrued or rent constituting property taxes accrued or both in that year on the claimant's homestead exceeds 13.527% of the household income exceeding \$8,650.~~

~~3. No credit may be allowed if the household income of a claimant exceeds \$19,000.~~

Vetoed in Part

~~SECTION 1337p. 71.09 (7) (h) 5 of the statutes is amended to read:~~

~~71.09 (7) (h) 5. In calendar year 1984, or any subsequent calendar year, \$1,200.~~

~~SECTION 1337v. 71.09 (7) (h) 6 of the statutes is created to read:~~

~~71.09 (7) (h) 6. In calendar year 1985 or any subsequent calendar year, \$1,400.~~

~~SECTION 1338. 71.09 (7m) of the statutes is amended to read:~~

~~71.09 (7m) Married persons filing a joint return may claim as a credit against, but not to exceed the amount of, Wisconsin net income taxes otherwise due, an amount equal to 1.5% 2.5% of the earned income of the spouse with the lower earned income, but not more than \$450. In this subsection, "earned income" means wages, salaries, tips, other employe compensation and net earnings from self-employment allocable to Wisconsin under s. 71.07. Earned income is computed notwithstanding the fact that each spouse owns an undivided one-half interest in the whole of the marital property. A marital property agreement under s. 766.58 transferring income between spouses has no effect in computing earned income under this subsection. Earned income is reduced by any amount of net loss from self-employment. Earned income does not include amounts received as a pension or annuity or income to which section 871 (a) of the internal revenue code applies.~~

~~SECTION 1338m. 71.09 (9) of the statutes is amended to read:~~

~~71.09 (9) In the case of married persons filing a combined return for a taxable year before 1986, all or part of the amount of overpayment of one spouse computed on the return may be credited to the tax liability on such return of the other spouse. This subsection applies only to couples who are married at the close of their taxable year and at the time of filing their returns and have no action for divorce or for legal separation pending between them at the time of filing their returns.~~

~~SECTION 1338p. 71.09 (10) of the statutes is renumbered 71.09 (10) (intro.) and amended to read:~~

~~71.09 (10) (intro.) In the case of any overpayment, the department of revenue, within the applicable period of limitations, may credit the amount of overpayment, including any interest allowed, against any liability, in respect to any tax collected by the department, on the part of the person who made the overpayment, and shall refund any balance to the person. For married persons, the department of revenue may credit overpayments or refunds resulting from joint returns under this chapter:~~

SECTION 1338r. 71.09 (10) (a) and (b) of the statutes are created to read:

71.09 (10) (a) Against any liability of either spouse or both spouses in respect to an amount due the department that was incurred during marriage by a spouse after December 31, 1985, or after establishment of a marital domicile in this state, whichever is later, except as provided in s. 71.11 (2) and (2m).

(b) Against the liability of a spouse in respect to an amount due the department that was incurred before January 1, 1986, or before marriage, whichever is later, to the extent that the overpayment or refund was based on taxable income and the deductions and credits associated with the taxable income, which would have been the property of that spouse but for the marriage and except as provided in s. 71.11 (2) and (2m).

~~SECTION 1338m. 71.09 (11) (b) 2 of the statutes is amended to read:~~

Vetoed  
in Part

~~71.09 (11) (b) 2. The credit allowed under this subsection shall be limited to 90% of the first \$2,000 \$2,500 of excessive property taxes plus 70% of the 2nd next \$2,000 of excessive property taxes plus 50% of the 3rd \$2,000 next \$1,500 of excessive property taxes. The maximum credit shall not exceed \$4,200 \$4,400 for any claimant. The credit for any claimant shall be the greater of either the credit as calculated under this subsection as it exists at the end of the year for which the claim is filed or as it existed on the date on which the farmland became subject to a current agreement under subch. II or III of ch. 91, using for such calculations household income and property taxes accrued of the year for which the claim is filed.~~

SECTION 1338s. 71.09 (11) (b) 3. d of the statutes is amended to read:

71.09 (11) (b) 3. d. If the farmland is located in an agricultural district under a certified county agricultural preservation plan under subch. IV of ch. 91 at the close of the year for which credit is claimed, and is located in an area zoned for exclusive agricultural use under a certified town ordinance under subch. V of ch. 91 at the close of such year, the amount of the claim shall be limited to 70% 90% of that specified in subd. 2.

~~SECTION 1338g. 71.09 (11) (bm) of the statutes is renumbered 71.09 (11) (bm) 1.~~

Vetoed  
in Part

~~SECTION 1338sh. 71.09 (11) (bm) 2 of the statutes is created to read:~~

~~71.09 (11) (bm) 2. Notwithstanding par. (b) or subd. 1, if the farmland is subject to a farmland preservation agreement, the amount of the claim is 10% of the property taxes accrued, the amount determined under par. (b) or the amount determined under subd. 1, whichever is greater.~~

SECTION 1339g. 71.09 (11) (h) (intro.) of the statutes is amended to read:

71.09 (11) (h) (intro.) Every claimant under this subsection shall supply, at the request of the department, in support of the claim, a copy of the property tax bill relating to the farmland, a copy of the farm-

land preservation agreement or a certificate of the appropriate zoning authority. The farmland preservation agreement shall contain provisions specified under s. 91.13 (8) including either a provision requiring farming operations to be conducted in substantial accordance with a soil and water conservation plan prepared under s. 92.104 or a provision requiring farming operations to be conducted in compliance with reasonable soil and water conservation standards established under s. 92.105. The certificate of the zoning authority shall certify:

SECTION 1339s. 71.09 (11) (h) 5 of the statutes is created to read:

71.09 (11) (h) 5. That soil and water conservation standards applicable to the land are established and approved as required under s. 92.105 (1) to (3) and that no notice of noncompliance is in effect under s. 92.105 (5) with respect to the claimant at the time the certificate is issued.

SECTION 1340m. 71.09 (11) (o) of the statutes is amended to read:

71.09 (11) (o) No credit may be allowed under this subsection if the claimant has been notified of a violation of s. 91.13 (8) (d) a notice of noncompliance with an applicable soil and water conservation plan under s. 92.104 is in effect with respect to the claimant at the time the claim is filed. No credit may be allowed under this subsection if a notice of noncompliance with applicable soil and water conservation standards under s. 92.105 is in effect with respect to the claimant at the time the claim is filed.

SECTION 1341. 71.09 (12) of the statutes is repealed.

SECTION 1342. 71.09 (12c) of the statutes, as affected by 1985 Wisconsin Act .... (this act), is repealed.

SECTION 1343. 71.09 (12c) (a) of the statutes is amended to read:

71.09 (12c) (a) For taxable year 1984 ~~and thereafter 1985~~, any natural person may credit against income taxes otherwise due an amount equal to 30% of the federal dependent care credit, prior to the adjustments for federal tax credits and federal tax liability, for which the person is eligible for the taxable year under section 44A 21 of the internal revenue code as amended to December 31, 1983 1984.

SECTION 1344. 71.09 (12c) (b) of the statutes is amended to read:

71.09 (12c) (b) ~~Married~~ For taxable year 1985, married persons may divide the total amount of the credit under this subsection between them as they choose, if the total claimed by a husband and wife does not exceed an amount equal to 30% of the federal dependent care credit, prior to the adjustments for federal tax credits and federal tax liability, for which the couple is eligible for the taxable year under section 44A 21 of the internal revenue code as amended to December 31, 1983 1984. The joint return require-

ment under section 44A ~~(f) (2)~~ 21 of the internal revenue code does not apply to the credit under this subsection.

SECTION 1345. 71.09 (12m) (a) of the statutes is amended to read:

71.09 (12m) (a) Any corporation ~~or individual who~~ which contributes an amount to the community development finance authority under s. 233.03 and, in the same year purchases common stock or partnership interests of the community development finance company issued under s. 233.05 (2) in an amount no greater than the contribution to the authority, may credit against taxes otherwise due an amount equal to 75% of the purchase price of the stock or partnership interests. The credit received under this paragraph may not exceed 75% of the contribution to the community development finance authority.

SECTION 1345m. 71.09 (12m) (b) of the statutes is amended to read:

71.09 (12m) (b) Any corporation or individual receiving a credit under this subsection may carry forward to the next succeeding 15 taxable years the amount of the credit not offset against taxes for the year of purchase to the extent not offset by those taxes otherwise due in all intervening years between the year for which the credit was computed and the year for which the carry-forward is claimed.

SECTION 1347. 71.09 (12r) (a) of the statutes is amended to read:

71.09 (12r) (a) *Credit.* ~~Any~~ For taxable year 1985, any person may credit against taxes otherwise due under this chapter an amount equal to 5% of the amount obtained by subtracting from the person's qualified research expenses, as defined in section 44F ~~30~~ 30 of the internal revenue code, except that "qualified research expenses" includes only expenses incurred by the claimant or passed through to the claimant from a tax-option corporation, partnership, estate or trust, incurred for research conducted in this state for the taxable year the person's base period research expenses, as defined in section 44F ~~30~~ 30 of the internal revenue code, except that for taxable year 1984 ~~"base period" means the average for taxable years 1982 and 1983, and for taxable year 1985 "base period" means the average for taxable years 1982 to 1984.~~

SECTION 1348. 71.09 (12r) (a) of the statutes, as affected by 1985 Wisconsin Act .... (this act), is amended to read:

71.09 (12r) (a) *Credit.* For taxable year ~~1985~~ 1986 and subsequent years, any ~~person~~ corporation may credit against taxes otherwise due under this chapter an amount equal to 5% of the amount obtained by subtracting from the ~~person's corporation's~~ qualified research expenses, as defined in section 30 of the internal revenue code, except that "qualified research expenses" includes only expenses incurred by the claimant ~~or passed through to the claimant from a tax-option corporation, partnership, estate or trust,~~ incurred for research conducted in this state for the

taxable year the ~~person's corporation's~~ base period research expenses, as defined in section 30 of the internal revenue code, ~~except that for taxable year 1985 "base period" means the average for taxable years 1982 to 1984.~~

SECTION 1349. 71.09 (12r) (b) of the statutes is amended to read:

71.09 (12r) (b) *Adjustments.* Adjustments For taxable year 1985 and subsequent years, adjustments for acquisitions and dispositions of a major portion of a trade or business shall be made under section 44F ~~(f) (3)~~ 30 of the internal revenue code as limited by this subsection.

SECTION 1350. 71.09 (12r) (c) of the statutes is amended to read:

71.09 (12r) (c) *Credit for certain individuals.* ~~The~~ For taxable year 1985, the amount of credit allowable to an individual who owns an interest in an unincorporated trade or business, who is a partner in a partnership, who is a beneficiary of an estate or trust or who is a shareholder of a tax-option corporation shall be subject to the limitations of section 44F ~~(g) (1) (B) 30~~ 30 of the internal revenue code, except that "tax" means the Wisconsin income or franchise tax otherwise due under this chapter.

SECTION 1351. 71.09 (12r) (c) of the statutes, as affected by 1985 Wisconsin Act .... (this act), is repealed.

SECTION 1351m. 71.09 (12r) (g) of the statutes is amended to read:

71.09 (12r) (g) *Carry-over.* If the credit computed under par. (a) is not entirely offset against Wisconsin income or franchise taxes otherwise due, the unused balance may be carried forward and credited against Wisconsin income or franchise taxes otherwise due for the following ~~7~~ 15 taxable years to the extent not offset by these taxes otherwise due in all intervening years between the year in which the expense was incurred and the year in which the carry-forward credit is claimed.

SECTION 1353. 71.09 (12r) (L) of the statutes is amended to read:

71.09 (12r) (L) *Nonclaimants.* The credit under this subsection may not be claimed by a partnership or tax-option corporation ~~but may be claimed~~ or by partners or shareholders of a tax-option corporation ~~in proportion to their ownership interest.~~

SECTION 1354. 71.09 (12rf) (a) of the statutes is amended to read:

71.09 (12rf) (a) *Credit.* ~~Any~~ For taxable year 1985, any person may credit against taxes otherwise due under this chapter an amount equal to 5% of the amount paid or incurred by that person during the taxable year to construct and equip new facilities or expand existing facilities used in this state for qualified research, as defined in section 44F ~~30~~ 30 of the internal revenue code. Eligible amounts include only amounts paid or incurred for tangible, depreciable property but

do not include amounts paid or incurred for replacement property.

SECTION 1355. 71.09 (12rf) (a) of the statutes, as affected by 1985 Wisconsin Act ... (this act), is amended to read:

71.09 (12rf) (a) *Credit*. For taxable year ~~1985~~ 1986 and subsequent years, any ~~person~~ corporation may credit against taxes otherwise due under this chapter an amount equal to 5% of the amount paid or incurred by that ~~person~~ corporation during the taxable year to construct and equip new facilities or expand existing facilities used in this state for qualified research, as defined in section 30 of the internal revenue code. Eligible amounts include only amounts paid or incurred for tangible, depreciable property but do not include amounts paid or incurred for replacement property.

SECTION 1356. 71.09 (12t) of the statutes, as affected by 1985 Wisconsin Act ... (this act), is repealed.

SECTION 1357. 71.09 (12t) (a) of the statutes is amended to read:

71.09 (12t) (a) For taxable year ~~1984 and thereafter~~ 1985, any natural person may credit against income taxes otherwise due an amount equal to 30% of the federal earned income credit for which the person is eligible for the taxable year under section 43 ~~32~~ of the internal revenue code as amended to December 31, ~~1983~~ 1984.

SECTION 1358. 71.09 (12t) (b) of the statutes is amended to read:

71.09 (12t) (b) ~~Married~~ For taxable year 1985, ~~married~~ persons may divide the total amount of the credit under this subsection between them as they choose, if the aggregate claimed by a husband and wife does not exceed an amount equal to 30% of the federal earned income credit for which the couple is eligible for the taxable year under section 43 ~~32~~ of the internal revenue code as amended to December 31, ~~1983~~ 1984. The joint return requirement under section 43 ~~(d)~~ ~~32~~ of the internal revenue code does not apply to the credit under this subsection.

SECTION 1358g. 71.09 (13) (a) of the statutes is amended to read:

71.09 (13) (a) Whenever an audit of any claim filed under sub. (7), (7m), (11), ~~(12)~~ or (12m) indicates that an incorrect claim was filed, the department of revenue shall make a determination of the correct amount and notify the claimant of the determination and the reasons therefor. ~~Notice of the determination shall be given to the claimant under s. 71.11 (22) within 4 years of the last day prescribed by law for filing the claim. If the claim has been paid, or credited against income taxes otherwise payable, the credit shall be reduced or canceled, and the proper portion of any amount paid shall be similarly recovered by assessment as income taxes are assessed and the assessment shall bear interest at 12% per year from the due date of the claim. Any person feeling aggrieved by the~~

determination may, within 60 days after receipt, petition the department for redetermination. The department shall make a redetermination on the petition within 6 months after it is filed and notify the claimant under s. 71.11 (22). If no timely petition for redetermination is filed with the department, its determination shall be final and conclusive.

SECTION 1360m. 71.095 (1) of the statutes is amended to read:

71.095 (1) Every individual filing an income tax ~~statement~~ return who has a tax liability or is entitled to a tax refund may designate \$1 for the Wisconsin election campaign fund for the use of eligible candidates under s. 11.50. If the individuals filing a joint return have a tax liability or are entitled to a tax refund, each individual may make a designation of \$1 under this subsection.

SECTION 1361. 71.095 (2) of the statutes is amended to read:

71.095 (2) The secretary of revenue shall provide a place for ~~such those~~ designations on the face of the individual income tax return. Annually on August 15, the secretary of revenue shall certify to the elections board, the department of administration and the state treasurer under s. 11.50 the total amount of designations made ~~by taxpayers~~ during the preceding fiscal year. If any ~~taxpayer individual~~ attempts to place any condition or restriction upon a designation, ~~such taxpayer that individual is deemed to have refused any such not to have made a designation for on~~ his or her tax return.

~~SECTION 1361m. 71.097 (4) of the statutes is created to read:~~

~~71.097 (4) TERMINATION. This section does not apply to income tax returns filed for taxable year 1987 or any taxable year thereafter.~~

SECTION 1362. 71.10 (2) (a) 5. a of the statutes is amended to read:

71.10 (2) (a) 5. a. Every natural person domiciled in this state during the entire taxable year having gross income of ~~\$3,200~~ \$5,200 or more if under 65 years of age, or ~~\$4,200~~ \$5,700 or more if 65 years of age or over, and every married person who files jointly and is domiciled in this state during the entire taxable year having gross income during the year when the ~~combined~~ joint gross income of the married person and his or her spouse is ~~\$5,200~~ \$7,200 or more if both are under 65 years of age; ~~\$6,200~~ \$7,700 or more if one spouse is under 65 years of age and the other spouse is 65 years of age or over; or ~~\$7,200~~ \$8,200 or more if both are 65 years of age or over; and every married person who files separately and is domiciled in this state during the entire taxable year and has gross income of \$3,420 or more. The department of revenue shall annually adjust the dollar amounts of the filing requirements so as to reflect changes in the standard deduction under s. 71.02 (2) (kr).

Vetoed  
in Part

SECTION 1362m. 71.10 (5) (b) of the statutes is amended to read:

71.10 (5) (b) In the case of returns of natural persons and fiduciaries which require a statement of amounts or information contained or entered on a corresponding return under the internal revenue code, such returns shall be filed within the time fixed under said code for the filing of the corresponding federal return. Any extension of time granted by law or by the internal revenue service for the filing of such corresponding federal return shall extend the time for filing under this chapter provided a copy of any extension granted by the internal revenue service is filed with the return under this chapter or at such earlier date as the department by rule prescribes. Extensions for periods of 30 days may also be granted by the department in any case for cause satisfactory to it and if, in the case of a joint return, a request for an extension is signed by both spouses or authorized representatives. Taxes payable upon the filing of the return shall not become delinquent during the period of an extension but shall be subject to interest at the rate of 12% per year during such period.

SECTION 1362p. 71.10 (10) (f) of the statutes is amended to read:

71.10 (10) (f) Every claim for refund or credit of income or surtaxes shall be filed with the department of revenue and signed by the person or, in the case of joint returns, by both persons who filed the return on which the claim is based and shall set forth specifically and explain in detail the reasons for and the basis of the claim. After the claim has been filed it shall be considered and acted upon in the same manner as are additional assessments made under s. 71.11 (16) and (20). No marital property agreement under s. 766.58 affects claims for refund or credit under this subsection.

SECTION 1362r. 71.10 (10) (gm) of the statutes is created to read:

71.10 (10) (gm) A refund payable on the basis of a separate return shall be issued to the person who filed the return. A refund payable on the basis of a joint return shall be issued jointly to the persons who filed the return.

SECTION 1362s. 71.10 (19) of the statutes is repealed and recreated to read:

71.10 (19) (a) Except as provided in pars. (b) to (d), a husband and a wife may file a joint return for income tax purposes even though one of the spouses has no gross income or no deductions.

(b) No joint return may be filed if either the husband or wife at any time during the taxable year is a nonresident alien, unless an election is in effect for the taxable year under section 6013 (g) or (h) of the internal revenue code.

(c) No joint return may be filed if the husband and wife have different taxable years, except that if their taxable years begin on the same day and end on different days because of the death of either or both the

joint return may be filed with respect to the taxable year of each unless the surviving spouse remarries before the close of his or her taxable year or unless the taxable year of either spouse is a fractional part of a year under section 443 (a) (1) of the internal revenue code.

(d) For the taxable year in which the death of one spouse or both spouses occurs:

1. A joint return may be filed and shall be signed by both the decedent's personal representative and the surviving spouse, if any, if a personal representative is appointed before the last day prescribed by law, including extensions, for filing the return of the surviving spouse.

2. A joint return may be filed by the surviving spouse with respect to both that spouse and the decedent if no return for the taxable year has been filed by the decedent and no personal representative is appointed at the time the joint return is filed or before the last day prescribed by law, including extensions, for filing the return of the surviving spouse.

3. If a personal representative of the decedent is appointed after the filing of the joint return by the surviving spouse, the personal representative may disaffirm the joint return by filing, within one year after the last day prescribed by law for filing the return of the surviving spouse, a separate return for the taxable year of the decedent with respect to which the joint return was filed. If the joint return is disaffirmed, the return filed by the survivor is the survivor's separate return and the tax on the return shall be determined by excluding all items properly includable in the return of the decedent spouse.

SECTION 1362sm. 71.10 (20) of the statutes is created to read:

71.10 (20) (a) Except as provided in par. (c), if an individual has filed a separate return for a taxable year for which a joint return could have been filed by the individual and the individual's spouse under sub. (19) and the time prescribed by law for timely filing the return for that taxable year has expired, the individual and the individual's spouse may file a joint return for that taxable year. A joint return filed by the husband and wife under this subsection is their return for that taxable year, and all payments, credits, refunds or other repayments made or allowed with respect to the separate return of each spouse for that taxable year shall be taken into account in determining the extent to which the tax based upon the joint return has been paid. If a joint return is filed under this subsection, any election, other than the election to file a separate return, made by either spouse in that spouse's separate return for that taxable year with respect to the treatment of any income, deduction or credit of that spouse may not be changed in the filing of the joint return if that election would have been irrevocable if the joint return had not been filed.

(b) In the taxable year in which the death of one or both spouses occurs, a joint return may be filed by the

decendent's personal representative and the surviving spouse, if any, under this subsection if one or both spouses filed a separate return for a taxable year for which a joint return could have been filed. If any condition under par. (c) occurs before a personal representative is appointed, a joint return may not be filed under this subsection.

(c) The election under par. (a) or (b) may not be made:

1. Unless the amount shown as tax upon that joint return is paid in full at or before the time the joint return is filed.

2. After 4 or more years from the last date prescribed by law for filing the return for that taxable year has elapsed, determined without regard to any extension of time granted to either spouse.

3. After there has been mailed to either spouse, with respect to that taxable year, a notice of adjustment under s. 71.11 and the spouse, as to that notice, files a petition for redetermination under s. 71.12.

4. After either spouse has commenced a suit in any court for the recovery of any part of the tax for that taxable year.

5. After either spouse has entered into a closing agreement with respect to that taxable year or if any civil or criminal case arising against either spouse with respect to that taxable year has been compromised.

(d) For purposes of sub. (9) and s. 71.11, a joint return is deemed to have been filed under this subsection:

1. If both spouses filed separate returns before filing the joint return, on the date when the last separate return was filed, but not earlier than the last date prescribed by law for filing the return of either spouse.

2. If only one spouse filed a separate return before filing the joint return and the other spouse had less than \$3,420 of gross income for that taxable year, on the date of the filing of that separate return, but not earlier than the last date prescribed by law for the filing of that separate return.

3. If only one spouse filed a separate return before filing the joint return and the other spouse had \$3,420 or more of gross income for that taxable year, on the date the joint return was filed.

(e) For purposes of sub. (10), a joint return filed under this subsection is deemed to be filed on the last date prescribed by law for filing the return for that taxable year, determined without regard to any extension of time granted to either spouse.

(f) If a joint return is filed under this subsection, the periods of limitations under ss. 71.11 and 71.13 on the making of assessments and the beginning of levy or of a proceeding in court for collection shall, with respect to the return, be extended to the extent necessary to include one year immediately after the date of the filing of the joint return, computed without regard to par. (d).

(g) If the amount shown as the tax by the husband and wife on a joint return filed under this subsection exceeds the sum of the amounts shown as the tax upon the separate return of each spouse and if any part of that excess is attributable to negligence or intentional disregard of this chapter, but without intent to defraud, at the time of the filing of that separate return, then 25% of the total amount of that excess shall be added to the tax. If the amount shown as the tax by the husband and wife on a joint return filed under this subsection exceeds the sum of the amounts shown as the tax on the separate return of each spouse and if any part of that excess is attributable to fraud with intent to evade tax at the time of the filing of that separate return, then 50% of the total amount of that excess shall be added to the tax.

SECTION 1362t. 71.10 (21) of the statutes is created to read:

71.10 (21) (a) Except as provided in pars. (c) and (e), for a taxable year for which a joint return has been filed, separate returns may be filed by the spouses on or before the last date prescribed by law for timely filing the return of either has elapsed.

(b) If a husband and wife change from a joint return to separate returns within the time prescribed in par. (a), the tax paid on the joint return shall be allocated between them in proportion to the tax liability shown on each separate return.

(c) In the taxable year in which the death of one or both spouses occurs, a separate return may be filed under this subsection within the time prescribed in par. (a), or as provided for a personal representative under sub. (19) if a joint return has been filed under sub. (19) by the surviving spouse or by the decedent's personal representative and the surviving spouse. If a separate return is filed by the surviving spouse or by the decedent's personal representative under this subsection, the joint return previously filed shall be the separate return of the surviving spouse or the decedent for whom the separate return was not filed, unless both the surviving spouse and the decedent's personal representative file a separate return under this subsection. The tax on the separate return of the surviving spouse shall be determined by excluding all items properly includable in the separate return of the decedent, and the tax on the separate return of the decedent shall be determined by excluding all items properly includable in the return of the surviving spouse.

(d) The time allowed the personal representative to disaffirm the joint return by the filing of a separate return does not establish a new due date for the return of the deceased spouse, and sub. (9) and s. 71.13 apply to that return.

(e) A separate return may not be filed unless the amount shown upon that separate return is paid in full on or before the date when the separate return is filed.

SECTION 1362v. 71.10 (22) of the statutes is created to read:

71.10 (22) The election under sub. (19) may be made by a spouse if the requirements of section 6013 (f) of the internal revenue code are met.

SECTION 1362w. 71.11 (2) of the statutes is amended to read:

71.11 (2) JOINT RETURNS. Persons filing a joint return are jointly and severally liable for the tax, interest, penalties, fees, additions to tax and additional assessments under this section chapter applicable to the return. A person ~~may~~ shall be relieved of liability in regard to a joint return in the manner specified in section 6013 (e) of the internal revenue code, notwithstanding the amount or percentage of the understatement.

SECTION 1362x. 71.11 (2m) of the statutes is created to read:

71.11 (2m) SEPARATE RETURNS OF MARRIED PERSONS. A spouse filing a separate return may be relieved of liability for the tax, interest, penalties, fees, additions to tax and additional assessments under this chapter with regard to unreported marital property income in the manner specified in section 66 (c) of the internal revenue code. The department may not apply ch. 766 in assessing a taxpayer with respect to marital property income the taxpayer did not report if that taxpayer failed to notify the taxpayer's spouse about the amount and nature of the income before the due date, including extensions, for filing the return for the taxable year in which the income was derived. The department shall include all of that marital property income in the gross income of the taxpayer and exclude all of that marital property income from the gross income of the taxpayer's spouse.

SECTION 1362xm. 71.11 (6) (b) of the statutes is amended to read:

71.11 (6) (b) With respect to the calendar year 1969 or corresponding fiscal year and subsequent calendar or fiscal years to 1984, any person failing to make an income or franchise tax report or making an incorrect report with intent, in either case, to defeat or evade the income or franchise tax assessment required by law, shall have added to the tax an amount equal to 50% of the tax on the entire underpayment. With respect to calendar year 1985 or corresponding fiscal year and subsequent calendar or fiscal years, any person making an incorrect, or failing to make a, report, including a separate return filed by a spouse with respect to a taxable year for which a joint return is filed under s. 71.10 (20) after the filing of that separate return, and including a joint return filed by the spouses with respect to a taxable year for which a separate return is filed under s. 71.10 (21) after the filing of that joint return, with intent, in either case, to defeat or evade the income or franchise tax assessment required by law, shall have added to the tax an amount equal to 100% of the tax on the entire underpayment. No amount paid under this paragraph may be deducted from gross income and assessments hereunder may be made with respect to decedents. Amounts added to

the tax under this paragraph shall be treated as additional taxes for all purposes of assessment and collection.

SECTION 1362y. 71.11 (21) (g) 1 of the statutes is amended to read:

71.11 (21) (g) 1. If notice of assessment is given within 6 years after a return was filed, and if the taxpayer reported for taxation on his or her return, or the taxpayers jointly reported, less than 75% of the net income properly assessable, except that no assessment of additional income may be made under this paragraph for any year beyond the period specified in par. (bm) unless the aggregate of the taxes on the additional income of such year is in excess of \$100 in the case of an individual or a separate return or \$200 in the case of a joint return.

SECTION 1362z. 71.11 (22) of the statutes is amended to read:

71.11 (22) NOTICE OF ADDITIONAL ASSESSMENT. No additional assessment by office audit or field investigation shall be placed upon the assessment roll without notice in writing to the taxpayer. That notice shall be served as are circuit court summonses, or by registered mail, or by regular mail if the person assessed admits receipt or there is satisfactory evidence of receipt. In the case of joint returns, notice of additional assessment may be a joint notice and service on one spouse is proper notice to both spouses. If the spouses have different addresses at the time the notice of additional assessment is served and if either spouse notifies the department of revenue in writing of those addresses, the department shall serve a duplicate of the original notice on the spouse who has the address other than the address to which the original notice was sent, if no request for a redetermination or a petition for review has been commenced or finalized. For the spouse who did not receive the original notice, redetermination and appeal rights begin upon the service of a duplicate notice.

SECTION 1362zm. 71.11 (40) of the statutes is amended to read:

71.11 (40) PENALTIES. If any person required under this chapter to file an income or franchise tax return fails to file a return within the time prescribed by law, or as extended under s. 71.10 (5), the department shall add to the tax of the person \$10 in the case of corporations and in the case of persons other than corporations \$2 when the total normal income tax of the person is less than \$10, \$3 when the tax is \$10 or more but less than \$20, \$5 when the tax is \$20 or more, except that \$20 shall be added to the tax if the return is 60 or more days late. If no tax is assessed against any such person the amount of this fee shall be collected as income taxes are collected, and no person shall be allowed in any action or proceeding to contest the imposition of such fee.

SECTION 1363. 71.11 (41) of the statutes is amended to read:



71.11 (41) SAME; FAILURE TO FILE RETURN OR REPORT; FALSE RETURNS; FRAUD; MISDEMEANOR. If any person, including an officer of a corporation required by law to make, render, sign or verify any return, wilfully fails or refuses to make a return at the time required in s. 71.10 (1), (2) and (3), or wilfully fails or refuses to make deposits or payments as required by s. 71.20 (4) or wilfully renders a false or fraudulent statement required by s. 71.10 (8), (8m) or (8n) or deposit report or withholding report required by s. 71.20 (4), such person shall be guilty of a misdemeanor and may be fined not more than ~~\$500~~ \$10,000 or imprisoned not to exceed 6 ~~9~~ months or both, together with the cost of prosecution.

SECTION 1363m. 71.11 (42) of the statutes is amended to read:

71.11 (42) SAME; FALSE INCOME TAX RETURN; FRAUD; FELONY. Any person, other than a corporation, who renders a false or fraudulent income tax return with intent to defeat or evade any assessment required by this chapter shall be guilty of a felony and may be fined not to exceed \$10,000 or ~~be~~ imprisoned not to exceed 5 years or both, together with the cost of prosecution. In this subsection, "return" includes a separate return filed by a spouse with respect to a taxable year for which a joint return is filed under s. 71.10 (20) after the filing of that separate return, and a joint return filed by the spouses with respect to a taxable year for which a separate return is filed under s. 71.10 (21) after the filing of that joint return.

SECTION 1364. 71.11 (42m) of the statutes is created to read:

71.11 (42m) PENALTIES FOR CERTAIN FALSE DOCUMENTS. Any person who wilfully makes and subscribes any return, claim, statement or other document required by this chapter that that person does not believe to be true and correct as to every material matter or who wilfully aids in, procures, counsels or advises the preparation of any return, claim, statement or other document that is false or fraudulent as to any material matter related to, or required by, this chapter may be fined not more than \$10,000 or imprisoned not more than 9 months or both, together with the cost of prosecution.

SECTION 1365. 71.11 (44) (a) of the statutes is amended to read:

71.11 (44) (a) Except as provided in par. (c), no person may divulge or circulate or offer to obtain, divulge or circulate any information derived from an income, franchise, withholding, fiduciary, partnership or gift tax return or tax credit claim, including information which may be furnished by the department of revenue as provided in this subsection. This paragraph does not prohibit publication by any newspaper of information lawfully derived from such returns or claims for purposes of argument or prohibit any public speaker from referring to such information in any address. This paragraph does not prohibit the department of revenue from publishing statistics classified so

as not to disclose the identity of particular returns, or claims or reports and the items thereof. This paragraph does not prohibit employes or agents of the department of revenue from offering or submitting any return, including joint returns and combined individual income tax returns, claim, schedule, exhibit, writing or audit report or a copy of, and any information derived from, any of those documents as evidence into the record of any contested matter involving the department in proceedings or litigation on state tax matters if that evidence has reasonable probative value.

SECTION 1366. 71.11 (44) (b) of the statutes is amended to read:

71.11 (44) (b) The department shall make available upon suitable forms prepared by the department information setting forth the net Wisconsin income tax, Wisconsin franchise tax or Wisconsin gift tax reported as paid or payable in the returns filed by any individual or corporation for any individual year upon request. Before the request is granted, the person desiring to obtain the information shall prove his or her identity and shall be required to sign a statement setting forth the person's address and reason for making the request and indicating that the person understands the provisions of this subsection with respect to the divulgement, publication or dissemination of information obtained from returns as provided in par. (a). The use of a fictitious name is a violation of this subsection. Within 24 hours after any information from any such tax return has been so obtained, the department shall mail to the person from whose return the information has been obtained a notification which shall give the name and address of the person obtaining the information and the reason assigned for requesting the information. The department shall collect from the person requesting the information a fee of ~~\$1~~ \$4 for each return.

SECTION 1366m. 71.11 (44) (c) 11 of the statutes is created to read:

71.11 (44) (c) 11. The spouse or former spouse of the person who filed the return or claim if the spouse or former spouse may be liable, or the property of the spouse or former spouse is subject to collection, for the delinquency.

SECTION 1366p. 71.11 (47) of the statutes is amended to read:

71.11 (47) INCOMPLETE OR INCORRECT RETURN, ASSESSMENT. If any person required under this chapter to file an income or franchise tax return, files an incomplete or incorrect return, unless it is shown that such filing was due to good cause and not due to neglect, there shall be added to such person's tax for the income year 25% of the amount otherwise payable on any income subsequently discovered or reported. The amount so added shall be assessed, levied and collected in the same manner as additional normal income or franchise taxes, and shall be in addition to any other penalties imposed by this chapter. In this

subsection, "return" includes a separate return filed by a spouse with respect to a taxable year for which a joint return is filed under s. 71.10 (20) after the filing of that separate return, and a joint return filed by the spouses with respect to a taxable year for which a separate return is filed under s. 71.10 (21) after the filing of that joint return.

SECTION 1366r. 71.12 (1) of the statutes is amended to read:

71.12 (1) (a) Except for refunds set off under s. 71.105 in respect to which appeal is to the agency to which the debt is owed and except for refunds set off under s. 46.255 in respect to which a hearing is held before the circuit court, any person feeling aggrieved by a notice of additional assessment, refund, or notice of denial of refund may, within 60 days after receipt of the notice, petition the department of revenue for redetermination. A petition or an appeal by one spouse is a petition or an appeal by both spouses. The department shall make a redetermination on the petition within 6 months after it is filed.

(b) The department shall notify any person who files a petition for redetermination that the person may deposit the amount of an additional assessment, including any interest or penalty, with the department when the petition is filed or at any time before the department makes its redetermination. The department shall notify spouses jointly except that, if the spouses have different addresses and if either spouse notifies the department in writing of those addresses, the department shall serve a duplicate of the original notice on the spouse who has the address other than the address to which the original notice was sent. Amounts deposited under this paragraph shall be subject to the interest provided by s. 71.09 (5) only to the extent of the interest accrued prior to the first day of the month succeeding the date of deposit. Any deposited amount which is refunded shall bear interest at the rate of 9% per year during the time the funds were on deposit. A person may also pay any portion of an assessment which is admitted to be correct and the payment shall be considered an admission of the validity of that portion of the assessment and may not be recovered in an appeal or in any other action or proceeding.

(c) ~~The~~ A person, ~~if feeling aggrieved by the department's redetermination,~~ may appeal to the tax appeals commission by filing a petition with the clerk of the commission as provided by law and the rules of practice promulgated by the commission. If a petition is not filed with the commission within the time provided in s. 73.01 or, except as provided in s. 71.10 (10) (e), if no petition for redetermination is made within the time provided the assessment, refund, or denial of refund shall be final and conclusive.

SECTION 1366t. 71.13 (1) (c) and (d) of the statutes are created to read:

71.13 (1) (c) Any tax obligation, including interest, penalties and costs thereon, to the department of reve-

nue is incurred on the date of the department's initial assessment or notice of the amount due of that tax.

(d) All tax obligations to this state, including interest, penalties and costs thereon, incurred during marriage by a spouse after December 31, 1985, or after the establishment of a marital domicile in this state, whichever is later, are incurred in the interest of the marriage or family and may be satisfied only under ss. 766.55 (2) (b) and 859.18. However, if one spouse is relieved of liability under s. 71.11 (2) or (2m), the tax obligation to this state of the other spouse may be satisfied only under s. 766.55 (2) (d).

SECTION 1371. 71.13 (3) (d) of the statutes is amended to read:

71.13 (3) (d) ~~If~~ Upon docketing of a warrant be returned not satisfied in full, the department of revenue shall have the same remedies to enforce the claim for taxes, penalties, interest, and costs as upon a judgment against the taxpayer ~~for the amount of same.~~

SECTION 1371m. 71.133 of the statutes is created to read:

**71.133 Levy upon property for taxes.** (1) DEFINITIONS. In this section:

(a) "Department" means the department of revenue.

(b) "Levy" means all powers of distraint and seizure.

(c) "Property" includes real and personal property and tangible and intangible property and rights to property but is limited to property and rights to property existing at the time of levy.

(d) "Taxes" means the principal amount, interest, penalties and costs.

(2) POWERS OF LEVY AND DISTRAINT. If any person who is liable for any tax administered by the department neglects or refuses to pay that tax within 10 days after that tax becomes delinquent, the department may collect that tax and the expenses of the levy by levy upon, and sale of, any property belonging to that person or any property on which there is a lien as provided by s. 71.13 (2m) in respect to that delinquent tax. Whenever any property that has been levied upon under this section is not sufficient to satisfy the claim of the department, the department may levy upon any other property liable to levy of the person against whom that claim exists until the taxes and expenses of the levy are fully paid. A levy on commissions, wages or salaries is continuous until the liability out of which it arose is satisfied.

(3) DUTY TO SURRENDER. (a) Except as provided in par. (b), any person in possession of, or obligated with respect to, property subject to levy upon which a levy has been made shall, upon demand of the department, surrender that property unless it is subject to attachment or execution under judicial process, or discharge that obligation, to the department.

(b) Levying upon a life insurance or endowment contract issued by a 3rd person, without necessity for the surrender of the contract document, is a demand

by the department for payment of the amount under par. (c) and for the exercise of the right of the person against whom the tax is assessed to an advance of that amount. The person who issued the contract shall pay over that amount within 90 days after the service of the notice of the levy. That notice shall include a certification by the department that a copy of that notice has been mailed to the person against whom the tax is assessed at that person's last-known address.

(c) The levy under par. (b) is satisfied if the person who issued the contract pays to the department the amount that the person against whom the tax is assessed could have had advanced by the person who issued the contract on the date under par. (b) for the satisfaction of the levy, increased by the amount of any advance, including contractual interest, made to the person against whom the tax is assessed on or after the date the person who issued the contract had actual notice or knowledge of the existence of the lien with respect to which that levy is made, other than an advance, including contractual interest on it, made automatically to maintain the contract in force under an agreement entered into before the person who issued the contract had notice or knowledge of that lien. Any person who issued a contract and who satisfies a levy under this paragraph is discharged from all liability to any beneficiary because of that satisfaction.

(4) FAILURE TO SURRENDER; DISCHARGE. (a) Any person, including an officer or employe, who fails to surrender property that is subject to levy upon demand of the department is liable to the department for a sum equal to the value of the property not surrendered, but not exceeding the amount of taxes for the collection of which that levy was made, together with costs and interest at the rate of 18% per year from the date of that levy. Any amount, other than costs, recovered under this subsection shall be credited against the tax liability for the collection of which that levy was made. The liability under this paragraph shall be assessed, levied and collected as are additional income or franchise taxes.

(b) In addition to the liability imposed under par. (a), if any person required to surrender property fails or refuses to surrender that property without reasonable cause, that person is liable for a penalty equal to 50% of the amount recoverable under par. (a). No part of the penalty under this paragraph may be credited against the tax liability for the collection of which that levy was made. The penalty under this paragraph shall be assessed, levied and collected as are additional income or franchise taxes.

(c) Any person in possession of, or obligated with respect to, property upon which a levy has been made who, upon demand by the department, surrenders that property, or discharges that obligation, to the department or who pays a liability under par. (a) is discharged from any liability to the delinquent taxpayer or, in the case of payments under sub. (3) (b), to

a beneficiary, with respect to that property arising from that surrender or payment.

(5) ACTIONS AGAINST THIS STATE. (a) If the department has levied upon or sold property, any person, other than the person who is assessed the tax out of which the levy arose, who claims an interest in or lien on that property and claims that that property was wrongfully levied upon may bring a civil action against the state in the circuit court of Dane county. That action may be brought whether or not that property has been surrendered to or sold by the department. The court may grant only the relief under par. (b). (b) No other action to question the validity of or restrain or enjoin a levy by the department may be maintained.

(b) In actions under par. (a), if a levy or sale would irreparably injure rights to property, the court may enjoin the enforcement of that levy or prohibit that sale. If the court determines that the property has been wrongfully levied upon, it may order the return of specific property that the department possesses or grant a judgment for the amount of money obtained by levy. If the property was sold, the court may grant a judgment for an amount not exceeding the amount received by the department from the sale. If the property was purchased by the state at a sale under sub. (6), the state shall be treated as having received an amount equal to the minimum price determined under that subsection or the amount received by the state from the resale of that property, whichever is larger.

(c) For purposes of an adjudication under this subsection, the assessment of the tax upon which the interest or lien of the department is based is conclusively presumed to be valid. Interest shall be allowed for judgments under this subsection at the rate of 12% per year from the date the department receives the money wrongfully levied upon to the date of payment of the judgment or from the date of sale to the date of payment.

(6) NOTICE AND SALE. (a) As soon as practicable after obtaining property, the department shall notify, in writing, the owner of any real property, and the possessor of any personal property, obtained by the department under this section. That notice may be left at the person's usual place of residence or business. If the owner cannot be located or has no dwelling or place of business in this state, the department may mail a notice to the owner's last-known address. That notice shall specify the sum demanded and shall contain, in the case of personal property, an account of the property obtained and, in the case of real property, a description with reasonable certainty of the property seized.

(b) As soon as practicable after obtaining property, the department shall notify the owner in the manner prescribed under par. (a) and shall cause a notice of the sale to be published in a newspaper published or generally circulated within the county where the property was obtained. If there is no newspaper published

or generally circulated in that county, the department shall post that notice at the city, town or village hall nearest the place where the property was obtained and in at least 2 other public places. That notice shall specify the property to be sold and the time, place, manner and conditions of the sale.

(c) If any property liable to levy is not divisible so as to enable the department, by sale of a part, to raise the whole amount of the tax and expenses, the whole of the property shall be sold.

(d) The sale shall occur not less than 10 days and not more than 40 days after the notice under par. (b). The department may interrupt the sale, but not for a period longer than 90 days. The sale shall be in the county in which the property is levied upon or in Dane county.

(e) Before the sale, the department shall determine a minimum price for which the property shall be sold. If no person offers for that property at the sale at least the amount of the minimum price, the state shall purchase the property for the minimum price; otherwise, the property shall be sold to the highest bidder. In determining the minimum price, the department shall take into account the expense of making the levy and sale in addition to the value of the property. If payment in full is required at the time of acceptance of a bid and is not paid then, the department shall sell the property in the manner provided under this subsection. If the conditions of the sale permit part of the payment to be deferred and if that part is not paid within the prescribed period, the department may sue the purchaser in the circuit court of Dane county for the unpaid part of the purchase price and interest at the rate of 12% per year from the date of the sale or the department may declare the sale void and may sell the property again under this subsection. If the property is sold again, the 2nd purchaser shall receive it free of any claim of the defaulting purchaser and the amount paid upon the bid price by the defaulting purchaser is forfeited.

(f) No property of any person is exempt from levy and sale under this section.

(7) REDEMPTION. (a) Any person whose property has been levied upon may pay the amount due and the expenses of the proceeding to the department at any time before the sale. Upon that payment, the department shall restore the property to that person and stop all proceedings related to the levy.

(b) The owners of any real property sold under sub. (6), their heirs, executors or administrators or any person having an interest in or a lien on that property or any person in behalf of a person specified in this paragraph may redeem the property sold or any part of that property within 120 days after the sale by payment to the purchaser or, if the purchaser cannot be found in the county in which the property to be redeemed is situated, then to the department, for the use of the purchaser or the purchaser's heirs or

assigns, the amount paid by the purchaser and interest at the rate of 18% per year.

(8) CERTIFICATE OF SALE. (a) The department shall give the purchaser under sub. (6) a certificate of sale upon payment in full of the purchase price. In the case of real property, that certificate shall specify the property purchased, the name of the purchaser and the price.

(b) In the case of any real property sold under sub. (6) and not redeemed under sub. (7), the department shall execute to the purchaser, upon surrender of the certificate of sale, a deed reciting the facts set forth in the certificate.

(c) If real property is purchased by the state under sub. (6), the department shall execute and record a deed.

(d) The certificate of sale for personal property sold under sub. (6) is prima facie evidence of the right of the department to make the sale and conclusive evidence of the regularity of the proceedings of the sale. That certificate transfers to the purchaser all right, title and interest of the delinquent party to the property sold. If that property is stocks, that certificate is notice, when received, to any person of that transfer and authority to record the transfer on books and records as if the stocks were transferred or assigned by the party holding them, and all prior certificates are void. If the subject of sale is securities or other evidence of debt, the certificate is valid against any person possessing or claiming to possess the securities or other evidence of debt. If the property is a motor vehicle, the certificate is notice, when received, to the department of transportation as if the certificate of title were transferred or assigned by the party holding that certificate of title, and any prior certificate is void.

(e) The deed of sale of real property is prima facie evidence of the facts stated in it and conveys all of the right, title and interest the delinquent party had to the property.

(f) A certificate of sale of personal property given or a deed to real property executed under this subsection discharges that property from all liens, encumbrances and titles subordinate to the department's lien.

(9) DETERMINATION OF EXPENSES. The department shall determine the expenses to be allowed in all cases of levy and sale.

(10) DEPARTMENTAL RECORDS. The department shall keep a record of all sales of real property under sub. (6) and of all redemptions of that property. The record shall set forth the tax for which any sale was made, the dates of levy and sale, the name of the party assessed and all proceedings related to the sale, the amount of expenses, the names of the purchasers and the date of the deed.

(11) USE OF PROCEEDS. (a) The department shall apply all money realized under this section first against the expenses of the proceedings and then against the liability in respect to which the levy was

made or the sale was conducted and any other liability owed to the department by the delinquent person.

(b) The department may refund or credit any amount left after the applications under par. (a), upon claim for and satisfactory proof of, to the person entitled to that amount.

(12) **RELEASE OF LEVY.** The department may release the levy upon all or part of property levied upon to facilitate the collection of the liability, but that release does not prevent any later levy.

(13) **WRONGFUL LEVY.** (a) If the department determines that property has been wrongfully levied upon, the department may return the property, an amount of money equal to the amount of money levied upon or an amount of money equal to the amount of money received by the state from the sale of that property.

(b) The department may return property at any time. The department may return an amount of money equal to the amount of money levied upon or received from sale within 9 months after the levy.

(c) For purposes of this subsection, if property is purchased by the state under sub. (6) the state shall be treated as having received an amount of money equal to the minimum price determined under that subsection or, if less, the amount of money received by the state from the resale of that property.

(14) **PRESERVATION OF REMEDIES.** The availability of the remedy under this section does not abridge the right of the department to pursue other remedies.

(15) **EVASION.** Any person who removes, deposits or conceals or aids in removing, depositing or concealing any property upon which a levy is authorized with intent to evade or defeat the assessment or collection of any tax administered by the department may be fined not more than \$5,000 or imprisoned not more than 3 years or both, together with the costs of prosecution.

**SECTION 1372.** 71.135 (1) of the statutes is renumbered 71.135 (1m) and amended to read:

71.135 (1m) The department may give notice to any employer deriving income having a taxable situs in this state (regardless of whether any such income is exempt from taxation) to the effect that an employe of such employer is delinquent in a certain amount with respect to state taxes, including penalties, interest and costs. Such notice may be served by certified mail, or by delivery by an employe of the department of revenue. Upon receipt of such notice of delinquency, the employer shall withhold from compensation due or to become due to the employe, the total amount shown by the notice. The department may arrange between the employer and the employe for a withholding of an amount not less than 10% of the total amount due the employe each pay period, until the total amount as shown by the notice, plus interest, has been withheld. The employer shall not withhold more than 25% of the compensation due any employe for any one pay period, except that, if the employe leaves the employ of the employer or gives notice of his or her intention

to do so, or is discharged for any reason, the employer shall withhold the entire amount otherwise payable to such employe, or so much thereof as may be necessary to equal the unwithheld balance of the amount shown in the notice of delinquency, plus delinquent interest. In crediting amounts withheld against delinquent taxes of an employe, the department shall apply amounts withheld in the following order: costs, penalties, delinquent interest, delinquent tax. The "compensation due" any employe for purposes of determining the 25% maximum withholding for any one pay period shall include all wages, salaries and fees constituting gross income under s. 71.03 (1) (a), including wages, salaries, income advances or other consideration paid for future services, when paid to an employe, less amounts payable pursuant to a garnishment action with respect to which the employer was served prior to being served with the notice of delinquency and any amounts covered by any irrevocable and previously effective assignment of wages, of which amounts and the facts relating to such assignment the employer shall give notice to the department within 10 days after service of the notice of delinquency.

**SECTION 1373.** 71.135 (1g) of the statutes is created to read:

71.135 (1g) In this section, "employe" includes any subcontractor.

**SECTION 1374.** 71.19 (1) of the statutes is renumbered 71.19 (5).

**SECTION 1375.** 71.19 (2) of the statutes is renumbered 71.19 (4).

**SECTION 1376.** 71.19 (3) of the statutes is renumbered 71.19 (2).

**SECTION 1377.** 71.19 (4) of the statutes is renumbered 71.19 (3).

**SECTION 1378.** 71.19 (5) of the statutes is renumbered 71.19 (1).

**SECTION 1379.** 71.20 (2m) of the statutes is amended to read:

71.20 (2m) The department shall from time to time adjust the withholding tables to reflect any changes in income tax rates, any applicable surtax or any changes in dollar amounts in s. 71.09 (1b), ~~(1c) or (1d)~~ (1e) or (1f) resulting from statutory changes. On January 1, 1987, and on each January 1 thereafter the department shall adjust the tables to reflect changes under s. 71.09 (2). No adjustment of the withholding tables is required unless the adjustment under s. 71.09 (2) is 4% or more. The tables shall be extended to cover from zero to 10 withholding exemptions, shall assume that the payment of wages in each pay period will, when multiplied by the number of pay periods in a year, reasonably reflect the annual wage of the employe from the employer and shall be based on the further assumption that the annual wage will be reduced for allowable deductions from gross income. The department may determine the length of the tables and a reasonable span for each bracket. In preparing the tables the department shall adjust all withholding amounts

not an exact multiple of 10 cents to the next highest figure that is a multiple of 10 cents. The department shall also provide instructions with the tables for withholding with respect to quarterly, semiannual and annual pay periods.

SECTION 1380. 71.20 (21) of the statutes is amended to read:

71.20 (21) "Person", as used in subs. (5) and (6), includes an officer or employe of a corporation or other responsible person or a member or employe of a partnership or other responsible person who, as such officer, employe or member or other responsible person, is under a duty to perform the act in respect of to which the violation occurs.

SECTION 1380c. 71.21 (2) (intro.) and (3) of the statutes are amended to read:

71.21 (2) (intro.) Declarations of estimated income tax required by sub. (1) from individuals other than farmers or fishers shall be filed on or before the ~~fifteenth~~ 15th day of the ~~fourth~~ 4th month of the income taxable year with the department at its offices in Madison, except that if the requirements of sub. (1) are first met:

(3) Declarations of estimated income tax required by sub. (1) from farmers or fishers may be filed at any time on or before the ~~fifteenth~~ 15th day of the first month of the succeeding income taxable year. For purposes of this section, farmers or fishers are individuals whose estimated gross income from farming or fishing for the income taxable year is at least two-thirds of the total estimated gross income from all sources for the income taxable year or individuals whose gross income from farming or fishing for the preceding taxable year was at least two-thirds of the total gross income from all sources shown on that return. If a person files a joint return, the income of both that person and that person's spouse shall be considered in determining whether the person is a farmer or fisher for purposes of this subsection.

SECTION 1380e. 71.21 (8) of the statutes is amended to read:

71.21 (8) If on or before the first day of the 3rd month of the succeeding taxable year a farmer or a fisher files his a return for the taxable year (for which a declaration was required on or before the 15th day of the first month of the succeeding taxable year under sub. (3)) , and pays in full the amount computed on the return as payable, then such return shall be considered as such declaration, and, as such, shall be deemed timely filed.

SECTION 1380g. 71.21 (14) (a) and (b) of the statutes are amended to read:

71.21 (14) (a) The tax shown on the return of the individual for the preceding taxable year, if a return showing a liability for tax was filed by the individual for the preceding taxable year and such preceding year was a taxable year of 12 months. ~~This paragraph shall not be considered in connection with an underpayment of estimated tax in the taxable year 1972 of the~~

~~individual~~ If a husband and wife who filed separate returns for the preceding taxable year file a joint return, the tax shown on the return for the preceding year is the sum of the taxes shown on the separate returns of the husband and wife. If a husband and wife who filed a joint return for the preceding taxable year file separate returns, the tax shown on the return for the preceding year is the husband's or wife's proportion of that tax based on their respective tax liabilities for that year had they filed separately.

(b) An amount equal to the tax computed at the rates applicable to the taxable year and on the basis of the taxpayer's status with respect to personal exemptions for the taxable year but otherwise on the basis of the facts shown on the return of the individual for, and the law applicable to, the preceding taxable year. In determining the applicability of the exception under this paragraph, married persons shall follow the procedures under, and the regulations interpreting, section 6654 of the internal revenue code as that section existed before it was affected by P.L. 98-369.

SECTION 1380i. 71.21 (20) of the statutes is amended to read:

71.21 (20) Married couples persons may file a joint declaration of estimated tax unless either spouse is a nonresident alien or the spouses have different taxable years. If they do file a joint declaration of estimated tax, the provisions under this section applicable to individuals are applicable to the couple married persons jointly. If a married couple files married person files a separate returns return for a taxable year for which they have filed a joint declaration of estimated tax, they may allocate was previously filed, the payments under the joint declaration of estimated tax may be allocated between themselves as they choose, but if they do not agree on an allocation the department of revenue shall allocate the payments to each spouse on the basis of the ratio of taxes shown on their separate returns or pursuant to default assessment under s. 71.11 (4) and (5). If either spouse files a separate declaration of estimated tax, no part of the payment on one declaration may be allocated to the declaration of the other spouse.

SECTION 1381o. 71.53 of the statutes is repealed.

SECTION 1381om. 71.54 of the statutes is created to read:

**71.54 One-time property tax and rent credit.** For taxable year 1986, a claimant may claim as a credit against, but not to exceed the amount of, Wisconsin net income taxes due, 7.9% of the claimant's property taxes and rent constituting property taxes, as calculated under s. 71.53, 1983 stats., up to \$2,000 of property taxes and rent constituting property taxes. For an unmarried person or a married person filing a separate return who is a part-year resident of this state, the credit under this section is limited to that fraction of the amount determined under this section that Wisconsin adjusted gross income is of federal adjusted gross income. No credit is allowed under this subsection.

tion for unmarried persons or married persons filing separate returns who are nonresidents of this state. If both spouses are not domiciled in this state during the entire taxable year, the credit on a joint return is determined by multiplying the Wisconsin property tax and rent credit that would be available to them if both spouses were domiciled in this state during the entire taxable year by a fraction the numerator of which is their joint Wisconsin adjusted gross income and the denominator of which is their joint federal adjusted gross income.

SECTION 1384o. 71.60 (1) of the statutes, as affected by 1985 Wisconsin Act .... (this act), is repealed and recreated to read:

71.60 (1) IMPOSITION. In addition to the tax under s. 71.01 (1), there is imposed on every natural person, married couple filing jointly, trust and estate a minimum tax equal to 55% of the federal alternative minimum tax owed under section 55 of the internal revenue code.

SECTION 1384t. 71.60 (1) (c) of the statutes is amended to read:

71.60 (1) (c) For taxable year 1983, "internal revenue code" means the federal internal revenue code in effect on December 31, 1982. For taxable year 1984 ~~and thereafter~~, "internal revenue code" means the federal internal revenue code in effect on December 31, 1983. For taxable year 1985, "internal revenue code" means the federal internal revenue code in effect on December 31, 1984.

SECTION 1387m. 71.60 (2) of the statutes is repealed and recreated to read:

71.60 (2) JOINT LIABILITY. If the requirements under sub. (1) are applicable and the spouses file a joint income tax return, they shall file a joint minimum tax return and are jointly and severally liable for the tax imposed under sub. (1) and for the interest, penalties, fees, additions to tax and additional assessments with respect to the tax.

SECTION 1387n. 71.60 (4) and (5) of the statutes are created to read:

71.60 (4) TAX BENEFIT RULE. The tax benefit rule contained in section 58 (h) of the internal revenue code applies to the tax under this section only in respect to determining whether there is a federal alternative minimum tax. No separate tax benefit rule is allowable for the tax under this section.

(5) ALLOCATION. Part-year residents and nonresidents only multiply the amount under sub. (1) by a fraction the numerator of which is the amount of Wisconsin adjusted gross income and the denominator of which is federal adjusted gross income.

SECTION 1388. 71.65 (1) (b) of the statutes is repealed.

SECTION 1388m. 71.65 (1) (cm) of the statutes is created to read:

71.65 (1) (cm) The credit under s. 71.09 (6r).

SECTION 1389. 71.65 (1) (d) of the statutes is repealed.

SECTION 1389m. 71.65 (1) (dm) of the statutes is created to read:

71.65 (1) (dm) Property tax and rent credit under s. 71.54.

SECTION 1390. 71.65 (1) (e) of the statutes is repealed.

SECTION 1391. 71.65 (1) (f) of the statutes is repealed.

SECTION 1392. 71.65 (1) (i) of the statutes is repealed.

SECTION 1393. 71.65 (1) (j) of the statutes is repealed.

SECTION 1394. 71.65 (1) (k) of the statutes is repealed.

SECTION 1396. 72.01 (17) of the statutes is amended to read:

72.01 (17) "Power of appointment" means any general power to appoint, as defined by section 2041 (relating to estate taxes) or 2514 (relating to gift taxes) of the 1954 internal revenue code, as amended to December 31, ~~1983~~ 1984.

SECTION 1398. 72.12 (4) (c) 1 of the statutes is amended to read:

72.12 (4) (c) 1. Benefits paid to a beneficiary under an employe benefit plan are taxable under this subchapter except to the extent that the proportionate share resulting from the employer's contribution would be excludable from the gross estate of the decedent under section 2039 of the ~~1954~~ internal revenue code as amended to December 31, ~~1983~~ 1984. This subsection applies whether or not there is a requirement for filing a federal estate tax return.

SECTION 1398m. 72.12 (6) (a) and (b) (intro.) of the statutes are amended to read:

72.12 (6) (a) *General provision.* When property is held in the names of 2 or more persons with the right of survivorship but not as tenants in common ~~and not as survivorship marital property~~. Upon the death of one joint tenant, the right of the surviving joint tenant or tenants to the immediate ownership or possession and enjoyment of such property shall be deemed a transfer taxable under this subchapter at the property's clear market value.

(b) *Joint tenancy exclusion.* (intro.) When property is held in the names of 2 or more persons with the right of survivorship ~~but not as survivorship marital property~~, the following shall be subtracted as provided in par. (c):

SECTION 1399m. 72.15 (6) of the statutes is created to read:

72.15 (6) No tax is imposed on the transfer of property from a decedent who was missing in action during the Vietnam era and declared dead by the federal government. Persons who have paid inheritance taxes on a transfer from such a person may within 6 years of the effective date of this subsection .... [revisor inserts

date], file with the claims board a claim for a refund. That claim shall set forth specifically the basis of the claim and shall include a document or documents showing that the person from whom the property is transferred fulfills the requirements under this subsection. This claim, if valid, shall be paid under s. 16.007 (6) (b) 2.

SECTION 1400m. 72.18 (2) to (4) of the statutes are amended to read:

72.18 (2) Class B distributees are taxed upon the balance of the first \$25,000 over the exemption at 5%; upon property which exceeds \$25,000 and does not exceed \$50,000, at 10%; upon property which exceeds \$50,000 and does not exceed \$100,000, at 15%; and upon property which exceeds \$100,000 ~~and does not exceed \$500,000, at 20%; and upon property which exceeds \$500,000, at 25%.~~

(3) Class C distributees are taxed upon the balance of the first \$25,000 over the exemption at 7.5%; upon property which exceeds \$25,000 and does not exceed \$50,000, at 15%; and upon property which exceeds \$50,000 ~~and does not exceed \$100,000, at 22.5%; upon property which exceeds \$100,000, at 30%, at 20%.~~

(4) Class D distributees are taxed upon the balance of the first \$25,000 over the exemption at 10%; and upon property which exceeds \$25,000 ~~and does not exceed \$50,000, at 20%; upon property which exceeds \$50,000, at 30%.~~

SECTION 1401. 72.22 (4) (a) of the statutes is amended to read:

72.22 (4) (a) Whether or not there is a federal estate tax liability, if the estate would be authorized to pay federal estate taxes under section 6166 of the internal revenue code, as amended to December 31, ~~1983~~ 1984, in lieu of full payment, payment may be made according to an equal payment schedule over a period not to exceed 15 years from the decedent's date of death. If an election is made under this subsection, the election shall apply only to the portion of the tax payable by a distributee which is determined by dividing the value of property received by a distributee which qualifies an estate for the election under the internal revenue code by the value of all property received by the distributee. A distributee electing to pay under this subsection may subsequently pay part or all of the remaining tax plus interest at the time any scheduled payment is due under this subsection. Interest on instalment payments under this subsection shall be computed under s. 72.23 at 12% per year.

SECTION 1402m. 72.25 (intro.) of the statutes is amended to read:

**72.25 Release or transfer of lien.** (intro.) Until this the tax imposed upon all transfers to a distributee under this subchapter is paid it is a lien upon the property transferred to that distributee except:

SECTION 1402s. 72.86 (4) of the statutes is amended to read:

72.86 (4) APPLICABLE INCOME TAX PROVISIONS. All provisions of income tax statutes not in conflict with this subchapter on the following subjects apply to the administration of this subchapter: assessment, hearing and appeal procedures (including ss. 73.01 and 73.015), preparation of assessment and tax rolls, certification of taxes due and corrections thereof, collection (including s. 71.135), and refund procedures, except that a claim for refund with respect to the settlement of a right actionable under s. 766.53 (1) or the satisfaction of a judgment providing for the recovery of marital property or compensation from the donee equal in value to the marital property at the time of recovery that was a gift under s. 766.53 (1) may be filed within one year after entry of judgment or receipt of the recovery.

SECTION 1403. 73.01 (1) of the statutes is amended to read:

73.01 (1) (title) DEFINITIONS. In this section ~~“commission”;~~

(a) “Commission” means the tax appeals commission.

SECTION 1404. 73.01 (1) (b) of the statutes is created to read:

73.01 (1) (b) “Small claims” is a matter in which the amount in controversy, including any penalty, after the department of revenue takes its final action on the petition for redetermination is less than \$2,500 unless the commission on its own motion determines that the case not be heard as a small claims case or unless the department of revenue determines that the case has statewide significance.

SECTION 1405. 73.01 (3) (a) of the statutes is amended to read:

73.01 (3) (a) The time and place of meetings and hearings of the commission shall be designated by the ~~chairman~~ chairperson. Rooms for hearings outside the city of Madison shall be provided under s. 73.07. All hearings held in Milwaukee shall be held in the southeast district office of the department of natural resources. The commission shall maintain permanent hearing rooms in Madison.

SECTION 1406. 73.01 (4) (am) of the statutes is created to read:

73.01 (4) (am) Whenever it appears to the commission or, in respect to hearings conducted by one commissioner, to that commissioner that proceedings have been instituted or maintained by the taxpayer primarily for delay or that the taxpayer's position in those proceedings is frivolous or groundless, the commission or commissioner may assess the taxpayer an amount not to exceed \$1,000 at the same time that the deficiency is assessed. Those damages shall be paid upon notice from the department of revenue and shall be collected as a part of the tax.

SECTION 1407. 73.01 (4) (b) of the statutes is amended to read:



73.01 (4) (b) Any matter required to be heard by the commission may be heard by any member of the commission or its hearing examiner and reported to the commission, and hearings of matters pending before it shall be assigned to members of the commission or its hearing examiner by the chairperson. Unless a majority of the commission decides that the full commission should decide a case, cases other than small claims cases shall be decided by a panel of 3 members assigned by the chairperson prior to the hearing. If the parties have agreed to an oral decision, the member or members conducting the hearing may render an oral decision. Hearings shall be open to the public and all proceedings shall be conducted in accordance with rules of practice and procedure prescribed by the commission. Small claims cases shall be decided by one commissioner assigned by the chairperson prior to the hearing.

SECTION 1408. 73.01 (4) (c) of the statutes is amended to read:

73.01 (4) (c) The commission shall, upon the request of any party to a matter pending before it, or of any officer of the state government, or ~~may~~ upon its own motion, order that all proceedings in a matter pending before it be ~~reported by a stenographer recorded~~, and the expense thereof shall be paid by the state out of the appropriation for the commission. The commission may ~~contract for the report of such proceedings and may supply copies of the transcript of the proceedings~~ those recordings to anyone requesting ~~the same~~ them, at the expense of the person making such request. All moneys received by the commission from the sale of transcripts of ~~testimony and proceedings~~ those recordings shall be paid into the state treasury within one week after receipt. If no party to a matter pending before the commission requests that the proceedings held with respect thereto be ~~reported recorded~~, and the commission does not so order upon its own motion, all parties shall be deemed to have waived all rights of appeal to the courts upon questions as to the admission or exclusion of evidence, or as to whether a finding of the commission is warranted by the evidence. The right of appeal upon questions of law raised by the pleadings or by facts stipulated or shown by the findings of the commission ~~shall is not be deemed to be waived.~~

SECTION 1409. 73.01 (4) (dn) of the statutes is amended to read:

73.01 (4) (dn) In connection with the hearing of any matter required to be heard and decided by the commission, except appeals arising under s. 70.64 or ch. 76, ~~where a stenographic report of the hearing is being made, the chairman chairperson~~ or any member of the commission assigned to hear the matter may, with the consent of the parties, render an oral decision. The commission shall render an oral decision or provide a written decision to all parties within 2 weeks after the hearing in all small claim hearings. Decisions in small claims cases are not precedents. Any party may appeal

such oral decision as provided in s. 73.015 ~~and ch. 227~~. Oral decisions ~~shall~~ constitute notice for purposes of determining the time in which appeals may be taken. Provisions of this section or ch. 227 in conflict ~~here-with, shall with this paragraph~~ do not apply to decisions rendered under this paragraph.

SECTION 1410. 73.01 (4) (e) (intro.) of the statutes is amended to read:

73.01 (4) (e) (intro.) ~~The~~ Except as provided in par. (dn), the commission in each case heard by it shall, irrespective of ch. 227, make a decision in writing accompanied by findings of fact and conclusions of law. The commission may issue an opinion in writing in addition to its findings of fact and decision. The decision or order of the commission shall become final and shall be binding upon the petitioner and upon the department of revenue for that case unless an appeal is taken from the decision or order of the commission under s. 73.015. If Except in respect to small claims decisions, if the commission construes a statute adversely to the contention of the department of revenue:

SECTION 1411. 73.01 (4m) of the statutes is created to read:

73.01 (4m) DEADLINE FOR DECISIONS. (a) The final decision or order of the commission shall be issued ~~within one year after the filing of the petition for cases under s. 70.995, and within 90 days after the date on which the last document necessary to the decision of the matter is received or the date on which a hearing is closed, whichever is later, unless good cause is shown or unless the parties and the commission agree to an extension.~~

Vetoed  
in Part

(b) No member of the commission, including the chairperson, or its hearing examiner may receive any salary unless he or she first executes an affidavit at the end of each salary period stating that he or she has complied with the deadlines in par. (a). The affidavit shall be presented to and filed with every official who certifies, in whole or in part, the salary.

(c) If a member of the commission, including the chairperson, or its hearing examiner is unable to comply with the deadline under par. (a), that person shall so certify in the record, and the period is then extended for one additional period not to exceed 90 days.

SECTION 1412. 73.015 (1) of the statutes is amended to read:

73.015 (1) This section shall provide the sole and exclusive remedy for review of any decision or order of the tax appeals commission and no person ~~shall may~~ contest, in any action or proceeding, any matter reviewable by the commission unless such person has first availed himself or herself of a hearing before the commission under s. 73.01.

SECTION 1413. 73.015 (2) of the statutes is amended to read:

73.015 (2) Any adverse determination of the tax appeals commission is subject to review in the manner

provided in ch. 227. If the circuit court construes a statute adversely to the contention of the department of revenue, the department shall be deemed to acquiesce in the construction so adopted unless an appeal to the court of appeals is taken, and the construction so acquiesced in shall thereafter be followed by the department.

SECTION 1414m. 73.03 (29) and (30) of the statutes are created to read:

Vetoed  
in Part

73.03 (29) To provide on income and franchise tax forms a place for taxpayers to indicate the school district in which they reside ~~or have their principal place of business~~ and information that will assist persons in identifying the correct school district.

(30) To analyze the data provided under sub. (29), after consultation with the department of public instruction and the legislative fiscal bureau, and to notify the presiding officers of the houses of the legislature and the cochairpersons of the joint committee on finance of the results of the analysis.

SECTION 1419. 73.07 (1) of the statutes is repealed and recreated to read:

73.07 (1) Office furniture and equipment furnished to income assessment district and branch offices by counties prior to July 1, 1986, shall remain in those offices until the department of revenue determines that the furniture and equipment are no longer needed.

SECTION 1420. 73.07 (3) of the statutes is amended to read:

73.07 (3) The county board of any county shall also provide rooms ~~as provided in sub. (1)~~ for the use of the tax appeals commission upon the request of the chairman of the commission. Hearings of the commission may also be held in the department's district income tax office when the chairman of the commission deems it advisable.

SECTION 1421. 73.08 of the statutes is renumbered 73.08 (1).

SECTION 1422. 73.08 (2) of the statutes is created to read:

73.08 (2) All costs of the department of revenue in connection with the review of assessment practices under this section shall be borne by the taxation district. These receipts shall be credited to the appropriation under s. 20.566 (2) (h). Past due accounts shall be certified on or before the 4th Monday of August of each year and included in the next apportionment of state special charges to local units of government.

SECTION 1423. 73.10 (title) of the statutes is amended to read:

**73.10 (title) Municipal finance.**

SECTION 1424. 73.10 (5) of the statutes is amended to read:

73.10 (5) The department shall may inquire into the system of accounting of public funds in use by towns, villages, cities, counties, ~~vocational, technical and adult education districts~~ and all other local public bodies, boards, commissions, departments or agencies

~~except vocational, technical and adult education districts, school districts and boards of education; devise, prescribe and at the request of any town, village, city, county, vocational, technical and adult education districts or other local public body, board, commission, department or agency except school districts and boards of education, install a system of accounts which is as nearly uniform as practicable; and when so installed the system shall be retained in use and at the request of school districts and boards of education, install accounting systems which conform to the uniform financial accounting system prescribed by s. 115.28 (13); audit the books of the town, village, city, county, school district, board of education, vocational, technical and adult education districts or other local public body, board, commission, department or agency, or any municipal electric utility upon the request of the governing board, council, commission or body thereof, or upon its own motion or under a contractual arrangement with a state or federal agency which has authority and responsibility for auditing specified activities of towns, villages, cities, counties, school districts, boards of education, vocational, technical and adult education districts, other local public bodies, boards, commissions, departments or agencies or health care providers that receive medical assistance funds and has sufficient funds to pay the department amounts specified by the contract; and provide management advisory services to federal agencies under a contractual arrangement. Nothing in this subsection may be construed to be exclusive and prevent a local governing body from employing an auditor of its own choice duly licensed under ch. 442.~~

SECTION 1425. 73.10 (6) of the statutes is amended to read:

73.10 (6) The department shall may establish a scale of charges for ~~system installations, audits, inspections and other services rendered by the department in connection with financial records or procedures of towns, villages, cities, counties, school districts, boards of education, vocational, technical and adult education districts~~ and all other local public bodies, boards, commissions, departments or agencies. Upon the completion of such work or, at the department's discretion, during work in progress, the department shall transmit to the clerk of the town, village, city, county, ~~school district, board of education, vocational, technical and adult education districts~~ or other local public body, board, commission, department or agency, ~~or any state agency contracting for audit services, a statement of such charges. Duplicates of the statements shall be filed in the offices of the state treasurer. Within 60 days after the receipt of the above statement of charges, the same it shall be audited as other claims against towns, villages, cities, counties, school districts, boards of education, vocational, technical and adult education districts and other local public bodies, boards, commissions,~~

departments or agencies are audited, and it shall be paid into the state treasury and credited to the appropriation under s. 20.566 (2) ~~(g)~~ (gi). Past due accounts of towns, villages, cities, counties, ~~school districts, boards of education, vocational, technical and adult education districts~~ and all other local public bodies, boards, commissions, departments or agencies shall be certified on or before the 4th Monday of August of each year and included in the next apportionment of state special charges to local units of government.

SECTION 1426. 73.10 (7) of the statutes is repealed.

SECTION 1427. 73.10 (8) of the statutes is repealed.

SECTION 1428. 73.10 (9) of the statutes is repealed.

SECTION 1430. 73.12 of the statutes is created to read:

**73.12 Set off of payments to vendors.** (1) DEFINITIONS. In this section:

(a) "Tax" means an amount that is owed to this state under ch. 71, 72, 76, 77, 78 or 139 and any addition to tax, interest, penalties or other liability in respect to those amounts and that has been reduced to a tax warrant or in respect to which the time limit for appeal has passed.

(b) "Vendor" means a person providing goods or services to this state under subch. IV or V of ch. 16 or under ch. 84 if the value of the contract for those goods or services is at least \$3,000.

(2) REQUEST FOR SETOFF. The department of revenue may request the department of administration to proceed under sub. (3) against any vendor who owes a tax. A request under this subsection consists of identification of the vendor and of the vendor's contracts with this state and notice to the vendor of the request for a setoff.

(3) SETOFF. Upon receipt of a request under sub. (2), the department of administration shall begin to set off against amounts owed by this state to a vendor taxes owed to this state by that vendor until those taxes are paid in full. If the secretary of administration determines, within 30 days after receipt of a request for setoff, that the vendor against whom setoff is requested is either an essential supplier of critical commodities or the only vendor from whom a necessary good or service can be obtained and notifies the secretary of revenue of that determination, the department of administration shall waive the right of setoff and the department of administration shall pay to the vendor the amounts set off. The department of administration shall, within 30 days after the end of each calendar quarter, transfer to the department of revenue the taxes set off during the previous calendar quarter for deposit in the general fund, or in the transportation fund in respect to taxes owed under ch. 78, and shall notify the department of revenue of the amounts set off against each vendor.

(4) APPLICATION OF PROCEEDS. Upon notice under sub. (3), the department of revenue shall reduce on its books the liability of the vendor by the amount set off. The department shall reduce the principal amount of tax liability and related amounts beginning with the liability of longest standing and proceeding chronologically to the most recent liability. In respect to each principal amount of liability and related amounts, the department of revenue shall reduce amounts in the order provided in s. 71.13 (4) (g).

(5) LIABILITY PRECLUDED. Exchange of information required to administer this section does not result in liability under s. 71.11 (44), 72.06, 77.61 (5), 78.80 (3) or 139.38 (6). The department of administration is not liable to any vendor because of setoffs under this section.

(6) PRESERVATION OF OTHER REMEDIES. The availability of the remedy under this section does not abridge the rights of the department of revenue to proceed under s. 71.13.

(7) TAX IDENTIFICATION INFORMATION. The department of administration may collect from vendors and provide to the department of revenue any tax identification information that the department of revenue requires to administer the program under this section.

SECTION 1430e. 74.03 (1) of the statutes is renumbered 74.03 (1r).

SECTION 1430g. 74.03 (1g) of the statutes is created to read:

74.03 (1g) DEFINITIONS. In this section:

(a) "Net levy" means an amount equal to the levy minus all credits applied to the levies of that district under s. 79.10 (9), except credits determined under s. 79.10 (7m), or zero, whichever is greater.

(b) "Offset" means the sum of the following amounts:

1. The local taxes levied or the amount of credit determined under ss. 79.015 (2) (a) and 86.30 (10) (a) which was applied to tax bills, whichever is less.

2. The county taxes levied or the amount of credit determined under ss. 79.015 (2) (b) and 86.30 (10) (b) which was applied to tax bills, whichever is less.

3. The school district taxes levied or the amount of credit determined under s. 121.008 which was applied to tax bills, whichever is less.

SECTION 1431. 74.03 (5) (am) of the statutes is created to read:

74.03 (5) (am) The town, village or city treasurer shall first set aside and pay in full to the appropriate school district treasurer any amounts received under s. 79.10 (3).

SECTION 1432. 74.03 (5) (d) 3 of the statutes is amended to read:

74.03 (5) (d) 3. The town, city or village treasurer shall then pay to each metropolitan sewerage district treasurer, school district treasurer and vocational, technical and adult education district treasurer the proportions of the net levy of the district as the bal-

ance of the general property taxes collected in the town, city or village bears to the total general property tax levy therein for all purposes included in the tax roll, exclusive of levies for state trust fund loans, state taxes and state special charges. ~~In cities operating schools under subch. II of ch. 120 the treasurer shall retain the proportion levied for school purposes, the offset and school district levies offset by school aid credits paid under s. 79.10 (3).~~

SECTION 1432g. 74.03 (8) (f) of the statutes is amended to read:

74.03 (8) (f) Out of the remaining proceeds of the general taxes and special assessments collected for each town, city or village, the county treasurer shall first set aside and pay to the state treasurer the balance due on state trust fund loans. The county treasurer shall then pay to each town, city, village, school district or vocational, technical and adult education district treasurer or to the treasurer of a metropolitan sewerage district created under ss. 66.88 to 66.918 such proportions of the balances due on net levies for school purposes, for vocational, technical and adult education districts, for metropolitan sewerage district purposes and for town, city or village purposes (including special assessments not returned in trust) that the balance of the general taxes and special assessments collected in such town, city or village bears to the total balance then due on all general levies and special assessments, except those referred to in pars. (b), (c) and (d), exclusive of the offset. The county treasurer shall retain like proportions of the balances due on county school tax, other county taxes and county special charges. The county treasurer shall remit state taxes and state special charges to the state treasurer as provided in s. 74.26, and likewise remit the amount retained for county school taxes as provided by law.

SECTION 1432j. 74.03 (9) (a) of the statutes is amended to read:

74.03 (9) (a) Subsequent to the settlement provided in sub. (8), the county treasurer shall on the ~~twentieth~~ 20th day of each month make payments to the treasurer of the state and of each town, city or village out of the proceeds of the delinquent taxes and special assessments of such town, city or village, other than those referred to in par. (h), collected by him or her up to and including the last day of the preceding month which have not been included in a previous settlement, until the state and each town, city, village or school district shall have received in full their net levies for that year on the property of such town, city or village. Such payments shall be made by the county treasurer out of the taxes collected for each particular town, city or village in the order of preferences set forth in pars. (b) to (g).

SECTION 1432L. 74.03 (9) (f) and (g) of the statutes are amended to read:

74.03 (9) (f) The county treasurer shall next pay to the treasurer of each school district and vocational,

technical and adult education district the balance due on school net levies and vocational, technical and adult education district net levies. The county treasurer shall then pay to the treasurer of each town, city or village the balance due on town, city or village taxes net levies and special assessments other than those referred to in par. (h).

(g) He or she shall finally retain any balance due on account of other county taxes and charges.

SECTION 1433. 74.031 (8) (am) of the statutes is created to read:

74.031 (8) (am) The town, village or city treasurer shall first set aside and pay in full to the appropriate school district treasurer any amounts received under s. 79.10 (3).

SECTION 1434. 74.031 (8) (d) 3 of the statutes is amended to read:

74.031 (8) (d) 3. The city, village or town treasurer shall then pay to each metropolitan sewerage district treasurer, school district treasurer and vocational, technical and adult education district treasurer the proportions of the net levy of the district as the balance of the general property taxes collected in the city, village or town bears to the total general property tax levy therein for all purposes included in the tax roll, exclusive of levies for state trust fund loans, state taxes and state special charges. ~~In cities operating schools under subch. II of ch. 120 the treasurer shall retain the proportion levied for school purposes, the offset as defined in s. 74.03 (1g) (b) and school district levies offset by school aid credits paid under s. 79.10 (3).~~

SECTION 1434m. 74.031 (11) (f) and (g) of the statutes are amended to read:

74.031 (11) (f) The county treasurer shall next pay to the treasurer of each school district and vocational, technical and adult education district the balance due on school net levies. The county treasurer shall then pay to the treasurer of each town, city or village the balance due on city, village or town taxes net levies, as defined in s. 74.03 (1g) (a), and special assessments other than those referred to in par. (h).

(g) He or she shall finally retain any balance due on account of other county taxes net levies, as defined in s. 74.03 (1g) (a), and charges.

~~SECTION 1434s. 74.735 of the statutes is created to read:~~

~~74.735 Credits for canceled and unlawful taxes. Notwithstanding s. 70.511 (2), if any town, city or village has canceled taxes under s. 74.135 or refunded unlawful taxes under s. 74.73 after a settlement based in part on those taxes by that town, city or village with any other taxing jurisdiction, including this state, the other taxing jurisdiction shall credit the town, city or village in the settlement during the next year for the amount of those taxes paid by the town, city or village to the other taxing jurisdiction.~~

Vetoed  
in Part

SECTION 1437. 76.01 of the statutes is amended to read:

**76.01 Railroads and utilities, assessment.** The department of revenue shall make an annual assessment of the property of all railroad companies, ~~of all telegraph companies,~~ of all conservation and regulation companies, of all sleeping car companies, of all air carriers, and of all pipeline companies, within this state, for the purpose of levying and collecting taxes thereon, as provided in this subchapter.

SECTION 1438. 76.02 (4) of the statutes is repealed.

SECTION 1439. 76.02 (9) of the statutes is amended to read:

76.02 (9) "Company", without other designation or qualification, includes any railroad company, ~~any telegraph company,~~ any conservation and regulation company, any express company, and any sleeping car company, as defined in this section, to which "company" is applied.

SECTION 1440. 76.04 (1) of the statutes is amended to read:

76.04 (1) Every company defined in s. 76.02 shall, annually, file a true and accurate statement in such manner and form and setting forth such facts as the department shall deem necessary to enforce ss. 76.01 to 76.26. The annual reports for railroad companies, ~~telegraph companies,~~ sleeping car companies and express companies shall be filed on or before April 15 and for conservation and regulation companies, air carriers and pipeline companies on or before May 1. For sufficient reason shown the department may upon written request allow such further time for making and filing the report as it may deem necessary, but not to exceed 30 days. If any company fails to file such report within the time prescribed or as extended under this subsection, the department shall add to the taxes due from such company the amount of \$25, and no company shall be allowed in any action or proceeding to contest the imposition of such penalty.

SECTION 1441. 76.07 (1) and (2) of the statutes are amended to read:

76.07 (1) DUTY OF DEPARTMENT. The department on or before August 1 in each year in the case of railroad companies, ~~telegraph companies~~ and sleeping car companies, and on or before September 15 in the case of air carrier companies, conservation and regulation companies, and pipeline companies, shall, according to its best knowledge and judgment, ascertain and determine the full market value of the property of each company within the state.

(2) RELATION TO STATE VALUATION; DESCRIPTION. The value of the property of each of said companies for assessment shall be made on the same basis and for the same period of time, as near as may be, as the value of the general property of the state is ascertained and determined. The department shall prepare an assessment roll and place thereon after the name of each of said companies assessed, the following general description of the property of such company, to wit: "Real estate, right of way, tracks, stations, terminals,

appurtenances, rolling stock, equipment, franchises and all other real estate and personal property of said company," in the case of railroads, and "Real estate, right of way, poles, wires, conduits, cables, devices, appliances, instruments, franchises and all other real and personal property of said company," in the case of ~~telegraph, light, heat and power companies and~~ conservation and regulation companies, and "Real estate, appurtenances, rolling stock, equipment, franchises, and all other real estate and personal property of said company," in the case of sleeping car and air carrier companies, and "Land and land rights, structures, improvements, mains, pumping and regulation equipment, services, appliances, instruments, franchises and all other real and personal property of said company," in the case of pipeline companies, which description shall be deemed and held to include the entire property and franchises of the company specified and all title and interest therein.

SECTION 1441g. 76.11 (1) of the statutes is amended to read:

76.11 (1) The department on or ~~between the first Monday in December and the fifteenth day of March in each year~~ before August 15, upon returns from the secretary of state or from county, town, city and village officers, or both, shall ascertain and determine the aggregate tax in the whole state for state, county and local purposes levied on the general property of the state, excluding special assessments on property for local improvements, and when the aggregate of all taxes, state, county and local consolidated is thus ascertained and determined, the amount thereof shall be entered on the records of the department.

SECTION 1441m. 76.12 of the statutes is amended to read:

**76.12 Average rate of taxation.** From the state assessment of the general property of the state and the aggregate of taxes so determined and entered on the records, the department shall compute and determine the average rate of taxation, state, county and local consolidated, by dividing the aggregate taxes by the state assessment of the general property of the state upon which said taxes were levied. ~~Said That rate so arrived at and determined shall be entered upon the records of the department and shall constitute the rate of taxation on the full market value of the property of the companies defined in s. 76.02.~~

SECTION 1441r. 76.125 of the statutes is created to read:

**76.125 Net tax rate for commercial and manufacturing property.** (1) Using the statement of assessments under s. 70.53 and the statement of taxes under s. 69.61, the department shall determine the net rate of taxation of commercial property under s. 70.32 (2) (a) 2 and (b) 2, of manufacturing property under s. 70.32 (2) (a) 3 and (b) 3 and of personal property under s. 70.30 as provided in subs. (2) to (6).

(2) For each taxation district add the assessed values of the property specified in sub. (1).

(3) Multiply the amount under sub. (2) by the taxation district's net tax rate.

(4) Add the amounts under sub. (3) for all taxation districts.

(5) Determine the value, as equalized under s. 70.57, of all the property in this state of the types specified in sub. (1).

(6) Divide the amount under sub. (4) by the amount under sub. (5).

SECTION 1442. 76.13 (1) of the statutes is amended to read:

76.13 (1) The department shall compute and levy a tax upon the property of each company defined in s. 76.02, as assessed in the manner specified in ss. 76.07 and 76.08, at the average rate of taxation determined ~~as aforesaid under s. 76.125 for companies under s. 76.02 (2) and (5a) and under s. 76.12 for all other companies under s. 76.02 in 1985 to 1987 and under s. 76.125 in 1988 and thereafter~~, and the amount of tax to be paid by each such company shall be extended upon a tax roll opposite the description of the property of the respective companies. The tax rolls for all companies required to be assessed on or before August 1 in each year under s. 76.07 (1) shall be completed on or before August 10, and for all companies required to be assessed on or before September 15 in each year under s. 76.07 (1) shall be completed on or before October 1; and the department shall thereupon attach to each such roll a certificate signed by the secretary of revenue, which shall be as follows:

"I do hereby certify that the foregoing tax roll includes the property of all railroad, ~~light, heat and power, telegraph~~ companies, sleeping car companies, air carrier companies, conservation and regulation companies, or pipeline companies, as the case may be, defined in s. 76.02, liable to taxation in this state; that the valuation of the property of each company as set down in said tax roll is the full market value thereof as assessed by the department of revenue, except as changed by court judgment, and that the taxes thereon charged in said tax roll have been assessed and levied at the average rate of taxation in this state, as required by law".

SECTION 1443g. 76.28 (3) (b) of the statutes is amended to read:

76.28 (3) (b) Beginning with calendar year 1985, a portion of the license fees imposed under sub. (2) shall be paid to the department on an estimated basis. Payment of 45% of the total estimated liability of the May 1, 1986, assessment is due on or before May 10, 1985. ~~Thereafter, remittance of an instalment of 45% of the estimated assessment for the succeeding calendar year shall be due on or before May 10 of the current year. The remainder of the May 1, 1986, assessment is due on or before November 10, 1985. Settlement for overpayments and underpayments of the May 1, 1986, assessment shall be made by the methods under par. (c).~~

SECTION 1443j. 76.28 (3) (c) of the statutes is repealed and recreated to read:

76.28 (3) (c) Beginning with calendar year 1986, the license fees prescribed by sub. (2) shall be paid to the department on an estimated basis. Remittances of semiannual instalments of the total estimated payments for the then current calendar year shall be due on or before May 10 and November 10 of the current year. With respect to the license fee assessment under sub. (2) (a), each light, heat and power company shall, on each May 10, pay or be credited an amount which is equal to the difference between the May 1 assessment and the sum of the semiannual instalment payments made in the preceding calendar year. The additional amount shall be added to the semiannual instalment due on May 10; if there has been an overpayment the amount of the overpayment shall be credited to the semiannual instalment due May 10. If any light, heat and power company that has a liability for the current year fails to make semiannual payments of at least 50% of the assessed liability for the current calendar year or 45% of the assessed liability for the subsequent calendar year, any amounts not paid when due shall become delinquent and shall be subject to interest at the rate of 1.5% per month.

SECTION 1445. 76.38 (1) (intro.) of the statutes is amended to read:

76.38 (1) (intro.) ~~For the purposes of In~~ this section ~~the following definitions and provisions shall apply:~~

SECTION 1446. 76.38 (1) (a) of the statutes is renumbered 76.38 (1) (an).

SECTION 1447. 76.38 (1) (ab) of the statutes is created to read:

76.38 (1) (ab) "Access revenues" means revenues of telephone companies resulting from charges to persons, including other telephone companies, for provision of telecommunications services or facilities that permits origination or termination of telecommunications between a point or points within one telephone exchange and a point or points within another telephone exchange and revenues of telephone companies resulting from customer access to the telecommunications services and facilities of a telephone exchange.

SECTION 1447m. 76.38 (1) (ac) of the statutes is created to read:

76.38 (1) (ac) "Allocable share of approved reselling services" means actual costs incurred for services under par. (bkm) 1 actually utilized in providing the telecommunications services for which the gross revenues are received multiplied by the amount obtained by dividing the sum of the property factor and the originating revenues factor by 2, except that the department may determine the allocable share of approved reselling services based on other facts and circumstances if, in the department's judgment, the formula under this paragraph does not produce a substantially just and correct determination.

SECTION 1447r. 76.38 (1) (ac) of the statutes, as created by 1985 Wisconsin Act ... (this act), is repealed.

SECTION 1448. 76.38 (1) (ad) of the statutes is created to read:

76.38 (1) (ad) "Average value" means the average of the values at the beginning and end of the calendar year unless the secretary of revenue reasonably determines that averaging monthly values is required to reflect properly the average value.

SECTION 1449. 76.38 (1) (am) of the statutes is created to read:

76.38 (1) (am) "Customer premises equipment" means equipment employed on the premises of a person, other than a telephone company, to originate, route or terminate telecommunications but does not include equipment used to multiplex, maintain or terminate access lines.

SECTION 1450. 76.38 (1) (b) of the statutes is amended to read:

76.38 (1) (b) "Gross revenues" ~~shall include~~ includes all revenue derived from local and rural exchange service, all toll service business gross revenue, and all other operating revenues from telecommunications business done or from property located within the state. It ~~shall~~ does not include excise taxes on telephone service or facilities nor uncollectible telecommunications revenues actually written off during the year. ~~It shall include~~ "Gross revenues" includes recoveries within the year of all amounts telecommunications revenues written off in prior years as uncollectible. For a telephone company operating on any form of mutual basis it shall include, "gross revenues" includes all amounts assessed against the members for the operation and maintenance of the business. "Gross revenues" also includes access revenues and revenues from directory advertising. For qualifying telecommunications resellers, "gross revenues" does not include the allocable share of approved reselling services.

SECTION 1450m. 76.38 (1) (b) of the statutes, as affected by 1985 Wisconsin Act .... (this act), is repealed and recreated to read:

76.38 (1) (b) "Gross revenues" includes all revenue derived from local and rural exchange service, all toll business gross revenue, and all other operating revenues from telecommunications business. It does not include excise taxes on telephone service or facilities nor uncollectible telecommunications revenues actually written off during the year. "Gross revenues" includes recoveries within the year of all telecommunications revenues written off in prior years as uncollectible. For a telephone company operating on any form of mutual basis, "gross revenues" includes all amounts assessed against the members for the operation and maintenance of the business. "Gross revenues" also includes access revenues and revenues from directory advertising.

SECTION 1451. 76.38 (1) (bf) of the statutes is created to read:

76.38 (1) (bf) "Originating revenues factor" means a fraction the numerator of which is the revenues of the telephone company from toll business originated from customer premises equipment in this state, regardless of the location to which the billing notice is sent, and the denominator of which is the total revenues of the telephone company from toll business everywhere.

SECTION 1452. 76.38 (1) (bg) of the statutes is created to read:

76.38 (1) (bg) "Person" means any individual, partnership, firm, association, company or corporation.

SECTION 1453. 76.38 (1) (bk) of the statutes is created to read:

76.38 (1) (bk) "Property" does not include cash, evidences of indebtedness, special privileges, franchises, goodwill or property located in space.

SECTION 1453m. 76.38 (1) (bkm) of the statutes is created to read:

76.38 (1) (bkm) "Qualifying telecommunications reseller" means a telephone company that fulfills all the following requirements:

1. Resells message telecommunications service, wide-area telecommunications services or other telecommunications services which have been approved for reselling by the public service commission or by the federal communications commission.
2. Does not own, operate, manage or control transmission facilities that have the technological capability to provide telecommunications service within this state.
3. Is not a person at least 50% of the voting stock of which is owned directly or indirectly by another person which owns, operates, manages or controls transmission facilities that have the technological capability to provide telecommunications service within the state.
4. Incurs costs for approved reselling services, the allocable share of which exceeds 50% of its gross revenues.

SECTION 1453n. 76.38 (1) (bkm) of the statutes, as created by 1985 Wisconsin Act .... (this act), is repealed.

SECTION 1453. 76.38 (1) (bkm) of the statutes, as created by 1985 Wisconsin Act .... (this act), is repealed.

SECTION 1454. 76.38 (1) (bL) of the statutes is created to read:

76.38 (1) (bL) "Property factor" means a fraction the numerator of which is the average value of the property owned or rented by the telephone company and used in operating its telecommunications business in this state and the denominator of which is the average value of the property owned or rented by the telephone company and used in operating its telecommunications business everywhere.

SECTION 1455. 76.38 (1) (bm) of the statutes is created to read:

76.38 (1) (bm) "Telecommunications facility" means telephone line, telegraph line, microwave, satellite, cellular radio, fiber optics, coaxial cable or any other transmission facility or any switching device used in the provision of telecommunications services.

SECTION 1456. 76.38 (1) (br) of the statutes is created to read:

76.38 (1) (br) "Telecommunications services" means the transmissions of voice, video, facsimile or data messages, including telegraph messages. "Telecommunications services" does not include cable television, broadcast television, radio, one-way radio paging and the transmission of messages incidental to transient occupancy in hotels, as defined in s. 50.50 (3).

SECTION 1457. 76.38 (1) (c) of the statutes is repealed and recreated to read:

76.38 (1) (c) "Telephone company" means any person operating a telecommunications facility or providing telecommunications services to another person, including the resale of those services provided by another telephone company but not including the common use by contractual agreement of those services provided by a telephone company when that use is not offered to the public for hire.

SECTION 1458. 76.38 (1) (e) of the statutes is created to read:

76.38 (1) (e) "Toll business gross revenues" means gross revenues from toll business originating and terminating in this state and toll business gross revenues attributable to this state.

SECTION 1459. 76.38 (1) (f) of the statutes is created to read:

76.38 (1) (f) "Toll business gross revenues attributable to this state" means the telephone company's total gross revenues from interstate toll services everywhere multiplied by the amount obtained by dividing the sum of the property factor and the originating revenues factor by 2, except that the department may determine toll business gross revenues attributable to this state based on other facts and circumstances if, in the department's judgment, the formula under this paragraph does not produce a substantially just and correct determination.

SECTION 1459m. 76.38 (1) (fm) of the statutes is created to read:

76.38 (1) (fm) "Transmission facilities" means facilities for the carriage of telecommunications services by wire, optics, radio signal or other means.

SECTION 1459n. 76.38 (1) (fn) of the statutes, as created by 1985 Wisconsin Act .... (this act), is repealed.

SECTION 1460. 76.38 (1) (g) of the statutes is created to read:

76.38 (1) (g) "Value" means, for property owned by the telephone company, original cost and, for property rented by the telephone company, 8 times the amount obtained by subtracting from annual rent

paid by the telephone company annual rent received by the telephone company for subletting that property.

SECTION 1461. 76.38 (2) (b) of the statutes is amended to read:

76.38 (2) (b) The report shall show the gross revenues attributable to this state from the service of local and rural exchange property of the telephone company. The report shall also show the ~~total toll service revenue attributable to this state which shall include all toll service revenue from business originating and terminating within this state and a proportion of toll service revenue from all interstate business passing through, into or out of this state, based upon the mileage within this state to the entire mileage over which such business is done, or based upon such other facts and circumstances which in the judgment of the department will produce a substantially just and correct determination of the amount of such interstate toll service revenue attributable to this state~~ toll business gross revenues.

SECTION 1462. 76.38 (2) (c) of the statutes is amended to read:

76.38 (2) (c) ~~For purposes of this section, all~~ All other operating revenues attributable to this state which can be definitely assigned to ~~one or more municipalities~~ a telephone exchange in this state shall be classified as exchange service revenue, but if such assignment cannot reasonably be made, ~~such~~ those other operating revenues shall be classified as toll ~~service business gross revenues~~ access revenues. ~~All gross revenues received by specialized common carriers attributable to this state shall be classified as toll service~~ access revenues are exchange service revenues.

SECTION 1463. 76.38 (3) of the statutes is amended to read:

76.38 (3) On or before May 1 the department shall compute and assess the license fees imposed by subs. (4), (5) and (6), with respect to gross revenues of the preceding calendar year and on or before May 1 shall notify each telephone company of the amount of the license fee assessed. The fees assessed by the department shall become delinquent if not paid when due, and when delinquent shall be subject to interest at the rate of 1.5% per month until paid. The department shall transmit all funds received under this section to the state treasurer within 15 days. The payment dates provided for in sub. (3a) shall apply.

SECTION 1464. 76.38 (3a) of the statutes is amended to read:

76.38 (3a) The license fees prescribed by this section shall be paid to the department on an estimated basis. Remittances of semiannual instalments of the total estimated payments for the then current calendar year shall be due on or before May 10, and November 10 of the current year. With respect to the license fee assessment by the department under sub. (3), each telephone company shall on each May 10 pay or be credited an amount which is equal to the difference between the



May 1 assessment by the department and the sum of the semiannual instalment payments made in the preceding calendar year. The additional amount shall be added to the semiannual instalment due on May 10; if there has been an overpayment the amount of the overpayment shall be credited to the semiannual instalment due May 10. If any telephone company that has a liability for the current year fails to make semiannual payments of at least 50% of the assessed liability assessed by the department for the current calendar year or 45% of the assessed liability assessed by the department for the subsequent calendar year, any amounts not paid when due shall become delinquent and shall be subject to interest under sub. (3). If any company that has no liability for the current year fails to make semiannual payments of at least 45% of the assessed liability assessed by the department for the subsequent calendar year or 100% of the liability in respect to revenue earned through April of the current year, any amounts not paid when due shall become delinquent and shall be subject to interest under sub. (3). Companies with a liability assessed by the department under this section of less than \$2,000 are not required to make semiannual payments but shall pay the full amount of license fees due on or before May 10 of the year of assessment.

SECTION 1465. 76.38 (4) (intro.) of the statutes is amended to read:

76.38 (4) (intro.) Every telephone company operating one or more telephone exchanges shall pay an annual license fee to be computed upon the total gross revenues in this state from each exchange as follows:

SECTION 1466. 76.38 (4) (e) of the statutes is amended to read:

76.38 (4) (e) On the total gross revenues from local and rural exchange service, if such gross revenues equal or exceed \$500,000, 6.75%, except that for the license fees assessed on May 1, 1987, the rate if gross revenues equal or exceed \$500,000 is 6.57% and except that for the license fees assessed on May 1, 1988, and thereafter the rate if gross revenues equal or exceed \$500,000 is 6.333%.

SECTION 1467. 76.38 (5) (intro.) of the statutes is amended to read:

76.38 (5) (intro.) Every telephone company operating a toll line or toll lines or furnishing toll service shall pay an annual license fee to be computed upon ~~the gross revenues from toll business transacted attributable to Wisconsin,~~ gross revenues as follows:

SECTION 1468. 76.38 (5) (k) of the statutes is amended to read:

76.38 (5) (k) On the total gross revenues from toll business, if such gross revenues equal or exceed \$700,000 and are less than \$800,000, 8.438%, except that for the license fees assessed on May 1, 1988, and thereafter the rate if gross revenues equal or exceed \$700,000 and are less than \$800,000 is 8.365%.

SECTION 1469. 76.38 (5) (L) of the statutes is amended to read:

76.38 (5) (L) On the total gross revenues from toll business, if such gross revenues equal or exceed \$800,000, 9%, except that for the license fees assessed on May 1, 1988, the rate if gross revenues exceed \$800,000 is 8.365% and except that for the license fees assessed on May 1, 1989, and thereafter the rate if gross revenues exceed \$800,000 is 8.073%.

SECTION 1470. 76.38 (7) of the statutes is repealed.

SECTION 1471. 76.38 (8) of the statutes is amended to read:

76.38 (8) The license fees imposed by this section upon the gross revenues of telephone companies as defined in sub. (1) shall be in lieu of all other taxes on all property used and useful in the companies' operation ~~of the business of such as telephone~~ companies in this state, except that the same shall be subject to special assessments for local improvements. If a general structure is used and useful in part in the operation of the business of those companies as telephone companies in this state and in part for nonoperating purposes, the license fees imposed by this section are in place of the percentage of all other taxes on the property that fairly measures and represents the extent of the use and usefulness in the operation of the business of those companies as telephone companies in this state, and the balance is subject to local assessment and taxation, except that the entire general structure is subject to special assessments for local improvements.

SECTION 1472. 76.38 (12) (a) of the statutes is amended to read:

76.38 (12) (a) If after filing the reports specified in sub. (2) and after the department's computation and assessment of license fees under sub. (3) it is subsequently determined that the amount of gross revenues reported is in error, the department shall compute the additional license fee to be paid or the amount of the overpayment of license fee to be refunded, as the case may be. If an additional license fee is due, the department shall give notice to the telephone company against whom the license fee is to be levied. All such additional assessments and claims for refunds for excess license fees paid are subject to the same procedure for review and final determination as additional income tax assessments and claims for refunds under ch. 71 as far as the same may be applicable, ~~and all additional license fees shall be apportioned in the manner provided in sub. (7).~~ The additional license fees shall become delinquent 30 days after notice provided in this subsection, except that when timely review proceedings are taken from an additional assessment, the fees shall not become delinquent until 30 days following final determination of the review proceedings. All additional license fees shall bear interest at the rate of 12% per year from the time they should have been paid to the date on which the additional fees shall become delinquent if unpaid.

SECTION 1478. 76.64 of the statutes is amended to read:

**76.64 Quarterly instalments.** Payments of quarterly instalments of the total estimated payment for the then current calendar year under ss. 76.60, 76.63 and 76.65 shall be are due on or before April 15, June 15, September 15 and December 15. Every company insurer shall make an annual return for the preceding calendar year on or before March 1 setting forth such the information as that the commissioner of insurance may reasonably require requires, on forms prescribed by the commissioner. On or before March 1, the company insurer shall pay any additional amount due for the preceding calendar year. Overpayment will be credited on the amount due April 15. If any company fails to make quarterly payments of at least 25% of either the total tax paid for the previous calendar year or 80% of the actual tax for the current calendar year, it shall be liable in addition to the amount due for interest in the amount of one percent of the amount due and unpaid for each month or part of a month that the amount due together with any interest remains unpaid.

SECTION 1479. 76.645 of the statutes is created to read:

**76.645 Penalties.** (1) **LATE PAYMENT.** An insurer that fails to make quarterly payments under s. 76.64 of at least 25% of either the total tax paid for the previous calendar year or 80% of the actual tax for the current calendar year is liable, in addition to the amount due, for interest of 1.5% of the amount due and unpaid for each month or part of a month that the amount due, together with any interest, remains unpaid.

(2) **NEGLIGENCE.** An insurer that fails to pay an amount due, or file a return required, under s. 76.64, unless the insurer shows that the failure is due to reasonable cause and not due to wilful neglect, is liable for the greater of the following amounts:

(a) Five hundred dollars.

(b) Five percent of the amount due for each month or fraction of a month during which the failure continues, but not more than 25% of the amount due.

SECTION 1480. Chapter 77 (title) of the statutes is amended to read:

#### CHAPTER 77

TAXATION OF FOREST CROPLANDS;  
REAL ESTATE TRANSFER FEES; SALES  
AND USE TAXES; PROPERTY TAX DEFERRAL;  
LOCAL SALES TAX; MANAGED FOREST LAND

SECTION 1481. 77.03 of the statutes is amended to read:

**77.03 Taxation of forest croplands.** After the filing of the order with the officers under s. 77.02 (3) the lands described therein shall be "Forest Croplands", on which taxes shall thereafter be payable only as provided under this subchapter. The enactment of ss. 77.01 to ~~77.16~~ 77.14, petition by the owner and the making of the order under s. 77.02 (3) shall constitute

a contract between the state and the owner, running with the lands, for a period of 25 or 50 years at the election of the applicant at the time the petition is filed, unless ~~terminated as provided in ss. 77.01 to 77.16~~ withdrawn under s. 77.10, with privilege of renewal by mutual agreement between the owner and the state, whereby the state as an inducement to owners and prospective purchasers of forest croplands to come under ss. 77.01 to ~~77.16~~ 77.14 agrees that ~~until terminated as provided in ss. 77.01 to 77.16, unless withdrawn under s. 77.10, no change in or repeal of ss. 77.01 to 77.16~~ 77.14 shall apply to any land then accepted as forest croplands, except as the department of natural resources and the owner may expressly agree in writing. If at the end of the contract period ~~the contract is not renewed by mutual consent, then land is not designated as managed forest land under subch. VI~~, the merchantable timber on the land shall be estimated by an estimator jointly agreed upon by the department of natural resources and the owner, and if the department and the owner fail to agree on an estimator, the judge of the circuit court of the district in which the lands lie shall appoint a qualified forester, whose estimate shall be final, and the cost thereof shall be borne jointly by the department of natural resources and the owner; and the 10% severance tax paid on the stumpage thereon in the same manner as if said stumpage had been cut. The owners by such contract consent that the public may hunt and fish on the lands, subject to such rules as the department of natural resources prescribes regulating hunting and fishing.

SECTION 1482. 77.13 of the statutes is created to read:

**77.13 Termination of forest croplands program.** (1) On and after the effective date of this subsection .... [revisor inserts date], no person may petition the department of natural resources requesting it to approve any land as forest croplands under this subchapter.

(2) On and after the effective date of this subsection .... [revisor inserts date], the department of natural resources may not act on any petition requesting the designation of land as forest croplands, issue any order entering land as forest croplands or enter into a renewal of any forest croplands contract under this subchapter.

(3) Each contract under s. 77.03 that expires on January 1, 1986, shall remain in effect for one additional year unless the owner notifies the department of natural resources in writing before that date that he or she does not intend to petition the department of natural resources to designate the land as managed forest land under subch. VI.

SECTION 1483. 77.16 (14) of the statutes is created to read:

77.16 (14) (a) On and after the effective date of this paragraph .... [revisor inserts date], no person may

apply to the department to place any land under this section.

(b) On and after the effective date of this paragraph .... [revisor inserts date], the department may not act on any application under this section, issue any order placing land under this section or enter into a renewal of any agreement under this section.

(c) Each contract under sub. (4) that expires on January 1, 1986, shall remain in effect for one additional year unless the owner notifies the department in writing before that date that he or she does not intend to petition the department to designate the land as managed forest land under subch. VI.

SECTION 1483g. 77.51 (4) (m) of the statutes is created to read:

77.51 (4) (m) Transfers of services to an interexchange carrier which permit the origination or termination of telephone messages between a customer in this state and one or more points in another telephone exchange.

SECTION 1483m. 77.51 (4) (m) of the statutes, as created by 1985 Wisconsin Act .... (this act), is renumbered 77.51 (14) (m).

SECTION 1483r. 77.51 (7) (p) of the statutes is created to read:

77.51 (7) (p) A telephone company which provides to an interexchange carrier services which permit the origination or termination of telephone messages between a customer in this state and one or more points in another telephone exchange.

SECTION 1483t. 77.51 (7) (p) of the statutes, as created by 1985 Wisconsin Act .... (this act), is renumbered 77.51 (13) (p).

SECTION 1483v. 77.51 (7m) of the statutes is amended to read:

77.51 (7m) Any person purchasing from a retailer as defined in sub. (7) shall be deemed the consumer of the tangible personal property or ~~personal~~ services purchased.

SECTION 1483w. 77.51 (11) (b) 6 of the statutes is created to read:

77.51 (11) (b) 6. Thirty-five percent of the total amount for which a new mobile home that is a primary housing unit under s. 340.01 (29) is sold. No credit may be allowed for trade-ins under subd. 3 or sub. (12) (b) 4. This subdivision does not apply to lease or rental.

SECTION 1484g. 77.51 (12) (b) 5 of the statutes is created to read:

77.51 (12) (b) 5. Thirty-five percent of the total amount for which a new mobile home that is a primary housing unit under s. 340.01 (29) is sold. No credit may be allowed for trade-ins under subd. 4 or sub. (11) (b) 3. This subdivision does not apply to lease or rental.

SECTION 1485m. 77.51 (27) (c) of the statutes is repealed.

SECTION 1486. 77.52 (8) (a) of the statutes is amended to read:

77.52 (8) (a) At the time of making an application the applicant shall pay to the department a permit fee of ~~\$2~~ \$5 for each permit.

SECTION 1487. 77.52 (8) (b) of the statutes is amended to read:

77.52 (8) (b) A seller whose permit has been previously suspended or revoked shall pay the department a fee of ~~\$2~~ \$5 for the renewal or issuance of a permit.

SECTION 1488. 77.52 (10) (b) of the statutes is amended to read:

77.52 (10) (b) Permits which expire under par. (a) are automatically renewable and the department shall issue a new permit unless, on the date the permit expires, the permittee has a delinquent ~~sales and use tax liability, as described in s. 77.60 (2) in respect to any tax under ch. 71, 72, 76, 77, 78 or 139,~~ including costs, penalties and interest thereon, of \$400 or more, any part of which is delinquent for 5 months or longer. Thirty days prior to the expiration date, the department shall notify in writing any permittee who has such liability on the department's records at that time that the department may refuse to renew the permit. A person receiving such notice may petition the department for a hearing under sub. (11) (b).

SECTION 1489. 77.52 (11) (a) of the statutes is amended to read:

77.52 (11) (a) If any person fails to comply with any provision of this subchapter relating to the sales tax or any rule of the department relating to the sales tax adopted under this subchapter, is delinquent in respect to any tax imposed by the department or fails timely to file any return or report in respect to any tax under ch. 71, 72, 76, 77, 78 or 139 after having been requested to file that return or report, the department upon hearing, after giving the person 10 days' notice in writing specifying the time and place of hearing and requiring the person to show cause why the permit should not be revoked or suspended, may revoke or suspend any one or more of the permits held by the person. The department shall give to the person written notice of the suspension or revocation of any of the permits. The notices required in this paragraph may be served personally or by mail in the manner prescribed for service of notice of a deficiency determination. The department shall not issue a new permit after the revocation of a permit unless it is satisfied that the former holder of the permit will comply with the provisions of this subchapter ~~and~~ the rules of the department relating to the sales tax and the provisions relating to other taxes administered by the department.

SECTION 1489g. 77.53 (17m) of the statutes is created to read:

77.53 (17m) This section does not apply to a boat purchased in a state contiguous to this state by a person domiciled in that state if the boat is berthed in this

state's boundary waters adjacent to the state of the domicile of the purchaser, if the transaction was an exempt occasional sale under the laws of the state in which the purchase was made, if the boat is not located in this state more than 60 consecutive days, other than while it is in storage, and if this state is not the state of principal use.

SECTION 1489h. 77.54 (3m) of the statutes is amended to read:

77.54 (3m) The gross receipts from sales of and the storage, use or other consumption of seeds for planting, plants, feed, fertilizer, soil conditioners, animal bedding, sprays, pesticides, fungicides, breeding and other livestock, poultry, farm work stock, baling twine and baling wire, and containers for fruits, vegetables, grain and animal wastes used exclusively in farming, including dairy farming, agriculture, horticulture or floriculture when engaged in by the purchaser or user as a business enterprise.

SECTION 1489m. 77.54 (5) (d) of the statutes is created to read:

77.54 (5) (d) Mobile units used for mixing and processing and the motor vehicle or trailer on which the unit is mounted, including accessories, attachments, parts, supplies and materials for those vehicles, trailers and units.

SECTION 1489mm. 77.54 (9a) (f) of the statutes is amended to read:

77.54 (9a) (f) Any corporation, community chest fund, foundation or association organized and operated exclusively for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, except hospital service insurance corporations under s. 613.80 (2), no part of the net income of which inures to the benefit of any private stockholder, shareholder, member or corporation.

SECTION 1490m. 77.54 (10) of the statutes is amended to read:

77.54 (10) The gross receipts from the sale of all admission fees or admission stickers under s. 27.01 (7) to (9) and all admission fees to any museum operated by a nonprofit corporation under a lease agreement with the state historical society.

SECTION 1491. 77.54 (11) of the statutes is amended to read:

77.54 (11) The gross receipts from the sales of and the storage, use or other consumption in this state of motor fuel, general aviation fuel or special fuel, subject to taxation under ch. 78, ~~regardless of whether refundable unless the motor fuel or special fuel tax is refunded under s. 78.75 because the buyer does not use the fuel in operating a motor vehicle upon the public highways.~~

SECTION 1491p. 77.54 (22) (e) of the statutes is amended to read:

**Vetoed in Part** 77.54 (22) (e) Crutches and wheelchairs, including motorized wheelchairs, and scooters and other similar

~~personal property used as substitutes for wheelchairs~~ Vetoed in Part  
for the use of persons who are ill or disabled.

SECTION 1491pm. 77.54 (31) of the statutes is created to read:

77.54 (31) The gross receipts from the sale of and the storage, use or other consumption in this state, but not the lease or rental, of used mobile homes that are primary housing units under s. 340.01 (29).

SECTION 1491pr. 77.54 (33) of the statutes is created to read:

77.54 (33) The gross receipts from sales of and the storage, use or other consumption of medicines used on farm livestock, not including workstock.

SECTION 1491q. 77.54 (34) of the statutes is created to read:

77.54 (34) The gross receipts from the sale of and the storage, use or other consumption of milk house supplies used exclusively in producing and handling milk on dairy farms.

SECTION 1491r. 77.54 (35) of the statutes is created to read:

77.54 (35) The gross receipts from the sales of tangible personal property, tickets or admissions by any baseball team affiliated with the Wisconsin Department of American Legion baseball.

SECTION 1492. 77.55 (2m) of the statutes is created to read:

77.55 (2m) There are exempted from the computation of the amount of sales tax the gross receipts from sales of railroad crossties to a common or contract carrier, shipped wholly or in part by way of the purchasing carrier under a bill of lading, whether the freight is paid in advance or the shipment is made freight charges collect, to a point outside this state if the property is transported to the out-of-state destination for use by the carrier in the conduct of its business as a carrier. Interruption of the shipment for storage, drying, processing or creosoting of the railroad crossties in this state does not invalidate the exemption under this subsection.

SECTION 1493. 77.59 (3) (intro.) of the statutes is amended to read:

77.59 (3) (intro.) No determination of the tax liability of a person may be made unless written notice of the determination is given to the taxpayer within 4 years after the due date of the taxpayer's Wisconsin income or franchise tax return or, if exempt, within 4 years of the 15th day of the 4th month of the year following the close of the calendar or fiscal year, within 4 years of the dissolution of a corporation or within 4 years of the date any sales and use tax return required to be filed for any period in that year was filed, whichever is later. The notice required under this paragraph shall specify whether the determination is an office audit determination or a field audit determination, and it shall be in writing. If the department is unable to obtain service by mail, publication of it as a class 3 notice, under ch. 985, shall be service of notice in any case where notice is required under this subchapter.

SECTION 1497. 77.60 (9) of the statutes is amended to read:

77.60 (9) Any officer or employe of any corporation subject to this subchapter or other person who has control, supervision or responsibility of filing returns or for making payment of the amount of tax herein imposed and who wilfully fails to file such return or to make such payment to the department, shall be personally liable for such amounts, including interest and penalties thereon, in the event that after proper proceedings for the collection of such amounts, as provided in this subchapter, such corporation is unable to pay such amounts to the department, and the personal liability of such officer or employe or other responsible person as provided herein shall survive the dissolution of the corporation. Such personal liability may be assessed by the department against such officer or employe or other responsible person pursuant to this subchapter for the making of sales tax determinations against retailers and shall be subject to the provisions for review of sales tax determinations against retailers, but the time for making such determinations shall not be limited by s. 77.59 (3) or by any other statute.

SECTION 1498. 77.61 (2) of the statutes is amended to read:

77.61 (2) In order to protect the revenue of the state, the department may require any person who is or will be liable to it for the tax imposed by this subchapter to place with it, before or after a permit is issued, such the security, not in excess of \$5,000, as \$15,000, that the department determines. In determining the amount of security to require under this subsection, the department may consider the person's payment of other taxes administered by the department and any other relevant facts. If any taxpayer fails or refuses to place such that security, the department may refuse or revoke the permit. If any taxpayer is delinquent in the payment of the taxes imposed by this subchapter, the department may, upon 10 days' notice, recover the taxes, interest, costs and penalties from the security placed with the department by the taxpayer in the following order: costs; penalties; delinquent interest; delinquent tax. No interest may be paid or allowed by the state to any person for the deposit of security. Any security deposited under this subsection shall be returned to the taxpayer if the taxpayer has, for 24 consecutive months, complied with all the requirements of this subchapter.

SECTION 1499. 77.61 (4) (a) of the statutes is amended to read:

77.61 (4) (a) Every seller and retailer as defined in s. 77.51 (7) and (9) and every person storing, using or otherwise consuming in this state tangible personal property or taxable services purchased from a retailer shall keep such records, receipts, invoices and other pertinent papers in such form as the department requires. The failure or refusal of any person to comply with this paragraph shall constitute a misde-

meanor department may, after giving notice, require any person to keep whatever records are needed for the department to compute the sales or use taxes the person should pay. Thereafter, the department shall add to any taxes assessed on the basis of information not contained in the records required a penalty of 25% of the amount of the tax so assessed in addition to all other penalties under this chapter.

SECTION 1500. 77.61 (5) (a) of the statutes is amended to read:

77.61 (5) (a) It is unlawful for the department or any person having an administrative duty under this subchapter to make known in any manner whatever the business affairs, operations or information obtained by an investigation of records and equipment of any retailer or any other person visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed in any return, or to permit any return or copy thereof to be seen or examined by any person. This paragraph does not prohibit the department of revenue from publishing statistics classified so as not to disclose the identity of particular returns or reports and the items thereof. This paragraph does not prohibit employes or agents of the department of revenue from offering or submitting information obtained by investigation or any return or any schedule, exhibit or writing pertaining to a return or any copy of, or information derived from, any of those documents as evidence into the record of any contested matter involving the department in proceedings or litigation on state tax matters if that evidence has reasonable probative value.

SECTION 1500e. 77.66 (1) of the statutes is amended to read:

77.66 (1) The department may Beginning with property taxes based on assessments made as of January 1, 1985, the department shall enter into agreements with participants and their coowners to loan funds to pay property taxes on their qualifying dwelling units. The maximum loan under this subchapter in any one year is limited to \$1,800 or the amount of property taxes levied on the qualifying dwelling unit for the year for which the loan is sought, including interest and penalties for delinquency attributable thereto, whichever is less. Loans shall bear interest at a rate which is determined by the secretary to be sufficient to meet all expenses arising from the operation of the program and which, in the opinion of the secretary, will also recoup the maximum possible amount of the interest foregone by the fund under s. 25.38 without discouraging a reasonable rate of participation in the program.

SECTION 1500h. 77.67 (1) of the statutes is amended to read:

77.67 (1) Loans made or authorized to be made under this subchapter may be funded from the proceeds of revenue obligations issued subject to and in

accordance with sub. (5) and subch. II of ch. 18 and from the fund under s. 25.38.

SECTION 1500k. 77.67 (2) of the statutes is amended to read:

77.67 (2) The department may create a system of funds and accounts, separate and distinct from all other funds and accounts of the state, consisting of revenues received under sub. (5), all revenues received in the repayment of loans made under this subchapter, except as provided in sub. (2m), and any other revenues dedicated to it by the department. The department may pledge revenues received or to be received by this system of funds and accounts to secure revenue obligations issued for the program. The department shall have all other powers necessary and convenient to distribute the proceeds of the revenue obligations and loan repayments in accordance with subch. II of ch. 18. Moneys from the fund under s. 25.38 may not be used to repay revenue obligations.

SECTION 1500m. 77.67 (2m) of the statutes is created to read:

77.67 (2m) Revenues received in the repayment of loans funded from the fund under s. 25.38 shall be paid into the fund under s. 25.38.

SECTION 1500t. 77.67 (5) of the statutes is amended to read:

77.67 (5) Revenue obligations may be contracted by the building commission when it reasonably appears to the building commission that all obligations incurred under this section can be fully paid from moneys received from repayments of loans or anticipated and pledged to be received on a timely basis. Revenue obligations issued for the program shall not exceed \$10,000,000 in principal amount, excluding obligations issued to refund outstanding revenue obligation notes.

SECTION 1500x. 77.76 (4) (intro.) of the statutes is renumbered 77.76 (4) and amended to read:

77.76 (4) After deducting the amounts retained under sub. (3), the department shall distribute the local sales tax collections from each enacting county to the ~~cities, villages and towns in the county,~~ no later than the end of the 3rd month following the end of the calendar quarter in which such amounts were collected by the state, ~~on the following basis:~~ The county may retain the amount it receives or it may distribute all or a portion of the amount it receives to the towns, villages, cities and school districts in the county.

SECTION 1500z. 77.76 (4) (a) and (b) of the statutes are repealed.

SECTION 1501. Subchapter VI of chapter 77 of the statutes is created to read:

CHAPTER 77  
SUBCHAPTER VI  
MANAGED FOREST LAND

**77.80 Purpose.** The purpose of this subchapter is to encourage the management of private forest lands for the production of future forest crops for commercial

use through sound forestry practices, recognizing the objectives of individual property owners, compatible recreational uses, watershed protection, development of wildlife habitat and accessibility of private property to the public for recreational purposes.

**77.81 Definitions.** In this subchapter:

(1) "Department" means the department of natural resources.

(2) "Forestry" means managing forest lands and their related resources, including trees and other plants, animals, soil, water and air.

(3) "Merchantable timber" means standing trees which, because of their size and quality, are salable.

(4) "Municipality" means a town or village.

**77.82 Managed forest land; petition.** (1) ELIGIBILITY REQUIREMENTS. (a) A parcel of land is eligible for designation as managed forest land only if it fulfills the following requirements:

1. It consists of at least 10 contiguous acres in a single municipality. The fact that a lake, river, stream or flowage, a public or private road or a railroad or utility right-of-way separates any part of the land from any other part does not render a parcel of land noncontiguous.

2. At least 80% of the parcel must be producing or capable of producing a minimum of 20 cubic feet of merchantable timber per acre per year.

(b) The following land is not eligible for designation as managed forest land:

1. A parcel of which more than 20% consists of land that is unsuitable for producing merchantable timber, including water, marsh, muskeg, bog, rock outcrops, sand dunes, farmland, roadway or railroad and utility rights-of-way.

2. A parcel that is developed for commercial recreation, industry, human residence or any other use determined by the department to be incompatible with the practice of forestry.

(2) PETITION. Any owner of land may petition the department to designate any eligible parcel of land as managed forest land. A petition may include any number of eligible parcels under the same ownership in a single municipality. Each petition shall be submitted on a form provided by the department, shall be accompanied by a nonrefundable \$10 application fee which shall be credited to the conservation fund, and shall include all of the following:

(a) The name and address of each owner.

(b) The legal description or the location and acreage of each parcel of land.

(c) The legal description of the area in which the parcel is located.

(d) A description of the physical characteristics of the land, in sufficient detail to enable the department to determine if it meets the eligibility requirements under sub. (1).

(e) A statement of the owner's forest management objectives for the production of merchantable timber,

in sufficient detail to provide direction for the development and approval of a management plan. The petition may also state additional forest management objectives, which may include wildlife habitat management, aesthetic considerations, watershed management and recreational use.

(f) Proof that each person holding any encumbrance on the land agrees to the petition.

(g) A map, diagram or aerial photograph showing the location and acreage of any area that will be designated as closed to the public under s. 77.83.

(h) Whether the land will be designated as managed forest land for 25 or 50 years.

(i) If a proposed management plan is not submitted with the petition, a request that the department prepare a management plan.

(3) MANAGEMENT PLAN. (a) The petitioner may submit a proposed management plan for the entire acreage of each parcel with the petition. The department, after considering the owner's forest management objectives as stated under sub. (2) (e), shall either approve or disapprove the proposed plan. If the department disapproves a plan, it shall inform the petitioner of the changes necessary to qualify the plan for approval.

(b) If the petitioner requests that the department prepare the management plan, the department shall comply with the request.

(c) To qualify for approval, a management plan shall include all of the following:

1. The name and address of each owner of the land.
2. The legal description of the parcel or of the area in which the parcel is located.
3. A statement of the owner's forest management objectives.
4. A map, diagram or aerial photograph which identifies both forested and unforested areas of the land, using conventional map symbols indicating the species, size and density of vegetation and the other major features of the land.
5. A map, diagram or aerial photograph which identifies the areas designated as open and closed under s. 77.83.

6. A description of the forestry practices, including harvesting, thinning and reforestation, that will be undertaken during the term of the order, specifying the period in which each is intended to be completed.

7. A description of soil conservation practices that may be necessary to control any soil erosion that may result from the forestry practices specified under subd. 6.

(d) The management plan may also specify activities that will be undertaken for the management of forest resources other than trees, including wildlife habitat, watersheds and aesthetic features.

(e) A management plan shall contain a statement that the owner agrees to comply with all of its terms and with the conditions of this subchapter and shall be

signed by the owner and a representative of the department.

(f) An owner and the department may mutually agree to amend a management plan.

(4) ADDITIONS TO MANAGED FOREST LAND. An owner may petition the department to designate as managed forest land an additional parcel of land in the same municipality if the additional parcel is at least 3 acres in size and is contiguous to any of the owner's designated land. The petition shall be accompanied by a nonrefundable \$10 application fee which shall be credited to the conservation fund, shall be submitted on a department form and shall contain any additional information required by the department.

(5) NOTICE OF PETITION; REQUEST FOR DENIAL. (a) Upon receipt of a petition under sub. (2) or (4), the department shall provide written notice of the petition to the clerk of the municipality in which the land is located. The department shall also publish a class 1 notice, under ch. 985, of the petition.

(b) The governing body of the municipality in which the proposed managed forest land is located or a resident or property tax payer of the municipality may, within 15 days after the notice under par. (a) is published, request the department to deny the petition on the grounds that the land fails to meet the eligibility requirements under sub. (1) or that, if the addition is approved, the entire parcel will fail to meet those eligibility requirements. The request shall be in writing and shall specify the reason for believing that the land is or would be ineligible.

(6) INVESTIGATION; HEARING. (a) The department shall conduct any investigation necessary to reach a decision on a petition.

(b) 1. If the department determines, after receipt of a request under sub. (5) (b) or as a result of its investigation, that further information is needed, it may schedule a public hearing to take testimony relating to the eligibility of the land.

2. At least 10 days before the date of the hearing, the department shall mail written notice of the date, time and place of the hearing to the petitioner, each person who submitted a request under sub. (5) (b) and the clerk of the municipality in which the land is located.

3. A public hearing held under this paragraph may be adjourned. No notice of the adjourned hearing is required other than an announcement of the date, time and place given at the initial hearing by the person presiding at the hearing.

(7) DECISION. (a) After considering the testimony presented at the public hearing, if any, the facts discovered by its investigation and the land use in the area in which the land is located, the department shall approve a petition under sub. (2) if it determines all of the following:

1. That the land meets the eligibility requirements under sub. (1).
2. That all facts stated in the petition are correct.

3. That a stand of merchantable timber will be developed on at least 80% of the land within a reasonable period of time.

4. That the use of the land as managed forest land is not incompatible with the existing uses of the land in the municipality in which it is located.

5. That there are no delinquent taxes on the land.

(b) After considering the testimony presented at the public hearing, if any, and the facts discovered by its investigation, the department shall approve a petition under sub. (4) if it determines all of the following:

1. That all facts stated in the petition are correct.

2. That the total parcel with the addition will meet the eligibility requirements under sub. (1).

3. That there are no delinquent taxes on either the land originally designated or on the proposed additional parcel.

4. That the owner agrees to any amendments to the management plan determined by the department to be necessary as a result of the addition.

~~(bm) Notwithstanding pars. (a) and (b), if the parcel is located in a town surrounded entirely by water in which the land entered under subch. I and this subchapter totals 5% or more of the area of the town, the department shall deny a petition under sub. (2) or (4) if the town board, by a majority vote, adopts a motion requesting the denial and the town clerk, within 60 days after receipt of the written notice under sub. (5) (a), provides a certified copy of the motion to the department and the petitioner. Notwithstanding s. 77.90, the petitioner is not entitled to a hearing on the denial.~~

(c) If a petition is received on or before March 31 of any year, the department shall investigate and shall either approve the petition and issue the order under sub. (8) or deny the petition on or before the following November 21.

(8) ORDER. If a petition under sub. (2) is approved, the department shall issue an order designating the land as managed forest land for the time period specified in the petition. If a petition under sub. (4) is approved, the department shall amend the original order to include the additional parcel. The department shall provide the petitioner with a copy of the order or amended order and shall also file a copy with the department of revenue, the supervisor of assessments, the clerk of the municipality and the register of deeds in the county in which the land is located.

(9) EFFECTIVE DATE OF ORDER. An order or amended order under sub. (8) issued before November 21 of any year takes effect on the January 1 after the date of issuance. An order or amended order under sub. (8) issued on or after November 21 of any year takes effect on the 2nd January 1 after the date of issuance.

(10) DENIAL. If the department denies a petition, it shall notify the petitioner in writing, stating the reason for the denial.

(11) DURATION. An order under this subchapter remains in effect for the period specified in the petition unless the land is withdrawn under s. 77.84 (3) (b) or 77.88. An amendment to or repeal of this subchapter does not affect the terms of an order or management plan, except as expressly agreed to in writing by the owner and the department.

(12) RENEWAL. The department shall notify each owner of managed forest land of the expiration date of an order no later than the January 31 preceding the expiration date. The owner may petition the department for renewal of the order. The petition shall be filed no later than the March 31 before the expiration date and shall specify whether the owner wants the order renewed for 25 or 50 years. The notice and hearing provisions under subs. (5) and (6) do not apply to a petition under this subsection. The department may deny the petition only if the land fails to meet the eligibility requirements under sub. (1), if the owner has failed to comply with the management plan or if there are delinquent taxes on the land. If the petition is denied, the department shall state the reason for the denial in writing.

**77.83 Closed, open and restricted areas.** (1) CLOSED AREAS. (a) An owner may designate one area in a parcel of managed forest land as closed to public access. All of an owner's contiguous acreage in a municipality shall be considered a single parcel for purposes of this section. A closed area may consist of either:

1. Not more than 80 contiguous acres.
2. One or a combination of any 2 of the following:
  - a. A quarter quarter section.
  - b. A government lot as determined by the U.S. government survey plat.
  - c. A fractional lot as determined by the U.S. government survey plat.

(b) If any area of an owner's managed forest land is already designated as closed, an addition to the parcel approved under s. 77.82 (7) (b) may be designated as closed only under the following conditions:

1. The addition does not result in increasing the closed portion of the land to an area greater than that permitted under par. (a).
2. The additional area is contiguous to the area that is already designated as closed.

(c) If all or any part of an owner's closed managed forest land is withdrawn or transferred as provided under s. 77.88, the owner may designate a different or an additional closed area if it meets the requirements of par. (b).

(2) OPEN AREAS; RESTRICTIONS. (a) Except as provided in sub. (1) and pars. (b) and (c), each owner of managed forest land shall permit public access to the land for hunting, fishing, hiking, sight-seeing and cross-country skiing.

(b) An owner may restrict public access to any area of open managed forest land which is within 300 feet of any building or within 300 feet of a commercial log-

Vetoed  
in Part



ging operation that conforms to the management plan.

(c) An owner may prohibit the use of motor vehicles, as defined under s. 340.01 (35), or snowmobiles, as defined under s. 340.01 (58a), or both on any open managed forest land. At the request of an owner, the department may provide assistance in enforcing the prohibition.

(3) **SIGNS.** An owner may post signs specifying the designation of or restrictions applicable to any area of managed forest land. The department may, by rule, specify design standards for these signs.

**77.84 Taxation of managed forest land.** (1) **TAX ROLL.** The municipal clerk shall enter in a special column or other appropriate place on the tax roll the description of each parcel of land designated as managed forest land, and shall specify, by the designation "MFL-O" or "MFL-C", the acreage of each parcel that is designated open or closed under s. 77.83. The land shall be assessed and is subject to review under ch. 70. Except as provided in this subchapter, no tax may be levied on managed forest land, except that any building on managed forest land is subject to taxation as personal property under ch. 70.

(2) **ACREAGE SHARE; PAYMENT FOR CLOSED LAND.** (a) Each owner of managed forest land shall pay to the municipal treasurer an acreage share of 74 cents per acre on or before the last day of February of each year, except that if the owner pays general property taxes in instalments the full amount due shall be paid with the first instalment.

(b) In addition to the payment under par. (a), each owner shall pay \$1 for each acre that is designated as closed under s. 77.83. The payment shall be made to the municipal treasurer on or before the last day of February in each year, except that if the owner pays general property taxes in instalments the full amount due shall be paid with the first instalment.

(c) In 1992 and each 5th year thereafter, the department of revenue shall adjust the amounts under pars. (a) and (b) by multiplying the amount specified by a ratio using as the denominator the department of revenue's estimate of the average statewide tax per acre of property classes under s. 70.32 (2) (b) 4, 5 and 6 for the year following the effective date of this paragraph ... [revisor inserts date] and, as the numerator, the department of revenue's estimate of the average tax per acre for the same classes of property for the year in which the adjustment is made.

(3) **DELINQUENCY.** (a) If the amounts due under sub. (2) are not paid by the due date, the taxes on the land shall be returned delinquent under s. 74.17. The interest specified under s. 74.80 (1) applies from the preceding January 1. The procedures specified for the collection of delinquent taxes under ch. 74, and for the sale of land for delinquent taxes under ch. 75 apply to taxes returned delinquent under this subsection. Only the county in which the land is located may bid on the land under s. 74.33, and if the county purchases the

land, it is not liable to the municipality for any amount except any amount of the acreage share subsequently paid by the former owner. Immediately upon the expiration of 3 years after the date the county acquires land under this subsection, the county clerk shall take a tax deed as provided under s. 75.36, except that county board approval is not required. The county clerk shall certify to the department that a tax deed has been taken and shall include the legal description of the land subject to the tax deed.

(b) Immediately after receiving the certification of the county clerk that a tax deed has been taken, the department shall issue an order withdrawing the land as managed forest land. The notice requirement under s. 77.88 (1) does not apply to the department's action under this paragraph. The department shall notify the county treasurer of the amount of the withdrawal tax, as determined under s. 77.88 (5), and the county treasurer shall recover that amount from the proceeds of the tax sale and pay the amount recovered to the department. The amount shall be credited to the conservation fund.

**77.85 State contribution.** (1) **CERTIFICATION.** On or before April 20 of each year, the county treasurer of each county in which managed forest land is located shall certify to the department the description and acreage of each parcel of land on which the owner has paid any current or delinquent amount owed under s. 77.84 (2).

(2) **PAYMENT.** The department shall, as soon as possible after receiving the certification under sub. (1), pay the municipal treasurer from the appropriation under s. 20.370 (4) (ar) 20 cents for each acre of land in the municipality that is designated as managed forest land.

**77.86 Forestry practices.** (1) **CUTTING REGULATED.** (a) Except as provided under sub. (6), no person may cut merchantable timber on managed forest land on which the payment under s. 77.84 (2) is delinquent.

(b) Except as provided under sub. (6), an owner who intends to cut merchantable timber on managed forest land shall, at least 30 days before the cutting is to take place, on a form provided by the department, file a notice of intent to cut and request approval of the proposed cutting from the department.

(c) If the proposed cutting conforms to the management plan, the department shall approve the request.

(d) If the proposed cutting does not conform to the management plan, the department shall assist the owner in developing an acceptable proposal before approving the request.

(2) **BOND.** The department may require an owner who intends to cut merchantable timber on managed forest land to file with the department a noncancelable bond furnished by a surety company licensed to do business in this state in the amount expected to be required as payment of the yield tax under s. 77.87 (1).

(3) **TIME LIMIT.** All cutting specified in the notice under sub. (1) (b) shall be commenced within one year

after the date the proposed cutting is approved. The owner shall report to the department the date on which the cutting is commenced.

(4) **REPORTING.** Within 30 days after completion of any cutting approved under this section, the owner shall report to the department, on a form provided by the department, a description of the species of wood, kind of product and the quantity of each species cut as shown by the scale or measurement made on the ground as cut, skidded, loaded or delivered, or by tree scale certified by a forester acceptable to the department if the wood is sold by tree measurement.

(5) **PENALTIES.** (a) Any person who fails to file the notice required under sub. (1) (b) or who intentionally files a false report under sub. (4) shall forfeit not more than \$1,000.

(b) Any owner who intentionally cuts merchantable timber in violation of this section is subject to a forfeiture equal to 20% of the current value of the merchantable timber cut, based on the stumpage value established under s. 77.91 (1).

(6) **EXCEPTION.** This section does not apply to an owner who cuts wood on managed forest land for use as fuel in the owner's dwelling.

**77.87 Yield tax.** (1) **TAXATION.** The department shall assess a yield tax against each owner who cuts merchantable timber under s. 77.86. The yield tax shall equal 5% of the value of the merchantable timber cut, based on the stumpage value established under s. 77.91 (1). The department shall mail a copy of the certificate of assessment to the owner at the owner's last-known address.

(2) **SUPPLEMENTAL TAX.** At any time within one year after a report is filed under s. 77.86 (4), the department, after notifying the owner and providing the owner with the opportunity for a hearing, may determine whether the report is accurate. If the department determines that the quantity of merchantable timber cut exceeded the amount on which the tax was assessed under sub. (1), the department shall assess a supplemental tax on the additional amount as provided under sub. (1).

(3) **PAYMENT.** A tax assessed under sub. (1) or (2) is due and payable to the department on the last day of the month following the date the certificate is mailed to the owner. The department shall collect interest at the rate of 12% per year on any tax that is paid later than the due date. Amounts received shall be credited to the conservation fund.

(4) **OWNER'S LIABILITY.** The owner is personally liable for a tax assessed under sub. (1) or (2). An unpaid tax becomes a lien against the merchantable timber that was cut. If the merchantable timber cut is mingled with other wood products, the unpaid tax becomes a lien against all of the wood products while they are in the owner's possession, or in the possession of any person other than a purchaser for value without notice in the usual course of business.

(5) **DELINQUENCY.** If a tax due under this section is not paid on or before the last day of the February following the date specified under sub. (3), the department shall certify to the county treasurer the description of the land and the amount due for the tax and interest. The county treasurer shall follow the procedure specified under s. 77.84 (3) for the recovery of delinquent taxes.

**77.875 Grazing restricted.** An owner of managed forest land may not permit domesticated animals to graze on managed forest land.

**77.88 Withdrawal; transfer of ownership; nonrenewal.** (1) **WITHDRAWAL BY DEPARTMENT ORDER.** (a) The department may, at the request of the owner of managed forest land or of the governing body of the municipality in which any managed forest land is located, or at its own discretion, investigate to determine whether the designation as managed forest land should be withdrawn. The department shall notify the owner of the land and the chairperson of the town or the president of the village in which the land is located of the investigation.

(b) Following an investigation under par. (a), the department may order the withdrawal of all or any part of a parcel of managed forest land for any of the following reasons:

1. Failure of the land to conform to an eligibility requirement under s. 77.82 (1).

2. The owner's failure to comply with this subchapter or the management plan.

3. Intentional cutting by the owner in violation of s. 77.86.

4. The owner's development or use of any part of the parcel for a purpose which is incompatible with the purposes specified in s. 77.80.

5. The owner's posting of signs or otherwise denying access to open managed forest land.

(c) If the department determines that land should be withdrawn, it shall issue an order withdrawing the land as managed forest land and shall assess against the owner the tax under sub. (5).

(2) **SALE OR TRANSFER OF OWNERSHIP.** (a) An owner may sell or otherwise transfer ownership of all or part of the owner's managed forest land if the land transferred is one of the following:

1. An entire parcel of managed forest land.

2. An entire quarter quarter section.

3. A government lot or fractional lot as determined by the U.S. government survey plat.

(b) If the land remaining after a transfer under par. (a) is contiguous and meets the eligibility requirements under s. 77.82 (1) (a) 2 and (b), it shall continue to be designated as managed forest land until the expiration of the existing order, even if the parcel contains less than 10 acres. Notwithstanding s. 77.82 (12), an owner may not petition the department for renewal of the order if the parcel contains less than 10 acres. No withdrawal tax under sub. (5) may be assessed when

the remaining land is withdrawn at the expiration of the order.

(c) If the remaining land does not meet the eligibility requirements under s. 77.82 (1) (a) 2 and (b), the department shall issue an order withdrawing the land and shall assess against the owner the tax under sub. (5). Notwithstanding s. 77.90, the owner is not entitled to a hearing on an order withdrawing land under this paragraph.

(d) Within 10 days after a transfer of ownership, the former owner shall, on a form provided by the department, file with the department a report of the transfer signed by the former owner and the transferee. The report shall be accompanied by a \$20 fee which shall be credited to the conservation fund. The department shall immediately notify each person entitled to notice under s. 77.82 (8).

(e) The transferred land shall remain managed forest land if the transferee, within 30 days after the transfer, certifies to the department an intent to comply with the existing management plan for the land and with any amendments agreed to by the department and the transferee, and provides proof that each person holding any encumbrance on the land agrees to the designation. The transferee may designate an area of the transferred land closed to public access as provided under s. 77.83. The department shall issue an order continuing the designation of the land as managed forest land under the new ownership.

(f) If the transferee does not provide the department with the certification required under par. (e), the department shall issue an order withdrawing the land and shall assess against the transferee the tax under sub. (5). Notwithstanding s. 77.90, the transferee is not entitled to a hearing on an order withdrawing land under this paragraph.

(3) **VOLUNTARY WITHDRAWAL.** An owner may request that the department withdraw all or any part of the owner's land meeting one of the requirements specified under sub. (2) (a) 1 to 3. If any remaining land meets the eligibility requirements under s. 77.82 (1), the department shall issue an order withdrawing the land subject to the request and shall assess against the owner the tax under sub. (5).

(4) **NONRENEWAL.** If an owner does not petition the department to renew a managed forest land order, the department shall order the land withdrawn at the expiration of the order. No withdrawal tax under sub. (5) shall be assessed.

(5) **WITHDRAWAL TAX.** The withdrawal tax shall be determined as follows:

(a) For land withdrawn during an initial managed forest land order, the withdrawal tax shall be the higher of the following:

1. An amount equal to the product of the total net property tax rate in the municipality in the year prior to the withdrawal and the assessed value of the land for the same year, as computed by the department of revenue, multiplied by the number of years the land

was designated as managed forest land, less any amounts paid by the owner under ss. 77.84 (2) (a) and 77.87.

2. Five percent of the stumpage value of the merchantable timber on the land, less any amounts paid by the owner under ss. 77.84 (2) (a) and 77.87.

(b) For land withdrawn after the renewal of a managed forest land order, the withdrawal tax shall be the higher of the following:

1. An amount equal to the product of the total net property tax rate in the municipality in the year prior to the withdrawal and the assessed value of the land for the same year, as computed by the department of revenue, multiplied by the number of years since the renewal, less any amounts paid by the owner under ss. 77.84 (2) (a) and 77.87.

2. Five percent of the stumpage value of the merchantable timber on the land, less any amounts paid by the owner under ss. 77.84 (2) (a) and 77.87.

(6) **DETERMINATION OF STUMPAGE VALUE.** In determining the stumpage value of merchantable timber for purposes of this section, an estimator agreed upon by the parties or, if they cannot agree, a forester appointed by a judge of the circuit court in the county in which the land is located shall estimate the volume of merchantable timber on the land. The estimate obtained shall be final. The department shall determine the current stumpage value of the merchantable timber, based on the rule promulgated under s. 77.91 (1). The owner shall pay the entire cost of obtaining the estimate.

(7) **PAYMENT; DELINQUENCY.** A tax under sub. (5) is due and payable to the department on the last day of the February following the effective date of the withdrawal order. Amounts received shall be credited to the conservation fund. If the owner of the land fails to pay the tax, the department shall certify to the county treasurer the amount due. The county treasurer shall follow the procedure specified under s. 77.84 (3) for the collection of delinquent taxes.

(8) **EXCEPTION.** No withdrawal tax may be assessed against an owner who transfers ownership of managed forest land for a public road or railroad or utility right-of-way. The department may not order withdrawal of the remainder of the land unless the remainder fails to meet the eligibility requirements under s. 77.82 (1).

(9) **ORDER; MISCELLANEOUS PROVISIONS.** (a) Each withdrawal order issued under this section shall include the legal description of the land withdrawn.

(b) The department shall notify the owner in writing of the withdrawal order, stating the reason for the withdrawal.

(c) The department shall mail a copy of the withdrawal order to each person specified under s. 77.82 (8).

(d) A withdrawal order issued before December 15 of any year takes effect on the January 1 after the date of issuance. A withdrawal order issued on or after

December 15 of any year takes effect on the 2nd January 1 after the date of issuance.

(e) If less than a total parcel of managed forest land is withdrawn, the department shall amend the order under s. 77.82 and the management plan to correct the description of the remaining land.

(10) **APPLICABLE TAXES.** Chapter 70 applies to any land withdrawn from the managed forest land program under this section.

(11) **LIABILITY FOR PREVIOUS TAXES.** Withdrawal of land under this section does not affect the liability of the owner for previously levied taxes under s. 77.84 or 77.87.

**77.89 Distribution of moneys received.** (1) **PAYMENT TO MUNICIPALITIES.** By June 30 of each year, the department, from the appropriation under s. 20.370 (4) (ar), shall pay 50% of each payment received under s. 77.84 (3) (b), 77.87 (3) or 77.88 (7) to the treasurer of the municipality in which is located the land to which the payment applies.

(2) **PAYMENT TO COUNTIES.** Each municipal treasurer shall pay 20% of each payment received under sub. (1) or s. 77.84 (2) (a) or 77.85 (2) to the county treasurer and shall deposit the remainder in the municipal treasury. The payment to the county treasurer for money received before November 1 of any year shall be made on or before the November 15 after its receipt. For money received on or after November 1 of any year, the payment to the county treasurer shall be made on or before November 15 of the following year.

(3) **CONSERVATION FUND CREDIT.** The municipal treasurer shall pay all amounts received under s. 77.84 (2) (b) to the county treasurer, as provided under s. 74.03 (5) or 74.031 (8). The county treasurer shall, by June 30 of each year, pay all amounts received under this subsection to the department. All amounts received by the department shall be credited to the conservation fund and shall be reserved for land acquisition and resource management activities.

**77.90 Right to hearing.** A petitioner under s. 77.82 or an owner of managed forest land who is adversely affected by a decision of the department under this subchapter is entitled to a contested case hearing under ch. 227.

**77.91 Miscellaneous provisions.** (1) **RULE MAKING; STUMPAGE VALUE.** Each year the department shall promulgate a rule establishing a reasonable stumpage value for the merchantable timber grown in the municipalities in which managed forest land is located. If the department finds that stumpage values vary in different parts of the state, it may establish different zones and specify the stumpage value for each zone. The rule shall take effect on November 1 of each year.

(2) **PUBLICATION OF INFORMATION.** (a) The department, with the cooperation of the university of Wisconsin-extension, shall publish and distribute information describing the managed forest land pro-

gram, including the applicable taxes and penalties and the forestry and resource management practices that are acceptable as part of a management plan.

(b) The department shall prepare, update annually and, by March 31 of each year, offer for sale to the public information describing the location of managed forest land designated as open under s. 77.83.

(3) **STUDY.** The department and the university of Wisconsin-extension shall study and evaluate the first 5 years of the operation of the managed forest land program to determine whether it has achieved the purposes specified under s. 77.80 and shall, before January 1, 1992, report their findings and recommendations to the presiding officer of each house of the legislature. This subsection applies from July 1, 1989 to December 31, 1991.

(4) **EXPENSES.** The department's expenses for the administration of this subchapter shall be paid from the appropriation under s. 20.370 (1) (mu).

(5) **RECORDING.** Each register of deeds who receives notice of an order under this subchapter shall record the action as provided under s. 59.51. The department shall pay the register of deeds the fee specified under s. 59.57 (1) (a) from the conservation fund.

**SECTION 1502.** 78.70 (6) of the statutes is created to read:

78.70 (6) **PERSONAL LIABILITY.** Any officer, employe, fiduciary or agent who is responsible for paying taxes under this chapter incurred by another person, as defined in s. 77.51 (3), is personally liable for those taxes. Section 71.12, as it applies to appeals of income tax assessments, applies to appeals of assessments under this subsection.

**SECTION 1502m.** 78.75 (1) (a) 1 of the statutes is amended to read:

78.75 (1) (a) 1. Except as provided under ~~subd. 2~~ subds. 2 and 2m, a person who uses motor fuel or special fuel, upon which has been paid the tax required under this chapter, for the purpose of operating a taxicab for the transportation of passengers or for any purpose other than operating a motor vehicle upon the public highways, shall be reimbursed and repaid the amount of the tax paid upon making and filing a claim with the department.

**SECTION 1503.** 78.75 (1) (a) 2 of the statutes is amended to read:

78.75 (1) (a) 2. A person who uses motor fuel or special fuel upon which has been paid the tax required under this chapter for the purpose of operating a snowmobile, as defined under s. 340.01 (58a), or a motorboat, as defined under s. 30.50 (6), may not be reimbursed or repaid the amount of tax paid.

**SECTION 1503m.** 78.75 (1) (a) 2m of the statutes is created to read:

78.75 (1) (a) 2m. A person who uses motor fuel or special fuel upon which has been paid the tax required under this chapter for the purpose of operating an all-terrain vehicle, as defined under s. 340.01 (2g), may not be reimbursed or repaid the amount of tax paid

unless the all-terrain vehicle is registered for private use under s. 23.33 (2) (d).

SECTION 1504. 78.75 (1) (a) 3 of the statutes is amended to read:

78.75 (1) (a) 3. Claims under subd. 1 shall be made and filed upon forms prescribed and furnished by the department. The forms shall indicate that refunds are not available for motor fuel used for motorboats or gas used for snowmobiles and that the estimated snowmobile gas tax payments are used for snowmobile trails and areas. The forms shall indicate that refunds are not available for gas used for all-terrain vehicles unless the all-terrain vehicle is registered for private use under s. 23.33 (2) (d) and shall indicate that estimated all-terrain vehicle gas tax payments are used for all-terrain vehicle trails and areas. The department shall distribute forms in sufficient quantities to each county clerk.

SECTION 1505d. 79.015 of the statutes is renumbered 79.015 (1) and amended to read:

79.015 (1) The department of revenue, on or before September 15 of 1985 and 1986, and on or before December 1 of each year beginning with 1987, shall provide to each municipality and county a statement of estimated payments to be made in the next calendar year to the municipality or county under ss. 79.03, 79.04, and 79.06 and 79.07. The statements of estimated payments for 1982, 1983, 1984 and 1985 shall include an estimate of the amount of special adjustment repayments under s. 79.085 (3) and repayments of amounts withheld under s. 79.085 (5). The municipality or county shall not consider the anticipated receipt of these entitlements in determining the tax rate of the municipality or county.

SECTION 1505h. 79.015 (2) of the statutes is created to read:

79.015 (2) The amount of credit to be certified to each municipality under s. 79.10 (9) shall be equal to the sum of amounts computed under pars. (a) and (b):

(a) The municipality's total entitlements under this subchapter for the following year as determined by the department of revenue in December of the current year.

(b) A portion of the county's total entitlements under this subchapter for the following year as determined by the department of revenue on or before December 1 of the current year for each county in which the municipality is located. This portion shall be equal to the sum generated by dividing the amount computed under subd. 1 by the amount computed under subd. 2 and multiplying the resultant amount by the amount computed under subd. 3:

1. The full value of the municipality's taxable property located in the county, excluding value increments as defined under s. 66.46 (2) (m).

2. The full value of the county's taxable property, excluding value increments as defined under s. 66.46 (2) (m).

3. The county's total entitlements for the following year under this subchapter.

SECTION 1505p. 79.02 of the statutes is amended to read:

**79.02 Shared revenue distributions.** (1) ~~The~~ Except as provided in sub. (4), the department of administration, upon certification by the department of revenue, shall distribute shared revenue payments to each municipality and county on the 4th Monday in July, the 3rd Monday in September and the 3rd Monday in November.

(2) (a) In this subsection, "estimated payments entitlements" means the amounts in the statement provided to the county or municipality under s. 79.015 (2).

(b) ~~Payments in July of 1984 shall equal 15% of the municipality's or county's estimated payments for that year. Payments in July of 1985 shall equal 20% of the municipality's or county's estimated payments for that year. Payments in July of 1986 and subsequent years shall equal 25% of the municipality's or county's estimated payments entitlements.~~

(c) Payments in September to each municipality and county shall equal 25% of the municipality's or county's estimated payments entitlements.

(3) Payments to each municipality and county in November shall equal that municipality's or county's entitlement entitlements to shared revenues under ss. 79.03, 79.04, and 79.06 and 79.07 for the current year, minus the amounts distributed to the municipality or county in July and September.

SECTION 1505t. 79.02 (4) of the statutes is created to read:

79.02 (4) (a) If par. (b) or (c) apply, the department of administration, upon certification by the department of revenue, shall distribute in 1988 and thereafter payments to each municipality and county on the 4th Monday in July, the 3rd Monday in September and the 3rd Monday in November. Payments in July shall equal 15% of the municipality's or county's entitlements; payments in September shall equal 25% of the municipality's or county's entitlements; and payments in November shall equal the remainder of the municipality's or county's entitlements for the current year.

(b) If the tax credit to a municipality under s. 79.015 (2) (a) exceeds the total property taxes levied for local purposes for that municipality, the department of administration, upon certification by the department of revenue, shall distribute to that municipality a portion of the tax credit equal to that municipality's levy for local purposes. The remainder of the entitlement under s. 79.015 (2) (a) shall be returned to the general fund.

(c) If the portion of the county tax credit allocated to a municipality under s. 79.015 (2) (b) exceeds the property taxes levied for the county within that municipality, the department of administration, upon

certification by the department of revenue, shall distribute to the county a portion of the tax credit equal to the property taxes levied for the county within that municipality. The remainder of the entitlement under s. 79.015 (2) (b) shall be returned to the general fund.

SECTION 1507. 79.03 (3) (b) 1. b of the statutes is amended to read:

79.03 (3) (b) 1. b. For a county, the following percentages of the average local purpose revenue: 70% in 1982, 75% in 1983, 80% in 1984, and 85% in 1985, ~~90% in 1986, 95% in 1987 and 100% in 1988 and thereafter.~~

SECTION 1508m. 79.03 (3) (b) 4. (intro.) of the statutes is amended to read:

79.03 (3) (b) 4. (intro.) ~~Except as provided in subd. 4. h,~~ ~~local~~ “Local purpose revenues” means the sum of the following: local general purpose taxes; regulation revenues, except liquor and malt beverage licenses, business and occupational licenses and cable television licenses; revenues for services to private parties by a county’s or municipality’s general operations or enterprises, except services by hospitals, nursing and rest homes, mass transit systems, urban development and housing agencies, liquor stores, cemeteries, and electric, gas and water utilities and, except judicial service fees and court costs, register of deeds fees, board paid for prisoners at county jails, fees for mental health, developmental disability and alcohol and drug abuse services provided by under ss. 51.42 and 51.437 boards, welfare repayments by individuals, other health and social services fees, fees from older American projects, revenues from the sale of highway materials and services, revenues from the operation of vessels under s. 30.38 (8) (b) 3, snow, ice and weed control revenues, airport revenues, fairs and exhibits, auditoriums, stadiums and celebration revenues, forestry fees, and sewer revenues from private parties outside the municipality; revenue for sanitation services to private parties collected by sewerage, sanitation or inland lake rehabilitation districts; special assessment revenues, or in the case of enterprises, those special assessment revenues that are transferred to the municipality and county for general operations; tax base equalization aids; and, for municipalities only, a proxy for private sewer service costs. Taxes and revenues of sewerage, sanitation and inland lake rehabilitation districts that are local purpose revenues shall be allocated to municipalities in proportion to the amount of revenue that is derived from within the municipality. In this subdivision:

SECTION 1508p. 79.03 (3) (b) 4. a of the statutes is amended to read:

79.03 (3) (b) 4. a. “Local general purpose taxes” means, for the calculation of local purpose revenues for 1983 to 1987, the portion of tax increments collected for payment to a municipality under s. 66.46 which is attributable to that municipality’s own levy, general property taxes collected to finance the general purpose government unit, property taxes collected for

sewage and sanitary districts, mobile home fees and municipal and county vehicle registration fees under s. 341.35 (1). “Local general purpose taxes” means, for the calculation of local purpose revenues for 1988 and thereafter, the portion of tax increments collected for payment to a municipality under s. 66.46 which is attributable to that municipality’s own levy, general property taxes collected to finance the general purpose government unit, net of the credit determined under ss. 79.015 (2) (a) and (b) and 86.30 (10) (a) and (b) which was applied to tax bills, property taxes collected for sewage and sanitary districts, mobile home fees and municipal and county vehicle registration fees under s. 341.35 (1).

SECTION 1509. 79.03 (3) (b) 4. g of the statutes is amended to read:

79.03 (3) (b) 4. g. “Tax base equalization aids” means payments received under par. (a) and s. 70.996 (1m) (c), 1977 stats. and 1979 stats., s. 79.03 (3), 1977 stats. and 1979 stats., and s. 79.16 (3), 1977 stats. and 1979 stats. For the calculation of 1982 local purpose revenues, “tax base equalization aids” means payments that would have been received under par. (a) if \$471,395,500 had been distributed under par. (a) plus payments received under s. 70.996 (1m) (c), 1977 stats. and 1979 stats., s. 79.03 (3), 1977 stats. and 1979 stats., and s. 79.16 (3), 1977 stats. and 1979 stats. For the calculation of local purpose revenues for 1983 and thereafter, “tax base equalization aids” means payments received under par. (a).

SECTION 1510. 79.03 (3) (b) 4. h of the statutes is repealed.

SECTION 1511m. 79.03 (4) of the statutes is amended to read:

79.03 (4) (c) ~~Except as provided in par. (f), beginning in 1979 1987,~~ the amount entered into the shared revenue account for total distributions under this subchapter shall increase over the amount entered into the shared revenue account for the prior year, ~~plus the amount distributed from the appropriation under s. 20.835 (1) (f) for the prior year,~~ by the same rate as the actual rate of annual increase in the amount of general fund tax revenue collected by the state in the fiscal year ending during the calendar year of the distribution under this section, but not more than 12% or less than ~~5%~~ zero.

(d) To maintain comparability for the purpose of computing the actual rate of annual increase in par. (c) ~~and in s. 79.10 (5) (a),~~ adjustments shall be made to reflect reclassification of tax revenues as among state general fund tax revenues and program revenue and segregated revenue. If a tax, or part thereof, is included in state general fund tax revenue in the most recent fiscal year, the tax, or corresponding part, shall also be included in state general fund tax revenue for the prior fiscal year. If a tax, or part thereof, is not included in state general fund tax revenue in the most recent fiscal year because of any reclassification, the

tax, or corresponding part, shall be excluded from state general fund tax revenue for the prior fiscal year.

(e) In this subsection ~~and in s. 79.10 (5) (a)~~, "state general fund tax revenue" means tax revenue collected by the state except taxes classified as program revenue and segregated revenue.

(f) In ~~1983~~ 1985, the total amount to be distributed under this subchapter is ~~\$714,600,000 from the appropriation under s. 20.835 (1) (d)~~ is \$759,360,000. In ~~1984~~ 1986, the total amount to be distributed under this subchapter, ~~not including the amount distributed under s. 79.07~~, is ~~\$714,600,000 from the appropriation under s. 20.835 (1) (d)~~ is \$779,360,000.

SECTION 1512. 79.03 (5) of the statutes is repealed.

SECTION 1513. 79.04 (1) (a) of the statutes is amended to read:

79.04 (1) (a) An amount from the shared revenue account determined by multiplying by 3 mills in the case of a town, and 6 mills in the case of a city or village, the first ~~\$100,000,000~~ \$125,000,000 of the amount shown in the account, plus leased property, of each public utility on December 31 of the preceding year for either "production plant, exclusive of land" and "general structures", or "work in progress" for production plants and general structures under construction, in the case of light, heat and power companies or electric cooperatives, for all property within a municipality in accordance with the system of accounts established by the public service commission or rural electrification administration, less depreciation thereon as determined by the department of revenue and less the value of treatment plant and pollution abatement equipment, as defined under s. 70.11 (21) (a), as determined by the department of revenue. The total of amounts, as depreciated, from the accounts of all public utilities for the same production plant is also limited to not more than ~~\$100,000,000~~ \$125,000,000. The amount distributable to a municipality in any year shall not exceed \$300 times the population of the municipality, ~~except for the guaranteed payment under par. (b).~~

SECTION 1514. 79.04 (1) (b) of the statutes is repealed.

SECTION 1515. 79.04 (2) (a) of the statutes is amended to read:

79.04 (2) (a) Annually, the department of administration, upon certification by the department of revenue shall distribute from the shared revenue account to any county having within its boundaries a production plant or a general structure, including production plants and general structures under construction, used by a light, heat or power company assessed under s. 76.28 (2) except those described in s. 66.069 (2) or by an electric cooperative association assessed under ss. 76.07 and 76.48, respectively, an amount determined by multiplying by 6 mills the first \$100,000,000 of the amount shown in the account, plus leased property, of each public utility on December 31 of the preceding

year for either "production plant, exclusive of land" and "general structures", or "work in progress" for production plants and general structures under construction, in the case of light, heat and power companies or electric cooperatives, for all property within a town in accordance with the system of accounts established by the public service commission or rural electrification administration, less depreciation thereon as determined by the department of revenue and less the value of treatment plant and pollution abatement equipment, as defined under s. 70.11 (21) (a), as determined by the department of revenue and by multiplying by 3 mills the first \$100,000,000 of the amount as defined in this subsection for all property within a city or village. Amounts from the accounts, plus leased property, for production plants for which sub. (3) distributions pertain, shall be excluded in computing the distribution under this subsection. The total of amounts, as depreciated, from the accounts of all public utilities for the same production plant is also limited to not more than \$100,000,000. The amount distributable to a county in any year shall not exceed \$100 times the population of the county.

SECTION 1516. 79.05 of the statutes is repealed.

SECTION 1517. 79.055 of the statutes is repealed.

SECTION 1518. 79.06 (1) (a) of the statutes is repealed.

SECTION 1519. 79.06 (1) (b) of the statutes is amended to read:

79.06 (1) (b) If the payments to any municipality or county under s. 79.03 in ~~1985~~ 1986 or any year thereafter are less than ~~90%~~ 95% of the combined payments to the municipality or county under this section and s. 79.03 for the previous year, the municipality or county has an aids deficiency. The amount of the aids deficiency is the amount by which ~~90%~~ 95% of the combined payments to the municipality or county under this section and s. 79.03 in the previous year exceeds the payments to the municipality or county under s. 79.03 in the current year.

SECTION 1520. 79.06 (2) (a) of the statutes is repealed.

SECTION 1521. 79.07 of the statutes is repealed.

SECTION 1521e. 79.08 (title) of the statutes is amended to read:

**79.08 (title) Corrections.**

SECTION 1521f. 79.08 (1) of the statutes is renumbered 79.08 (2).

SECTION 1521g. 79.08 (1) of the statutes is created to read:

79.08 (1) If the department of administration or the department of revenue determines by November 1 of the year of the distribution under this subchapter that there was an overpayment or underpayment made in any certification by the department of revenue or resulting from changes to the elements of the distribution or in the distribution by the department of administration, the overpayment or underpayment shall be corrected as provided in this section. Any overpay-

ment shall be corrected by reducing the subsequent year's payment under the appropriate section of this subchapter. Any underpayment shall be corrected by increasing the subsequent year's payment under the appropriate section of this subchapter. Corrections shall be made in the payment to all municipalities and counties affected by the error. Corrections shall be without interest. When the sum of all underpayments and overpayments results in a net underpayment, the net underpayment shall be paid from the appropriation under s. 20.835 (1) (e). When the sum of all underpayments and overpayments results in a net overpayment, the net overpayment shall be returned to the general fund.

SECTION 1522. 79.08 (2) of the statutes is repealed.

SECTION 1523. 79.085 of the statutes is repealed.

SECTION 1524. 79.09 of the statutes is amended to read:

**79.09 Administration.** Counties and municipalities shall submit the information required under this subchapter by the department of revenue on forms prescribed by the department. Annually, each county and municipality shall may contract with ~~the department of revenue pursuant to s. 73.10~~ or a certified public accountant licensed under ch. 442 to compile and submit to the department the information required.

SECTION 1525. 79.10 (1) of the statutes is renumbered 79.10 (7m) and amended to read:

79.10 (7m) (title) **DISTRIBUTION TO MUNICIPALITIES.** On the first Monday in March, commencing in 1986, the amount appropriated under s. 20.835 (3) (c) shall be distributed by the department of administration to towns, villages and cities as determined under sub. (3). On or before March 15, the town, village or city treasurer shall settle for the full amount of the credit under sub. (3) with the appropriate school district treasurer. On the 4th Monday in July of each year, commencing in 1984 1986, the amount appropriated under s. 20.835 (2)(a) (3) (a) and (b) shall be distributed by the department of administration to towns, villages and cities as determined under subs. (2) and (6) (4) and (5) and s. 79.105. The town, village or city treasurer shall settle with the appropriate county treasurer for the amounts distributed under ~~this subsection~~ subs. (4) and (5) and s. 79.105 on the next regular settlement date under ss. 74.03 (5) and 74.031 (8) following the town's, village's or city's receipt of those amounts, but that settlement may not be made later than August 15. Failure to settle timely under this subsection subjects the town, village or city treasurer to the penalties under s. 74.22. On or before August 20, the county treasurer shall use ~~these funds~~ the amounts distributed under subs. (4) and (5) and s. 79.105 to settle with each taxing jurisdiction, including towns, villages and cities except 1st class cities, in the county.

SECTION 1526. 79.10 (1) (a) of the statutes is created to read:

79.10 (1) (a) "Average general government levies" means the average of the general government levies for the 3 years preceding the assessment year to which the tax credit is to apply.

SECTION 1527. 79.10 (1) (b) of the statutes is created to read:

79.10 (1) (b) "Average school tax levies" means the average of the school tax levies for the 3 years preceding the assessment year to which the tax credit is to apply.

SECTION 1528. 79.10 (1) (c) of the statutes is created to read:

79.10 (1) (c) "General government levies" means the total of all general property taxes levied in a municipality, including value increments under s. 66.46 but excluding school tax levies, net of municipal surplus funds applied against those levies, and minus credits applied under ss. 79.015 (2) and 86.30 (10).

SECTION 1529. 79.10 (1) (e) of the statutes is created to read:

79.10 (1) (e) "School tax levies" means property taxes levied in a municipality for elementary and secondary school districts and for handicapped children's education programs under s. 115.86, net of municipal surplus funds applied against those levies, and minus credits applied under s. 121.008 (6).

SECTION 1530. 79.10 (1m) of the statutes is renumbered 79.10 (8).

SECTION 1531. 79.10 (2) (title) of the statutes is renumbered 79.10 (3) (title) and amended to read:

79.10 (3) (title) **SCHOOL AID CREDIT.**

SECTION 1532. 79.10 (2) (a) of the statutes is repealed.

SECTION 1533. 79.10 (2) (am) of the statutes is renumbered 79.10 (3) (a), and 79.10 (3) (a) (intro.) and 2, as renumbered, are amended to read:

79.10 (3) (a) (intro.) In this subsection, "additional school aid entitlements" of a school district means the difference generated by subtracting:

2. School aid payments to each elementary and secondary school district under s. 121.08 for the current fiscal year based on the equalized valuations under s. 121.06, estimates of membership under s. 121.004 (5), shared cost under s. 121.07 (6) and the guaranteed valuation per member sufficient to generate without proration a sum of school aid payments to all school districts that falls within the range of .999 and 1.001 of the total amount of school aid payments calculated under subd. 1 plus the amount to be distributed under ~~par. (a)~~ this subsection.

SECTION 1534. 79.10 (2) (b) of the statutes is renumbered 79.10 (3) (c), and 79.10 (3) (c) (intro.) and 3, as renumbered, are amended to read:

79.10 (3) (c) (intro.) ~~Each~~ The school aid credit or credits of each municipality shall receive a be that portion of the additional school aid entitlements credit of each school district in which it that municipality is



located. ~~This portion equals the amount generated by:~~

3. The ~~additional~~ school aid ~~entitlement~~ credit of the school district.

SECTION 1535. 79.10 (2) (e) of the statutes is renumbered 79.10 (3) (d) 1 and amended to read:

79.10 (3) (d) 1. The state superintendent of public instruction shall calculate the ~~additional~~ school aid ~~entitlements~~ entitlement under par. ~~(am)~~ (a) and shall certify the results to the department of revenue by October 30 of the year preceding the distribution.

2. The state superintendent of public instruction shall ~~also~~ provide estimates of additional school aid entitlements to the department of revenue by August 15 of the year preceding the distribution.

SECTION 1536. 79.10 (3) (intro.) of the statutes is renumbered 79.10 (2) and amended to read:

79.10 (2) (title) NOTICE TO MUNICIPALITIES. On or before December 1 of the year preceding the distribution under sub. ~~(4)~~ (7m), the department of revenue shall notify the clerk of each town, village and city of the amount to be distributed to it under sub. ~~(4)~~ (7m) on the following first Monday in March and on the following 4th Monday in July. The anticipated receipt of such distribution shall not be taken into consideration in determining the tax rate of the municipality but shall be applied as tax credits, ~~as follows:~~

SECTION 1537m. 79.10 (3) (b) of the statutes, as affected by 1985 Wisconsin Act .... (this act), section 3202 (56) (b), is renumbered 79.10 (9) (b) and amended to read:

79.10 (9) (b) Every property taxpayer of the municipality having assessed property shall receive a tax credit in an amount determined by applying the percentage of the amount of the value of property assessed to the taxpayer to the amount of the ~~distribution to be made~~ credits allocated to the municipality ~~under sub. (7m)~~, as stated in the December 1 notification under par. (a) from the department of revenue, except that ~~payments under sub. (3)~~ credits shall be allocated only to those portions of the municipality that are located in the school district taxing jurisdiction upon which the payments are based and except that no taxpayer may receive a credit larger than the total amount of property taxes to be paid on each parcel for which tax is levied for that year by that taxpayer and except that credit amounts shall be reduced to reflect adjustments specified in ss. 79.02 (4) (b), 86.30 (11) and 121.008 (3) and pars. (f), (g) and (h).

SECTION 1538. 79.10 (3) (b) of the statutes is created to read:

79.10 (3) (b) The amount to be distributed under this subsection is the amount appropriated under s. 20.835 (3) (c).

SECTION 1539. 79.10 (3) (c) of the statutes is renumbered 79.10 (9) (c) and amended to read:

79.10 (9) (c) The amount of the ~~Wisconsin~~ state property tax ~~relief~~ credits of particular property tax-

payers, as determined under par. (b), shall be set forth ~~and separately identified as the~~ "WISCONSIN STATE PROPERTY TAX RELIEF" in the manner provided in s. 70.665 on the tax bills of ~~such~~ those taxpayers issued immediately following the December 1 notification referred to in this subsection and shall ~~serve to~~ reduce the property taxes otherwise payable.

SECTION 1539g. 79.10 (3) (d) 3 of the statutes is created to read:

79.10 (3) (d) 3. Annually by July 1, the state superintendent of public instruction shall provide the department of revenue with any information necessary to make the corrections under sub. (3m).

SECTION 1539m. 79.10 (3m) of the statutes is created to read:

79.10 (3m) CORRECTIONS OF SCHOOL AID CREDIT PAYMENTS. If the department of administration or the department of revenue determines by July 1 of the year of any distribution under sub. (3) that there was an overpayment or underpayment made in that year's distribution by the department of administration to municipalities, as determined under sub. (3), the overpayment or underpayment shall be corrected as provided in this subsection. Any corrections to the elements of any distribution shall be made by July 1 of the year of the distribution. If the amount of the overpayment is less than or equal to the subsequent year's distribution for a school district, as determined under sub. (3), the overpayment shall be corrected by reducing the subsequent year's distribution for that school district, as determined under sub. (3), by an amount equal to the amount of the overpayment. If the amount of the overpayment exceeds the subsequent year's distribution for a school district, as determined under sub. (3), the overpayment shall be corrected by reducing the subsequent year's distribution for that school district, as determined under sub. (3), to zero and by reducing the subsequent year's distribution, as determined under subs. (4) and (5) and s. 79.105, by an amount equal to the amount by which the overpayment exceeds the subsequent year's distribution for that school district, as determined under sub. (3). The amount by which the subsequent year's distribution, as determined under subs. (4) and (5) and s. 79.105, is reduced shall be returned to the general fund. Any underpayment for a school district shall be corrected by increasing the subsequent year's distribution for that school district, as determined under sub. (3), by an amount equal to the amount of the underpayment. Corrections shall be made in the distributions to all municipalities affected by the error. Corrections shall be without interest. When the sum of all underpayments and overpayments results in a net underpayment, the net underpayment shall be paid from the appropriation under s. 20.835 (3) (d). When the sum of all underpayments and overpayments results in a net overpayment, the net overpayment shall be returned to the general fund.

SECTION 1540. 79.10 (4) (intro.) of the statutes is renumbered 79.10 (1) (intro.).

SECTION 1541. 79.10 (4) (a) and (b) of the statutes are repealed.

SECTION 1542. 79.10 (4) (c) of the statutes is renumbered 79.10 (1) (d).

SECTION 1542m. 79.10 (4) (d) of the statutes, as created by 1985 Wisconsin Act 4, is renumbered 79.10 (1) (dm).

SECTION 1543. 79.10 (4) of the statutes is created to read:

79.10 (4) SCHOOL LEVY TAX CREDIT. The amount appropriated under s. 20.835 (3) (b) shall be distributed to municipalities in proportion to their share of the sum of average school tax levies for all municipalities, as adjusted under sub. (7).

SECTION 1544. 79.10 (5) of the statutes is repealed and recreated to read:

79.10 (5) GENERAL GOVERNMENT TAX CREDIT. The amount appropriated under s. 20.835 (3) (a) shall be distributed to municipalities in proportion to their share of the sum of average general government levies for all municipalities, as adjusted under sub. (7).

SECTION 1545. 79.10 (6) of the statutes, as affected by 1985 Wisconsin Act 4, is repealed and recreated to read:

79.10 (6) TOTAL DISTRIBUTION. The total amount to be distributed under subs. (4) and (5) in 1986 is \$304,100,000. In 1987 and thereafter, the total amount distributed under subs. (4) and (5) from the appropriations under s. 20.835 (3) (a) and (b) shall increase over the total amount distributed in the previous year under those appropriations by 5%. On or before November 15 of each year, the department of revenue shall determine the amounts to be distributed in the following year under subs. (4) and (5). Those amounts shall be proportionate to the sum of average school tax levies and the sum of average general government levies.

SECTION 1545d. 79.10 (6m) of the statutes is created to read:

79.10 (6m) CORRECTIONS OF STATE PROPERTY TAX CREDIT PAYMENTS. If the department of administration or the department of revenue determines by October 1 of the year of any distribution under subs. (4) and (5) and s. 79.105 that there was an overpayment or underpayment made in that year's distribution by the department of administration to municipalities, as determined under subs. (4) and (5) and s. 79.105, the overpayment or underpayment shall be corrected as provided in this subsection. Any corrections to the elements of any distribution shall be made by October 1 of the year of the distribution. Any overpayment shall be corrected by reducing the subsequent year's distribution, as determined under subs. (4) and (5) and s. 79.105, by an amount equal to the amount of the overpayment. Any underpayment shall be corrected by increasing the subsequent year's distribution, as determined under subs. (4) and (5) and s. 79.105, by an

amount equal to the amount of the underpayment. Corrections shall be made in the distributions to all municipalities affected by the error. Corrections shall be without interest. When the sum of all underpayments and overpayments results in a net underpayment, the net underpayment shall be paid from the appropriation under s. 20.835 (3) (d). When the sum of all underpayments and overpayments results in a net overpayment, the net overpayment shall be returned to the general fund.

SECTION 1545m. 79.10 (7) of the statutes, as created by 1985 Wisconsin Act 4, is amended to read:

79.10 (7) ANNEXATION ADJUSTMENT. If, during any of the 3 years preceding the assessment year to which the tax credit is to apply, a municipality has annexed property which, in total, has an equalized value of more than 5% of the equalized value of the annexing municipality prior to the annexation, both values as determined under s. 70.57 in the year in which the annexation took place, the municipality's share under ~~sub. (6)~~ subs. (4) and (5) of statewide average ~~property tax~~ general government levies and average school tax levies shall be adjusted in the following manner. When computing the municipality's share of statewide ~~property tax~~ general government levies for the year in which the annexation took place and any preceding years included in the 3-year average, the share of statewide ~~property tax~~ general government levies for the municipality annexing property will include the sum of the amounts determined by multiplying the proportion annexed by the ~~property tax~~ general government levies of each municipality from which property was annexed. The share of statewide ~~property tax~~ general government levies for each municipality from which property was annexed will exclude an amount equal to the amount included in the annexing municipality's ~~property tax~~ general government levies under this subsection because of the annexation. When computing the municipality's share of statewide school tax levies for the year in which the annexation took place and any preceding years included in the 3-year average, the share of statewide school tax levies for the municipality annexing property will include the sum of the amounts determined by multiplying the proportion annexed by the school tax levies of each municipality from which property was annexed. The share of statewide school tax levies for each municipality from which property was annexed will exclude an amount equal to the amount included in the annexing municipality's school tax levies under this subsection because of the annexation.

SECTION 1546m. 79.10 (9) (title), (a), (d), (e), (f), (g), (h) and (i) of the statutes are created to read:

79.10 (9) (title) CREDIT AGAINST TAX LIABILITY. (a) The department of revenue, on or before December 1 of each year, beginning with 1987, shall notify the clerk of each municipality of the amounts which shall be applied as property tax credits on property assessed

as of January 1 of that year under sub. (7m) and ss. 79.015 (2) (a) and (b), 86.30 (10) and 121.008 (6).

(d) The department of revenue, on or before March 1 of each year, beginning with 1988, shall notify the treasurer of each county of the amounts of credits of which the municipality was notified under par. (a) in December of the preceding year, for each municipality within the county.

(e) The department of revenue, on or before August 1 of each year, beginning with 1988, shall notify the treasurer of each county of the amount of credits which each municipality within the county applied to tax bills in December of the preceding year, after any adjustments in cases where credits exceeded the amount of taxes levied.

(f) Notwithstanding ss. 79.02 (4) and 86.30 (11), if the sum of the municipal transportation aid entitlement under s. 86.30 (10) (a), after adjustments under s. 86.30 (11) (a) and the municipal shared revenue entitlement under s. 79.015 (2) (a), after adjustments under s. 79.02 (4) (b) exceeds the total property taxes levied for local purposes for that municipality, the municipal shared revenue entitlement and the municipal local transportation aid entitlement shall be reduced. Each entitlement shall be reduced by an amount equal to the amount obtained by dividing the amount in excess by the sum of the 2 entitlements, after adjustments, and multiplying the result by each entitlement, as adjusted under ss. 79.02 (4) (b) and 86.30 (11) (a).

(g) Notwithstanding ss. 79.02 (4) and 86.30 (11), if the sum of the portion of the county local transportation aid entitlement allocated to a municipality under s. 86.30 (10) (b), after adjustments under s. 86.30 (11) (b) and the portion of the county shared revenue aid entitlement allocated to a municipality under s. 79.015 (2) (b), after adjustments under s. 79.02 (4) (c) exceeds the property taxes levied for the county within that municipality, the county shared revenue entitlement and the county local transportation aid entitlement shall be reduced. Each entitlement shall be reduced by an amount equal to the amount obtained by dividing the amount in excess by the sum of the 2 entitlements, after adjustments, and multiplying the result by each entitlement, as adjusted under ss. 79.02 (4) (c) and 86.30 (11) (b).

(h) Notwithstanding ss. 79.02, 86.30 and 121.008 (3), if the sum of all credits applied under this section, after adjustments, exceeds the total property tax levies, minus surplus funds applied against those taxes, as reported to the department of revenue in its statement of taxes, each entitlement shall be reduced. The reduction for each entitlement shall be computed by dividing the total amount in excess by the sum of all the entitlements, after adjustments, and multiplying the result by each entitlement, as adjusted. If the amount determined under subs. (4) and (5) and s. 79.105 exceeds the total property taxes levied, minus surplus funds applied against those taxes, as reported

to the department of revenue in its statement of taxes, minus the amounts by which these entitlements were reduced, the credits under subs. (4) and (5) and s. 79.105 shall be reduced by the amount in excess.

(i) The department of revenue shall immediately notify the department of transportation and the department of public instruction of any adjustments to be made to their payments under ss. 86.30 and 121.008 (3), respectively, as a result of credits exceeding levies. Any payment adjustments which cannot be made in the current payment year shall be made by adjusting the subsequent year's payment.

SECTION 1547m. 79.105 (1) (a) 1 of the statutes is amended to read:

79.105 (1) (a) 1. If the combined payments to any municipality under s. 79.10 ~~(2) and (6) in 1984 (4) and (5) in 1986~~ are less than ~~75%~~ 90% of the sum of payments to the municipality in ~~1983 1985~~ 1984 1986 under this section and s. 79.10, after all adjustments under sub. (4), the municipality has a credits deficiency for ~~1984 1986~~. The amount of the credits deficiency is the amount by which ~~75%~~ 90% of the sum of payments to the municipality in ~~1983 1985~~ 1984 1986 under this section and s. 79.10, after all adjustments under sub. (4), exceeds the combined payments to the municipality under s. 79.10 ~~(2) and (6) in 1984 (4) and (5) in 1986~~.

SECTION 1548m. 79.105 (1) (a) 2 of the statutes, as affected by 1985 Wisconsin Act 4, is amended to read:

79.105 (1) (a) 2. If the combined payments to any municipality under s. 79.10 ~~(2) and (6) (4) and (5) in 1985 1987~~ or any year thereafter are less than 90% of the combined payments to the municipality under this section and s. 79.10 ~~(2) and (6) (4) and (5)~~ in the previous year, after all adjustments under sub. (4), the municipality has a credits deficiency for that year. The amount of the credits deficiency is the amount by which 90% of the combined payments to the municipality in the previous year under this section and s. 79.10 ~~(2) and (6) (4) and (5)~~, after all adjustments under sub. (4), exceed the combined payments to the municipality under s. 79.10 ~~(2) and (6) (4) and (5)~~ in the current year.

SECTION 1549m. 79.105 (2) (a) of the statutes, as affected by 1985 Wisconsin Act 4, is renumbered 79.105 (2) (a) 2 and amended to read:

79.105 (2) (a) 2. Beginning in ~~1984 1987~~, if the combined payments to a municipality in the current year under s. 79.10 ~~(2) and (6) (4) and (5)~~ exceed the sum of its combined payments in the previous year under this section and s. 79.10 ~~(4) and (5)~~, after all adjustments under sub. (4), multiplied by the maximum payment percentage for the current year, the excess shall be withheld to fund minimum payments under sub. (1) (b).

SECTION 1550m. 79.105 (2) (a) 1 of the statutes is created to read:

79.105 (2) (a) 1. If the combined payments to a municipality in 1986 under s. 79.10 (4) and (5) exceed

the sum of its combined payments in 1985 under this section and s. 79.10, after all adjustments under sub. (4), multiplied by the maximum payment percentage for 1986, the excess shall be withheld to fund minimum payments under sub. (1) (b).

SECTION 1551. 79.105 (2) (b) of the statutes is amended to read:

79.105 (2) (b) In this subsection, "maximum payment percentage" means that percentage such that the sum for all municipalities of the amount by which the ~~current year payments, as determined under s. 79.10 exceed an amount equal to the sum of the previous year's combined payments under this section and s. 79.10 multiplied by the maximum payment percentage for the current year of the excess payments under par.~~ (a) for all municipalities is equal to the sum for the current year of the credits deficiencies under sub. (1) for the current year.

SECTION 1552. 79.105 (3) of the statutes is amended to read:

79.105 (3) ADJUSTMENTS. Notwithstanding sub. (1) (b), if payments under sub. (1) and s. 79.10 ~~(2) and (6) (4) and (5), after all adjustments under sub. (4), exceed the municipality's average property tax levies, as defined in s. 79.10 (4) (b), then that municipality's payments for the current year under sub. (1) and s. 79.10 (2) and (6) (4) and (5), after all adjustments under sub. (4), shall be reduced by the amount that payments under sub. (1) and s. 79.10 (2) and (6) (4) and (5), after all adjustments under sub. (4), exceed average property tax levies, as defined under s. 79.10 (4) (b). These reductions shall be distributed among only those municipalities whose average property tax levies exceed their payments under sub. (1) and s. 79.10 (2) and (6) (4) and (5), after all adjustments under sub. (4), and shall be distributed proportionately according to each municipality's share of payments under s. 79.10 (6) (5). In this subsection, "average property tax levies" means the sum of the average school tax levies and average general government levies as defined in s. 79.10 (1).~~

SECTION 1552m. 79.105 (4) of the statutes, as created by 1985 Wisconsin Act 4, is amended to read:

79.105 (4) ADJUSTMENTS DUE TO ANNEXATIONS. If, in the calendar year previous to the assessment year to which the tax credit determined under this subchapter is to apply, a municipality has annexed property that, in total, has an equalized value of more than 5% of the equalized value of the annexing municipality prior to the annexation, as determined under s. 70.57 in the year in which the annexation took place, the amount of the previous year's payment used to calculate the minimum and maximum payments under subs. (1) and (2) shall be increased by the sum of the amounts determined by multiplying the proportion annexed, as defined in s. 79.10 ~~(4) (d) (1) (dm)~~, by the combined payments to each municipality from which the property was annexed under s. 79.10 ~~(2) and (6) (4) and (5)~~ and this subsection in that previous year.

SECTION 1553. 79.20 of the statutes is repealed.

SECTION 1553e. 81.11 (2) of the statutes is amended to read:

81.11 (2) In addition to the highway taxes voted by the town meeting, the board may assess ~~not less than one nor more than 7 mills on the dollar of a tax on the taxable property of the town, but the total highway taxes voted by the town meeting and levied by the town board pursuant to this section shall not exceed 10 mills on the dollar.~~

SECTION 1553g. 81.12 (1) of the statutes is amended to read:

81.12 (1) Whenever the highway funds provided or available therefor ~~shall be~~ are insufficient to keep the highways open and in repair, the town board may levy a special or emergency highway tax, ~~but not to exceed two and one half mills on the dollar, and said that tax shall be certified and entered in the tax roll and collected and expended as other highway taxes are. Not more than one levy shall may be made in any year under this section and the amount levied shall not exceed \$600. The limits contained in s. 81.11 shall not apply to taxes levied pursuant to this section.~~

SECTION 1553r. 83.03 (2) of the statutes is amended to read:

83.03 (2) If any county board determines to improve any portion of a county trunk highway with county funds, it may assess not more than 40 per cent % of the cost of the improvement but not over \$1,000 in any year against the town, village or city in which the improvement is located as a special tax ~~but no such assessment shall be made against any town in which the combined appropriation of the town and county for the improvement of county trunk highways in such year exceeds 3 mills per dollar on the assessed valuation of the town.~~ The county clerk shall certify the tax to the town, village or city clerk who shall put the same in the next tax roll, and it shall be collected and paid into the county treasury as other county taxes are levied, collected and paid. A portion or all of such special assessment may be paid by donation.

SECTION 1554. 83.01 (1) of the statutes is amended to read:

83.01 (1) (title) ELECTION OR APPOINTMENT. ~~(a) The Except as provided under pars. (b) and (c), the county board shall elect a county highway commissioner, but in lieu thereof may by resolution request the secretary of transportation to appoint a county highway commissioner. If the county board fails to elect a county highway commissioner or to make such request to the secretary of transportation, the county shall not participate in state allotments for highways.~~

(b) In counties having a population of 500,000 or more, the county highway commissioner shall also be the director of public works. The person holding the position of county highway commissioner and director of public works, under the classified service, on June 16, 1974, shall continue in that capacity under civil service status until death, resignation or removal

from such position. Thereafter the county executive shall appoint as successor a director of transportation who shall assume the duties of county highway commissioner and director of public works and is subject to confirmation by the county board, as provided in s. 59.031 (2) (bm).

SECTION 1555. 83.01 (1) (c) of the statutes is created to read:

83.01 (1) (c) Except as provided under par. (b), in any county with a county executive or a county administrator, the county executive or county administrator shall appoint and supervise the county highway commissioner. The appointment is subject to confirmation by the county board unless the county board, by ordinance, elects to waive confirmation or unless the appointment is made under a civil service system competitive examination procedure established under s. 59.07 (20) or ch. 63. Notwithstanding s. 83.01 (7) (a) and (b), the highway commissioner is subject only to the supervision of the county executive or county administrator.

SECTION 1556. 83.01 (7) (a) of the statutes is amended to read:

83.01 (7) (a) The Except as provided under s. 83.015 (2) (b), the county highway commissioner shall have charge, under the direction of the county highway committee, of the construction of highways built with county aid and of the maintenance of all highways maintained by the county.

SECTION 1557. 83.01 (7) (b) of the statutes is amended to read:

83.01 (7) (b) ~~He~~ Except as provided under s. 83.015 (2) (b), the county highway commissioner shall perform all duties required of him by the county board and by the county highway committee and shall do or cause to be done all necessary engineering and make all necessary examinations for the establishment, construction, improvement and maintenance of highways. He shall establish such grades and make such surveys and maps or cause the same to be made as he deems proper, and examine the highways and report as to the condition of roads, bridges and culverts, and make estimates of the cost of the improvement thereof, and of the cost of any relocation when required to do so or when he deems the same reasonably necessary.

SECTION 1560. 83.015 (2) of the statutes is renumbered 83.015 (2) (a) and amended to read:

83.015 (2) (a) ~~The~~ Except as provided under par. (b), the county highway committee shall purchase and sell county road machinery as authorized by the county board, determine whether each piece of county aid construction shall be let by contract or shall be done by day labor, enter into contracts in the name of the county, and make necessary arrangements for the proper prosecution of the construction and maintenance of highways provided for by the county board, enter private lands with their employes to remove weeds and brush and erect or remove fences that are

necessary to keep highways open for travel during the winter, direct the expenditure of highway maintenance funds received from the state or provided by county tax, meet from time to time at the county seat to audit all pay rolls and material claims and vouchers resulting from the construction of highways and perform other duties imposed by law or by the county board.

SECTION 1561. 83.015 (2) (b) of the statutes is created to read:

83.015 (2) (b) In any county with a highway commissioner appointed under s. 83.01 (1) (b) or (c), the county highway committee shall be only a policy-making body determining the broad outlines and principles governing administration and the county highway commissioner shall have the administrative powers and duties prescribed for the county highway committee under par. (a), sub. (3) (a) and ss. 27.065 (4) (b) and (13), 32.05 (1) (a), 81.38 (1), (3) and (4), 83.01 (6), 83.013, 83.018, 83.025 (1) and (3), 83.026, 83.035, 83.04, 83.05 (1), 83.07 to 83.09, 83.12, 83.14 (6), 83.17, 83.18, 83.42 (3) and (4), 84.01 (5), 84.03 (3) (c), 84.06 (3), 84.07 (1) and (2), 84.09 (1), (3) (a) to (c) and (4), 84.10, 86.04 (1) and (2), 86.07 (2), 86.19 (3), 86.34 (1), 114.33 (5), 349.07 (2), 349.11 (4) and (10) and 349.15 (2). No statutory power, duty or function specified elsewhere for the county highway commissioner may be deemed impliedly repealed for the sole reason that reference to it has been omitted in this paragraph.

SECTION 1562m. 84.01 (16) of the statutes is renumbered 84.01 (16) (a) and amended to read:

84.01 (16) NOTICE OF COUNTY TRANSPORTATION AID. (a) Annually, not later than June 30, the department shall notify each county clerk of the estimated transportation aid to the county for the following fiscal calendar year. The estimate of aid shall not include the amount of local transportation aids under s. 86.30 for the following calendar year.

SECTION 1562p. 84.01 (16) (b) of the statutes is created to read:

84.01 (16) (b) Beginning in 1987, annually, not later than December 1, the department shall notify each county clerk of the amount of local transportation aids to the county under s. 86.30 for the following calendar year. The anticipated receipt of these aids may not be used in determining the tax rate of a county or municipality.

SECTION 1562r. 84.01 (16m) of the statutes is created to read:

84.01 (16m) NOTICE TO DEPARTMENT OF REVENUE. Annually, not later than November 15, the department shall notify the department of revenue of the amounts of local transportation aid payments to counties and municipalities under s. 86.30 for the following calendar year to enable the department of revenue to prepare the notices required under s. 79.10 (9) (a).

SECTION 1563. 84.012 of the statutes is created to read:

**84.012 Setoffs.** All amounts owed by this state under this chapter are subject to being set off under s. 73.12.

SECTION 1564. 84.013 (1) (a) of the statutes is amended to read:

84.013 (1) (a) "Major highway project" means a project ~~that results in a new or significantly altered highway and involves the continuous relocation of a highway segment 2.5 miles or more in length, the addition of traffic lanes 2.5 miles or more in length, or unusually high cost which has a total cost of more than \$5,000,000 and which involves either of the following:~~

1. Constructing a new highway 2.5 miles or more in length.

2. Reconstructing or reconditioning an existing highway by either of the following:

a. Relocating 2.5 miles or more of the existing highway.

b. Adding one or more lanes 4 miles or more in length to the existing highway.

SECTION 1565. 84.013 (3) (m) to (v) of the statutes are created to read:

84.013 (3) (m) STH 16 between Oconomowoc and 0.8 mile east of CTH "PP", and STH 67 between Lexington drive and STH 16, in Waukesha county.

(n) USH 45 between Clintonville and Marion, designated as the Clintonville relief route, in Waupaca county.

(o) 43rd street between West Loomis road and West National avenue in Milwaukee county.

(p) STH 29 between Wausau and Ringle in Marathon county.

(q) STH 29 between Wausau and CTH "S", designated as the Wausau to Marathon City project, in Marathon county.

(r) STH 23 between STH 32 and STH 57 in Sheboygan county.

(s) USH 18/151 between CTH "Y" and Town Hall road, designated as the Dodgeville to Mount Horeb project, in Iowa and Dane counties.

(t) STH 441 between the Little Lake Butte des Morts bridge and USH 41, designated as the tri-county expressway, in Calumet, Outagamie and Winnebago counties.

(u) STH 29 between CTH "W" and the intersection of Memorial drive and Shawano avenue in Green Bay, designated as the Shawano county line to Green Bay project, in Brown county.

**Vetoed in Part** (m) ~~USH 151 between Sun Prairie and that portion of USH 151 designated as the Columbus bypass, in Dane and Columbia counties.~~

(v) New highway between the I 90/STH 157 interchange and STH 93, designated as the I 90 to Holmen project, in La Crosse county.

SECTION 1566. 84.013 (6m) of the statutes is created to read:

84.013 (6m) Notwithstanding sub. (1) (a), if a highway improvement project within the corporate limits of a city or village has a cost of more than \$2,000,000, the city or village may, by resolution, petition the transportation projects commission to designate the project as a major highway project. This subsection does not apply to a highway improvement project on a freeway within the corporate limits of a city or village. The department may not construct a highway improvement project designated as a major highway project by the transportation projects commission under this subsection without specific authorization under sub. (3).

SECTION 1566g. 84.013 (9) of the statutes is created to read:

84.013 (9) If the department, in consultation with the department of development, determines that a business development having a payroll exceeding \$10,000,000 in a calendar year is being located within a 3-mile radius of the intersection of I 90 and Town Line road in Rock county, the department shall construct an interchange funded from the appropriations under s. 20.395 (3) (gq) to (gx) off of I 90 to Town Line road.

SECTION 1566m. 84.02 (8) (d) of the statutes is created to read:

84.02 (8) (d) Notwithstanding sub. (3), the discontinuance as part of the state trunk highway system of that segment of USH 12/18 associated with the major highway project authorized in s. 84.013 (3) (a) is eligible for payment under s. 20.395 (3) (cq) as a jurisdictional transfer under this subsection if the county assumes jurisdictional responsibility for the segment.

SECTION 1566p. 84.04 (3) of the statutes is created to read:

84.04 (3) To the greatest extent practicable, the department shall encourage and utilize the Wisconsin conservation corps for appropriate projects.

SECTION 1566r. 84.07 (5) of the statutes is created to read:

84.07 (5) USE OF WISCONSIN CONSERVATION CORPS. To the greatest extent practicable, the department shall encourage and utilize the Wisconsin conservation corps for appropriate projects under subs. (1) and (1b).

SECTION 1568. 84.59 (6) of the statutes is amended to read:

84.59 (6) Revenue obligations may be contracted by the building commission when it reasonably appears to the building commission that all obligations incurred under this section can be fully paid from moneys received or anticipated and pledged to be received on a timely basis. Revenue obligations issued under this section shall not exceed ~~\$166,200,000~~ \$292,900,000 in principal amount, excluding obligations issued to refund outstanding revenue obligation notes. Not more than ~~\$137,300,000~~ \$248,200,000 of the ~~\$166,200,000~~ \$292,900,000 may be used for trans-

portation facilities under s. 84.01 (28) and major highway projects under ss. 84.06 and 84.09.

SECTION 1572. 85.01 (4) of the statutes is amended to read:

85.01 (4) "Rail property improvements" means ~~any property exclusive of land used in operating a railroad or including, without limitation because of enumeration, rails, ties, switches, spurs, buildings, signals, trestles and, bridges and other property, exclusive of land, that may be used in operating a railroad.~~

SECTION 1573. 85.01 (6) of the statutes is repealed.

SECTION 1575. 85.08 (1) of the statutes is amended to read:

85.08 (1) LEGISLATIVE FINDINGS. The legislature finds that private capital and local governmental financial and technical resources are unable to fully meet the transportation needs of all citizens. It is determined that the programs authorized under this section are legitimate governmental functions serving proper public purposes.

SECTION 1576. 85.08 (2) (intro.) of the statutes is amended to read:

85.08 (2) GENERAL POWERS. (intro.) The department shall administer the programs of financial and technical assistance under this section for the purpose of assistance to or restoration of freight railroad service and shall maximize the use of available federal aid in conjunction with the allocation of state aid. The department may exercise those powers necessary to establish freight railroad assistance programs, including authority:

SECTION 1577. 85.08 (2) (b) of the statutes is amended to read:

85.08 (2) (b) To plan, promote and engage in financial and technical assistance programs for continuing, restoring and operating Lake Michigan rail and car ferry and rail branch line transportation services.

SECTION 1578. 85.08 (2) (g) of the statutes is amended to read:

85.08 (2) (g) To adopt rules necessary to effectuate and enforce this section and to prescribe conditions and procedures, including auditing and accounting methods and practices, to assure compliance in carrying out the purposes for which state financial and technical assistance is made.

SECTION 1579. 85.08 (4) of the statutes is amended to read:

85.08 (4) RAIL FERRY AND PLANNING GRANTS. Upon its own initiative or upon application by a government agency, the department may make grants of financial assistance and provide technical assistance for the continuance or improvement of Lake Michigan rail car ferry services and may make grants of financial assistance for or conduct rail system and, service and technical studies.

SECTION 1580. 85.08 (4m) (c) (intro.) of the statutes is amended to read:

85.08 (4m) (c) *Railroad facilities acquisition grants.* (intro.) The department may make grants to eligible applicants for the purpose of preserving freight rail service through the acquisition of rail property. The grant may be composed of state funds, federal funds, state property, or any combination of state funds, federal funds and state property. No grant for the acquisition of rail property improvements may exceed 80% of the acquisition cost. No grant for the acquisition of rail property exclusive of rail property improvements may exceed 100% of the acquisition cost. A grant may be made to an eligible applicant before or after abandonment of a railroad line as defined in s. 85.09 (3). The department may permit an eligible applicant's share of an increase in the acquisition cost of rail property or rail property improvements to be paid in installments if the increase in acquisition cost is caused by negotiation or litigation. No grant may be made under this paragraph for the acquisition of rail property if the acquisition price exceeds an amount deemed reasonable by the department. A grant of money made under this paragraph shall be paid from the appropriation under s. 20.395 (2) (bq) or (bx). The department shall administer this program and shall have all powers necessary and convenient to implement this paragraph and par. (d), including the following powers:

SECTION 1581. 85.08 (4m) (d) of the statutes is amended to read:

85.08 (4m) (d) *Railroad rehabilitation and construction grants.* The department may make grants to eligible applicants for the purpose of rehabilitating or constructing rail property improvements. Construction shall be limited to that which is required to continue rail service on a particular line or to provide alternative rail service when a line has been abandoned. A grant under this paragraph may be composed of state funds, federal funds, state property, technical assistance, or any combination of state funds, federal funds and, state property and technical assistance. ~~No~~ The value of a grant may not exceed 80% of the costs of rehabilitation or construction. A grant may be made before or after abandonment of a railroad line as defined in s. 85.09 (3). A grant made under this paragraph shall be paid from the appropriation under s. 20.395 (2) (bq) or (bx).

SECTION 1582. 85.08 (4m) (e) 5 of the statutes is created to read:

85.08 (4m) (e) 5. To provide technical assistance to an eligible applicant and any railroad rehabilitating a rail line in a manner which the department determines to be necessary.

SECTION 1583. 85.09 (title) of the statutes is amended to read:

**85.09 (title) Acquisition of abandoned rail property.**

SECTION 1584m. 85.09 (2) of the statutes is amended to read:

85.09 (2) FIRST RIGHT OF ACQUISITION. The department shall have the first right to acquire, for present or

future transportational purposes, recreational purposes, scenic purposes or for the purpose of constructing a correctional institution, any property used in operating a railroad or railway, including land and rails, ties, switches, trestles, bridges and the like located thereon, which has been abandoned. The department may, in connection with abandoned rail property, assign this right to a state agency, the board of regents of the university of Wisconsin system, any county or city or any transit commission. Acquisition by the department may be by gift, purchase or condemnation in accordance with the procedure under s. 32.05. In addition to its property management authority under s. 85.15, the department may lease and collect rents and fees for any use of rail property pending discharge of the department's duty to convey property that is not necessary for a public purpose. In exercising its property management authority, the department, to the greatest extent practicable, shall encourage and utilize the Wisconsin conservation corps for appropriate projects. No person owning ~~such~~ abandoned rail property, including any person to whom ownership reverts upon abandonment, may convey or dispose of any abandoned rail property without first obtaining a written release from the department indicating that the first right of acquisition under this subsection will not be exercised or assigned. The department of health and social services may notify the department of transportation of its interest in specific ~~railroad~~ rail property or of its interest in ~~railroad~~ rail property in certain areas of the state. The department of transportation may not issue this written release for ~~railroad~~ rail property in which the department of health and social services has notified it of an interest unless the department of health and social services authorizes the release. No railroad or railway may convey any ~~such~~ rail property prior to abandonment if ~~that~~ the rail property is part of a rail line shown on the railroad's system map as in the process of abandonment, expected to be abandoned or under study for possible abandonment unless the conveyance or disposal is for the purpose of providing continued rail service under another company or agency. Any conveyance made without obtaining such release is void. The department's first right of acquisition under this subsection does not apply to any ~~railroad~~ rail property declared by the department to be abandoned before January 1, 1977. The department may acquire any abandoned rail property under this section regardless of the date of its abandonment.

SECTION 1585. 85.09 (4) of the statutes is amended to read:

85.09 (4) ACQUISITION AND CONVEYANCE. Upon its own initiative, the department may determine at any time whether the rail property ~~of the railroad~~ is abandoned, and whether it is in the best interest of the state to acquire ~~such~~ the rail property. Within 90 days after being requested by any state agency, any railroad or any county or municipality in which the rail property

is located, the department shall, subject to sub. (5) (b), make a determination of the abandonment status and, if found to be abandoned, shall determine whether it is in the best interest of the public to acquire the rail property. If it is determined to acquire the rail property or any part or interest therein, the department shall, within 180 days of the determination of its abandoned status, or the interstate commerce commission's final order permitting the abandonment, or the termination of any efforts to negotiate an agreement for continual operation of rail service on the line, whichever occurs last, determine the fair market value of the rail property and acquire the rail property at a price deemed reasonable by the department or make a relocation order under s. 32.05. In making its determination, the department shall consider long-range potential for use of ~~such~~ the rail property for restoration of railroad service and for other transportation related purposes. The department shall solicit the opinions of appropriate state agencies, affected counties and municipalities and other interested persons. The department shall give due consideration to an expressed desire by a state agency or an affected county or municipality to acquire, in whole or in part, the rail property under consideration. Subject to sub. (6), all or part of any interest in abandoned rail property acquired by the department under this section or under s. 66.941 (7), 1975 stats., may be subsequently conveyed to another state agency or a county or municipality for transportational purposes, recreational purposes, scenic purposes or for the purpose of constructing a correctional institution, or to a railroad for continued railroad transportation operations when the railroad has operated on the rail property for 5 years and the department may make such conveyances for such purposes. Any determination of the department under this section that rail property is not abandoned shall not preclude the undertaking of a subsequent investigation and determination concerning the same rail property or any portion thereof. If at any time subsequent to the acquisition of rail property under this section the department determines that the rail property is not suitable for transportational purposes, recreational purposes, scenic purposes or for the purpose of constructing a correctional institution, or that the rail property or any interest therein may be conveyed to any other person on terms which are not inconsistent with the potential use of the rail property for transportational purposes, recreational purposes, scenic purposes or for the purpose of constructing a correctional institution or which yield a benefit, including financial benefits, to the state which outweighs the benefit derived from the rail property if used for transportational purposes, recreational purposes, scenic purposes or for the purpose of constructing a correctional institution, the department may convey the rail property or such interest therein, subject to sub. (6). The department shall give notice of its intention to make the conveyance, and state and local units of government shall have the first 6 months in



which to exercise their opportunity to acquire the rail property or interest therein. The railroad from which the rail property was acquired shall have the next 6 months in which to exercise its opportunity to reacquire the rail property or interest therein.

SECTION 1586. 85.09 (4i) of the statutes is created to read:

85.09 (4i) **DISPOSAL OF RAIL PROPERTY.** The department shall sell at public or private sale rail property acquired under sub. (4) when the department determines that the rail property is not necessary for a public purpose. Upon receipt of the full purchase price, the department shall, by appropriate deed or other instrument, transfer the rail property to the purchaser. The funds derived from sales under this subsection shall be deposited in the transportation fund, and the expense incurred by the department in connection with the sale shall be paid from the appropriation under s. 20.395 (2) (bq).

SECTION 1586m. 85.097 of the statutes is created to read:

**85.097 Lake Michigan ferry service assistance.** (1) **DEFINITIONS.** In this section:

(a) "Eligible applicant" means a board of harbor commissioners organized under s. 30.37 by a 1st class city.

(b) "Harbor improvements" has the meaning designated under s. 85.095 (1) (b).

(2) **GRANTS.** (a) Upon application by an eligible applicant, the department may make start-up cost grants to an eligible applicant for the purpose of enabling the eligible applicant to provide a loan for the acquisition, rehabilitation or equipping of a vessel for Lake Michigan ferry service.

(b) No grant may be made unless the eligible applicant or other governmental body of this state provides a minimum contribution of 20% of the amount of the loan or provides an equivalent contribution in the form of port facility or harbor improvements which are necessary to accommodate the ferry service.

(3) **LOANS.** (a) Loans made from funds provided under sub. (2) may be used only for the purpose of financing the acquisition, rehabilitation or equipping of a vessel for ferry service.

(b) The eligible applicant who receives a grant under sub. (2) shall negotiate the conditions of the loan, subject to par. (a) and the following:

1. The loan may not be made without the approval of the terms of the loan by the governor.

2. The governor may not approve the loan if the terms of the loan are less favorable to the recipient of the loan repayments than are the terms of a loan made by another governmental body for the acquisition, rehabilitation or equipping of the same vessel with respect to that governmental body.

3. Loan repayments shall be made directly to the department and deposited in the transportation fund.

SECTION 1586r. 85.105 of the statutes is created to read:

**85.105 Scheduled air passenger service assistance program.** (1) **FINDINGS AND PURPOSE.** The legislature finds that largely as a result of air transportation deregulation many rural communities and scenic areas of this state have lost the scheduled air passenger service which is vital to their economic well-being and to the promotion of tourism. These communities and areas are no longer adequately served by scheduled air passenger transportation systems. The purpose of this section is to assess the nature and extent of deficiencies in air passenger service to these communities and areas, to establish a 2-year air passenger service assistance demonstration program for the development and retention of scheduled air passenger service in areas of this state which are not adequately served by scheduled air passenger transportation systems and to identify the factors which influence the success or failure of such service.

(2) **DEFINITIONS.** In this section:

(a) "Municipality" means a city, county, town or village.

(b) "Project" means an air passenger service demonstration project for which a grant is provided under this section.

(c) "Scheduled air passenger service" means 5 or more scheduled round trip flights per week between a test market airport and at least one other airport having air passenger service connections.

(d) "Test market" means a municipality or group of cooperating municipalities which has the potential to enplane 2,500 or more passengers annually and which is located remotely from other public or public-use airports having scheduled air passenger service.

(3) **DEPARTMENTAL DUTIES.** The department shall administer the scheduled air passenger service assistance program and shall have all the powers necessary and convenient to implement this section, including the following:

(a) To make grants to municipalities, not to exceed \$15,000 per year per test market, to market scheduled air passenger service. No more than 2 grants may be made under this paragraph per year.

(b) To make grants to municipalities, not to exceed \$15,000 per test market, to assist in the payment of start-up costs during the first year of scheduled air passenger service. No more than 2 grants may be made under this paragraph.

(c) To make passenger bonus grants to municipalities, not to exceed \$15,000 per test market, for municipalities which increase the number of revenue passengers per flight to the test market above a load factor determined by the department. Grants under this paragraph may be made only for the 2nd year of scheduled air passenger service to a test market. No more than 2 grants may be made under this paragraph.

(d) To receive grant applications under this section and to prescribe the form, nature and extent of information which shall be contained in the application. The department may require a municipality which applies for a grant under this section to provide supplemental information, including but not limited to a study of the test market regarding local interest in and local financial commitment to scheduled air passenger service and of previous air service to the test market.

(e) To establish additional criteria for the designation of test markets.

(f) To establish criteria for the awarding of grants under this section, including but not limited to the likelihood that a project will be economically self-sufficient after the termination of the project.

(g) To make and execute grant agreements with a municipality within a test market for projects under this section. Grant agreements shall require the continuation of scheduled air passenger service and necessary operational activities related to the service during the term of a project.

(4) GRANTS. No grant may be made under this section unless, in addition to conditions established by the department for air passenger service assistance, the following conditions are met:

(a) For a grant to market scheduled air passenger service, a municipality shall do all of the following:

1. Provide a minimum contribution of \$7,500 from the test market or other sources for each year the municipality applies for and receives a grant under this paragraph.

2. Obtain a guarantee of an additional minimum contribution of \$2,500 for marketing the scheduled air passenger service from the service provider for each year the municipality applies for and receives a grant under this paragraph.

(b) For a grant to assist in the payment of start-up costs, the following conditions apply:

1. A municipality which applies for and receives a grant under this paragraph shall provide a minimum contribution of \$2,500 or an equivalent contribution of start-up services from the test market or other sources.

2. Only one municipality per test market may receive a grant under this paragraph, and no municipality may receive more than one grant under this paragraph.

(c) For a bonus grant for increasing passenger loads, the following conditions apply:

1. A municipality which applies for and receives a grant under this paragraph shall provide a minimum contribution of \$2,500 or an equivalent contribution of services from the test market or other sources.

2. A municipality which applies for a grant under this paragraph may be required to provide the department with information showing the number of passengers per flight to the test market during the preceding year or other period established by the department

and may be required to provide the department with additional financial and operational information about the air service.

3. No grant under this paragraph may be used to subsidize passenger fares.

4. Only one municipality per test market may receive a grant under this paragraph, and no municipality may receive more than one grant under this paragraph.

(5) STUDY AND REPORT. The department shall study the impact of the scheduled air passenger service demonstration program established under this section and shall submit its findings in a report to the chief clerk of each house of the legislature by June 30, 1988. The report shall include an assessment of deficiencies in scheduled air passenger service to rural communities and scenic areas and shall identify factors which influence the success or failure of such service. The report shall include but not be limited to an accounting of state funds expended on the program, a summary of activities involved in establishing, operating and marketing the service, data on the types of passengers using the service and recommendations for the continuation of scheduled air passenger service on an economically self-sufficient basis. The report may include recommendations for additional programs to promote the continuation of the service.

(6) SUNSET. (a) Subsections (1) to (4) do not apply after December 31, 1987.

(b) Subsection (5) does not apply after June 30, 1988.

SECTION 1587. 85.14 of the statutes is created to read:

**85.14 Credit card use charges.** The department shall certify to the state treasurer the amount of charges associated with the use of credit cards and assessed to the department on deposits accepted under s. 345.26 (3) (a) by state traffic patrol officers and state motor vehicle inspectors, and the state treasurer shall pay the charges from moneys under s. 59.20 (8) and (8m) and reserved for payment of the charges under ss. 14.58 (21) and 20.585 (1) (jm).

SECTION 1588m. 85.20 (1) (g) of the statutes is amended to read:

85.20 (1) (g) "Operating expenses" mean costs accruing to an urban mass transit system by virtue of its operations, but including costs to subsidize fares paid by handicapped persons for transportation within the urban area of the eligible applicant. ~~For a publicly owned system, operating expenses do not include profit, return on investment or depreciation as costs for purposes of this section.~~ For a privately owned system, operating expenses may include profit, return on investment or depreciation as costs if the local public body contracts for the services provided by the system on the basis of competitive bids. In an urban area which is served exclusively by shared-ride taxicab systems, operating expenses may include costs to subsidize reasonable fares paid by all users for

transportation within the urban area of the eligible applicant.

SECTION 1588r. 85.20 (1) (hm) of the statutes is created to read:

85.20 (1) (hm) "Reasonable fare" means a charge for mass transit service which complies with rules of the department relating to the fairness of such charges for purposes of this section.

SECTION 1589m. 85.20 (4m) (a) of the statutes is amended to read:

85.20 (4m) (a) From the amounts appropriated under s. 20.395 (1) (bq), an amount equal to 35% 37.5% of the projected operating costs of each eligible applicant's urban mass transit system shall be allocated to each eligible applicant.

SECTION 1592m. 85.20 (4m) (em) 1 of the statutes is amended to read:

85.20 (4m) (em) 1. ~~Thirty-five~~ Thirty-seven and one-half percent of the audited operating expenses for the project year of the applicant's urban mass transit system; or

SECTION 1593. 85.20 (4m) (er) of the statutes is created to read:

85.20 (4m) (er) Eligible applicants shall repay the department any overpayments in state aids under this section which are made because of differences between projected financial data and audited financial data.

SECTION 1594. 85.21 (4) (c) 1 of the statutes is amended to read:

85.21 (4) (c) 1. ~~Beginning on January 1, 1983, the~~ The county shall either require a copayment by the user of the specialized transportation service for all transportation except the transportation established as a priority under par. (a) or provide the user with an opportunity to make a voluntary contribution to the cost of the service.

SECTION 1595. 85.21 (4) (c) 2 of the statutes is amended to read:

85.21 (4) (c) 2. The county shall establish the amount of copayment ~~required under subd. 1 and if copayment is required and shall recommend an amount for a voluntary contribution if an opportunity to make a voluntary contribution is provided.~~ The county shall establish the method by which the copayment or voluntary contribution is collected from the user.

SECTION 1596. 85.21 (4) (c) 4 of the statutes is created to read:

85.21 (4) (c) 4. A county may exempt a user from payment under subd. 1 if an emergency exists, if the user does not have the economic resources to make a payment or if the user is not competent to make a payment.

SECTION 1599. 86.12 of the statutes is renumbered 86.12 (1) and amended to read:

86.12 (1) All railroad companies owning or operating tracks crossing streets or highways at grade shall keep the surface of the crossings between the tracks

and rails and extending 4 feet on either side of the outside rails, in good condition and repair for highway travel. ~~The county board or the common council, the village board, or town board of the municipality in which the crossing is located, may, by resolution, require any such railroad company to pave, plank, repair, change or otherwise improve the crossings, as the needs require. The clerk of the county, city, village or town shall cause to be served~~ serve a copy of the resolution upon the local agent of the railroad company a copy of the resolution. If the railroad company fails for 30 days thereafter to comply with the resolution, the city, village or town may pave, plank, repair, change or otherwise improve the crossing as designated by the resolution, and may recover the reasonable cost thereof from the railroad company in the manner under s. 66.695. The duty imposed upon railroad companies, and the remedy given by this section, are in addition to other duties and remedies, and may not be construed to repeal any other duties or remedies.

SECTION 1600. 86.12 (2) of the statutes is created to read:

86.12 (2) If a railroad company fails to comply with the resolution in sub. (1) within 30 days after service of the resolution, the county board, common council, village board or town board may file a complaint with the office of the commissioner of transportation alleging the failure. The office of the commissioner of transportation shall investigate and determine the matter in controversy as provided in ch. 195. An order issued by the office of the commissioner of transportation under this subsection has the same effect as an order in a proceeding brought under ch. 195.

SECTION 1601. 86.13 (2) of the statutes is repealed.

SECTION 1602. 86.13 (3) of the statutes is amended to read:

86.13 (3) ~~When~~ If any railroad company fails to grade, construct, pave, surface or otherwise improve or maintain in good and safe condition for public travel as required by this section any street or highway crossing after having been notified so to do by the officer in charge thereof or of the highway improvement for 30 days after such notification, the highway authorities may ~~grade, construct, pave, surface, improve or repair the street or highway across the railroad right of way, and the cost shall be paid by the company to and may be collected by that unit of government out of whose treasury the original cost of the work was disbursed~~ file a complaint with the office of the commissioner of transportation. The office of the commissioner of transportation shall investigate and determine the matter in controversy as provided in ch. 195. An order issued by the office of the commissioner of transportation under this subsection has the same effect as an order in a proceeding brought under ch. 195.

SECTION 1603. 86.13 (4) of the statutes is renumbered 86.13 (2) and amended to read:

86.13 (2) The public board, committee or officer in charge of an improvement of a portion of a street or highway adjacent to a railroad crossing shall notify the railway company of the company's responsibility to make the improvement in sub. (1). The notice to the company shall be in writing and shall specify with reasonable certainty the work to be done by the company and may be served on any station agent of the company in this state. But failure to give such notice shall not prevent a recovery from the company of such sum as may be equitably due for the performance of a duty imposed by this section upon the company.

SECTION 1603e. 86.195 (1) (e) of the statutes is repealed.

SECTION 1603f. 86.195 (2) (a) (intro.) and 1 of the statutes are consolidated, renumbered 86.195 (2) (a) and amended to read:

86.195 (2) (a) Upon the request of any person, the department may authorize the erection and maintenance of a specific information sign within the right-of-way of a federal-aid primary highway ~~subject to the following restriction: 1. No or within the right-of-way of a federal-aid secondary highway under the jurisdiction of the department, except that no specific information sign may be erected within any city or village unless the specific information sign is erected in compliance with rules promulgated by the department for such signs in a city or village.~~

SECTION 1603g. 86.195 (2) (a) 2 of the statutes is repealed.

SECTION 1603gm. 86.195 (2) (am) of the statutes is created to read:

86.195 (2) (am) Notwithstanding par. (a), no specific information sign may be erected within any county having a population over 500,000.

SECTION 1603h. 86.195 (2) (b) 2 of the statutes is amended to read:

86.195 (2) (b) 2. No business sign may be installed for any business advertising on the same highway on a sign authorized or permitted under s. 84.30 which is 3 miles or less in either direction from the specific information sign on which the installation of the business sign is requested.

SECTION 1603j. 86.195 (2) (b) 3 of the statutes is created to read:

86.195 (2) (b) 3. The person requesting installation of a business sign shall provide, at his or her expense, a business sign which meets specifications established by the department.

SECTION 1603k. 86.195 (2) (c) and (d) of the statutes are amended to read:

86.195 (2) (c) A person who requests the erection or installation of a sign under par. (a) or (b) shall pay to the department an annual permit fee of \$40 to cover administrative costs and the cost of inspection of the signs erected or installed under this section. In addition,

the person requesting a sign under par. (a) or (b) shall pay a fee for the manufacture, installation and maintenance of ~~the business sign and the specific information sign and the installation and maintenance of the business sign.~~

(d) The department shall contract for the erection, installation and maintenance of signs under this section. ~~The department shall contract under this section for a period of not less than 5 years on the basis of qualified bids.~~ The department may require the contractor to provide liability insurance for purposes of this section.

SECTION 1603m. 86.195 (5) (a) of the statutes is amended to read:

86.195 (5) (a) *Distance to services.* 1. Except as provided in subd. 2, a motorist service may not be located more than 3 miles from the federal-aid primary or secondary highway on which the specific information sign for the motorist service is erected.

2. If no business in the category of motorist service is available within the 3-mile limit, the limit in subd. 1 may be extended in 3-mile increments to a maximum distance of 15 miles from the federal-aid primary or secondary highway until a business in the category of motorist service is reached.

SECTION 1604. 86.30 (1) (a) of the statutes is renumbered 86.30 (1) (b).

SECTION 1605. 86.30 (1) (a) of the statutes is created to read:

86.30 (1) (a) "Base year distribution" means the amount determined by multiplying the base year rate of a county or municipality by the number of miles of roads and streets under the jurisdiction of the county or municipality as determined under s. 86.302.

SECTION 1606. 86.30 (1) (am) of the statutes is created to read:

86.30 (1) (am) "Base year rate" means the amount determined by dividing the amount of basic and supplemental highway aids distributed to a county or municipality under s. 20.395 (1) (qa) and (qb), 1975 stats., for fiscal year 1976-77 by the number of miles of roads and streets under the jurisdiction of the county or municipality on January 1, 1977.

SECTION 1607. 86.30 (1) (b) of the statutes is repealed.

SECTION 1607m. 86.30 (1) (bb) of the statutes is created to read:

86.30 (1) (bb) "Entitlement" means the amount of local transportation aids for which a county or municipality is eligible as determined under sub. (4).

SECTION 1608. 86.30 (4) (a) of the statutes is amended to read:

86.30 (4) (a) *Basic aids.* The amount of basic aids payable by the department to each county and municipality shall be the formula aids amount or the base year distribution, whichever is greater, ~~except that commencing with calendar year 1985 and thereafter, once a county or municipality is paid the formula aids~~

~~amount for a calendar year, it shall thereafter continue to be paid the amount determined under sub. (2).~~

SECTION 1609. 86.30 (4) (b) 1 of the statutes is renumbered 86.30 (4) (b) and amended to read:

86.30 (4) (b) *Mileage aids.* Each county and municipality is guaranteed a minimum aid per mile payment for each mile of road or street under the jurisdiction of the county or municipality as determined under s. 86.302. In calendar year ~~1984~~ 1986, the minimum aid per mile guarantee shall be an amount equal to ~~\$535~~ \$605 for each mile of road or street. In calendar year ~~1985~~ 1987 and thereafter, the minimum aid per mile guarantee shall be an amount equal to ~~\$550~~ \$665 for each mile of road or street. The amount distributed under this ~~subdivision~~ paragraph shall be the amount by which the minimum aid per mile guarantee for a county or municipality exceeds the basic aids amount for the county or municipality.

SECTION 1610. 86.30 (4) (b) 2 of the statutes is repealed.

SECTION 1611r. 86.30 (4) (c) of the statutes is renumbered 86.30 (4) (d) and amended to read:

86.30 (4) (d) *Aid limitation based on reported costs.* ~~No~~ For calendar year 1986 and thereafter, no county or municipality may be paid an amount under this section greater than 80% of its average calendar year cost data. ~~For 1984, the average calendar year cost data shall be based on the 5 most recent years for which complete annual cost data is available under s. 86.303 (5).~~ For 1985 and each calendar year thereafter, the average calendar year cost data shall be based on the 6 most recent years for which complete annual cost data is available under s. 86.303 (5).

SECTION 1612. 86.30 (4) (c) of the statutes is created to read:

86.30 (4) (c) *Transportation aids supplement for counties.* 1. Annually, the department shall provide a supplement to any county whose minimum aid level, as determined under subds. 2 and 3, exceeds the local transportation aids as determined under pars. (a) and (b) for that county.

2. For calendar year 1986, a county's minimum aid level shall equal an amount which is 4.9% greater than the amount the county received in calendar year 1985 under s. 86.30 and 1983 Wisconsin Act 27, section 2051 (1s).

3. For calendar year 1987, a county's minimum aid level shall equal an amount which is 4.9% greater than the county's minimum aid level in calendar year 1986 determined under subd. 2.

4. If the road mileage under the jurisdiction of a county as determined under s. 86.302 increases or decreases, the county's minimum aid level under this paragraph shall be increased or decreased in proportion to the change in the county's jurisdictional mileage responsibility.

5. The amount distributed under this paragraph shall be the amount by which the county's minimum aid level for the year exceeds the county's local trans-

portation aids as determined under pars. (a) and (b) for the year.

SECTION 1613m. 86.30 (4) (d) of the statutes is renumbered 86.30 (4) (e) and amended to read:

86.30 (4) (e) *Aid payments.* 1. Local transportation aids under this section shall be calculated and distributed on the basis of a calendar year. Local transportation aids shall be paid in 4 equal instalments on the first Monday in January, April, July and October. If Except as provided in subd. 2, if adjustments are necessary, the department may adjust any of the scheduled aid payments shall make the adjustments in a the succeeding calendar year. The payments shall be made from the appropriation under s. 20.395 (1) (aq) for the fiscal year in which the payments are made.

2. If the amount appropriated under s. 20.395 (1) (aq) is insufficient to pay the local transportation aids distribution under this section, the department shall prorate the amount appropriated in the manner it deems desirable.

SECTION 1614. 86.30 (6) of the statutes is repealed.

SECTION 1614m. 86.30 (6m) of the statutes is amended to read:

86.30 (6m) (title) *BASE YEAR RATE FOR RECENTLY INCORPORATED MUNICIPALITIES.* If a municipality incorporated after July 1, 1977, a base year ~~distribu-~~ tion rate for the municipality shall be determined under this subsection. The base year ~~distribution rate~~ for a municipality which incorporated after July 1, 1977, shall be the amount of basic and supplemental highway aids which the municipality would have been entitled to receive for fiscal year 1976-77 under s. 20.395 (1) (qa) and (qb), 1975 stats., if the municipality had been incorporated during fiscal year 1976-77, divided by the number of miles of roads and streets under the jurisdiction of the municipality on January 1, 1977.

SECTION 1615. 86.30 (8) of the statutes is repealed.

SECTION 1616. 86.30 (9) of the statutes is amended to read:

86.30 (9) (title) *AIDS CALCULATIONS FOR 1986 AND 1987.* For the purpose of calculating and distributing basic aids under sub. (4) (a), the amounts for basic aids are ~~\$145,400,000~~ \$157,400,000 in calendar year ~~1984~~ 1986 and ~~\$149,700,000~~ \$164,000,000 in calendar year ~~1985~~ 1987. These amounts, to the extent practicable, shall be used to determine the distribution of formula aids and hold harmless aids in the particular calendar year.

SECTION 1616m. 86.30 (10) of the statutes is created to read:

86.30 (10) *PROPERTY TAX CREDIT FOR AIDS.* The amount of credit to be certified to each municipality under s. 79.10 (9) shall be equal to the sum of amounts computed under pars. (a) and (b):

(a) The municipality's total entitlements for the following year as determined by the department in November of the current year.

(b) A portion of the county's total entitlements for the following year as determined by the department on or before November 15 of the current year for each county in which the municipality is located. This portion shall be equal to the sum generated by dividing the amount computed under subd. 1 by the amount computed under subd. 2 and multiplying the resultant amount by the amount computed under subd. 3:

1. The full value of the municipality's taxable property located in the county, excluding value increments as defined under s. 66.46 (2) (m).

2. The full value of the county's taxable property excluding value increments as defined under s. 66.46 (2) (m).

3. The county's total entitlements for the following year.

SECTION 1616r. 86.30 (11) of the statutes is created to read:

86.30 (11) ADJUSTMENT FOR CREDIT IN EXCESS OF PROPERTY TAX LEVY. (a) Notwithstanding sub. (4), if the credit to a municipality under sub. (10) exceeds the total property taxes levied for local purposes for that municipality, the department shall distribute to that municipality a portion of the municipality's entitlement equal to that municipality's levy for local purposes.

(b) Notwithstanding sub. (4), if the portion of the county credit allocated to a municipality under sub. (10) (b) exceeds the property taxes levied for the county within that municipality, the department shall distribute to the county a portion of the county's entitlement equal to the property taxes levied for the county within that municipality.

SECTION 1617. 86.303 (4) of the statutes is amended to read:

86.303 (4) MULTIYEAR AVERAGE COSTS. The multi-year cost factors used to determine the formula aids amount for local units of governments for calendar year 1984 shall be based on the actual costs for calendar years 1978 to 1982 and one year of average costs under sub. (3). For calendar year 1985 and thereafter, the multiyear average shall be based on the 6 most recent years for which actual costs are available.

SECTION 1617m. 86.303 (5) (e) of the statutes is amended to read:

86.303 (5) (e) If Except as provided in par. (f), if a county or municipality fails to submit a substantially complete and accurate financial report form by the date required under par. (c) or (d) each year, as provided under this subsection, the aids payable to the county or municipality during the following year shall be equal to 90% of the aids actually paid to the county or municipality under s. 86.30 (4) during the preceding year.

SECTION 1617r. 86.303 (5) (f) of the statutes is created to read:

86.303 (5) (f) If a county or municipality submits a substantially complete and accurate financial report form within 30 days after the date required in par. (c) or (d), the aids payable to the county or municipality for the following year shall be reduced by an amount equal to 1.0% of the aids payable to the county or municipality for the following year for each day after the date required in par. (c) or (d) that the report form is actually submitted, subject to the following limitations:

a. The amount of the reduction may not exceed 10% of the aids payable to the county or municipality under s. 86.30 (4) for the following year.

b. The amount of aids payable to the county or municipality under s. 86.30 (4) during the following year may not be reduced to less than 90% of the aids actually paid to the county or municipality under s. 86.30 (4) during the preceding year.

SECTION 1618. 86.32 (2) (b) 1 of the statutes is amended to read:

86.32 (2) (b) 1. Reimbursement for maintenance of connecting highways for calendar year ~~1983~~ 1985 shall be determined as follows: ~~\$7,030~~ \$7,460 per lane mile for municipalities having a population over 500,000; ~~\$6,510~~ \$6,910 per lane mile for municipalities having a population of 150,001 to 500,000; ~~\$5,810~~ \$6,160 per lane mile for municipalities having a population of 35,001 to 150,000; ~~\$5,110~~ \$5,420 per lane mile for municipalities having a population of 10,000 to 35,000; and ~~\$4,400~~ \$4,670 per lane mile for municipalities having a population under 10,000. For the first 2 lanes of a highway, the applicable rate per lane mile shall be paid in full. For the 2nd 2 lanes of a highway, the payable rate per lane mile shall be 75% of the appropriate rate per lane mile prescribed in this section. For the 3rd 2 lanes, and any additional lanes, of highway, the payable rate per lane mile shall be 50% of the appropriate rate per lane mile prescribed in this section.

SECTION 1619. 86.32 (3) (a) of the statutes is repealed.

SECTION 1620. 86.32 (3) (b) of the statutes is renumbered 86.32 (3) and amended to read:

86.32 (3) For calendar years ~~1984 and 1985~~ year 1986, the per lane mile reimbursement rate established in sub. (2) shall be adjusted increased by 3% to reflect the ~~percentage of change attributed to the rate of inflation~~ 4.9%. For calendar year 1987, the per lane mile reimbursement rate established in this subsection for calendar year 1986 shall be increased by 4.9%.

SECTION 1621. 88.05 (4) (a) of the statutes is amended to read:

88.05 (4) (a) The chairman of the county highway committee; except in a county with a highway commissioner appointed under s. 83.01 (1) (c), the highway commissioner; the chairman of the county land conservation committee in the county involved; the secretary of natural resources; and, where a railroad company is involved, the person specified in sub. (6).

SECTION 1622m. 91.13 (8) (d) of the statutes is amended to read:

91.13 (8) (d) Farming operations shall be conducted in substantial accordance with a soil and water conservation plan ~~approved by the land conservation committee of the county board. The land conservation committee shall ensure that these plans are prepared and followed. Deviations from a plan may be allowed if, in the judgment of the land conservation committee, personnel are not available to lay out the suggested practices on the land or if the practices are not economical for the owner to adopt prepared under s. 92.104.~~ This paragraph applies to any farmland preservation agreement applied for prior to July 1, 1986.

SECTION 1623m. 91.13 (8) (dm) of the statutes is created to read:

91.13 (8) (dm) Farming operations shall be conducted in compliance with reasonable soil and water conservation standards established under s. 92.105. This paragraph applies to a farmland preservation agreement applied for on or after July 1, 1986.

SECTION 1624g. 91.80 (title) of the statutes is amended to read:

**91.80 (title) Soil and water conservation.**

SECTION 1624m. 91.80 of the statutes is renumbered 91.80 (1) and amended to read:

91.80 (1) (title) **ORDINANCE.** Any county, city, village or town may require by separate ordinance ~~require~~ that land for which an owner receives a zoning certificate under s. 71.09 (11) (h) be farmed in ~~accordance~~ compliance with reasonable soil and water conservation standards established by the county land conservation committee ~~created under s. 92.06 by the county board. Deviations from such standards may be allowed if, in the judgment of the land conservation committee, personnel are not available to lay out the practices needed in order to meet such standards or if the needed practices are not economical for the owner to adopt.~~

SECTION 1624r. 91.80 (2) of the statutes is created to read:

91.80 (2) **COMPLIANCE WITH STANDARDS.** In order to be eligible for the farmland preservation credit, farming operations shall be conducted in compliance with reasonable soil and water conservation standards established under s. 92.105. This subsection applies as provided under s. 92.105 (7).

SECTION 1625. 92.025 of the statutes is created to read:

**92.025 State soil erosion control goals.** It is the intent of the legislature that:

(1) **STATUTORY GOAL.** The soil erosion rate on each individual cropland field in the state does not exceed the tolerable erosion level on or after January 1, 2000.

(2) **INTERIM GOALS; COUNTIES.** The soil erosion rate in each county in the state does not exceed 1.5 times the tolerable erosion level on or after July 1, 1990 and

does not exceed the tolerable erosion level on or after July 1, 1993.

(3) **INTERIM GOALS; INDIVIDUAL CROPLAND FIELDS.** The soil erosion rate in each individual cropland field in the state does not exceed 3 times the tolerable erosion level on or after July 1, 1990, and does not exceed 2 times the tolerable erosion level on or after July 1, 1995.

(4) **INTERIM GOAL; STATE-RUN FARMS.** The soil erosion rate on individual cropland fields of farms owned by the university of Wisconsin system or any other department or agency of state government does not exceed the tolerable soil erosion level on or after July 1, 1990.

SECTION 1626. 92.04 (2) (c) to (e) of the statutes are renumbered 92.04 (2) (d), (e) and (h).

SECTION 1627. 92.04 (2) (c) of the statutes is created to read:

92.04 (2) (c) *Review and approve soil and water conservation standards.* The board shall review soil and water conservation standards prepared under s. 92.105. The board shall establish guidelines for the approval of these standards.

SECTION 1628. 92.04 (2) (f) and (g) of the statutes are created to read:

92.04 (2) (f) *State erosion control goals; compliance and evaluation.* The board shall review compliance with state soil erosion control goals established under s. 92.025. The board shall notify the department and the legislature if these goals are not achieved or if it is unlikely that these goals will be achieved.

(g) *Tolerable erosion levels.* The board shall establish a tolerable erosion level based on an erosion rate which is acceptable and maintains long-term soil productivity.

SECTION 1629. 92.06 (1) (d) of the statutes is amended to read:

92.06 (1) (d) *Reimbursement.* Each member of the land conservation committee shall be reimbursed for necessary expenses and shall be paid the same per diem as members of other county board committees ~~except that a member appointed under par. (b) 2 may not be reimbursed or paid a per diem under this paragraph.~~

SECTION 1630. 92.10 (1) of the statutes is amended to read:

92.10 (1) **CREATION.** There is created a statewide an erosion control program. The department, board and land conservation committees in identified priority counties jointly shall develop and administer this program.

SECTION 1631. 92.10 (2) (c) of the statutes is amended to read:

92.10 (2) (c) Focus program resources ~~in areas of the state with the most~~ on severe soil erosion problems in identified priority counties; and

SECTION 1632. 92.10 (3) (title) and (a) to (e) of the statutes are renumbered 92.10 (4) (title), (a) and (c) to

(f), and 92.10 (4) (a) and (c) to (e), as renumbered, are amended to read:

92.10 (4) (a) *Data*. The department shall develop a systematic method of collecting and organizing ~~state-wide~~ data related to soil erosion. The department shall cooperate with the department of administration acting under s. 16.967 in developing this methodology or any related activities related to land resource data collection.

(c) *Plan assistance*. The department shall assist land conservation committees in identified priority counties in preparing the soil erosion control plans ~~required under this section and~~. The department may allocate funds appropriated under s. 20.115 (7) (d) to the land conservation committees for this purpose in identified priority counties to cover up to 50% of the cost of preparing soil erosion control plans.

(d) *Plan review*. The department shall review and approve or disapprove soil erosion control plans submitted by the land conservation committees ~~under this section~~ in identified priority counties. The department may require land conservation committees to indicate specific projects to be funded under each plan and the related cost-sharing rates. ~~The department may not allocate any cost sharing funds to a land conservation committee under this section unless its soil erosion control plan is approved.~~

(e) (title) *Implementation aids*. The department shall allocate funds appropriated under s. 20.115 (7) (d) to the land conservation committees in identified priority counties to cover up to ~~75%~~ 70% of the cost of implementing conservation practices included in soil erosion control plans. The department may not allocate any funds to a land conservation committee under this paragraph unless its soil erosion control plan is approved. The department shall give priority to those areas in which the most severe soil erosion problems are located.

SECTION 1633. 92.10 (3) of the statutes is created to read:

92.10 (3) IDENTIFICATION OF PRIORITY COUNTIES. (a) *Identification*. The department shall identify priority soil erosion control counties. Identified priority counties are required to prepare soil erosion control plans.

(b) *Criteria*. In identifying priority soil erosion control counties, the department shall consider the following factors:

1. The amount of cropland in the county.
2. The magnitude and extent of cropland erosion in the county.
3. The availability of soil survey information in the county.

(c) *Plan preparation*. If a county is identified as a priority soil erosion control county under this subsection, the land conservation committee in that county shall prepare and submit a soil erosion control plan for that county as specified under sub. (6).

SECTION 1634. 92.10 (4) of the statutes is renumbered 92.10 (5).

SECTION 1635. 92.10 (4) (b) of the statutes is created to read:

92.10 (4) (b) *Assistance and services*. The department may utilize funds appropriated under s. 20.115 (7) (d) for program administration, technical assistance, education and information services and related costs.

SECTION 1636. 92.10 (5) of the statutes is renumbered 92.10 (6), and 92.10 (6) (a) (intro.), (b) to (e) and (f) (intro.), as renumbered, are amended to read:

92.10 (6) (a) *Plan preparation*. (intro.) Each A land conservation committee in an identified priority county shall prepare a soil erosion control plan which does all of the following:

(b) *Notification*. Each A land conservation committee in an identified priority county shall notify landowners and land users of the results of any determinations of soil erosion rates, and provide an opportunity for landowners and land users to present information relating to the accuracy of the determinations during preparation of the soil erosion control plan.

(c) *Hearings*. Each A land conservation committee in an identified priority county shall hold one or more public hearings on the soil erosion control plan.

(d) *Plan submission*. Each A land conservation committee in an identified priority county shall submit the soil erosion control plan and any request for state funding of up to 75% of the cost of implementing for the implementation of conservation practices included in the plan to the board and department.

(e) *Plan adoption*. Each A land conservation committee in an identified priority county shall make the approved soil erosion control plan a part of the committee's long-range plan required under s. 92.08.

(f) *Local implementation*. (intro.) Each A land conservation committee in an identified priority county shall administer local implementation of the approved plan. Local implementation includes, but is not limited to:

SECTION 1637. 92.10 (6) of the statutes is renumbered 92.10 (7).

SECTION 1638g. 92.104 of the statutes is created to read:

**92.104 Soil and water conservation plan.** (1) **PREPARATION.** A land conservation committee shall ensure that a soil and water conservation plan is prepared for land covered by a farmland preservation agreement.

(2) **APPROVAL.** A soil and water conservation plan approved by the land conservation committee is required to be included in the farmland preservation agreement.

(3) **MONITORING.** A county land conservation committee shall ensure that a soil and water conservation plan incorporated in a farmland preservation agreement is followed except that deviations may be



allowed if, in the judgment of the land conservation committee, personnel are not available to lay out the suggested practices on the land or if practices are not economical for the owner to adopt.

(4) **NONCOMPLIANCE.** If the land conservation committee determines that farming operations are not being conducted in compliance with a soil and water conservation plan and that the deviation is not permitted under sub. (3), it shall issue a notice of noncompliance to the farmer and send a copy to the department of revenue. This notice remains in effect until canceled. If actions are taken to comply with the soil and water conservation plan in a manner satisfactory to the land conservation committee, it shall cancel the notice of noncompliance by notifying the farmer and the department of revenue.

(5) **ELIGIBILITY FOR FARMLAND PRESERVATION CREDIT.** A farmland preservation credit may not be allowed under s. 71.09 (11) if a notice of noncompliance is in effect with respect to a claimant to which this section applies at the time the claim is filed.

(6) **APPLICABILITY.** This section and a soil and water conservation plan prepared under this section apply to a person claiming a farmland preservation credit, land related to that claim and farming operations on that land if eligibility for the credit is based on a farmland preservation agreement applied for prior to July 1, 1986.

SECTION 1638m. 92.105 of the statutes is created to read:

**92.105 Soil and water conservation standards.** (1) **ESTABLISHMENT.** A land conservation committee shall establish soil and water conservation standards. It shall submit these standards to the board for review.

(2) **GUIDELINES; REVIEW.** The board shall develop guidelines to be used for the establishment and administration of soil and water conservation standards. The board shall review and shall approve or disapprove submitted soil and water conservation standards based on the guidelines it develops. If the board approves soil and water conservation standards, it shall notify any appropriate zoning authority of its approval.

(3) **APPROVED STANDARDS REQUIRED FOR FARMLAND PRESERVATION CREDIT.** A farmland preservation credit may not be allowed under s. 71.09 (11) for claims relating to any land to which this section applies unless the land conservation committee for the county where the property is located establishes soil and water conservation standards which are approved by the board.

(4) **MONITORING.** The land conservation committee shall monitor compliance with soil and water conservation standards on land to which this section applies.

(5) **NONCOMPLIANCE.** If the land conservation committee determines that farming operations on land to which this section applies do not comply with soil and water conservation standards, it shall issue a notice of noncompliance to the farmer and send a copy of the

notice to any appropriate zoning authority. If no appropriate zoning authority exists, it shall send a copy to the department of revenue. This notice of noncompliance remains in effect until canceled. If actions are taken to comply with the soil and water conservation standards in a manner satisfactory to the land conservation committee, it shall cancel the notice of noncompliance by notifying the farmer and by sending a copy of the cancellation to any appropriate zoning authority. If no appropriate zoning authority exists or if the original notice was sent to the department of revenue, it shall send a copy of the cancellation to the department of revenue.

(6) **ELIGIBILITY FOR FARMLAND PRESERVATION CREDIT.** A farmland preservation credit may not be allowed under s. 71.09 (11) if a notice of noncompliance is in effect with respect to a claimant to which this section applies at the time the claim is filed.

(7) **APPLICABILITY.** (a) *General applicability; farmland preservation.* This section and soil and water conservation standards established under this section apply only to a person claiming a farmland preservation credit under s. 71.09 (11), land related to that claim and farming operations on that land and apply only as provided under pars. (b) to (d).

(b) *Participants eligible under new farmland preservation agreements.* This section and soil and water conservation standards established under this section apply to a person claiming a farmland preservation credit, land related to that claim and farming operations on that land if eligibility for the credit is based upon a farmland preservation agreement applied for on or after July 1, 1986.

(c) *Existing participants under exclusive agricultural zoning.* This section and soil and water conservation standards established under this section apply beginning on January 1, 1988, to a person claiming a farmland preservation credit, land related to that claim and farming operations on that land if eligibility for the credit is based on exclusive agricultural zoning and if a farmland preservation credit was received by that person for property taxes on the same land accruing in 1984 or any prior year.

(d) *New participants under exclusive agricultural zoning.* This section and soil and water conservation standards established under this section apply beginning on July 1, 1986, to a person claiming a farmland preservation credit, land related to that claim and farming operations on that land if eligibility for the credit is based on exclusive agricultural zoning and if a farmland preservation credit was not received by that person for property taxes on the same land in 1984 or any prior year.

SECTION 1639m. 92.14 of the statutes is repealed and recreated to read:

**92.14 State aids for conservation activities.** (1) **APPLICATION.** A land conservation committee may, on or before the date established by the department, submit to the board and department an application

for state aid to provide basic administrative, technical and clerical staff for operating effective land conservation programs and for one or more conservation projects. The application shall set forth the purpose, estimated cost, work to be done and any other data that the department requires.

(2) APPROVAL; ALLOCATION; PRIORITY. After receiving recommendations of the board on the applications, the department shall approve or disapprove each application. No payment may be made under this section unless an application is approved under this section. The department shall allocate the funds appropriated under s. 20.115 (7) (c) to the land conservation committees with approved applications first for conservation activities under sub. (3). Following the allocation of funds under sub. (3), the department shall allocate any remaining funds under sub. (4).

(3) PRIMARY ALLOCATION. (a) The department shall pay annually to each county land conservation committee an amount equal to the lesser of \$7,000 or the amount the land conservation committee expends from county funds in employing county personnel for soil and water conservation work.

(b) The department shall pay annually to each county land conservation committee an amount equal to the lesser of \$5,000 or the amount the land conservation committee expends from county funds in employing county conservationists under contract with the department.

(c) In addition to the payments under pars. (a) and (b), the department shall pay annually to each land conservation committee an additional \$5,000 in state aid if that county has an approved soil erosion control plan under s. 92.10 and an approved animal waste management plan under s. 92.15 (2) (a).

(4) RESIDUAL ALLOCATION. The department shall pay to each land conservation committee an amount not to exceed 70% of the cost of one or more conservation projects proposed. Funds allocated under this subsection may be used for personnel and associated costs, for materials and associated costs necessary in the planning, application, repair or maintenance of conservation measures, for equipment, for educational materials and for costs associated with the coordination within the county of the erosion control program under s. 92.10, the Wisconsin farmers fund program under s. 92.15, the nonpoint source water pollution abatement program under s. 144.25 and the animal waste management program adopted under ch. 147.

(5) STATUS REPORT. The land conservation committee shall keep the department informed of the status of work on funded activities.

SECTION 1641m. 93.07 (16) of the statutes is created to read:

93.07 (16) REGIONAL ANIMAL HEALTH LABORATORY. To maintain a regional animal health laboratory in the city of Barron.

SECTION 1642. 93.24 (8) of the statutes is repealed.

SECTION 1642m. 94.50 (1) (a) and (b) of the statutes are amended to read:

94.50 (1) (a) "Cultivated ginseng" means ginseng dry root, live root, tissue culture or seed that is grown or nurtured in this state by a person.

(b) "Dealer" means a person who buys cultivated ginseng for the purpose of resale, except that it does not include a person who buys cultivated ginseng dry root solely for the purpose of final retail sale to consumers in the United States.

SECTION 1643. 94.50 (2) of the statutes is amended to read:

94.50 (2) GROWERS AND DEALERS; REGISTRATION. No person may act as a grower or a dealer unless he or she is registered with the department. Any person who acts as a dealer and a grower shall register as both. Registrations shall be made annually on a form provided by the department. Registrations ~~shall~~ expire on ~~June 30~~ December 31 of each year. A dealer shall pay to the department an annual registration fee of \$25. The department shall assign a registration number to each person registered under this subsection.

SECTION 1643e. 94.50 (3) (f) (intro.), 2, 4 and 5 of the statutes are amended to read:

94.50 (3) (f) (intro.) Paragraph (a) does not apply to a person who sells or ships cultivated ginseng dry root to a person outside of this state who is buying or receiving the cultivated ginseng dry root solely for the purpose of final retail sale to consumers in the United States, if the person selling or shipping keeps a written record of the sale or shipment which shall include all of the following:

2. The dry weight of the cultivated ginseng dry root included in the sale or shipment.

4. The source of all of the cultivated ginseng dry root included in the sale or shipment.

5. The year in which the cultivated ginseng dry root was harvested.

SECTION 1643j. 94.50 (6) (title) of the statutes is amended to read:

94.50 (6) (title) PUBLIC INSPECTION OF DOCUMENTS AND RECORDS.

SECTION 1643m. 94.50 (6) of the statutes is renumbered 94.50 (6) (a) and amended to read:

94.50 (6) (a) Documents and records relating to transactions in cultivated ginseng dry root submitted under this section by a grower or dealer to the department are not open to public inspection.

SECTION 1643s. 94.50 (6) (b) of the statutes is created to read:

94.50 (6) (b) Documents and records relating to transactions in cultivated ginseng live root, tissue culture or seed which are submitted by a grower or dealer to the department under this section shall be open to public inspection under subch. II. of ch. 19.

SECTION 1643y. 97.41 (1) of the statutes is amended to read:

97.41 (1) In the administration of this chapter, the department may enter into a written agreement with a city or county which designates the city or county as its agent for issuing licenses to and making investigations or inspections of counter freezers under s. 97.26, retail food processing plants as defined in s. 97.28 (2) (b), bakeries as defined in s. 97.36, and confectionaries as defined in s. 97.38. When the designation is made, no license other than the license issued by the city or county under this section may be required by the department, the city or the county for the same operations. The department shall coordinate the designation of agents under this section with the department of health and social services to ensure that, to the extent feasible, the same city and county agencies are granted agent status under this section and under s. 50.535 (2). Except as otherwise provided by the department, a city or county granted agent status shall regulate all types of establishments for which this subsection permits the department to delegate regulatory authority.

SECTION 1644. 97.41 (4) of the statutes is renumbered 97.41 (4) (a) and amended to read:

97.41 (4) (a) A Except as provided in par. (b), a city or county granted agent status under this section shall establish and collect the license fee for each type of establishment. The city or county may establish separate fees for preinspections of new establishments, for preinspections of existing establishments for which a person intends to be the new operator or for the issuance of duplicate licenses. No fee may exceed the city's or county's reasonable costs of issuing licenses to, making investigations and inspections of, and providing education, training and technical assistance to the establishments, plus the state fee established under sub. (5). A city or county which is granted agent status under this section or under s. 50.535, may issue a single license and establish and collect a single fee which authorizes the operation on the same premises of more than one type of establishment with respect to which it is granted agent status under this section or under s. 50.535 (2).

SECTION 1645. 97.41 (4) (b) of the statutes is created to read:

97.41 (4) (b) A city or county granted agent status under this section may contract with the department for the department to collect fees and issue licenses. The department shall collect from the city or county the actual and reasonable cost of providing the services.

SECTION 1645m. 97.42 (2) (b) of the statutes is amended to read:

97.42 (2) (b) Paragraph (a) ~~shall~~ does not apply to persons processing any person operating an establishment that only processes meat or poultry products, or meat or poultry food products, for sale directly to consumers at retail on the premises where such the

products were processed if only inspected meat is permitted on the premises; and sales to restaurants and institutions are restricted to 25% of the volume of meat sales or \$28,800 annually, whichever is less. ~~A person exempt from licensure under this paragraph may make occasional sales of meat products to non-profit organizations if the organizations take delivery of the meat products on the premises where processed. No person exempt from license licensure under this paragraph shall may sell any cured, smoked, seasoned, canned or cooked meat food products produced by that person to restaurants or institutions.~~

**Vetoed  
in Part**

SECTION 1646. 100.205 (6) (intro.) of the statutes is amended to read:

100.205 (6) (intro.) Every warrantor shall purchase a policy of insurance covering the financial integrity of its warranties. The policy of insurance shall be ~~in an amount and form determined annually on a form approved~~ by the commissioner of insurance under s. 631.20 and shall have the following minimum provisions:

SECTION 1647. 100.205 (6) (b) of the statutes is amended to read:

100.205 (6) (b) Each warranty issued in this state shall be covered by ~~the a~~ policy of insurance ~~for the full amount of any claim payable under the warranty.~~

SECTION 1649. 101.14 (5) of the statutes is amended to read:

101.14 (5) In addition to any fee charged by the department by rule for plan review and approval for the construction of a new or additional installation or change in operation of a previously approved installation for the storage, handling or use of flammable or combustible liquids, the department or its agent shall collect a groundwater fee of \$100 for each ~~installation plan review submittal~~. The moneys collected under ~~this section subsection~~ shall be credited to the groundwater fund.

SECTION 1649m. 101.15 (2) (e) of the statutes is repealed and recreated to read:

101.15 (2) (e) The department shall promulgate rules to effect the safety of mines, explosives, quarries and related activities. Such rules shall provide for the establishment of uniform limits on permissible levels of blasting resultants to reasonably assure that blasting resultants do not cause injury, damage or unreasonable annoyance to any person or property outside any controlled blasting site area.

SECTION 1650. 101.23 (6) of the statutes is amended to read:

101.23 (6) All ~~funds~~ moneys made available to this state under said act shall, upon receipt thereof, be paid into the ~~unemployment administration fund created 108.02 by s. 108.20 federal administrative financing account under s. 20.445 (1) (n).~~

SECTION 1651. 101.26 (title) of the statutes is created to read:

**101.26 (title) Employment and training programs.**

SECTION 1652. 101.26 (1) of the statutes is created to read:

101.26 (1) The department shall cooperate with the federal government in carrying out the purposes of the federal job training partnership act, 29 USC 1501 to 1781. In administering the programs authorized by that act the department shall, in cooperation with other state agencies and with private industry councils, establish a statewide coordinated employment and training delivery system to meet the employment, training and educational needs of persons in this state.

SECTION 1653. 101.26 (3) (b) of the statutes is created to read:

101.26 (3) (b) 1. The state job training coordinating council shall submit notice of public hearing and a copy of the proposed governor's coordination and special services plan or a summary of it to the standing committees dealing with education, economic development and employment and to any other appropriate standing committee in each house of the legislature at least 120 days before the beginning of the first of 2 program years covered by the plan.

2. Each private industry council shall submit its notice of public hearing and a copy of its proposed job training plan or a summary of it to the standing committees dealing with education, economic development and employment and to any other appropriate standing committee in each house of the legislature. The private industry council shall submit notice and the plan or summary at least 120 days before the beginning of the first of 2 program years covered by the plan, pursuant to 29 USC 1515 (a) (1) (B), and according to procedures established by the department.

SECTION 1658. 102.07 (16) of the statutes is created to read:

102.07 (16) An inmate participating in a work release program under s. 56.065 (2) or in the transitional employment program is an employe of any employer under this chapter for whom he or she is performing service at the time of the injury.

SECTION 1659. 102.31 (7) of the statutes is amended to read:

102.31 (7) The Wisconsin compensation rating bureau shall provide the department with any information it requests relating to worker's compensation insurance coverage, including but not limited to the names of employers insured and any insured employer's address, business status, type and date of coverage, manual premium code, and policy information including numbers, cancellations, terminations, endorsements and reinstatement dates. The department may enter into contracts with the Wisconsin compensation rating bureau to share the costs of data processing and other services.

SECTION 1660. 102.475 (8) (a) of the statutes is amended to read:

102.475 (8) (a) "Correctional officer" means any person employed by the state or any political subdivi-

sion as a guard or officer whose principal duties are supervision and discipline of inmates at a penal institution, prison, jail, house of correction or other place of penal detention, ~~including central state hospital.~~

SECTION 1660m. 103.15 of the statutes is created to read:

**103.15 Use of testing for acquired immunodeficiency syndrome.** (1) No employer or agent of an employer may directly or indirectly solicit or require as a condition of employment of any employe or prospective employe a test to screen for the existence of an antibody to the human virus HTLV-III causing acquired immunodeficiency syndrome.

(2) Any agreement by an employer or agent of the employer and an employe or prospective employe offering employment or any pay or benefit to an employe or prospective employe in return for taking a test to screen for the existence of an antibody to the human virus HTLV-III causing acquired immunodeficiency syndrome is prohibited.

SECTION 1660r. 103.20 of the statutes is amended to read:

**103.20 Penalty.** Any person who shall violate ss. 103.15, 103.17, 103.18 and 103.19 shall, upon conviction, be fined in a sum not exceeding \$100.

SECTION 1661. 108.02 (1) of the statutes is amended to read:

108.02 (1) (title) ADMINISTRATIVE ACCOUNT. "~~Administration fund~~" "Administrative account" means the fund account established in s. 108.20.

~~SECTION 1661g. 108.02 (15) (k) 15 of the statutes is amended to read:~~

~~108.02 (15) (k) 15. By an individual as a court reporter or a transcriber for a court reporter if the individual receives wages on a per diem basis, or~~

SECTION 1661m. 108.04 (11) (c) of the statutes, as affected by 1985 Wisconsin Act 17, is amended to read:

108.04 (11) (c) Any employer that aids and abets a claimant in committing an act of concealment described in par. (a) may, by a determination issued under s. 108.09, be required, as to each act of concealment the employer aids and abets, to forfeit an amount equal to the amount of the benefits the claimant improperly received as a result of the concealment. The amount forfeited shall be credited to the ~~administration fund~~ administrative account.

SECTION 1662. 108.04 (13) (c) 2 of the statutes is amended to read:

108.04 (13) (c) 2. If benefits are thus computed, the employer shall be liable for a tardy filing fee of \$15, to be paid to the department and credited to the ~~administration fund~~ administrative account, except where the employer later files the required report and satisfies the department that it was tardy because of circumstances beyond the employer's control.

SECTION 1663. 108.09 (5) (b) of the statutes is amended to read:

Vetoed  
in Part

108.09 (5) (b) All testimony at any hearing under this section shall be taken down by a stenographer, or recorded by a recording machine, but need not be transcribed unless either of the parties requests a transcript prior to expiration of that party's right to further appeal under this section and pays a fee to the commission in advance, the amount of which shall be established by rule of the commission. When a transcript is thus furnished one of the parties upon request, a copy of the transcript shall be furnished the other party free of charge. The transcript fee thus collected shall be paid to the ~~administration fund~~ administrative account.

SECTION 1664. 108.14 (2m) of the statutes, as affected by 1985 Wisconsin Act 17, is amended to read:

108.14 (2m) In the discharge of their duties under this chapter an appeal tribunal or a deputy, commissioner or duly authorized representative of the department or commission may administer oaths to persons appearing before them, take depositions, certify to official acts, and by subpoenas, served in the manner in which circuit court subpoenas are served, to compel attendance of witnesses and the production of books, papers, documents and records necessary or convenient to be used by them in connection with any investigation, hearing or other proceeding under this chapter. However, in any investigation, hearing or other proceeding involving the administration of oaths or the use of subpoenas under this subsection due notice shall be given to any interested party involved, who shall be given an opportunity to appear and be heard at any such proceeding and to examine witnesses and otherwise participate therein. Witness fees and other expenses involved in proceedings under this chapter, including a party's traveling expenses, may be allowed by the appeal tribunal or representative of the department at rates specified by general department rules, and shall be paid from the ~~unemployment administration fund~~ administrative account.

SECTION 1665. 108.14 (3m) of the statutes is amended to read:

108.14 (3m) In any court action to enforce this chapter the department, the commission and the state may be represented by any licensed attorney who is an employe of the department or the commission and is designated by either of them for this purpose or at the request of either of them by the department of justice. If the governor designates special counsel to defend, in behalf of the state, the validity of this chapter or of any provision of Title IX of the social security act, the expenses and compensation of the special counsel and of any experts employed by the department in connection with that proceeding may be charged to the ~~administration fund~~ administrative account.

SECTION 1666. 108.14 (9) of the statutes is amended to read:

108.14 (9) The department may make its records relating to the administration of this chapter available to the Railroad Retirement Board, and may furnish the Railroad Retirement Board, at the expense of said board, such copies thereof as said board deems necessary for its purposes. The department may afford reasonable cooperation with every agency of the United States charged with the administration of any unemployment compensation law. The department may make arrangements or agreements with the Railroad Retirement Board, or any other agency of the United States charged with the administration of an unemployment compensation law, with respect to the establishment, maintenance and use of free employment service facilities, the taking and certifying of claims, the making of investigations, and the supplying of other information or services related to unemployment compensation. ~~But, but~~ the department ~~shall~~ may not make or renew any such arrangement or agreement unless it finds that its resulting administrative costs are approximately covered or offset by the facilities, services and payments to be made available thereunder by such federal agency. Any moneys received by the department under this subsection shall be paid into the ~~administration fund~~ under s. 108.20 federal administrative financing account under s. 108.161.

SECTION 1667. 108.14 (12) (a) and (d) of the statutes are amended to read:

108.14 (12) (a) Consistently with the provisions of pars. (8) and (9) of ~~s. section~~ 303 (a) of Title III of the federal social security act, all moneys received in the ~~administration fund~~ federal administrative financing account from any federal agency under said Title III shall be expended solely for the purposes and in the amounts found necessary by said agency for the proper and efficient administration of this chapter.

(d) If it ~~be~~ is finally determined that moneys thus received have been thus lost or improperly expended, then the department shall either make the necessary replacement from those ~~administration fund~~ moneys in the administrative account specified in s. 108.20 (2m) or shall submit, at the next budget hearings conducted by the governor and at the budget hearings conducted by the next legislature convened in regular session, a request that the necessary replacement be made by an appropriation from the general fund.

SECTION 1668. 108.14 (16) of the statutes is amended to read:

108.14 (16) The department shall have duplicated or printed, and shall distribute without charge, such employment security reports, studies and other materials ~~including the text of this chapter and instructional or explanatory pamphlets for employers or workers~~ as it deems necessary for public information or for the proper administration of this chapter; but the department may collect a reasonable charge, which shall be credited to the ~~unemployment administration fund~~ administrative account, for any such item

the cost of which is not fully covered by federal administrative grants.

SECTION 1669. 108.16 (5) (c) of the statutes is amended to read:

108.16 (5) (c) While the state has an account in the "Unemployment Trust Fund," public deposit insurance charges on the fund's balances held in banks, savings and loan associations and credit unions in this state, the premiums on surety bonds required of the fund's treasurer under this section, and any other expense of administration otherwise payable from the fund's interest earnings, shall be paid from the ~~administration fund~~ administrative account.

SECTION 1670. 108.16 (6) (k) of the statutes is amended to read:

108.16 (6) (k) Except as otherwise provided in s. 108.20, all moneys received by the ~~administration fund~~ administrative account as interest and penalties on delinquent payments under this chapter.

SECTION 1671. 108.16 (8) (f) of the statutes is amended to read:

108.16 (8) (f) The successor shall take over and continue the transferor's account, including its plus or minus balance and all other aspects of its experience under this chapter, in proportion to the payroll assignable to the transferred business. The transferor and the successor shall be jointly and severally liable for any amounts owed by the transferor to the fund and to the ~~administration fund~~ administrative account at the time of the transfer. However, the liability of the successor shall be proportioned to the extent of the transferred business.

SECTION 1672. 108.161 (title) and (1) of the statutes are amended to read:

**108.161 (title) Federal administrative financing account.** (1) The fund's treasurer shall maintain within the fund an employment security "federal administrative financing account", and shall credit thereto all amounts credited to the fund pursuant to the federal employment security administrative financing act (of 1954) and section 903 of the federal social security act, as amended.

SECTION 1673. 108.161 (4) (a) and (b) of the statutes are amended to read:

108.161 (4) (a) Stating for which such purposes and in what amounts the appropriation is being made to the ~~administration fund~~ administrative account created by s. 108.20.

(b) Directing the fund's treasurer to transfer the appropriated amounts to the ~~administration fund~~ administrative account only as and to the extent that they are currently needed for such expenditures, and directing that there shall be restored to the account created by sub. (1) any amount thus transferred which has ceased to be needed or available for such expenditures.

SECTION 1674. 108.162 (title) of the statutes is created to read:

**108.162 (title) Employment security buildings and equipment.**

SECTION 1675. 108.17 (3) of the statutes is amended to read:

108.17 (3) If an employer (of any person) makes application to the department to adjust an alleged overpayment by ~~him~~ the employer of contributions or interest under this chapter, and files such an application within 3 years after the close of the calendar year in which such payment was made, a department deputy shall make a determination under s. 108.10 as to the existence and extent of any such overpayment, and said section shall apply to such determination. As to any amount determined under said section to have been erroneously paid by the employer, the department shall allow ~~him~~ the employer a corresponding credit, without interest, against ~~his~~ its future contribution payments; or, if the department finds it impracticable to allow the given employer such a credit, it shall refund such overpayment to ~~him~~ the employer, without interest, from the fund or the ~~administration fund~~ administrative account, as the case may be.

SECTION 1676. 108.19 (1), (1m) and (2) of the statutes are amended to read:

108.19 (1) Each employer subject to this chapter shall regularly contribute to the ~~unemployment administration fund created in s. 108.20~~ administrative account at the rate of two-tenths of one per cent per year on ~~his~~ its payroll as defined in s. 108.02. But, except that the department may prescribe at the close of any fiscal year such lower rates of contribution under this section, to apply to classes of employers throughout the ensuing fiscal year, as will in the department's judgment adequately finance the administration of this chapter, and as will in the department's judgment fairly represent the relative cost of the services rendered by the department to each such class.

(1m) Each employer subject to this chapter as of the date a rate is established under this subsection shall pay an assessment to the ~~administration fund~~ administrative account at a rate established by the department sufficient to pay interest due on advances from the federal unemployment account under title XII of the social security act (42 USC 1321 to 1324). The rate established by the department for employers who finance benefits under s. 108.15 (2) or 108.151 (2) shall be 75% of the rate established for other employers. The amount of any employer's assessment shall be the product of the rate established for that employer multiplied by the employer's payroll of the previous calendar year as taken from quarterly contribution reports filed by the employer or, in the absence of the filing of such reports, estimates made by the department. Each assessment made under this subsection is due on the 30th day commencing after the date on which notice of the assessment is mailed by the department. If amounts are collected under this subsection in excess of the amounts needed to pay interest due, the

amounts shall be retained in the ~~administration fund~~ administrative account for future interest payments.

(2) If the department finds, at any time within a fiscal year for which it has prescribed lower contribution rates to the ~~administration fund~~ administrative account than the maximum rate permitted ~~hereunder~~ under sub. (1), that such lower rates will not adequately finance the administration of this chapter or are excessive for that purpose, the department may by general rule prescribe a new schedule of rates (in no case exceeding the specified maximum) to apply under this section for the balance of the fiscal year.

SECTION 1677. 108.20 (title), (1) and (2) of the statutes are amended to read:

**108.20 (title) Administrative account.** (1) To finance the administration of this chapter and to carry out its provisions and purposes there is established the "~~Unemployment Administration Fund~~" "administrative account" from the appropriation under s. 20.445 (1) (gc). This fund account shall consist of all contributions and moneys not otherwise appropriated paid to or transferred by the department for the ~~administration fund~~ account under s. 108.19, and of all moneys received for ~~this fund~~ the account by the state or by the department from any source, including all federal moneys allotted or apportioned to the state or the department for the employment service or for administration of this chapter, or for services, facilities or records supplied to any federal agency from the appropriation under s. 20.445 (1) (n). The department shall make to federal agencies such reports as are necessary in connection with or because of such federal aid.

(2) All amounts received by the department for the ~~administration fund~~ administrative account shall be paid over to the state treasurer and credited to that fund account for the administration of this chapter and the employment service and for the payment of interest due on advances from the federal unemployment account under title XII of the social security act.

SECTION 1677m. 108.20 (2m) of the statutes, as affected by 1985 Wisconsin Act 17, is amended to read:

108.20 (2m) From the moneys not appropriated under s. 20.445 (1) (~~u~~) (gc) which are received by the ~~administration fund~~ administrative account as interest and penalties under this chapter, the department may pay interest due on advances from the federal unemployment account under title XII of the social security act to the unemployment reserve fund. After such payment, any remaining moneys received by the ~~administration fund~~ administrative account as interest and penalties shall be credited to the balancing account under s. 108.16 (6), except that any interest earned pending disbursement of federal employment security grants under s. 20.445 (1) (~~z~~) (n) shall be credited to the general fund. Any moneys reverting to the ~~administration fund~~ administrative account from the appropriation under s. 20.445 (1) (~~u~~) (gc) shall be

utilized for interest payments or credited as provided in this subsection.

SECTION 1678. 108.20 (4) of the statutes is amended to read:

108.20 (4) Any moneys transferred to the ~~unemployment administration fund~~ administrative account from the federal administrative financing account pursuant to s. 108.161 shall be expended (or restored to that account) in accordance with ~~that section s.~~ 108.161.

SECTION 1679. 108.22 (1) (a) of the statutes is amended to read:

108.22 (1) (a) If any employer, other than an employer ~~who~~ which has ceased business and has had no employment and wages in any calendar quarter following the cessation of business, is delinquent in making by the assigned due date any employment and wage report, contribution report, or payment to the department required of it under this chapter, the employer shall pay a tardy payment or filing fee of \$15 for each such delinquency and shall additionally pay interest on such delinquent payment at the rate of one percent per month or fraction thereof from the date such payment became due. Such tardy payment and filing fees and interest shall be paid to the department and credited to the ~~administration fund~~ administrative account.

SECTION 1680. 109.09 (1) of the statutes is amended to read:

109.09 (1) The department shall investigate and attempt equitably to adjust controversies between employers and employes as to alleged wage claims. The department shall enforce this chapter and ss. 66.293, 103.02, 103.49, 103.82 and 104.12. In pursuance of this duty, it may take an assignment in trust for the assigning employe of any wage claim it deems to be valid or any wage deficiency, such assignment to run to the department. The department may sue the employer on any wage claim or wage deficiency so assigned and ss. 109.03 (6) and 109.11 shall apply to such actions. ~~Such actions may be referred~~ The department may refer such an action to the district attorney of the county ~~wherein~~ in which the violation occurs ~~or the attorney general~~ for prosecution and collection and the district attorney ~~or attorney general~~ shall commence an action in the circuit court having appropriate jurisdiction. Any number of wage claims or wage deficiencies against the same employer may be joined in a single proceeding, but the court may order separate trials or hearings. In such cases the taxable costs recovered shall be paid into the general fund.

SECTION 1680m. 110.07 (1) (a) (intro.) of the statutes is amended to read:

110.07 (1) (a) (intro.) The secretary shall employ not to exceed ~~400~~ 385 traffic officers. Such traffic officers, in addition to the person designated to head them whose position shall be in the classified service, shall constitute the state traffic patrol, and shall:

SECTION 1680r. 110.07 (1) (a) 1 of the statutes is amended to read:

110.07 (1) (a) 1. Enforce and assist in the administration of this chapter and chs. 166, 194, 218, 341 to 349 and 351, and s. 23.33 and ch. 350 where applicable to highways, or orders or rules issued pursuant thereto.

SECTION 1681. 111.18 (1) (a) of the statutes is amended to read:

111.18 (1) (a) "Health care institution" includes hospitals, psychiatric hospitals, tuberculosis hospitals, nursing homes, kidney disease treatment centers, free-standing hemodialysis units, ambulatory surgical facilities, health maintenance organizations, limited service health organizations, preferred provider plans, community-based residential facilities that are certified as medical assistance providers under s. 49.45 (16) or that otherwise meet the requirements for certification, home health agencies and other comparable facilities. "Health care institution" does not include facilities operated solely as part of the practice of an independent practitioner, partnership, unincorporated medical group or service corporation as defined in s. 180.99.

SECTION 1681d. 111.70 (4) (c) 4 of the statutes is renumbered 111.70 (4) (c) 4. a and amended to read:

111.70 (4) (c) 4. a. ~~This paragraph applies~~ Subdivisions 1 to 3 apply only to municipal employees who are engaged in law enforcement or fire fighting service from January 1, 1978, until July 1, 1987 1991; but after July 1, 1987, applies 1991, apply to all municipal employees, except as provided in subd. 4. b, s. 111.77 (9) or as otherwise expressly provided.

SECTION 1681e. 111.70 (4) (c) 4. b of the statutes is created to read:

111.70 (4) (c) 4. b. Commencing on January 1, 1992, subs. 1 to 3 apply only to municipal employees who are engaged in law enforcement or fire fighting services, unless the legislature by law causes such application to occur at an earlier date.

SECTION 1681f. 111.70 (7) (b) of the statutes is renumbered 111.70 (7) (b) 1 and amended to read:

111.70 (7) (b) 1. ~~This subsection Paragraph (a)~~ applies only to municipal employees who are engaged in law enforcement or fire fighting service from January 1, 1978, until July 1, 1987 1991; but after July 1, 1987 1991, applies to all municipal employees, except as provided in subd. 2 or as otherwise expressly provided.

SECTION 1681g. 111.70 (7) (b) 2 of the statutes is created to read:

111.70 (7) (b) 2. Commencing on January 1, 1992, par. (a) applies only to municipal employees who are engaged in law enforcement or fire fighting service, unless the legislature by law causes such application to occur at an earlier date.

SECTION 1681m. 111.81 (2) (d) of the statutes is amended to read:

111.81 (2) (d) Although ~~supervisory personnel supervisors~~ are not considered employes for purposes of this subchapter, the commission may consider ~~petitions a petition~~ a petition for a statewide unit of professional ~~supervisory employes and supervisors~~ supervisors or a statewide unit of nonprofessional ~~supervisory employes supervisors~~ supervisors, but the certified ~~representatives~~ representative may not be affiliated with ~~any labor organizations organization~~ any labor organization representing employes ~~assigned to the statutory units set forth in s. 111.81 (3) (a)~~ assigned to the statutory units set forth in s. 111.81 (3) (a). For purposes of this paragraph, affiliation does not include membership in a national, state, county or municipal federation of national or international labor organizations. The certified ~~representatives for supervisory personnel representative of supervisors~~ representative of supervisors may not bargain collectively on any matter other than wages and fringe benefits as defined in s. 111.91 (1).

SECTION 1683. 114.136 (2) (a) of the statutes is amended to read:

114.136 (2) (a) Except as provided by sub. (1) (b) or (c), the county park commission in the case of any county except any county with a county executive or county administrator in which case the county park manager, the city or village plan commission in the case of a city or village, or if there ~~are is~~ is no such ~~commissions commission or manager~~ commission or manager, a committee of the governing body or bodies of the county, city, village or town which owns the airport site shall formulate a tentative ordinance and hold a public hearing or hearings thereon in some public place within the county, city, village or town. Notice of the hearings shall be given by publication of a class 3 notice, under ch. 985, in the area affected by the proposed ordinance.

SECTION 1683m. 114.31 (9) of the statutes is created to read:

114.31 (9) MAPS. With respect to aeronautical maps distributed by the secretary pursuant to this section, the secretary shall ensure that such maps printed on and after the effective date of this subsection .... [revisor inserts date], do not display the picture of the secretary.

SECTION 1684. 114.37 (3) of the statutes is amended to read:

114.37 (3) FUNDS. The department may make loans under this section from the appropriation under s. 20.395 (2) (dv). The total outstanding balance of loans under this subsection may not exceed ~~\$2,000,000~~ \$4,000,000.

SECTION 1685. 115.01 (2) of the statutes is amended to read:

115.01 (2) GRADES. The educational work of the public schools is divided into 12 grades, besides kindergarten, which are numbered from one to 12 beginning with the lowest. The first 8 grades are the elementary grades. Where reference is made to "elementary grades," the reference includes kindergarten, where applicable. Where reference is made to "kindergarten", the reference includes both 4-year-old and 5-year-old kindergarten, except as otherwise specifi-



cally provided. The last 4 grades are the high school grades. A middle school is a school in which grades 5 to 8 are taught. A junior high school is a school in which grades 7 to 9 or grades 7 to 10 are taught. A senior high school is a school in which grades 10 to 12 are taught. This classification is not a limitation of the character of work or the studies that may be carried on in either the elementary or the high schools.

SECTION 1686m. 115.28 (11) of the statutes is repealed.

~~SECTION 1687m. 115.28 (19) of the statutes is repealed and recreated to read:~~

Vetoed  
in Part

~~115.28 (19) FEDERAL DISCRETIONARY FUNDS. Of the discretionary federal aid available under 20 USC 1411 (c) (1) (A), allocate 32.7% in the 1985-86 school year and 34% annually thereafter for school district costs for the education of pupils from the central Wisconsin center for the developmentally disabled. The state superintendent shall utilize the remainder of such funds for direct services to handicapped children, except that the state superintendent shall fulfill the terms of existing grants before other projects are funded.~~

SECTION 1689. 115.28 (21) of the statutes is created to read:

115.28 (21) YOUTH INITIATIVES PROGRAM. Administer grants to local community organizations for standardized assessment and programs for instruction in basic skills and work experience under the youth initiatives program. The state superintendent may require a school board to provide matching funds at any percentage. The match may be in the form of money or in-kind services or both. The state superintendent shall establish, by rule, performance standards for the youth initiatives program and shall monitor performances by grantees.

SECTION 1689g. 115.365 of the statutes is created to read:

**115.365 Assistance to schools for suicide prevention programs.** (1) The purpose of this section is to enable and encourage public and private schools to develop programs designed to prevent suicide among minors.

(2) The department, in conjunction with the department of health and social services, shall:

(a) Develop and conduct training programs in suicide prevention for the professional staff of public and private schools, county departments of public welfare or social services and boards established under s. 51.42. The programs shall include information on how to assist minors in the positive emotional development which will help prevent suicidal tendencies; the detection, by minors, school staff and parents, of conditions which indicate suicidal tendencies; the proper action to take when there is reason to believe that a minor has suicidal tendencies or is contemplating suicide; and the coordination of school suicide prevention programs and activities with the suicide prevention and intervention programs and activities of other state and local agencies. Persons other than

the professional staff of public and private schools, county departments of public welfare or social services and boards established under s. 51.42 may attend the training programs. The department may charge such persons a fee sufficient to cover the increased costs to the department of their participation in the programs.

(b) Provide consultation and technical assistance to public and private schools for the development and implementation of suicide prevention programs and the coordination of those programs with the suicide prevention and intervention programs of other state and local agencies.

SECTION 1692m. 115.40 of the statutes is created to read:

**115.40 Teaching incentives program.** (1) The state superintendent shall establish a teaching incentives program for the purpose of identifying innovations and incentives related to teacher compensation, career opportunities, professional development and performance assessment that may lead to an improvement in the quality of instruction.

(2) A school board may apply to the state superintendent for a grant to fund a demonstration project designed to implement innovations related to teacher compensation, career opportunities, professional development or performance assessment.

(3) The state superintendent shall:

(a) Appoint under s. 15.04 (1) (c) a teaching incentives program council to advise the state superintendent on policies relating to the purposes of the program. The council shall consist of teachers, school principals, school district administrators, school board members and a representative of the department.

(b) Review an application submitted under sub. (2) on the basis of whether the project will improve the quality of instruction. The state superintendent shall determine the amount of the grant, if any, to be made to the school board and the conditions under which the grant will be made. Amounts awarded under this paragraph shall be paid from the appropriation under s. 20.255 (2) (fo). A school board receiving a grant under this paragraph shall provide funds for the project in an amount equal to the amount of the grant received.

(c) Monitor the implementation of demonstration projects funded under par. (b), provide technical assistance and consultation to school boards operating the projects and assist in the evaluation of the projects.

(d) Include in the department's biennial report under s. 15.04 (1) (d) a description of the progress of the program and an evaluation of the projects funded under par. (b).

(e) Promulgate rules necessary to implement and administer this section.

SECTION 1693m. 115.40 of the statutes, as created by 1985 Wisconsin Act ... (this act), is repealed.

SECTION 1697. 115.43 of the statutes is created to read:

**115.43 Minority group pupil scholarships.** (1) DEFINITION. In this section, "minority group pupil" means a pupil who is a Black American, an American Indian, a Spanish-surnamed American or an Oriental American.

(2) SCHOLARSHIPS. The state superintendent shall:

(a) Annually set goals relating to increasing the percentages of minority group pupils who graduate from high school and are prepared for postsecondary school education.

(b) From the appropriation under s. 20.255 (1) (fz), award precollege scholarships, on a competitive basis, to minority group pupils who enroll in college or university classes or programs designed to improve academic skills that are essential for success in postsecondary school education. The state superintendent shall give preference to minority group pupils who are inadequately represented in the university of Wisconsin system.

(c) In consultation with postsecondary educational institutions, promulgate rules establishing criteria for the review and approval of applications for scholarships under par. (b).

SECTION 1700. 115.53 (2) of the statutes is amended to read:

115.53 (2) Arrange for vocational, trade or academic training for any pupil in either state school qualified to take such training advantageously, in either a public school or vocational school or a private business establishment in Janesville or Delavan. The public school and the vocational school shall be paid the regular tuition for full-time attendance and proportionally for part-time attendance ~~from the appropriation in s. 20.255 (1) (b) by the school district responsible for the pupil's placement in an appropriate program under s. 115.85 (1).~~

SECTION 1701. 115.86 (5) (b) 1 of the statutes is amended to read:

115.86 (5) (b) 1. At the close of each fiscal year, the board shall ~~authorize an audit of its accounts under subd. 2 or~~ employ a licensed accountant to audit its accounts and certify the audit. The cost of the audit shall be paid from board funds.

SECTION 1702. 115.86 (5) (b) 2 of the statutes is repealed.

SECTION 1703. 115.87 (3) to (6m) of the statutes are repealed.

SECTION 1705. 115.88 (7) of the statutes is renumbered 115.88 (7) (intro.) and amended to read:

115.88 (7) (title) OFFSETTING RECEIPTS. (intro.) ~~Any federal operational~~ In any school year, the following receipts ~~expended on costs aided under this section~~ shall be deducted from ~~amounts expended~~ costs aided under this section before ~~any calculation of state aids are calculated~~ under this section.

SECTION 1706. 115.88 (7) (a) and (b) of the statutes are created to read:

115.88 (7) (a) Any federal operational receipts expended on costs aidable under this section.

(b) State tuition payments received for services provided to children with exceptional educational needs, regardless of the school year in which the services were provided. The tuition receipts shall be allocated to the most appropriate part of a program.

SECTION 1706m. 115.88 (9) of the statutes is created to read:

115.88 (9) DISTRIBUTION SCHEDULE. Beginning with payments made in the 1985-86 school year, each county, cooperative educational service agency and school district entitled to state aid under this section shall receive 15% of its total aid entitlement in each month from November to March and 25% of its total entitlement in June.

SECTION 1707e. 115.91 of the statutes is amended to read:

**115.91 (title) Definitions.** (intro.) In this subchapter, ~~"school:~~

(1) "School age mother" means any person under the age of 21 who is not a high school graduate and is either pregnant or, within the immediately preceding 120 days, has given birth or had her pregnancy otherwise terminated.

SECTION 1707m. 115.91 (2) of the statutes is created to read:

115.91 (2) "Student parent" has the meaning specified in s. 46.99 (1) (d).

SECTION 1707s. 115.93 (1m) of the statutes is created to read:

115.93 (1m) Annually by August 15, the department of health and social services shall submit to the state superintendent a report identifying each school board that has entered into a contract with the department of health and social services for the provision of day care programs under s. 46.99. Except as provided under sub. (2), upon receipt of the report the state superintendent shall certify to the department of administration in favor of each such school district a sum equal to 63% of the amount expended by the school district during the preceding school year on educational services for student parents enrolled in the program under s. 46.99, including salaries of teachers and instructional aids, special transportation and other expenses approved by the state superintendent. The department of administration shall pay such amounts to the school district from the appropriation under s. 20.255 (2) (b).

SECTION 1708. 115.995 (1) of the statutes is amended to read:

115.995 (1) Any school district operating a bilingual-bicultural education program during the school year under this subchapter is eligible to receive state aid equal to ~~70%~~ 63% of the amount expended on limited-English speaking pupils by the district during

the preceding year for salaries of personnel participating in and attributable to bilingual-bicultural education programs under this subchapter, special books and equipment used in the bilingual-bicultural programs and other expenses approved by the state superintendent.

SECTION 1708m. 116.065 of the statutes is created to read:

**116.065 Withdrawal from agency.** (1) The school board of a school district in cooperative educational service agency no. 1, as designated on April 1, 1985, may adopt a resolution to withdraw from the agency. The school board shall immediately notify the board of control and the state superintendent of its intention.

(2) A resolution adopted under sub. (1) prior to January 15 in any school year shall be effective the next succeeding July 1. A resolution adopted under sub. (1) on or after January 15 in any school year shall be effective on the 2nd succeeding July 1.

(3) A school district that has withdrawn from the agency described under sub. (1) may rejoin the agency. The procedures under subs. (1) and (2) apply to readmissions.

SECTION 1709y. 116.08 (3m) of the statutes is created to read:

116.08 (3m) The school board of a school district that has withdrawn from cooperative educational service agency no. 1 under s. 116.065 and is not in any other agency may:

(a) Apply to the state superintendent for state aid under s. 20.255 (2) (fg) to fund human growth and development programs. The aid shall be based on the amount the school district would be receiving had it not withdrawn from the agency.

(b) Contract with the department for other programs and services the school district would be receiving if it were in an agency.

SECTION 1709z. 116.08 (5) (b) of the statutes is amended to read:

116.08 (5) (b) Beginning in the 1984-85 school year and annually thereafter, each school board shall pay to the board of control of the agency of which it is a part an amount equal to the amount of state aid paid to the agency in that year under sub. (1) multiplied by a fraction consisting of the school district average daily membership as the numerator and the agency average daily membership as the denominator. This paragraph does not apply to any school district that has withdrawn from cooperative educational service agency no. 1 and is not in any other agency.

SECTION 1710m. 118.01 (2) (a) 5 of the statutes is created to read:

118.01 (2) (a) 5. Knowledge in computer science, including problem solving, computer applications and the social impact of computers.

SECTION 1710p. 118.01 (2) (d) 7 of the statutes is created to read:

118.01 (2) (d) 7. The skills needed to make sound decisions, knowledge of the conditions which may cause and the signs of suicidal tendencies, knowledge of the relationship between youth suicide and the use of alcohol and controlled substances under ch. 161 and knowledge of the available community youth suicide prevention and intervention services. Instruction shall be designed to help prevent suicides by pupils by promoting the positive emotional development of pupils.

SECTION 1711. 118.13 (1) and (2) of the statutes are repealed and recreated to read:

118.13 (1) No person may be denied admission to any public school or be denied participation in, be denied the benefits of or be discriminated against in any curricular, extracurricular, pupil services, recreational or other program or activity because of the person's sex, race, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional or learning disability.

(2) (a) Each school board shall develop written policies and procedures to implement this section and submit them to the state superintendent as a part of its 1986 annual report under s. 120.18. The policies and procedures shall provide for receiving and investigating complaints by residents of the school district regarding possible violations of this section, for making determinations as to whether this section has been violated and for ensuring compliance with this section.

(b) Any person who receives a negative determination under par. (a) may appeal the determination to the state superintendent.

SECTION 1712. 118.13 (3) of the statutes is renumbered 115.915 and amended to read:

**115.915 (title) Availability of program services and modifications.** Each school board shall make available to any school age mother who is a resident of the school district program modifications and services that will enable the pupil to continue her education. ~~In this subsection, "school age mother" has the meaning specified in s. 115.91.~~

SECTION 1713. 118.13 (3) of the statutes is created to read:

118.13 (3) (a) The state superintendent shall:

1. Decide appeals made to him or her under sub. (2) (b). Decisions of the state superintendent under this subdivision are subject to judicial review under ch. 227.

2. Promulgate rules necessary to implement and administer this section.

3. Include in the department's biennial report under s. 15.04 (1) (d) information on the status of school district compliance with this section and school district progress toward providing reasonable equality of educational opportunity for all pupils in this state.

(b) The state superintendent may:

1. Periodically review school district programs, activities and services to determine whether the school boards are complying with this section.

2. Assist school boards to comply with this section by providing information and technical assistance upon request.

SECTION 1714. 118.14 of the statutes is amended to read:

**118.14 Age of pupils.** (1) Except as provided in s. 115.28 (8), ~~no:~~

(b) No child may be admitted to a 5-year-old kindergarten unless he or she is 5 years old on or before September 1 in the year he or she proposes to enter school. ~~Except as provided in s. 115.28 (8), no~~

(c) No child may be admitted to the 1st grade unless he or she is 6 years old, on or before September 1 in the year he or she proposes to enter school.

(2) A resident over 20 years of age may be admitted to school when in the judgment of the school board the resident will not interfere with the pupils of school age.

SECTION 1715. 118.14 (1) (a) of the statutes is created to read:

118.14 (1) (a) No child may be admitted to a 4-year-old kindergarten unless he or she is 4 years old on or before September 1 in the year that he or she proposes to enter school.

SECTION 1716. 118.15 (1) (c) of the statutes is amended to read:

118.15 (1) (c) Upon the child's request and with the written approval of the child's parent or guardian, any child who is 16 years of age or over ~~shall~~ may be excused by the school board from school attendance. The school board may not excuse a child from school attendance under this paragraph unless the school board makes available to the child the program modification specified under par. (d) 3 and the child and his or her parent or guardian rejects that modification. A child who is excused from school attendance under this paragraph shall be informed by the school board of the availability of programs within the vocational, technical and adult education system and of the child's right to be readmitted to school upon request. The school board may specify when the child will be excused or readmitted after being excused from school attendance.

SECTION 1717. 118.153 of the statutes is created to read:

**118.153 Children at risk.** (1) In this section:

(a) "Children at risk" means dropouts, pupils who have been absent from school for 60 school days or more without acceptable excuses under s. 118.15 (1) (b) to (d) or (3), pupils who are parents and pupils who have been adjudicated delinquent, who are either

~~1. One or more years behind their age group in the number of credits attained; or~~

~~2. Two or more years behind their age group in basic skill levels.~~

(b) "Dropout" means a child who ceased to attend school in the previous school year, continues to reside in the school district, does not attend a public, private or vocational, technical and adult education district school or home-based private educational program on a full-time basis by the beginning of the school term of the current school year, has not graduated from high school and does not have an acceptable excuse under s. 118.15 (1) (b) to (d) or (3).

(2) (a) By August 15, 1986, and annually thereafter, every school board shall identify the children at risk who are enrolled in the school district and develop a plan describing how the school board will meet the needs of such children through curriculum modifications and alternative programs that meet the high school graduation requirements under s. 118.33. The plan shall also describe how remedial instruction, parental involvement and pupil and community support services will be used to meet the needs of the children at risk. ~~This paragraph does not apply to any school district with a membership of 500 or less if the school district had less than 50 dropouts in the previous school year and a dropout rate of less than 5% of its total high school enrollment.~~

(b) If in the previous school year a school district had 50 or more dropouts or a dropout rate exceeding 5% of its total high school enrollment, the school board shall submit the plan developed under par. (a) to the state superintendent for his or her approval.

(3) (a) Beginning in the 1986-87 school year:

1. Every school board shall make available to the children at risk enrolled in the school district a program for children at risk.

2. Upon request of a pupil who is a child at risk or the pupil's parent or guardian, the school board shall enroll the pupil in the program for children at risk.

(b) Programs for children at risk shall be designed to allow the pupils enrolled to meet high school graduation requirements under s. 118.33.

(c) 1. ~~Except as provided under subd. 2, the school board of a school district operating under ch. 119 shall determine that appropriate private, non-profit, nonsectarian agencies are located in the school district, contract with such agencies to meet the requirements under pars. (a) and (b) for 30% of the children at risk enrolled in the school district.~~

2. The school board may contract with the agencies described under subd. 1 for ~~less than~~ 30% of the children at risk enrolled in the school district if the school board determines that the agencies cannot adequately serve 30% of such children.

3. The school board shall pay each contracting agency, for each full-time equivalent pupil served by the agency, an amount equal to at least 80% of the average per pupil cost for the school district.

(4) (a) Beginning in August 1987, and annually thereafter, the school board of every school district whose plan was approved under sub. (2) (b) in the previous school year shall submit a report to the state

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superintendent. The report shall include information on the school district's attendance, retention and high school graduation rates for pupils enrolled in a program for children at risk and the percentage of pupils enrolled in a program for children at risk who received academic credit in the previous school year.

(b) 1. If upon receipt of a school board's annual report under par. (a) the state superintendent determines that any 3 of the conditions listed under par. (c) existed in the school district in the previous school year, the school district shall receive from the appropriation under s. 20.255 (2) (ac), for each pupil enrolled in the school district's program for children at risk, additional state aid in an amount equal to 10% of the school district's average per pupil aids provided under s. 20.255 (2) (ac), (an), (b), (cc), (cg), (cn) and (cr) in the previous school year.

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~~2. If upon receipt of a school board's annual report under par. (a) the state superintendent determines that fewer than 3 of the conditions listed under par. (c) existed in the school district in the previous school year, the state superintendent shall deduct from the school district's state aid entitlement under s. 20.255 (2) (ac), for each pupil enrolled in the school district's program for children at risk, an amount equal to 10% of the school district's average per pupil aids provided under s. 20.255 (2) (ac), (an), (b), (cc), (cg), (cn) and (cr) in the previous school year. If the school district's aid entitlement under s. 20.255 (2) (ac) is insufficient to permit the full deduction, the state superintendent shall make the balance of the deduction from aids provided under s. 20.255 (2) (an). If the school district's aid entitlement under s. 20.255 (2) (ac) and (an) is insufficient to permit the full deduction, the state superintendent shall make the balance of the deduction from aids provided under s. 20.255 (2) (b), (cc), (cg), (cn) and (cr) in proportion to the amount of aid received from each appropriation.~~

(c) 1. The school district's average attendance rate for pupils enrolled in the school district's program for children at risk was at least 70%.

2. The school district's retention rate for pupils enrolled in the school district's program for children at risk was at least 70%.

3. At least 70% of the pupils enrolled in the school district's program for children at risk as high school seniors received a high school diploma.

4. At least 70% of the pupils enrolled in the school district's program for children at risk received academic credit.

5. The school district's program for children at risk can show, on average, at least one month of improvement in reading and mathematics performance for each month of instruction.

(5) The school board of a school district receiving additional state aid under sub. (4) (b) 1 shall use the additional funds received for meeting the requirements under subs. (2) (a) and (3).

(6) Annually, the legislative audit bureau shall audit school district eligibility, performance criteria and state aid payments under this section.

(7) The state superintendent shall promulgate rules to implement and administer this section. The rules shall not be overly restrictive in defining approved programs and shall not serve to exclude programs that have demonstrated success in meeting the needs of children at risk.

SECTION 1718. 118.17 of the statutes is amended to read:

**118.17 Indigent children.** The principal or teacher in charge of any public school shall report to the authority administering general relief for the ~~municipal unit~~ county wherein the school is situated the name and address of any child in the school whose parent, guardian or other person having control, charge or custody of the child is without sufficient means to furnish the child with food or clothing necessary to enable the child to attend school.

SECTION 1719. 118.19 (3) (a) of the statutes is amended to read:

118.19 (3) (a) ~~Beginning with the 1972-1973 school year, no~~ No certificate or license to teach in any public school may be issued unless the applicant possesses a bachelor's degree including such professional training as the department by rule requires, except as permitted under s. 115.28 (17) (a) and par. (b). Beginning July 1, 1988, required professional training for any initial applicant shall include 18 weeks of student teaching. Any teacher who taught in the public schools in the 1937-1938 school year or prior thereto may continue to teach in the public schools without complying with this subsection.

SECTION 1719b. 118.295 of the statutes is created to read:

**118.295 Suicide intervention; civil liability exemption.** Any school board, private school, county handicapped children's education board or cooperative educational service agency, and any officer, employe or volunteer thereof, who in good faith attempts to prevent suicide by a pupil is immune from civil liability for his or her acts or omissions in respect to the suicide or attempted suicide. The civil liability immunity provided in this section is in addition to and not in lieu of that provided under s. 895.48.

SECTION 1719g. 118.33 (1) (a) of the statutes is renumbered 118.33 (1) (a) (intro.) and amended to read:

118.33 (1) (a) (intro.) Beginning September 1, 1988, a school board may not grant a high school diploma to any pupil unless the pupil has earned, ~~in:~~

1. In the high school grades, at least 4 credits of English including writing composition, 3 credits of social studies including state and local government, 2 credits of mathematics, 2 credits of science, 0.5 credit of computer science, and 1.5 credits of physical education and 0.5 credit of health education.

(am) The state superintendent shall encourage school boards to require an additional 8.5 credits selected from any combination of vocational education, foreign languages, fine arts and other courses.

SECTION 1719r. 118.33 (1) (a) 2 of the statutes is created to read:

118.33 (1) (a) 2. In grades 7 to 12, at least 0.5 credit of health education.

SECTION 1720. 118.33 (3) of the statutes is amended to read:

118.33 (3) By ~~July 1, 1988~~ September 1, 1986, each school board operating high school grades shall submit to the state superintendent a report describing the school board's policies and guidelines on high school graduation standards, including a list of courses required under sub. (1) (a) and the number of hours in each school term required to earn one credit under sub. (1) (a), and thereafter shall notify the state superintendent whenever changes are made in such policies or guidelines. The department shall make reasonable efforts to combine the reports required under this subsection with other required school board reports.

SECTION 1722. 118.35 of the statutes is created to read:

**118.35 Programs for gifted and talented pupils.** (1) In this section, "gifted and talented pupils" means pupils enrolled in public schools who give evidence of high performance capability in intellectual, creative, artistic, leadership or specific academic areas and who need services or activities not ordinarily provided in a regular school program in order to fully develop such capabilities.

(2) The state superintendent shall by rule establish guidelines for the identification of gifted and talented pupils.

(3) Each school board shall:

(a) Ensure that all gifted and talented pupils enrolled in the school district have access to a program for gifted and talented pupils.

(b) Annually by August 15, report to the state superintendent the number of gifted and talented pupils who participated in a program under par. (a) in the previous school year and such other information as the state superintendent requests.

SECTION 1722m. 119.16 (10) of the statutes is created to read:

119.16 (10) SCHOOL FACILITIES. (a) The board may not demolish any school facility that is 50 years old or older without the approval of the state historical society under s. 44.22 (6) (L).

(b) The board may construct new school facilities only in the areas of greatest local need for such facilities.

SECTION 1723. 119.24 (1) of the statutes is renumbered 119.24.

SECTION 1724. 119.24 (2) of the statutes is repealed.

SECTION 1724g. 120.10 (10) of the statutes is amended to read:

120.10 (10) SCHOOL DEBT SERVICE FUND. Vote a tax to create a fund for the purpose of ~~financing all current and future capital expenditures and for paying all current bonded indebtedness for capital expenditures.~~ All money raised through taxation or otherwise collected pursuant to this subsection shall be deposited by the school district treasurer in a segregated fund. Such money shall not be used for any other purpose, except as provided by s. 67.11 (1), or be transferred to any other fund except by authorization by a two-thirds majority vote of the total number of electors of the school district.

SECTION 1724r. 120.10 (10m) of the statutes is created to read:

120.10 (10m) SCHOOL CAPITAL EXPANSION FUND. Vote a tax to create a fund for the purpose of financing all current and future capital expenditures related to buildings and sites. All money raised through taxation or otherwise collected pursuant to this subsection shall be deposited by the school district treasurer in a segregated fund. Such money shall not be used for any other purpose or be transferred to any other fund except by authorization by a majority vote of the electors present at a subsequent annual meeting and only if notice that the issue would be on the agenda was included in the notice of the subsequent annual meeting under s. 120.08 (1) (c).

SECTION 1725. 120.12 (17) of the statutes is created to read:

120.12 (17) UNIVERSITY OF WISCONSIN SYSTEM TUITION. Pay the tuition of any pupil enrolled in the school district and attending a center or institution within the university of Wisconsin system if the course the pupil is attending at the university is not offered in the school district and the pupil will receive high school credit for the course.

SECTION 1725e. 120.13 (2) (title) of the statutes is amended to read:

120.13 (2) (title) INSURANCE.

SECTION 1725f. 120.13 (2) of the statutes is renumbered 120.13 (2) (a).

SECTION 1725g. 120.13 (2) (b) to (f) of the statutes are created to read:

120.13 (2) (b) Provide health care benefits on a self-insured basis to the employes of the school district if the school district has at least 100 employes. In addition, any 2 or more school districts which together have at least 100 employes may jointly provide health care benefits on a self-insured basis to employes of the school districts.

(c) Any self-insurance plan under par. (b) which covers less than 1,000 employes shall include excess or stop-loss reinsurance obtained through an insurer authorized to do business in this state, for the purpose of covering all eligible claims incurred during the term of the policy or contract.

(d) The commissioner of insurance may prescribe detailed requirements for reinsurance under par. (c) by rule or by order. The commissioner of insurance may promulgate rules governing self-insurance plans under pars. (b) to (f) to ensure that they comply with all applicable provisions of chs. 600 to 647.

(e) All personally identifiable medical and claims records relating to any self-insurance plan under par. (b) shall be kept confidential by the administrator of the self-insurance plan and shall be exempt from disclosure pursuant to s. 19.36 (1). This paragraph does not prohibit the release of personally identifiable records to school district personnel, to the extent that performance of their duties requires access to the records, but only with the prior written informed consent of the insured.

(f) A separate audit of the self-insurance plan shall be conducted annually and the results shall be made available to the school district and the department.

SECTION 1726. 120.13 (4) of the statutes is repealed.

SECTION 1726m. 120.13 (31) of the statutes is created to read:

120.13 (31) SCHOOL CROSSING GUARDS. Upon the adoption of a resolution to do so and approval of the resolution by the governing bodies of all of the cities, villages and towns located in whole or in part within the school district, provide for the appointment of adult school crossing guards for the protection of persons who are crossing a highway in the vicinity of a school. The school crossing guards shall wear insignia or uniforms which designate them as school crossing guards and shall be equipped with signals or signs to direct traffic to stop at school crossings.

SECTION 1727. 120.14 (1) of the statutes is amended to read:

120.14 (1) At the close of each fiscal year, the school board of each school district shall ~~authorize an audit of the school district accounts pursuant to sub. (2) or~~ employ a licensed accountant to audit the school district accounts and certify the audit. If required by the state superintendent under s. 115.28 (18), the audit shall include an audit of the number of pupils reported for membership purposes under s. 121.004 (5). The cost of the audit shall be paid from school district funds.

SECTION 1728. 120.14 (2) of the statutes is repealed.

SECTION 1729. 120.14 (3) of the statutes is amended to read:

120.14 (3) The annual meeting may authorize and direct an audit of the school district accounts either by a licensed accountant ~~or by the department of revenue.~~

SECTION 1730. 120.21 (2) of the statutes is amended to read:

120.21 (2) The cost of such contracts shall be paid out of ~~school district funds and shall be included in the cost of operation and maintenance of the school dis-~~

~~trict for the purpose of computing tuition costs gen-~~  
eral fund.

SECTION 1731. 120.22 of the statutes is renumbered 120.13 (4) and amended to read:

120.13 (4) ON-FARM TRAINING TO VETERANS. ~~The school board of a union high school district or a common school district operating elementary and high school grades may provide~~ Provide institutional on-farm training to veterans who are eligible for ~~such the~~ training under any act of congress ~~and may charge tuition on the basis of the cost per week to each veteran enrolled for all classroom, group, individual or other instruction recognized by the veterans administration in the payment of education and training allowances.~~

SECTION 1732m. 121.004 (2) of the statutes is amended to read:

121.004 (2) EQUALIZED VALUATION. The "equalized valuation" of a school district is the full value of the taxable property of the territory in the school district as certified for the ~~prior~~ current year under s. 121.06 (2), excluding value adjustments made under s. 70.57 (1) resulting from appeals made under s. 70.995.

SECTION 1733. 121.004 (7) (c) 1. a and b and 2 of the statutes are amended to read:

121.004 (7) (c) 1. a. A ~~kindergarten~~ pupil enrolled in a 5-year-old kindergarten program requiring full-day attendance for 5 days a week for an entire school year shall be counted as one pupil.

b. A ~~kindergarten~~ pupil enrolled in a 5-year-old kindergarten program requiring full-day attendance for less than 5 days a week for an entire school year shall be counted as the result obtained by multiplying the number of hours in each day in which the pupil is enrolled by the total number of days for which the pupil is enrolled, and dividing the result by the product of the number of hours of attendance per day required of first grade pupils in the school district multiplied by 180.

2. In subd. 1. a and b, "full-day" means the length of the school day for pupils in the first grade of the school district operating the 5-year-old kindergarten program.

SECTION 1737m. 121.008 of the statutes is created to read:

**121.008 Certification of final payment amounts.** (1) In this section, "payment amount" means a school district's total entitlement in the current school year under s. 20.255 (2) (ac), (an), (b), (cc), (cg), (cn), (cr), (r) and (s).

(2) By November 15, 1987, and annually by that date thereafter, the state superintendent shall certify to the department of revenue a payment amount for each school district and provide the department of revenue with any other information necessary to meet the notification requirements under s. 79.10 (9).

(3) If a school district's payment amount exceeds the property taxes levied for the school district, the state shall pay to the school district only that portion

of its payment amount that equals the amount of property taxes levied for the school district.

(4) (a) After certification under sub. (2), if the state superintendent or the department of administration determines that the certified payment amount constitutes an overpayment or underpayment of any entitlements funded from an appropriation specified under sub. (1):

1. The overpayment shall be corrected by reducing the subsequent school year's payment from that appropriation.

2. The underpayment shall be corrected by increasing the subsequent school year's payment from that appropriation.

(b) Corrections under par. (a) shall be made in the payment to all school districts affected by the overpayment or underpayment and shall be without interest.

(5) A school board may not consider the anticipated receipt of the school district's payment amount in determining the school district's property tax levy.

(6) The payment amount to be used as a credit by each municipality under s. 79.10 (9) shall be equal to the amount determined by dividing the amount under par. (a) by the amount under par. (b) and multiplying the quotient by the amount under par. (c):

(a) The municipality's full value of taxable property, excluding value increments under s. 66.46, that is located within the school district.

(b) The school district's full value of taxable property, excluding value increments under s. 66.46.

(c) The payment amount of the school district, as certified under sub. (2).

SECTION 1738. 121.02 (1) (intro.) of the statutes is repealed and recreated to read:

121.02 (1) (intro.) Each school board shall:

SECTION 1739. 121.02 (1) (a) of the statutes is amended to read:

121.02 (1) (a) ~~Every~~ Ensure that every teacher, supervisor, administrator and professional staff member ~~shall hold~~ holds a certificate, license or permit to teach issued by the department before entering on duties for such position.

SECTION 1740a. 121.02 (1) (b) of the statutes is repealed and recreated to read:

121.02 (1) (b) Annually, establish with school board employes a professional staff development plan designed to meet the needs of individuals or curriculum areas in each school.

SECTION 1742. 121.02 (1) (d) of the statutes is amended to read:

121.02 (1) (d) ~~It shall operate~~ Operate a 5-year-old kindergarten program, except in union high school districts.

SECTION 1743. 121.02 (1) (e) of the statutes is amended to read:

121.02 (1) (e) ~~It shall make available~~ Provide guidance and counseling services.

SECTION 1744. 121.02 (1) (f) of the statutes is renumbered 121.02 (1) (f) 1 and amended to read:

121.02 (1) (f) 1. ~~School shall be held and students shall receive actual instruction for Schedule at least 180 school days, as defined in s. 115.01 (10) annually,~~ less any days during which the state superintendent determines that school is not held or educational standards are not maintained as the result of a strike by school district employes.

SECTION 1745a. 121.02 (1) (f) 2 of the statutes is created to read:

121.02 (1) (f) 2. Annually, schedule at least 525 hours of direct pupil instruction in kindergarten, at least 1,050 hours of direct pupil instruction in grades 1 to 6 and at least 1,137 hours of direct pupil instruction in grades 7 to 12. Scheduled hours under this subdivision include recess and time for pupils to transfer between classes but do not include the lunch period.

SECTION 1746. 121.02 (1) (g) of the statutes is amended to read:

121.02 (1) (g) ~~Provision shall be made~~ Provide for emergency nursing services.

SECTION 1747. 121.02 (1) (h) of the statutes is amended to read:

121.02 (1) (h) ~~It shall provide~~ Provide adequate instructional materials, texts and library services which reflect the cultural diversity and pluralistic nature of American society.

SECTION 1748. 121.02 (1) (i) of the statutes is amended to read:

121.02 (1) (i) ~~It shall make adequate provision for~~ Provide safe and healthful facilities.

SECTION 1749. 121.02 (1) (j) of the statutes is amended to read:

121.02 (1) (j) ~~Provision shall be made for~~ Ensure that instruction in elementary and high schools by ~~qualified teachers~~ in health, physical education, art and music is provided by qualified teachers.

SECTION 1750. 121.02 (1) (k) of the statutes is created to read:

121.02 (1) (k) Develop a written, sequential curriculum plan that includes language arts, mathematics, social studies, science, health, computer literacy, environmental education, vocational education, physical education, art and music. The plan shall specify objectives, course content and resources and shall include a program evaluation method.

SECTION 1751. 121.02 (1) (L) of the statutes is created to read:

121.02 (1) (L) 1. In the elementary grades, provide regular instruction in reading, language arts, social studies, mathematics, science, health, physical education, art and music.

2. In grades 5 to 8, provide regular instruction in language arts, social studies, mathematics, science, health, physical education, art and music. The school board shall also provide pupils with an introduction to career exploration and planning.



3. In grades 9 to 12, provide access to an educational program that enables pupils each year to study English, social studies, mathematics, science, vocational education, foreign language, physical education, art and music. In this subdivision, "access" means an opportunity to study through school district course offerings, independent study, cooperative educational service agencies or cooperative arrangements between school boards and postsecondary educational institutions.

SECTION 1752. 121.02 (1) (m) of the statutes is created to read:

121.02 (1) (m) Provide access to an education for employment program that has been approved by the state superintendent.

SECTION 1753. 121.02 (1) (n) of the statutes is created to read:

121.02 (1) (n) Develop a plan for children at risk under s. 118.153.

SECTION 1754. 121.02 (1) (o) of the statutes is created to read:

121.02 (1) (o) Annually, adopt and publish a performance disclosure report. The report shall describe the school board's and each school's educational goals and objectives, including learning-related performance objectives, and the results of the tests administered under par. (s) during the previous school year.

SECTION 1755. 121.02 (1) (p) of the statutes is created to read:

121.02 (1) (p) Comply with high school graduation standards under s. 118.33 (1).

SECTION 1756. 121.02 (1) (q) of the statutes is created to read:

121.02 (1) (q) Evaluate, in writing, the performance of all certified school personnel at the end of their first year and at least every 3rd year thereafter.

SECTION 1757. 121.02 (1) (r) of the statutes is created to read:

121.02 (1) (r) Annually administer a standardized reading test developed by the department to all pupils enrolled in the school district in grade 3.

SECTION 1758. 121.02 (1) (s) of the statutes is created to read:

121.02 (1) (s) Using achievement tests that are aligned with the school district's curriculum, test all of the pupils enrolled in the school district in reading, language arts and mathematics at least twice in grades kindergarten to 6, at least once in grades 7 to 9 and at least once in grades 10 to 12.

SECTION 1758m. 121.02 (1) (t) of the statutes is created to read:

121.02 (1) (t) Provide access to an appropriate program for pupils identified as gifted or talented.

SECTION 1759. 121.02 (2) of the statutes is repealed and recreated to read:

121.02 (2) In order to ensure compliance with the standards under sub. (1), the state superintendent shall annually conduct a general on-site audit of at

least 20% of all school districts, selected by means of a stratified, random sample. The state superintendent shall audit each school district at least once every 5 years but may not audit a school district more than once every 3 years. The state superintendent shall ensure that the audit process involves school board members, school district administrators, teachers, pupils, parents of pupils and other residents of the school district. Nothing in this subsection prohibits the state superintendent from conducting an inquiry into compliance with the standards upon receipt of a complaint.

SECTION 1760. 121.02 (3) of the statutes is repealed.

SECTION 1762. 121.02 (5) of the statutes is renumbered 121.02 (3) and amended to read:

121.02 (3) Prior to any finding that a school district is not in compliance with the standards under sub. (1), the state superintendent shall, upon request of the school board or upon receipt of a petition signed by the maximum number of electors allowed for nomination papers of school district officers under s. 8.10 (3) (i), (km) or (ks), conduct a public hearing in the school district. If the state superintendent, after the hearing, finds that the district is not in compliance with the standards, the state superintendent may develop with the school board a plan which describes methods of achieving compliance. The plan shall specify the time within which compliance shall be achieved. The state superintendent ~~may provide in the criteria established by the department under sub. (1) alternative methods for districts to comply with each of the standards in this section~~ shall withhold up to 25% of state aid from any school district that fails to achieve compliance within the specified period.

SECTION 1762m. 121.02 (5) of the statutes is created to read:

121.02 (5) The state superintendent shall promulgate rules to implement and administer this section, including rules defining "regular instruction" for the purpose of sub. (1) (L) 1 and 2.

SECTION 1763. 121.03 of the statutes is created to read:

**121.03 Grants for preschool to grade 5 programs.**

(1) In this section, "school board" means school board of a school district operating under ch. 119.

(2) (a) Annually by September 15, the school board, on its own initiative or upon receipt of an application from the principal of an elementary school located in the school district, may apply to the state superintendent for a grant under this section. The application shall include a plan specifying how the school board intends to meet the requirements under sub. (4), explaining the school board's selection process for individual schools and private service providers and identifying the schools in the school district, or the private service providers certified by the school board as providing the services under sub. (4) (b), to which the grant funds will be applied.

(b) The state superintendent shall appoint a council under s. 15.04 (1) (c) to review the applications submitted under par. (a) and make recommendations to the state superintendent regarding the amounts of the grants to be awarded. The council's recommendations shall be based upon and include information regarding the degree to which the proposed projects will effectively meet the requirements under sub. (4).

(3) The state superintendent shall determine the amount of the grant, if any, to be awarded a school board submitting an application under sub. (2) (a). Amounts awarded shall be paid from the appropriation under s. 20.255 (2) (do). Amounts awarded shall be used by the school board to supplement existing elementary school programs and not to supplant or replace funds otherwise available for such programs.

(4) The school board receiving an award under this section shall ensure that the schools or private service providers identified under sub. (2) (a) comply with all of the following requirements:

(a) Each identified school or private service provider shall provide structured educational experiences for 4-year-old pupils. The structured educational experiences shall focus on the needs of low-income pupils and shall include activities that encourage early skill development.

(b) Beginning in the 1987-88 school year, each identified school or private service provider shall:

1. Annually test the pupils enrolled in preschool programs and in grades 1 to 3 in reading, language arts and mathematics using the tests developed by the department under s. 115.28 (10) (b).

2. Annually test the pupils enrolled in grades 4 and 5 in reading, language arts, mathematics, science and social studies using tests developed by the department.

(c) Each identified school or private service provider shall implement a multidisciplinary team approach to the identification and remediation of problems of pupils with significant needs.

(d) Each identified school or private service provider shall restrict class size in all grades below the 6th grade to no more than 25 pupils for each teacher.

(e) The principal of each identified school and the administrator of each identified private service provider shall annually prepare a written performance evaluation of each staff member providing services under this subsection.

(f) All administrative and instructional staff in the elementary grades of each identified school or private service provider shall participate in in-service training that focuses on educational practices and policies identified by the department as effective in improving pupil achievement.

(g) Each identified school shall:

1. Establish a council composed of teachers, parents of pupils enrolled in the school district, school board members and community leaders to monitor and make recommendations to the school board concerning the school's educational programs.

2. Develop plans to encourage and increase parental involvement in efforts to improve the quality of education.

(5) Beginning in the 1987-88 school year, amounts awarded under this section should be awarded on the basis of improvements in academic performance.

(6) The state superintendent shall:

(a) Establish criteria for measuring and evaluating improvements in academic performance for the purpose of sub. (5).

(b) By March 1, 1986, and annually thereafter, submit to the joint committee on finance and the appropriate standing committees of each house of the legislature a budget report detailing the grants he or she intends to award under this section in the next fiscal year. The report shall include a description of the guidelines used to determine the individual schools and private service providers that will receive funds under this section and the types of expenditures eligible for such funds.

(7) The amount in the appropriation under s. 20.255 (2) (do) for any fiscal year may not be encumbered or expended until the joint committee on finance approves the budget report under sub. (6) (b).

(8) Notwithstanding sub. (1), beginning in the 1986-87 school year, the city of Kenosha school district is eligible to receive grants under this section for preschool to grade 3 programs in an amount not to exceed \$500,000 each school year.

SECTION 1764. 121.05 (1) (a) 3 of the statutes is amended to read:

121.05 (1) (a) 3. Pupils who are residents of one school district who are enrolled in another school district and for whom tuition is paid under s. ~~115.87 (5) or~~ 121.78; and

SECTION 1765. 121.05 (1) (a) 4, 5 and 7 of the statutes are repealed.

SECTION 1766. 121.05 (1) (a) 8 of the statutes is created to read:

121.05 (1) (a) 8. Pupils enrolled in a residential school operated by the state under subch. III of ch. 115 for whom the school district is paying tuition under s. 115.53 (2).

SECTION 1767m. 121.07 (1) (d) of the statutes is repealed.

SECTION 1768. 121.07 (7) (a) of the statutes is repealed and recreated to read:

121.07 (7) (a) The "primary guaranteed valuation per member" is an amount, rounded to the nearest hundred dollars, that most nearly distributes the amount in the appropriation under s. 20.255 (2) (ac) in each fiscal year. If the primary guaranteed valuation per member, after the rounding, does not fully distribute the amount in the appropriation, the balance shall be distributed according to each school district's share of aid under s. 20.255 (2) (ac). If the primary guaranteed valuation per member, after the rounding, distributes more than the amount in the appropria-

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tion, state aid payments shall be prorated among the school districts entitled thereto.

SECTION 1773. 121.08 (3) of the statutes is repealed.

SECTION 1774. 121.082 of the statutes is repealed.

SECTION 1774m. 121.085 (1) (a) and (b) of the statutes are amended to read:

121.085 (1) (a) The amount which would be paid by the state to the school district under s. 79.10 (3) and this subchapter other than this section if the full value of the taxable property of the territory in the school district were calculated and certified under s. 121.06 with the equalized valuation of any taxable property in a tax incremental district not exceeding its equalized value determined for the purpose of the determination of the tax incremental base of that district under s. 66.46.

(b) The amount to be paid to the school district under s. 79.10 (3) and this subchapter other than this section with the full value of the taxable property of the school district calculated and certified as provided in s. 121.06.

SECTION 1775. 121.09 (1) of the statutes is amended to read:

121.09 (1) If, on or after July 1, 1980, the tax appeals commission or a court makes a final redetermination on the assessment of property subject to taxation under s. 70.995 that is lower than the previous assessment, or if, on or after January 1, 1982, the state board of assessors makes a final redetermination on the assessment of property subject to taxation under s. 70.995 that is lower than the previous assessment, the school board of the school district in which the property is located may, within 4 years after the date of the determination, decision or judgment, file the determination of the state board of assessors, the decision of the tax appeals commission or the judgment of the court with the ~~secretary of administration~~ state superintendent, requesting an adjustment in state aid to the school district. If the ~~secretary of administration~~ state superintendent determines that the determination, decision or judgment is final and that it has been filed within the 4-year period, the state shall pay to the school district in the subsequent fiscal year, from the appropriation under s. 20.255 (2) (ac), an amount equal to the difference between the state aid computed under s. 121.08 for the school year commencing after the year subject to the valuation recertification, using the school district's equalized valuation as originally certified, and the state aid computed under s. 121.08 for that school year using the school district's equalized valuation as recertified under s. 70.57 (2).

SECTION 1775m. 121.09 (2) of the statutes is amended to read:

121.09 (2) If, on or after May 3, 1984, the state board of assessors, the tax appeals commission or a court makes a final redetermination on the assessment of property subject to taxation under s. 70.995 that is higher than the previous assessment, the state superin-

endent shall notify the school district in which the property is located of the recertification by the department of revenue under s. 70.57 (2). The state superintendent shall, in the subsequent fiscal year, withhold from the school district's state aid entitlement under s. 121.08 an amount equal to the difference between the state aid computed under s. 121.08 for the school year commencing after the year subject to the valuation recertification, using the school district's equalized valuation as originally certified, and the state aid computed under s. 121.08 for that school year, using the school district's equalized valuation as recertified under s. 70.57 (2).

SECTION 1776g. 121.10 of the statutes is created to read:

**121.10 Minimum state aid.** (1) In this section:

(a) "Median household income" shall be determined by the most recent federal decennial census.

(b) "State aid" means the sum of payments provided to a school district under ss. 20.255 (2) (ac) and (an) and 20.835 (3) (c).

(2) From the appropriation under s. 20.255 (2) (ac), the state shall annually pay:

(a) To each school district in which the median household income is less than \$15,000, an amount which, when added to the amount of state aid the school district will receive in the current school year, is equal to an amount determined by multiplying \$250 by the membership.

(b) To each school district in which the median household income is at least \$15,000 but less than \$20,000 and the property tax levy determined under s. 120.12 (3) in the previous year was not above the average property tax levy determined under s. 120.12 (3) in the previous year by all school districts, an amount which, when added to the amount of state aid the school district will receive in the current school year, is equal to an amount determined by multiplying \$150 by the membership.

(c) To each school district in which the median household income is at least \$15,000 but not more than \$25,000 and the property tax levy determined under s. 120.12 (3) in the previous year was above the average property tax levy determined under s. 120.12 (3) in the previous year by all school districts, an amount which, when added to the amount of state aid the school district will receive in the current school year, is equal to an amount determined by multiplying \$250 by the membership.

SECTION 1776m. 121.105 of the statutes is created to read:

**121.105 Special adjustment aids.** (1) In this section "state aid" means the sum of the payments provided to a school district under ss. 20.255 (2) (ac) and (an) and 20.835 (3) (c).

(2) (a) Beginning in the 1985-86 school year, if a school district would receive less than 90% of the state aid for the current school year than it received as state aid in the previous school year, its state aid for the

current school year shall be increased to an amount equal to 90% of the state aid received in the previous school year. The additional aid shall be paid from the appropriation under s. 20.255 (2) (ac).

(b) A school district is eligible to receive additional aid under par. (a) only if both of the following apply:

1. The school district's equalized valuation divided by its membership does not exceed an amount determined by multiplying the equalized valuation of the state by 1.25 and dividing the product by the state total membership. The calculation under this subdivision shall be based upon the equalized valuations and memberships used to compute general aid in the current school year.

2. The additional aid does not result in a state aid payment greater than the school district's shared cost.

~~(3) Beginning in the 1986-87 school year, if a school district would receive less than 90% of the state aid for the current school year than it received as state aid in the previous school year, its state aid for the current school year shall be increased to an amount equal to 90% of the state aid received in the previous school year. The additional aid shall be paid from the appropriation under s. 20.255 (2) (ac).~~

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SECTION 1777. 121.11 of the statutes is repealed.

SECTION 1777b. 121.15 (1) (d) of the statutes is repealed.

SECTION 1777c. 121.15 (1) (e) of the statutes is created to read:

121.15 (1) (e) Payments under this subsection shall be made by the last day of the month specified.

SECTION 1777Lm. 121.15 (4) of the statutes is created to read:

121.15 (4) On July 1 and October 1 of 1985 and 1986, the state superintendent shall provide each school district with an estimate of the total amount of state aid the school district will receive under s. 121.08 in the current school year.

SECTION 1777r. 121.16 of the statutes is repealed.

SECTION 1777w. 121.41 (1) of the statutes is amended to read:

121.41 (1) STATE AID. To promote a uniformly effective driver education program among high school and vocational, technical and adult education school pupils, each school district operating high school grades, each county handicapped children's education board which provides the substantial equivalent of a high school education and each vocational, technical and adult education district shall receive \$40 \$50 for each pupil of high school age who successfully completes a course in driver education approved by the department, but in no case may the state aid exceed the actual cost of instruction. If the appropriation under s. 20.255 (2) (r) is inadequate in any year to provide \$40 \$50 per pupil, the state aid shall be prorated after the appropriation for administration is deducted. Such state aid shall be paid at the same time as the state aid under s. 121.08 is paid.

SECTION 1778m. 121.58 (7) of the statutes is created to read:

121.58 (7) PAYMENT. Beginning with payments made in the 1985-86 school year, each school district entitled to state aid under this section shall receive its total aid entitlement in January.

SECTION 1780. 121.75 of the statutes is created to read:

**121.75 Construction.** To the extent feasible, this subchapter shall be construed so that the tuition charge for a pupil shall:

(1) Include any unusual costs associated with the pupil.

(2) Exclude any costs associated with the pupil which are paid from a source other than tuition and property taxes.

(3) Cover only the period during which services were actually provided or available to the pupil.

(4) Not impose a financial burden on the agency of service.

SECTION 1781. 121.76 of the statutes is created to read:

**121.76 Definitions and general provisions.** (1) DEFINITIONS. In this subchapter:

(a) "Agency of service" means a school board, board of control of a cooperative educational service agency, county handicapped children's education board or governing body of a nonsectarian private school or university model school, which provides services for which tuition may be charged.

(b) "Pupil" includes a child with exceptional educational needs, as defined in ss. 115.76 (2) and (3).

(c) "Specified services" means social work; guidance; health; psychological, speech pathology and audiology services; supervision; coordination; and transportation.

(2) GENERAL PROVISIONS. (a) All tuition shall be calculated under s. 121.83 unless the state superintendent approves an alternative procedure consistent with s. 121.75.

(b) A written agreement may provide for the prepayment in instalments of up to 75% of the estimated tuition during the school year in which services are provided.

(c) The agency of service shall rebate a proportional share of state or federal aid received for pupils for whom it received tuition. The rebate shall be paid to the agency or person who paid the tuition within 30 days of its receipt by the agency of service.

SECTION 1782. 121.77 (1) of the statutes is amended to read:

121.77 (1) Every elementary school and high school shall be free to all ~~persons of school age pupils~~ who reside in the school district. If facilities are adequate, a school board, board of control of a cooperative educational service agency or county handicapped children's education board may admit nonresident pupils who meet ~~the its~~ entrance requirements ~~to the schools~~

~~of the school district.~~ Nonresident pupils shall have all the rights and privileges of resident pupils and shall be subject to the same rules and regulations as resident pupils. The ~~school board~~ agency of service shall charge tuition for each nonresident pupil.

SECTION 1783. 121.77 (2) of the statutes is renumbered 121.77 (2) (intro.) and amended to read:

121.77 (2) (intro.) Annually on or before August 15, the ~~school district clerk or secretary of the agency of service~~ shall file ~~with the department a certified copy of each tuition claim of the school district.~~

SECTION 1784. 121.77 (2) (a) and (b) of the statutes are created to read:

121.77 (2) (a) A tuition claim for each nonresident pupil or adult for whom services were provided under this subchapter during the preceding school year. The claim shall be filed with the school district clerk under s. 121.78, the state superintendent under s. 121.79, the county clerk under s. 121.80, the pupil's parent or guardian under s. 121.81 or the adult under s. 121.82. Credit shall be given for prepayments.

(b) A certified copy of each tuition claim under par. (a) with the state superintendent.

SECTION 1785. 121.78 (1) and (2) of the statutes are renumbered 121.78 (1) (a) and (b).

SECTION 1786. 121.78 (1) (title) and (2) (title) of the statutes are created to read:

121.78 (1) (title) BY AGREEMENT.

(2) (title) REORGANIZED SCHOOL DISTRICTS.

SECTION 1787. 121.78 (3) of the statutes is repealed and recreated to read:

121.78 (3) SPECIAL PLACEMENT. Pupils may be placed in:

(a) Special education programs under s. 115.85 (2).

(b) Alternative programs under s. 118.15 (1) (d) 4 and 6.

SECTION 1788. 121.79 (1) (intro.), (a), (b), (d) (intro.) and 1 and (2) of the statutes are amended to read:

121.79 (1) (intro.) The state shall pay tuition from the appropriation under s. 20.255 (2) (cg) for ~~children~~ pupils attending public schools in the following cases:

(a) For ~~children~~ pupils in children's homes.

(b) For ~~children of pupils whose parents or guardians are employed at and residing~~ reside on the grounds of a state or federal military camp, federal veteran hospital or state charitable or penal institution.

(d) (intro.) For ~~children~~ pupils in foster homes, and beginning in the 1978-79 fiscal year, for claims incurred in the 1977-78 school year and thereafter, for ~~children~~ pupils in group homes, if:

1. The foster or group home is located outside the school district in which the ~~child's~~ pupil's parent or guardian resides; and

(2) When transportation is provided for ~~children~~ pupils under this section, state aid shall be paid in accordance with subch. IV.

SECTION 1789. 121.80 of the statutes is amended to read:

**121.80 Tuition payments by counties.** The county shall pay the elementary and high school tuition of every ~~person of school age who is a child of a pupil whose parent or guardian is employed at and residing~~ resides on the grounds of a county institution. The county board may charge such tuition to the account of the county asylum or the county home.

SECTION 1790. 121.82 (title) of the statutes is renumbered 121.83 (title).

SECTION 1791. 121.82 (1) and (2) (a) and (b) of the statutes are renumbered 121.83 (2) (a), (1) (a) (intro.) and (2) (b), respectively, and amended to read:

121.83 (1) (a) (intro.) ~~The tuition for any given net school cost for a school year shall be~~ is the sum of the net cost of the general fund ~~and, the net cost of the debt service fund, all tuition receipts under this subchapter and special transfer aid under s. 121.85 (6) (b) 2 and 3 for that school year for the school district of attendance divided by the average daily membership of that school district, rounded to the nearest dollar.~~ agency of service, except as follows:

(2) (a) ~~In computing~~ The tuition, 5 for the regular school year is the daily tuition rate multiplied by the number of school days constitute a school week the pupil was enrolled. No deduction reduction of tuition may be made because of the absence of a pupil, unless the pupil has been was absent more than 10 consecutive school days. In case of an absence for more than 10 consecutive school days, deduction, in which case a reduction shall be made only for the absence in excess of 10 school days. If a school is closed pursuant to an order of a health officer during the school term and if operation and maintenance costs are incurred by the school district as if the school were operating, tuition shall be charged as if the school were operating.

(b) The tuition for summer ~~classes~~ school shall be the daily tuition rate for the previous school year multiplied by ~~the quotient of 180 times~~ the summer average daily membership equivalent and the average daily membership for the previous school year of the pupil.

SECTION 1792. 121.82 (3) of the statutes is renumbered 121.83 (3).

SECTION 1793. 121.82 of the statutes is created to read:

**121.82 Tuition payment by adult.** An adult for whom the school district provides services under s. 120.13 (4) shall provide for the payment of tuition.

SECTION 1794. 121.83 (1) (a) 1 to 3 and (b) to (e) of the statutes are created to read:

121.83 (1) (a) 1. If the agency of service does not transport the pupil to and from school:

a. The cost of pupil transportation shall be subtracted.

b. State aid for pupil transportation shall be added.

2. If the agency of service counts the pupil under s. 121.05 (1) (a), state general aid shall be subtracted.

3. If the pupil is enrolled in a program for children with exceptional educational needs under subch. V of ch. 115:

a. The cost of instruction and specified services shall be subtracted.

b. The federal and state aid for pupil transportation and exceptional education shall be added.

(b) The regular annual tuition rate is the net school cost divided by the average daily membership of the agency of service.

(c) If the pupil is enrolled in a program for children with exceptional educational needs under subch. V of ch. 115, the special annual tuition rate is the sum of instructional and specified services costs unique to that program divided by the average daily membership of all pupils enrolled in the program, including those for whom tuition is paid.

(d) The annual tuition rate is the sum of the regular annual tuition rate and the special annual tuition rate, if any.

(e) The daily tuition rate is the annual tuition rate divided by the number of school days in the session.

SECTION 1795. 121.84 (1) (c) of the statutes is renumbered 121.84 (2) and amended to read:

121.84 (2) The transportation requirement in s. 121.54 (2) shall not apply to transportation beyond the school district boundaries for pupils under this subsection section.

SECTION 1796. 121.84 (2) and (3) (a) and (b) of the statutes are renumbered 121.78 (2) (a) to (c).

SECTION 1797. 121.845 (intro.) of the statutes is created to read:

**121.845 Definitions.** (intro.) In this subchapter:

SECTION 1798. 121.85 (1) (intro.) and (c) of the statutes are consolidated, renumbered 121.85 (1) and amended to read:

121.85 (1) (title) DEFINITION. In this section: ~~(e)~~ “Net, “net school cost” is the sum of the net cost of the general fund and the net cost of the debt service fund for the previous school year, plus any aid received in the previous year under this section.

SECTION 1799. 121.85 (1) (a), (b) and (d) of the statutes are renumbered 121.845 (1), (2) and (3).

SECTION 1799m. 121.85 (4) of the statutes is renumbered 121.85 (4) (a).

SECTION 1799s. 121.85 (4) (b) of the statutes is created to read:

121.85 (4) (b) Any school board that, prior to May 4, 1976, established a plan to reduce racial imbalance in the school district is eligible for state aid under sub. (6) (a) if the state superintendent approves the plan.

SECTION 1800. 121.85 (6) (c) and (d) of the statutes are amended to read:

121.85 (6) (c) *Special applications.* If a school district finds that it has incurred costs beyond aids received because of the number of pupils which it has accepted as transfers under this section, it may apply to the department for supplementary aids under this subsection. If the department finds that the school district has incurred costs for which reimbursement has not been made under par. (b) 2 or 3, it shall supplement the state aids paid to the district under this ~~subchapter section~~ section in an amount equal to the unreimbursed cost.

(d) *Aid in lieu of tuition.* Aid payments under this ~~subchapter section~~ section shall be in lieu of tuition payments required under subch. V. Aid payments under this ~~subchapter section~~ section shall not be made for interdistrict transfers under sub. (6) (b), if tuition payments are made from funds received by the school district of residence under P.L. 73-167 and P.L. 81-874, as amended, for pupils so transferring from such district of residence.

SECTION 1801. 121.85 (6) (e) of the statutes is amended to read:

121.85 (6) (e) *Sources of aid payments.* State aid under this ~~subchapter section~~ section shall be paid from the appropriation under s. 20.255 (2) (ac).

SECTION 1802. 121.85 (6) (f) of the statutes is repealed and recreated to read:

121.85 (6) (f) *Exception.* A pupil enrolled in a 4-year-old kindergarten program shall be counted under par. (a) and (b) 1 as a number equal to the result obtained by multiplying 1.325 by the appropriate fraction under s. 121.004 (7) (c) or (d).

SECTION 1802r. 121.85 (6) (g) of the statutes is created to read:

121.85 (6) (g) *Minority census tracts.* 1. In this paragraph:

a. “Base year enrollment” means the number of pupils enrolled in the public schools located in minority census tracts in the 1984-85 school year.

b. “Minority census tract” means a census tract that has a nonwhite population of 20% or more, according to the most recent federal decennial census, and that is located in a school district containing a 1st class city.

2. Each pupil attending a nonspecialty public school in a minority census tract who is in excess of the base year enrollment shall be counted as an additional 0.2 pupil in membership for general aid under subch. II.

SECTION 1805. 121.85 (7) of the statutes is amended to read:

121.85 (7) TRANSPORTATION. Transportation shall be provided to pupils transferring schools under this ~~subchapter section~~ section if required under subch. IV. Transportation for a pupil attending a public school under sub. (3) (a) outside the pupil’s school district of

residence shall be provided pursuant to agreement between the school district of residence and the school district of attendance. If either the school district of residence or the school district of attendance operates a program of intradistrict transfers under sub. (3) (b), that school district shall be responsible for the cost of transportation. The school district may meet this responsibility either by contracting directly for provision of transportation or by reimbursing another school district for the cost of such a contract. Transportation for a pupil attending a public school under sub. (3) (b) outside his or her attendance area of residence may be provided by his or her school district. A school district providing transportation under this subsection may not claim transportation aid under subch. IV for pupils so transported.

SECTION 1806. 121.86 of the statutes is created to read:

**121.86 Merged attendance area programs.** (1) DEFINITIONS. In this section:

(a) "Base school" means the school in a merged attendance area that has the lowest enrollment of the schools in the merged attendance area.

(b) "Merged attendance area" means an attendance area that contains one of the following:

1. Two or more schools that offer elementary grades, with each such grade offered at only one school.

2. Two or more schools that offer middle school grades, with each such grade offered at only one school.

3. Two or more schools that offer high school grades, with each such grade offered at only one school.

(2) STATE AID. Except as provided under sub. (3), if a school board establishes a merged attendance area after January 1, 1984, for the purpose of reducing racial imbalance in the school district, the school district shall be entitled to an amount equal to that produced by counting the following pupils as 1.325 pupils in membership for general aid under subch. II:

(a) The number of minority group pupils enrolled in the base school, not to exceed:

1. The number of minority group pupils who reside in the merged attendance area; minus

2. The number of minority group pupils enrolled in the base school or 30% of the total enrollment of the base school, whichever is greater.

(b) The number of minority group pupils enrolled in the nonbase schools located in the merged attendance area or 30% of the total enrollment of such nonbase schools, whichever is less.

(3) STATE AID EXCEPTION. Pupils under sub. (2) who are enrolled in a 4-year-old kindergarten program shall be counted under sub. (2) as a number equal to the result obtained by multiplying 1.325 by the appropriate fraction under s. 121.004 (7) (c) or (d).

(4) TRANSPORTATION. A school district shall provide transportation to pupils under this section if required under subch. IV, but may not claim transportation aid under subch. IV for the number of pupils determined under sub. (2).

(5) SOURCES OF AID PAYMENTS. State aid under this section shall be paid from the appropriation under s. 20.255 (2) (ac).

SECTION 1807m. 125.07 (3) (a) 5 of the statutes is amended to read:

125.07 (3) (a) 5. Ski chalets, golf clubhouses, private soccer clubs and private tennis clubs.

SECTION 1807s. 125.275 of the statutes is created to read:

**125.275 Industrial fermented malt beverages permit.**

(1) The department may issue an industrial fermented malt beverages permit which authorizes the permittee to purchase and use fermented malt beverages for industrial purposes only. Such permits may be issued only to persons who prove to the department that they use alcohol for industrial purposes.

(2) Industrial fermented malt beverages permits may be issued to any person qualified under s. 125.04 (5), except a person acting as agent for or in the employ of another.

(3) Shipments of industrial fermented malt beverages shall be conspicuously labeled "for industrial purposes" and shall meet other requirements which the department prescribes by rule.

(4) The annual fee for an industrial fermented malt beverages permit is \$10.

SECTION 1811. 127.01 (1) of the statutes is renumbered 127.01 (3).

SECTION 1812. 127.01 (2) of the statutes is renumbered 127.01 (19), and 127.01 (19) (intro.) and (b), as renumbered, are amended to read:

127.01 (19) (intro.) "~~Dealer~~" "Grain dealer" means any person engaged in the business of buying grain from or selling grain for producers. This term does not include:

(b) A producer engaged solely in selling grain he or she produced or buying grain for his or her own use as feed or seed, ~~except that such a~~ unless the producer shall be deemed to be a "dealer" upon voluntary application for registers voluntarily as a grain dealer's certificate of registration dealer under s. 127.03.

SECTION 1813. 127.01 (3) of the statutes is renumbered 127.01 (8) and amended to read:

127.01 (8) "~~Deferred payment or deferred price contract~~" means any agreement to purchase grain from or to sell grain for producers if full payment for the grain is not made when the grain dealer obtains title to or takes control of the grain. ~~In this subsection, "full payment" means payment by currency, certified check, money order, barter or an advance money transfer arrangement with a bank which is evidenced in writing.~~

SECTION 1814. 127.01 (4) and (5) of the statutes are renumbered 127.01 (10) and (11).

SECTION 1815. 127.01 (4) of the statutes is created to read:

127.01 (4) "Cash payment" means payment in the form of currency, certified check, money order, barter, or advance money transfer arrangement with a bank which is evidenced in writing.

SECTION 1816m. 127.01 (6) of the statutes is renumbered 127.01 (13m).

SECTION 1817. 127.01 (7), (8), (9), (10) and (11) of the statutes are renumbered 127.01 (14), (18), (25), (28) and (29), respectively, and 127.01 (14) and (29), as renumbered, are amended to read:

127.01 (14) "Exempt warehouse keeper" means a warehouse keeper operating one or more warehouses which have a combined total capacity of less than 50,000 bushels available for public storage.

(29) "Warehouse keeper" means a person, including a cooperative association, engaged in operating one or more warehouses in this state for the receiving, conditioning, storing or shipping of grain for others. ~~This term "Warehouse keeper" does not include a person licensed under ch. 126 or the federal warehouse act (7 USC 241 et. seq.).~~

SECTION 1818. 127.01 (9), (15), (16) and (27) of the statutes are created to read:

127.01 (9) "Deferred price contract" means any agreement to purchase grain from or sell grain for producers if the purchase price has not been specifically agreed upon at the time the grain dealer obtains title to, or takes control of the grain.

(15) "Federal act" means the federal warehouse act under 7 USC 241 to 271, in effect on the effective date of this subsection .... [revisor inserts date].

(16) "Financial statement" means a financial statement that meets the requirements under s. 127.06 (2).

(27) "Verified financial statement" means a financial statement prepared by an independent certified public accountant holding a certificate of authority under ch. 442 which is not certified by the accountant.

SECTION 1819. 127.02 (title) and (3) (title) of the statutes are amended to read:

**127.02 (title) Registration requirement for warehouse keepers; fees.**

(3) (title) FEES.

SECTION 1820. 127.02 (3) of the statutes is renumbered 127.02 (3) (a).

SECTION 1821. 127.02 (3) (a) (title) and (b) of the statutes are created to read:

127.02 (3) (a) (title) *Registration fees.*

(b) *Inspection fees.* 1. A warehouse keeper shall pay an annual inspection fee to the department for the upcoming registration year at the time his or her certificate of registration fee is due. The department may not issue a certificate of registration until the inspection fee is paid. The amount of the inspection fee shall be based on the combined storage capacity of all of the

warehouse keeper's warehouses. The inspection fee is, if the combined storage capacity is:

a. Less than 150,000 bushels, \$300.

b. At least 150,000 bushels but less than 250,000 bushels, \$325.

c. At least 250,000 bushels but less than 500,000 bushels, \$375.

d. At least 500,000 bushels but less than 750,000 bushels, \$425.

e. At least 750,000 bushels but less than 1,000,000 bushels, \$475.

f. One million bushels or more, \$525.

2. In addition to the inspection fee specified under subd. 1, a warehouse keeper shall annually pay to the department an inspection fee of \$100 for each business location other than the warehouse keeper's principal business location.

3. All fees received under this paragraph shall be deposited into the appropriation under s. 20.115 (1) (jm).

SECTION 1826. 127.06 (1) (intro.) of the statutes is repealed.

SECTION 1827. 127.06 (1) (a) (intro.), 1, 2 and 3 of the statutes are renumbered 127.01 (1), (6), (17) and (24).

SECTION 1828. 127.06 (1) (b) (intro.) of the statutes is repealed.

SECTION 1829m. 127.06 (1) (b) 1, 2, 3, 4, 5 and 6 of the statutes are renumbered 127.01 (2), (5), (13), (21), (22) and (26).

SECTION 1830. 127.06 (1) (b) 7, 8 and 9 of the statutes are repealed.

SECTION 1831. 127.06 (1) (c) and (d) (intro.) of the statutes are renumbered 127.01 (23) and (12), respectively, and 127.01 (12), as renumbered, is amended to read:

127.01 (12) ~~"Net worth" or "equity"~~ "Equity" means the excess of total assets over total liabilities. ~~These terms represent the ownership interest of one or more persons who invested in the enterprise.~~

SECTION 1832. 127.06 (1) (d) 1 of the statutes is repealed.

SECTION 1833. 127.06 (1) (d) 2 of the statutes is renumbered 127.01 (7).

SECTION 1834. 127.06 (1) (d) 3 of the statutes is repealed.

SECTION 1835. 127.06 (1) of the statutes is created to read:

127.06 (1) FILING REQUIREMENTS. (a) Except as provided in par. (c), each warehouse keeper shall file with the department a financial statement with his or her initial application for a certificate of registration filed pursuant to s. 127.02 (2). Financial statements filed with applications that are filed on or after September 1, 1985, shall be certified or verified. All financial statements must conform to the requirements under sub. (2).



(b) Except as provided in par. (c), each registered warehouse keeper shall file a financial statement with the department annually, on or before the 15th day of the 4th month after the close of the warehouse keeper's fiscal year, or as otherwise required by the department. Financial statements filed under this paragraph for fiscal years ending on or after September 1, 1985, shall be certified or verified. All financial statements must conform to the requirements under sub. (2).

(c) The filing requirements under pars. (a) and (b) do not apply to an exempt warehouse keeper, unless the exempt warehouse keeper claims to be a bonded warehouse keeper.

(d) Notwithstanding par. (c), the department may require any warehouse keeper to file a financial statement or interim statement at any time the department deems it necessary.

SECTION 1836. 127.06 (2) of the statutes is repealed.

SECTION 1837. 127.06 (3) and (4) of the statutes are renumbered 127.06 (2) and (3), and 127.06 (2), as renumbered, is amended to read:

127.06 (2) CONTENTS. The A financial statement shall consist of a balance sheet, income statement of income, equity statement of retained earnings, statement of changes in financial position condition and other information required by the department, and shall be prepared in conformity with generally accepted accounting and bookkeeping principles. The A warehouse keeper's financial statement shall disclose, separately and clearly, the warehouse keeper's obligations to depositors in the form of negotiable and nonnegotiable warehouse receipts, scale tickets and collateral warehouse receipts. All financial statements shall be sworn to by the warehouse keeper filing the statement.

SECTION 1838. 127.07 (1), (2) and (3) (title) of the statutes are amended to read:

127.07 (1) PERMISSIVE BOND. Any warehouse keeper, ~~including an exempt warehouse keeper,~~ may maintain a bond ensuring the warehouse keeper's faithful performance of his or her duties as a warehouse keeper.

(2) (title) REQUIRED BOND FOR WAREHOUSE KEEPERS CLAIMING TO BE BONDED. No warehouse keeper may ~~hold himself or herself out as operating a warehouse covered by a bond claim to be a bonded warehouse keeper~~ unless the warehouse keeper files supplementary reports and financial statements with the department under in accordance with sub. (4) (5) and s. 127.06 (1) and maintains a bond on file with the department complying with minimum bonding requirements under sub. (5). ~~A warehouse keeper immediately shall cease holding himself or herself out as operating a warehouse covered by a bond if he or she does not maintain a bond complying with the minimum bonding requirements under sub. (5) (6).~~

(3) (title) REQUIRED BOND OR SECURITY; WAREHOUSE KEEPERS FAILING TO MEET MINIMUM FINANCIAL STANDARDS.

SECTION 1839. 127.07 (3) (a) (title) of the statutes is repealed.

SECTION 1840. 127.07 (3) (a) of the statutes is amended to read:

127.07 (3) (a) ~~No warehouse keeper person may operate act as a warehouse unless the warehouse keeper files a verified or certified financial statement with the department showing keeper without maintaining compliance with the minimum financial standards or under sub. (4) unless the warehouse keeper files:~~

1. Files supplementary reports with the department under sub. (4) (5); and maintains

2. Maintains a bond on file with the department complying with the minimum bonding requirements under sub. (5) (6) or a security complying with the minimum security requirements under sub. (6). The requirements of this (7).

(b) This subsection ~~do~~ does not apply to an exempt warehouse keeper, unless the exempt warehouse keeper claims to be a bonded warehouse keeper.

SECTION 1841. 127.07 (3) (b) of the statutes is renumbered 127.07 (4) (a) and amended to read:

127.07 (4) (a) (title) Standards. Compliance with The minimum financial standards include for a warehouse keeper are met if the warehouse keeper maintains both of the following:

1. A minimum ratio of current assets to current liabilities of at least one to one. as follows:

a. Until September 1, 1986, a ratio of 1 to 1.

b. From September 1, 1986, to August 31, 1989, a ratio of 1.1 to 1.

c. On and after September 1, 1989, a ratio of 1.2 to 1.

2. A net worth Equity of \$25,000 or the product obtained by multiplying the bushel capacity of the warehouse by 10 cents, whichever is greater.

SECTION 1843. 127.07 (3) (c) of the statutes is repealed.

SECTION 1844. 127.07 (4) of the statutes is renumbered 127.07 (5) and amended to read:

127.07 (5) (title) SUPPLEMENTARY REPORTS. A warehouse keeper's supplementary report that is required to file reports be filed under sub. (2) or (3) shall file a report be filed with the department on or before the 10th day of each month stating and it shall state the inventory of all grains stored each type of grain in storage in each of the warehouse keeper's warehouses on the last day of the previous month.

SECTION 1845. 127.07 (4) (title) and (b) of the statutes are created to read:

127.07 (4) (title) MINIMUM FINANCIAL STANDARDS.

(b) *Notification requirement.* A warehouse keeper shall immediately notify the department whenever the warehouse keeper knows or has reason to know that he or she is not meeting the financial standards under this subsection.

SECTION 1846. 127.07 (5) (title) of the statutes is renumbered 127.07 (6) (title).

SECTION 1847. 127.07 (5) (intro.), (a), (b) and (c) (exc. 127.07 (5) (a), (b) and (c) (titles)) of the statutes are renumbered 127.07 (6) (a) (intro.), 1, 2 and 3 and amended to read:

127.07 (6) (a) (title) *General requirements.* (intro.) ~~Compliance with minimum bonding requirements is not achieved unless the following conditions are met~~ A bond filed with the department under this section shall be:

1. ~~The bond is made~~ Made payable to the state department for the benefit of depositors.

2. ~~The bond is endorsed~~ Endorsed by a surety company authorized to do business in this state.

3. ~~The bond is in~~ In a form approved by the department and contains shall contain all of the terms and conditions required by the department.

SECTION 1848. 127.07 (5) (a) (title), (b) (title) and (c) (title) of the statutes are repealed.

SECTION 1850. 127.07 (5) (d) of the statutes is repealed.

SECTION 1851. 127.07 (5) (e) (title) of the statutes is repealed.

SECTION 1852. 127.07 (5) (e) 1 of the statutes is renumbered 127.07 (6) (a) 4 and amended to read:

127.07 (6) (a) 4. ~~The~~ Continuing and subject to cancellation only upon 90 days' written notice to the department. A bond may not be canceled by the a warehouse keeper or the surety company except on 90 days' written notice to the department, served on the department in person or by certified mail.

SECTION 1853. 127.07 (5) (e) 2 of the statutes is repealed.

SECTION 1854. 127.07 (5) (f) of the statutes is renumbered 127.07 (6) (b) and amended to read:

127.07 (6) (b) (title) *Amount of bond.* The amount of ~~the a warehouse keeper's bond is equal to 40% or more~~ filed with the department under this section may not be less than 20% of the current market value of the grains stored in the warehouse, except that no bond may be in an amount less than \$25,000 and no bond is required to be in an amount greater than \$500,000.

SECTION 1855. 127.07 (5) (g) of the statutes is repealed.

SECTION 1856. 127.07 (6) (title) of the statutes is renumbered 127.07 (7) (title).

SECTION 1857. 127.07 (6) (intro.), (a) and (b) (intro.) (exc. 127.07 (6) (a) (title) and (b) (title)) of the statutes are renumbered 127.07 (7) (a) (intro.), 1 and 2. (intro.) and amended to read:

127.07 (7) (a) (title) *General requirements.* (intro.) ~~Compliance with minimum security requirements is not achieved unless the following conditions are met~~ Security filed with the department under this section shall be:

1. ~~The security is evidenced~~ Evidenced by a private surety agreement assigning sufficient security to the state department for the benefit of depositors. The surety agreement shall:

a. Be filed with the department.

b. Be in the form required by the department; and

c. Contain all the terms and conditions required by the department.

2. (intro.) ~~The security is In~~ In one of the following forms:

SECTION 1858. 127.07 (6) (a) (title) and (b) (title) of the statutes are repealed.

SECTION 1859. 127.07 (6) (b) 1, 2 and 3 of the statutes are renumbered 127.07 (7) (a) 2. a, b and c.

SECTION 1861. 127.07 (6) (c) and (d) of the statutes are repealed.

SECTION 1862. 127.07 (6) (e) of the statutes is renumbered 127.07 (7) (b) and amended to read:

127.07 (7) (b) (title) *Amount of security.* The amount of ~~the security is equal to 40% or more a warehouse keeper's security filed with the department under this section shall not be less than 20%~~ of the current market value of the grains stored in the warehouse except that no security may be in an amount less than \$25,000 and no security is required to be in an amount greater than \$500,000.

SECTION 1863. 127.07 (6) (f) of the statutes is repealed.

SECTION 1864. 127.07 (7) (title), (a) and (b) of the statutes are renumbered 127.07 (8) (title), (a) and (b) and amended to read:

127.07 (8) (title) *REPLACEMENT OF A CANCELED BOND.* (a) *Notification.* If the department receives a notice of cancellation of a bond ~~which a warehouse keeper maintains to meet the requirements of~~ filed under sub. (2) or (3), the department shall notify the warehouse keeper in writing as to the amount and terms of any replacement bond which must be filed with the department to comply with this section. Notice shall be served by certified mail or by personal service of the notice of cancellation.

(b) *Replacement bond.* ~~The A~~ A warehouse keeper shall obtain and file a satisfactory replacement bond with the department, according to the terms of the notice under par. (a), within 30 days after receipt of the notice is served on the warehouse keeper from the department. If a warehouse keeper fails to obtain and file a replacement bond according to the terms of the department notice within 30 days after receipt of the notice, the department shall by a summary special order summarily suspend the warehouse keeper's certificate of registration. If a warehouse keeper fails to

obtain and file a replacement bond according to the terms of the department notice within 60 days after the receipt of the notice, the department shall by a summary special order summarily revoke the warehouse keeper's certificate of registration. A summary special order issued under this paragraph is subject to the conditions under s. 127.17 (1) (b) 2 and 3.

SECTION 1865. 127.07 (7) (a) 2. d of the statutes is created to read:

127.07 (7) (a) 2. d. Irrevocable bank letters of credit.

SECTION 1867. 127.07 (7) (c) and (d) of the statutes are repealed.

SECTION 1868. 127.07 (8) (title), (a) and (b) of the statutes are renumbered 127.07 (9) (title), (a) and (b) and amended to read:

127.07 (9) (title) ADDITIONAL BOND OR SECURITY. (a) *Notification.* If the department determines that the amount of a bond or security which a warehouse keeper maintains to meet the requirements of filed under sub. (2) or (3) is not sufficient does not meet the minimum requirements under sub. (6) or (7), the department shall notify the warehouse keeper in writing as to the amount and terms of any additional bond or security that is required. Notice shall be served by certified mail or personal service of the insufficiency of the bond or security.

(b) *Additional bond or security.* The A warehouse keeper shall obtain and file satisfactory additional bond or security with the department, according to the terms of the notice under par. (a), within 30 days after receipt of the notice is served on the warehouse keeper from the department. If a warehouse keeper fails to obtain and file additional bond or security according to the terms of the department notice within 30 days after receipt of the notice, the department shall by a summary special order summarily suspend the warehouse keeper's certificate of registration. If a warehouse keeper fails to obtain and file additional bond or security according to the terms of the department notice within 60 days after receipt of the notice, the department shall by a summary special order summarily revoke the warehouse keeper's certificate of registration. A summary special order issued under this paragraph is subject to the conditions under s. 127.17 (1) (b) 2 and 3.

SECTION 1869. 127.07 (8) (c) and (d) of the statutes are repealed.

SECTION 1870. 127.07 (9) of the statutes is renumbered 127.07 (10) and amended to read:

127.07 (10) (title) REMOVAL OF BOND OR SECURITY REQUIREMENT. A warehouse keeper required to maintain who has filed a bond or security under sub. (3) is required to maintain the bond or security until the department releases him or her from the requirement. A warehouse keeper may petition the department at any time for removal of the requirement that a bond or other security be maintained. If the department is

satisfied, based on 2 successive annual financial statements, that the warehouse keeper has ~~complied~~ demonstrated compliance with the minimum financial standards for at least one year, the department may release the warehouse keeper from the obligation to maintain a bond or security under sub. (3).

SECTION 1871. 127.09 (1) of the statutes is amended to read:

127.09 (1) SCALE TICKET OR RECEIPT. No warehouse keeper may receive grain from any ~~producer depositor~~ unless the warehouse keeper furnishes the ~~producer depositor~~ or the ~~producer's depositor's~~ agent with a scale ticket or other written evidence of receipt or storage at the time the grain is received. The document shall include the kind, quality and weight of grain received, and other terms and conditions under which the grain is received. Scale tickets and receipts for grain shall be considered storage receipts unless otherwise clearly designated. A warehouse keeper shall keep copies of all scale tickets and receipts for at least 6 years or for as long as the scale ticket or receipt remains outstanding, whichever is longer. A warehouse keeper shall make copies of all scale tickets and receipts available to the department for inspection and copying upon request.

SECTION 1872. 127.10 (title) of the statutes is amended to read:

**127.10 (title) Duties of grain dealers.**

SECTION 1873. 127.10 (1) of the statutes is amended to read:

127.10 (1) DOCUMENTATION. No grain dealer may purchase grain from or sell grain for any producer unless the grain dealer furnishes the producer or the producer's agent with written documentation evidencing the purchase or sales transaction at the time the grain is purchased or received for sale. Documentation shall include a record of the kind and weight of grain purchased or received for sale, the date of receipt by the grain dealer and the price and terms of purchase or sale. The grain dealer shall furnish scale tickets or other appropriate receipts to the producer or producer's agent whenever grain is received.

SECTION 1874. 127.10 (4) (a) of the statutes is renumbered 127.10 (4).

SECTION 1875. 127.10 (4) (b) of the statutes is repealed.

SECTION 1876. 127.10 (5) of the statutes is amended to read:

127.10 (5) DEFERRED PAYMENT OR DEFERRED PRICE CONTRACT. A grain dealer who uses any deferred payment or deferred price contract shall furnish the producer with a written contract at the time the contract is entered into or when the grain dealer obtains title to or takes control of the grain, whichever is earliest. The contract shall state the price or the formula on which the price is to be based and, terms of the purchase or sale and the date on which payment is to be made.

SECTION 1878. 127.11 of the statutes is renumbered 127.13, and 127.13 (1), as renumbered, is amended to read:

127.13 (1) **AUTHORITY OF DEPARTMENT.** The department may investigate or inspect a warehouse keeper or grain dealer's operation at any time deemed necessary to determine qualifications for a certificate of registration, compliance with this chapter or rules promulgated under this chapter, the sufficiency of grain on hand to meet obligations to depositors or the ability of the grain dealer or warehouse keeper to make payment for grain when due. In connection with an investigation, the department may require a grain dealer or warehouse keeper to file a sworn or certified statement of business operations and financial condition, including a current daily position statement.

SECTION 1880. 127.12 of the statutes is renumbered 127.14, and 127.14 (1) (d) and (2), as renumbered, are amended to read:

127.14 (1) (d) *Payment of claims.* The department may demand, collect and receive from the grain dealer or warehouse keeper or from any surety, the amount determined to be necessary to satisfy the claims. The department, by special order, may direct the warehouse keeper or grain dealer to deliver ownership or control of grain to the department in a quantity determined necessary to satisfy the claims. The department may commence an action to enforce these orders in the circuit court for the county where the warehouse is located or any county where the grain dealer has conducted business. Upon receipt of the money or the ownership or control of grain to be applied to the satisfaction of the claims, the department shall make distribution to the claimants in accordance with the order allowing claims, in full or proportionately, as the case may be. No claims covering transactions in which the ~~depositor or producer~~ and any other party having an interest in the transaction has granted to the grain dealer ~~or warehouse keeper~~ a written extension of credit may be allowed or paid under this subsection.

(2) **PRIORITY.** The ~~whole~~ claim of any a producer against any a grain dealer because of grain sold or delivered for sale to the grain dealer ~~and any judgment for this claim~~ is entitled to the same preference in any insolvency or other creditor's proceedings as is given by any law of this state to claims for labor. One claim may be filed for any number of ~~these depositors producers~~ and if such a claim is filed the preference shall be allowed on the amount due each ~~depositor producer~~. This preference shall also be given in bankruptcy proceedings to the extent permitted by the federal law. This section shall not otherwise affect or impair any other lien, security or priority for the claim or judgment. A final judgment or order of a court or a department order under sub. (1) is not a prerequisite to the filing of a claim in any insolvency or other creditor's proceeding, or to the allowance of a preference under this subsection.

SECTION 1881. 127.12 of the statutes is created to read:

**127.12 Producers and depositors; duties and prohibitions.** (1) No producer or depositor who contracts for the future sale and delivery of grain at an agreed price may refuse to sell or deliver grain at the agreed price in accordance with the terms of the contract.

(2) A grain dealer may, prior to purchasing grain from, or selling grain for, a producer or depositor, require as a condition to the purchase or sale that the producer or depositor provide the grain dealer with a written statement which specifies the existence, nature and amount of any liens or security interests in the grain and the identity of any lien or security interest holders. No producer or depositor may falsify any information provided to a grain dealer under this subsection, or fraudulently withhold information to obtain a sale of grain.

SECTION 1882. 127.13 of the statutes is renumbered 127.15.

SECTION 1883. 127.14 of the statutes is renumbered 127.16.

SECTION 1884. 127.14 (1) (e) of the statutes is created to read:

127.14 (1) (e) *Breach affecting a limited number of claimants.* The department is not required to proceed under this section if a claim is limited to an individual producer or depositor, or to a small number of producers or depositors.

SECTION 1885. 127.15 of the statutes is renumbered 127.11, and 127.11 (title), as renumbered, is amended to read:

**127.11 (title) Prohibitions; warehouse keepers and grain dealers.**

SECTION 1886. 127.16 of the statutes is renumbered 127.17, and 127.17 (title), (2) (b) and (4), as renumbered, are amended to read:

**127.17 (title) Enforcement; penalties; private remedy.**

(2) (b) (title) *Suspension of grain dealer registration.* If a grain dealer's certificate of registration is suspended, the grain dealer may purchase or receive grain from producers and may sell or ship grain, under the supervision of the department.

(4) (title) **PENALTIES.** (a) (title) *Forfeitures.* The department may commence an action to recover a forfeiture of not less than \$100 nor more than \$5,000 for each violation of this chapter or any rules adopted promulgated or special orders issued under this chapter.

SECTION 1887. 127.17 of the statutes is renumbered 127.18.

SECTION 1888. 127.17 (4) (b) and (5) of the statutes are created to read:

127.17 (4) (b) *Fine or imprisonment.* Any person who intentionally violates this chapter, or any rules promulgated or special orders issued under this chapter, shall be fined not more than \$10,000 or imprisoned

oned not more than one year in the county jail or both for each violation.

(5) PRIVATE REMEDY. Any person who is injured as a result of a violation of this chapter, or any rules promulgated or special orders issued under this chapter, may bring an action and may recover the amount of the proven damages, together with costs, including all reasonable attorney fees. This remedy is not exclusive.

SECTION 1888g. 134.75 of the statutes is created to read:

**134.75 Renewable energy resource systems dealers.**

(1) The department of administration shall produce, and make available for sale at cost, a written notice designed to inform consumers of the standards applied by the department of administration when determining a system's eligibility for a refund under s. 16.957. The notice shall clearly indicate which systems are the specified models certified by the department under s. 16.957 (4) (a). The notice shall include the toll free number of the telephone service provided by the department of administration under s. 16.957 (14) and shall indicate that the person interested in buying the system may contact the department of administration for more information on the refund program.

(2) Any person offering to sell a renewable energy resource system, as defined under s. 16.957 (8) (a), shall, prior to selling the system to any person, give the person a copy of the notice under sub. (1).

SECTION 1888m. 139.04 (7m) of the statutes is created to read:

139.04 (7m) Sale of fermented malt beverages to industrial permittees to be used for industrial purposes.

SECTION 1889. 139.31 (1) (c) of the statutes is created to read:

139.31 (1) (c) In addition to the rate under par. (a), on cigarettes weighing not more than 3 pounds per thousand, on each cigarette 8 mills minus the tax imposed on that cigarette under 26 USC 5701, but not less than zero.

SECTION 1890. 139.31 (1) (d) of the statutes is created to read:

139.31 (1) (d) In addition to the rate under par. (b), on cigarettes weighing more than 3 pounds per thousand, on each cigarette, 16.8 mills minus the tax imposed on that cigarette under 26 USC 5701, except that if the cigarette is more than 6.5 inches in length it shall be taxed at the rate under par. (c) rather than at the rate under this paragraph, counting each 2.75 inches or fraction thereof of the length as one cigarette. The amount under this paragraph shall not be less than zero.

SECTION 1891. 139.315 (1) of the statutes is amended to read:

139.315 (1) INVENTORY TAX IMPOSED. On the effective date of any increase in the ~~rate of the tax imposed~~

~~under s. 139.31~~ sum of the rates under s. 139.31 (1) (a) and (c) or in the sum of the rates under s. 139.31 (1) (b) and (d), an inventory tax is imposed upon cigarettes held, except by a retailer, in inventory for sale or resale on which the cigarette tax has been paid at the prior rate and upon unaffixed stamps in the possession of distributors. Any person, except a retailer, who is in possession of any such cigarettes or unaffixed stamps is liable for payment of the tax imposed under this section. Any person liable for this tax shall determine the number of cigarettes and unaffixed stamps in the person's possession on the effective date of the increase, and by the 15th day after the effective date of the increase the person shall file with the department a return on a form provided by the department and shall by that date pay to the department the tax due.

SECTION 1892. 139.32 (2m) of the statutes is created to read:

139.32 (2m) The secretary shall prepare and have available for sale distinctive stamps, which shall be affixed to all packages of cigarettes in respect to which a refund can be made under s. 139.323 and only to those packages.

SECTION 1893. 139.32 (9) of the statutes is created to read:

139.32 (9) No retailer may possess cigarettes purchased from any person except a manufacturer, distributor or jobber who holds a valid permit from the department.

SECTION 1894. 139.323 (5) of the statutes is created to read:

139.323 (5) The retailer has not sold the cigarettes to another retailer or to a jobber.

SECTION 1895. 140.09 (3) (a) of the statutes is renumbered 140.09 (3) (a) 1 and amended to read:

140.09 (3) (a) 1. ~~Each~~ Except as provided under subd. 2, each single county health department shall be managed by a board of health, consisting of not less than 6 nor more than 8 members, appointed by the chairperson of the county board with the approval of the county board. One member shall be a member of the county board. Two members shall be physicians, practicing in the county, and shall be selected from a list of 5 physicians submitted by the county medical society. One member shall be a dentist, practicing in the county, and shall be selected from a list of 3 dentists submitted by the county dental society. If the county medical or dental society fails to submit such list within 60 days after request by the county board chairperson, the county board may appoint 2 physicians and one dentist of its choice. One member shall be a registered nurse with experience in community health practice. The remaining members shall be residents of the county who are known to have a broad social viewpoint and a serious interest in the health protection of their community. The first appointee will serve one year, the ~~second 2nd~~ for 2 years, the ~~third 3rd~~ for 3 years, ~~fourth the 4th~~ for 4 years, ~~fifth the 5th~~ for 5 years, ~~sixth the 6th~~ for one year, ~~seventh~~

the 7th, if any, for 2 years, ~~eighth~~ the 8th, if any, for 3 years, and their successors shall each serve for 5 years. Terms shall begin on anniversary dates of the organization of the board of health.

SECTION 1896m. 140.09 (3) (a) 2 of the statutes is created to read:

140.09 (3) (a) 2. In any county with a single county health department and a county executive or county administrator, the county executive or county administrator shall appoint the members of the board of health, subject to confirmation by the county board. A member of a board appointed under this subdivision may be removed by the county executive or county administrator for cause.

SECTION 1897. 140.09 (3) (b) of the statutes is renumbered 140.09 (3) (b) 1 and amended to read:

140.09 (3) (b) 1. ~~Each~~ Except as provided under subd. 2 and sub. (4) (b) 2, each multiple county health department shall be managed by a board of health consisting of 4 members appointed from each county by the chairperson of the respective county board with the approval of the county board. One shall be a member of the county board. One shall be a physician practicing in the county selected from a list of 3 physicians submitted by the county medical society. One shall be a dentist practicing in the county selected from a list of 3 dentists submitted by the county dental society. The 4th member shall be a registered nurse with experience in community health practice. The term of office will be for 5 years except that the first appointee of each county board will be for 2 years, the ~~second~~ 2nd for 3 years, the ~~third~~ 3rd for 4 years and the ~~fourth~~ 4th for 5 years. Terms shall begin on the anniversary dates of the organizations of the board of health.

SECTION 1898m. 140.09 (3) (b) 2 of the statutes is created to read:

140.09 (3) (b) 2. In any county which is a member of a multiple county health department and which has a county executive or county administrator, the county executive or county administrator shall appoint the members of the board of health from his or her respective county, subject to confirmation by the county board. A member of a board appointed under this subdivision may be removed by the county executive or county administrator for cause.

SECTION 1899. 140.09 (3) (c) of the statutes is renumbered 140.09 (3) (c) 1 and amended to read:

140.09 (3) (c) 1. A ~~Except as provided under subd. 2,~~ a county board and a city council for a city located in a county may organize a joint city-county department of health. Such city-county health department shall be managed by a board of health consisting of 8 members. One member shall be a member of the city council and shall be appointed by the mayor or city manager with the approval of the council. One member shall be a member of the county board and shall be appointed by the chairperson of the county board with the approval of the board. Two members shall be

physicians practicing in the county selected from a list of 5 physicians furnished by the county medical society. One such\*physician shall be appointed by the chairperson of the county board with the approval of the board and one by the mayor or city manager with approval of the council. One member shall be a dentist practicing in the county and shall be appointed by the chairperson of the county board with approval of the board from a list of 3 dentists submitted by the county dental society. One member shall be a registered nurse with experience in community health practice. Two members shall be residents of the county and shall be persons of ability and known to have a broad social viewpoint and a serious interest in the health protection of the community. The chairperson of the county board, with the approval of the county board, shall appoint one such member and the mayor or city manager, with the approval of the council, shall appoint the other. The first member appointed shall hold office for one year, the ~~second~~ 2nd member for 2 years, the ~~third~~ 3rd member for 3 years, the ~~fourth~~ 4th member for 4 years, the ~~fifth~~ 5th member for 5 years, the ~~sixth~~ 6th member for one year, the ~~seventh~~ 7th member for 2 years and the ~~eighth~~ 8th member for 3 years. Their successors shall each hold office for 5 years. Terms shall begin on anniversary dates of the organization of the board of health.

SECTION 1900. 140.09 (3) (c) 2 of the statutes is created to read:

140.09 (3) (c) 2. In any county which is a member of a joint city-county department of health and which has a county executive, the county executive shall appoint the members of the board of health which the county board chairperson appoints under subd. 1, subject to confirmation by the county board. A member of a board appointed under this subdivision may be removed by the county executive for cause.

SECTION 1901. 140.09 (4) of the statutes is renumbered 140.09 (4) (a) and amended to read:

140.09 (4) (a) ~~The~~ Except as provided under par. (b), the board of health shall appoint a county health officer who shall be a licensed physician especially trained in public health administration, or in lieu thereof shall be a person, other than a physician, with training or experience in public health administration, and in either case, except in counties covered by ss. 63.01 to 63.17, said health officer shall meet training and experience requirements established by the department; provided that if the appointee is not a physician, the local board of health shall arrange for and provide in addition, such service of a licensed physician as may be necessary on either a part-time or full-time basis and provide reasonable compensation therefor. The health officer shall be appointed for a term agreed upon by the board and shall be subject to removal by a two-thirds vote of the board. The county department of health shall be under the immediate direction of the county health officer, who shall give his entire time to the work.

SECTION 1902. 140.09 (4) (b) of the statutes is created to read:

140.09 (4) (b) 1. In any county with a county executive or a county administrator which has a single county health department, the county executive or county administrator shall appoint and supervise the county health officer. The appointment is subject to confirmation by the county board unless the county board, by ordinance, elects to waive confirmation or unless the appointment is made under a civil service system competitive examination procedure established under s. 59.07 (20) or ch. 63. Such county health officer is subject only to the supervision of the county executive or the county administrator. In a county with such a county health officer, the board of health shall be only a policy-making body determining the broad outlines and principles governing the administration of the health department.

2. Notwithstanding sub. (3) (a) 1, a county health officer appointed under subd. 1 shall exercise any administrative power or duty specified for the board of health under this section and ss. 101.01 (1) (f), 101.02 (7) (a), 120.13 (11), 141.10 (1) and (4), 146.13 (1) and 146.14 (3).

SECTION 1903. 140.09 (8) of the statutes is amended to read:

140.09 (8) LOCAL EMPLOYEES. The county health officer shall appoint, subject to the approval of the county board of health, all necessary subordinate personnel except that in any county with a county executive or a county administrator, any appointment by the county health officer is not subject to the approval of the county board of health.

SECTION 1904. 140.51 of the statutes is amended to read:

**140.51 Public policy.** Since ~~ionizing~~ radiations and their sources can be instrumental in the improvement of the health and welfare of the public if properly utilized, and may be destructive or detrimental to life or health if carelessly or excessively employed or may detrimentally affect the environment of the state if improperly utilized, it is hereby declared to be the public policy of this state to encourage the constructive uses of radiation and to prohibit and prevent exposure to ~~ionizing~~ radiation in amounts which are or may be detrimental to health. It is further the policy to advise, consult and cooperate with the department of industry, labor and human relations and other agencies of the state, the federal government, other states and interstate agencies and with affected groups, political subdivisions and industries; and, in general, to conform as nearly as possible to nationally accepted standards in the promulgation and enforcement of rules.

SECTION 1905. 140.52 (3p) of the statutes is created to read:

140.52 (3p) "Nonionizing radiation" means electromagnetic radiation, other than ionizing radiation, and any sonic, ultrasonic or infrasonic wave.

SECTION 1906. 140.52 (4p) of the statutes is created to read:

140.52 (4p) "Radiation" means both ionizing and nonionizing radiation.

SECTION 1907. 140.52 (5) of the statutes is renumbered 140.52 (3g) and amended to read:

140.52 (3g) "~~Radiation~~" or "~~ionizing~~ "Ionizing radiation"" as used in this chapter refers to electromagnetic radiations such as X-rays and gamma rays, or particulate radiations such as electrons or beta particles, protons, neutrons, alpha particles, usually of high energy, but in any case it includes all radiations capable of producing ions directly or indirectly in their passage through matter.

SECTION 1908. 140.52 (8) of the statutes is amended to read:

140.52 (8) "Radioactive material" includes any solid, liquid or gaseous substance which emits ionizing radiation spontaneously.

SECTION 1909. 140.53 (1) (a) of the statutes is amended to read:

140.53 (1) (a) Formulate, adopt and enforce, amend and repeal rules, including registration of sources of ionizing radiation, as may be necessary to prohibit and prevent unnecessary radiation. Such rules may incorporate by reference the recommended standards of nationally recognized bodies in the field of radiation protection and other fields of atomic energy, under the procedure established by s. 227.025.

SECTION 1910. 140.54 (title) of the statutes is amended to read:

**140.54 (title) Registration of ionizing radiation installations.**

SECTION 1911. 140.54 (1) of the statutes is amended to read:

140.54 (1) APPLICATION. Every site in this state having an ionizing radiation installation in this state, not exempted by this section or the rules of the department shall be registered by the department by January 1, 1964, by the person in control of the an installation, including installations in sites that are administered by a state agency or in an institution under the jurisdiction of a state agency, and no such ionizing radiation installation may be operated thereafter unless the site has been duly registered by January 1 of each year and a notice of the registration is possessed by the person in control. Every site having an ionizing radiation installation established in this state after January 1, 1964 after the effective date specified in SECTION 3204 (intro.) of this act ... [revisor inserts date], shall be registered prior to its operation. The application for registration shall be made on forms provided by the department which shall be devised to obtain any information that is considered necessary for evaluation of hazards. Multiple radiation sources at a single radiation installation and under the control of one person shall be listed on a single registration form. Registration fees shall be levied in accordance with sub. (3). Registration alone shall not imply approval

of manufacture, storage, use, handling, operation or disposal of the radiation installation or radioactive materials, but shall serve merely to inform the department of the location and character of radiation sources. The department shall furnish the department of industry, labor and human relations with a copy of each amended and new registration. Persons engaged in manufacturing, demonstration, sale, testing or repair of radiation sources shall not be required to list such sources on the registration form.

SECTION 1912. 140.54 (3) (a) of the statutes is amended to read:

140.54 (3) (a) An annual registration fee under pars. (b) to (f) shall be levied ~~on every person in control of a radiation installation registering for each site registration~~ under this section. An additional penalty fee of \$10, regardless of the number of X-ray tubes, shall be required for each registration whenever the annual fee for renewal is not paid prior to expiration of the registration. No additional fee may be required for recording changes in the registration information.

SECTION 1913. 140.54 (3) (b) of the statutes is amended to read:

140.54 (3) (b) For a medical ~~X-ray facility site having an ionizing radiation installation~~ serving physicians and clinics, osteopaths and clinics, and hospitals that ~~possess one X-ray machine source, and possesses~~ radioactive materials in any quantity, the fee shall be \$40 at least \$25 for each site and at least \$30 for each additional X-ray tube ~~\$15. The maximum fee under this paragraph shall be \$150.~~

SECTION 1914. 140.54 (3) (c) of the statutes is amended to read:

140.54 (3) (c) For a chiropractic ~~X-ray facility possessing one X-ray machine source, podiatric or veterinary site having an ionizing radiation installation~~, the fee shall be \$40 at least \$25 for each site and at least \$30 for each additional X-ray tube ~~\$15. The maximum fee under this paragraph shall be \$100.~~

SECTION 1915. 140.54 (3) (d) of the statutes is amended to read:

140.54 (3) (d) ~~For Before January 1, 1986, for a dental, podiatry and veterinary X-ray facilities site having an ionizing radiation installation~~, the fee ~~for one X-ray machine source~~ shall be \$40 at least \$25 for each site and at least \$15 for each additional X-ray tube ~~\$15. The maximum fee under this paragraph shall be \$100. X-ray tube fees due on and after January 1, 1986, shall be at least \$20.~~

SECTION 1916. 140.54 (3) (e) of the statutes is repealed.

SECTION 1917. 140.54 (3) (f) of the statutes is amended to read:

140.54 (3) (f) For ~~schools, research projects and all other X-ray facilities not otherwise specified under this subsection~~, the fee ~~for one X-ray machine source~~ an industrial, school, research project or other site having an ionizing radiation installation and radioac-

tive materials in any quantity, ~~the fee shall be \$15 and at least \$25 for each site and at least \$30 for each additional X-ray tube \$10. The maximum fee under this paragraph shall be \$50.~~

SECTION 1918. 140.54 (3) (g) of the statutes is created to read:

140.54 (3) (g) Except as set forth under par. (h), the fees under this subsection shall be as stated unless the department promulgates rules to increase the annual registration fee after January 1, 1986, for a site having an ionizing radiation installation or for an X-ray tube.

SECTION 1919. 140.59 of the statutes is amended to read:

**140.59 Impounding materials.** The department or department of industry, labor and human relations may impound or order the sequestration of sources of ~~ionizing~~ radiation in the possession of any person who is not equipped to observe or who fails to observe such safety standards to protect health as may have been established by rule.

SECTION 1919m. 140.86 (2) (c) of the statutes is amended to read:

140.86 (2) (c) Of the fees collected under par. (a), \$544,800 in the fiscal year ending June 30, 1985, ~~and \$300,000~~ \$435,200 in the fiscal year ending June 30, 1986, and \$305,300 annually thereafter shall be deposited in the general fund and the balance of fee revenue deposited in the appropriation under s. 20.435 (1) (gm) for health planning and cost containment activities.

SECTION 1920. 140.86 (3) of the statutes is amended to read:

140.86 (3) EXEMPTION. The ~~central state hospital and inpatient health care facilities~~ under ss. 45.365, 48.62, 51.05, 51.06 and 149.06, and ch. 142 are exempt from this section.

SECTION 1920p. 141.01 (1r) of the statutes is created to read:

141.01 (1r) (a) Notwithstanding subs. (1) and (1m), if a county has a population of 100,000 or more and the county board of that county has by July 1, 1985, abolished a county health commission or committee, the county board shall designate a county health officer.

(b) The county health officer designated under par. (a) shall:

1. Assume the powers and duties of a local health officer under ch. 143.

2. Have jurisdiction under this chapter over the areas of the county that do not have boards of health as provided under s. 141.015, 141.02 or 141.04, except that the town, city or village that has failed to establish a board of health shall reimburse the county for the cost of services provided.

3. Meet the training and experience requirements established by the department.

(c) The county health officer designated under par. (a) may, by contract, acquire support staff to assist in



the provision of services for which provision the officer is responsible for providing under this chapter and ch. 143.

SECTION 1920t. 141.01 (1r) of the statutes, as created by 1985 Wisconsin Act .... (this act), is repealed.

SECTION 1921. 141.01 (2) (c) of the statutes is renumbered 141.01 (2) (c) 1 and amended to read:

141.01 (2) (c) 1. The Except as provided under subd. 2, appointments shall be made by the chairperson of the county board shall appoint the county health commission.

SECTION 1922. 141.01 (2) (c) 2 of the statutes is created to read:

141.01 (2) (c) 2. In any county with a county executive or county administrator, the county executive or county administrator shall appoint the county health commission, subject to confirmation by the county board. A commission appointed under this subdivision shall exercise only the policy-making functions specified for the commission under this section. A member of a commission appointed under this subdivision may be removed by the county executive or county administrator for cause.

SECTION 1923. 141.01 (3) (a) of the statutes is renumbered 141.01 (3) (a) 1 and amended to read:

141.01 (3) (a) 1. Unless Except as provided under subd. 2, or unless the manner of appointment is otherwise provided for by ordinance, the commission shall elect a chairperson and shall designate a qualified public health professional, as specified by the department by rule, to fulfill the requirements of a local health officer under ch. 143 and a public health nurse to conduct general public health nursing programs under the direction of the commission and in cooperation with the department. The commission shall also designate a qualified public health professional, as specified by the department by rule, for the purposes of environmental sanitation and other public health programs not specifically designated by statute as functions of the public health nurse. The commission may employ one or more sanitarians under s. 140.45 (3) and shall coordinate the activities of any sanitarian employed by the county board. The commission is not required to designate different persons to perform these functions. The commission may arrange for the provision of services of a physician as necessary and may provide reasonable compensation therefor.

SECTION 1924. 141.01 (3) (a) 2 of the statutes is created to read:

141.01 (3) (a) 2. Notwithstanding subd. 1 and sub. (10), in any county with a county executive or a county administrator, the county executive or the county administrator shall appoint and supervise the officers designated by the county health commission under subd. 1. The appointments are subject to confirmation by the county board unless the county board, by ordinance, elects to waive confirmation or unless the appointments are made under a civil service

system competitive examination procedure established under s. 59.07 (20) or ch. 63. Such health officers shall exercise any administrative power or duty specified for the commission under this section and ss. 101.01 (1) (f), 101.02 (7) (a), 120.13 (11), 141.10 (1) and (4), 146.13 (1) and 146.14 (3). Such health officers are subject only to the supervision of the county executive or the county administrator and the commission in a county with such health officers shall be only a policy-making body determining the broad outlines and principles governing the administration of county health programs.

SECTION 1924p. 141.01 (9m) of the statutes is created to read:

141.01 (9m) If a county has a population of 100,000 or more and the county board of that county has by July 1, 1985, abolished a county health commission or committee, every town board of a town in that county may organize as a board of health or appoint wholly or partially from its own members, a suitable number of competent persons as a board of health for the town. The board of health shall elect a chairman, a clerk and a health officer who shall be a member of the board with voting power and its executive officer and take the oath of office. Except as provided in sub. (6) (d), the town board of health has the powers and duties authorized for the county health commission in this section. Notwithstanding s. 141.015 (13), the person elected as health officer shall be a person licensed as a physician under ch. 448 or a person certified as a registered nurse under ch. 441.

SECTION 1924t. 141.01 (9m) of the statutes, as created by 1985 Wisconsin Act .... (this act), is repealed.

SECTION 1925m. 141.01 (10) of the statutes is amended to read:

141.01 (10) A county health committee created under this section shall consist of 5 or more members appointed by the chairperson of the county board, at least 3 of whom shall be county supervisors. The Except as provided under sub. (3) (a) 2, the committee may employ one or more persons designated under sub. (3) (a), who shall have the powers and duties specified for a commission in subs. (1) and (3) to (7).

SECTION 1927. 141.015 (4) of the statutes is amended to read:

141.015 (4) Unless the manner of appointment is otherwise provided for by ordinance, the board of health shall elect a chairman, a clerk and a health officer who shall be a member of the board and its executive officer and take the oath of office. If a vacancy in the position of health officer occurs, the board of health shall immediately fill the position. The board shall immediately report to the department and the county health commission or committee and the department except that in a county with a county executive or county administrator and a single county health department, to the head of the health department, the names, post-office addresses and occupa-

tions of the officers thereof, and any changes therein. The health officer shall receive an annual salary to be fixed by the city council or the village board and shall be reimbursed for actual and necessary expenses. If the appointee is not a physician, the board of health shall arrange for and provide in addition such services of a physician as may be necessary on either a part-time or full-time basis and provide reasonable compensation therefor.

SECTION 1928m. 141.015 (12) of the statutes is repealed.

SECTION 1928r. 141.015 (13m) of the statutes is created to read:

141.015 (13m) Notwithstanding sub. (13), for a village or city in a county that has a population of 100,000 or more and whose county board has by July 1, 1985, abolished a county health commission or committee, the health officer shall be a person licensed as a physician under ch. 448 or a person certified as a registered nurse under ch. 441.

SECTION 1928w. 141.015 (13m) of the statutes, as created by 1985 Wisconsin Act .... (this act), is repealed.

SECTION 1929. 141.015 (14) of the statutes is amended to read:

141.015 (14) No part of any expense incurred by a county health commission or health officer appointed under s. 141.01 (3), shall be levied against any property in any city or village which operates its own board of health or has a health officer or provides health services jointly with another city or village under s. 141.04.

SECTION 1929g. 141.02 (2m) of the statutes is created to read:

141.02 (2m) Notwithstanding sub. (2), for a city in a county that has a population of 100,000 or more and whose county board has by July 1, 1985, abolished a county health commission or committee, the health officer appointed under sub. (2) shall be a person licensed as a physician under ch. 448 or a person certified as a registered nurse under ch. 441.

SECTION 1929r. 141.02 (2m) of the statutes, as created by 1985 Wisconsin Act .... (this act), is repealed.

SECTION 1930. 142.07 (4) (b) of the statutes is repealed.

SECTION 1931. 142.10 of the statutes is repealed.

SECTION 1931h. 143.01 (1) of the statutes is amended to read:

143.01 (1) "Local health officer" means a health officer designated under s. 140.09, 141.01 (9), 141.015, 141.02 ~~or~~, 141.04 or a qualified public health professional designated under s. 141.01 (1m), (3) (a) or (10), except that in a county identified under s. 141.01 (1r) (a) the "local health officer" means only the person designated by the county under s. 141.01 (1r) (a).

SECTION 1931k. 143.01 (1) of the statutes, as affected by 1985 Wisconsin Act .... (this act), is amended to read:

143.01 (1) "Local health officer" means a health officer designated under s. 140.09, 141.01 (9), 141.015, 141.02, or 141.04 or a qualified public health professional designated under s. 141.01 (1m), (3) (a) or (10), ~~except that in a county identified under s. 141.01 (1r) (a) the "local health officer" means only the person designated by the county under s. 141.01 (1r) (a).~~

SECTION 1931o. 144.027 (1) (intro.) of the statutes is amended to read:

144.027 (1) DEFINITIONS. (intro.) In this section and in s. 144.028:

SECTION 1931q. 144.027 (2) (d) of the statutes is created to read:

144.027 (2) (d) Establish casing depth and other construction requirements for a new or reconstructed private water supply.

SECTION 1932a. 144.027 (3) (c) of the statutes is repealed.

SECTION 1932b. 144.027 (5) (f) and (g) of the statutes are created to read:

144.027 (5) (f) The department shall allocate money for the payment of claims according to the order in which completed claims are received. The department may conditionally approve a completed claim even if the appropriations under s. 20.370 (2) (eb) and (eg) are insufficient to pay the claim. The department shall allocate money for the payment of a claim which is conditionally approved as soon as funds become available.

(g) The department may deny a claim if, under s. 144.028, the department has issued a preliminary determination of eligibility or has issued a municipal grant award to the municipality in which the contaminated private water supply is located, and the municipality agrees to provide a municipal water supply to replace the contaminated private water supply. The department may delay the approval of a claim if the department determines that a municipal water supply may be the most feasible solution to the problem of contaminated private water supplies in the area.

SECTION 1932d. 144.027 (7) (intro.) of the statutes is amended to read:

144.027 (7) PURPOSE AND AMOUNT OF AWARD. (intro.) If the department finds that the claimant meets all the requirements of this section and rules promulgated under this section and that the private water supply is contaminated, the department shall issue an award. The award may not pay more than 80% of the eligible costs. ~~This percentage may be reduced under sub. (10) (d).~~ The award may not pay any portion of eligible costs in excess of \$12,000. Eligible costs include the following items only:

SECTION 1932q. 144.027 (7) (b) 4 of the statutes is amended to read:

144.027 (7) (b) 4. Providing a connection to for a public water supply to replace the private water supply including costs related to connection to the public water supply and costs related to special assessments and one-time municipal charges for capital improvements and services involved in providing the public water supply; or

SECTION 1932qm. 144.027 (7) (e) of the statutes is amended to read:

144.027 (7) (e) Purchasing and installing a pump, if a ~~larger new pump~~ is necessary ~~due to the greater depth of a for the~~ new or reconstructed private water supply; and

SECTION 1932r. 144.027 (10) (c) of the statutes is repealed and recreated to read:

144.027 (10) (c) The department shall pay each claim within 30 days after a completed payment request is submitted. The department shall pay eligible costs under sub. (7) based upon cost tables and rules promulgated under sub. (11) (c).

SECTION 1932rb. 144.027 (10) (d) of the statutes is repealed.

SECTION 1932sa. 144.027 (11) (am) of the statutes is created to read:

144.027 (11) (am) *Emergency*. Notwithstanding par. (a) 3, the department may authorize expenditures before a claim is submitted if the department determines that an emergency situation exists. The department shall establish standards and procedures for the payment of claims in emergency situations.

SECTION 1932sc. 144.027 (11) (b) 1 of the statutes is amended to read:

144.027 (11) (b) 1. An award may be issued for purchasing and installing a pump ~~only if a larger pump is necessary because for~~ the new or reconstructed private water supply ~~is deeper than the contaminated private water supply~~.

SECTION 1932se. 144.027 (11) (b) 4 of the statutes is repealed and recreated to read:

144.027 (11) (b) 4. An award may not be issued for the reimbursement of costs of an alternative water supply incurred before the department confirmed that contamination existed.

SECTION 1932sg. 144.027 (12) of the statutes is renumbered 144.027 (12) (intro.) and amended to read:

144.027 (12) RECONSTRUCTION OR REPLACEMENT OF WELLS. (intro.) If the department determines that the claimant is entitled to compensation for reconstruction of a private water supply or construction of a new private water supply, the department may issue the award only if the all of the following conditions are satisfied:

(a) The well complies with casing depth and other construction requirements established by the department.

(b) If the well is a drilled well, it is constructed by a well driller licensed under ch. 162 or, if the well is a

sandpoint well, it is constructed by a well driller or pump installer licensed under ch. 162.

SECTION 1932si. 144.027 (14) of the statutes is renumbered 144.027 (14) (b) and amended to read:

144.027 (14) (b) (title) *Failure to eliminate contamination*. 1. A claimant who receives an award for the purpose of constructing or reconstructing a private water supply or connection to a private water supply may submit a new claim if the contamination is not eliminated and, if the award was for a new or reconstructed private water supply, the well was constructed properly.

2. Only one additional claim may be submitted under this ~~subsection~~ paragraph within 10 years after an award is made.

SECTION 1932sk. 144.027 (14) (a) of the statutes is created to read:

144.027 (14) (a) *New contamination*. A claimant who receives an award for the purpose of constructing or reconstructing a private water supply or connection to a private water supply may submit a new claim if the contamination is from a new source and, if the previous award was for a new or reconstructed private water supply, the well was constructed properly.

SECTION 1932sm. 144.027 (16) (d) of the statutes is amended to read:

144.027 (16) (d) The state is subrogated to the rights of a claimant who obtains an award under this section in an amount equal to the award. All moneys recovered under this paragraph shall be credited to the appropriation under s. 20.370 (2) (eg).

SECTION 1932u. 144.028 of the statutes is created to read:

**144.028 Municipal water supply grants; service to replace contaminated wells.** (1) APPLICATION. A municipality may apply to the department for a municipal water supply grant if all of the following conditions are satisfied:

(a) Three or more private water supplies in the area to be served by the municipality are contaminated.

(b) The municipality agrees to provide a municipal water supply to replace contaminated private water supplies.

(2) PRELIMINARY DETERMINATION OF ELIGIBILITY. (a) Within 30 days after receipt of an application under sub. (1), the department shall hold a public hearing in the area proposed to be served to allow each person having a contaminated private water supply to comment on the municipality's proposal. The department shall notify, by 1st class mail, each person whose private water supply has been determined to be contaminated of the date, time and place of the public hearing.

(b) If the department determines that the conditions under sub. (1) are satisfied and that a municipal water supply is the most feasible solution to the problem of contaminated private water supplies in that area, the department may issue a preliminary determination of eligibility. In determining feasibility, the

department shall consider the risk of future contamination to private water supplies, the cost of the project in relation to the cost of replacing private wells, the speed with which the municipality can construct a municipal water supply, the projected residential and industrial need for water in the area and the auxiliary benefits of a municipal water supply, including fire protection benefits.

(c) The department may withdraw a preliminary determination of eligibility if it determines that the municipality is not proceeding expeditiously with the design and construction of a municipal water supply.

(3) MUNICIPAL WATER SUPPLY GRANTS; ELIGIBLE COSTS. The department shall establish standards and procedures for the issuance of municipal water supply grants. A grant may not exceed 60% of the cost to provide the municipal water supply to the contaminated area, to provide tests and to provide an alternate water supply. Eligible costs to provide a municipal water supply include the municipality's direct capital costs, costs of connection to the municipal water supply and associated costs related to the abandonment of a contaminated private well. Eligible testing costs include the cost of providing for or reimbursing the cost of not more than 2 tests for each private water supply to determine if it is contaminated, using procedures and standards under s. 144.027 (6). Eligible alternate water supply costs include the cost of providing an alternate water supply for persons from the date that contamination was confirmed by the municipality to the time the municipal water supply is available.

(4) PAYMENT. The department shall allocate money for the payment of grants according to the order in which completed applications are received. The department may conditionally approve a completed application even if the appropriations under s. 20.370 (2) (eb) and (eg) are insufficient to pay the grant. The department shall allocate money for the payment of a grant which is conditionally approved as soon as funds become available.

SECTION 1933. 144.235 (2) (title) of the statutes is amended to read:

144.235 (2) (title) STATE WATER QUALITY PLANNING ASSISTANCE PROGRAM.

SECTION 1934. 144.235 (2) (b) and (c) of the statutes are repealed and recreated to read:

144.235 (2) (b) The department shall establish grant eligibility criteria for designated planning agencies seeking state assistance for water quality planning activities. The department shall consider the capacity of an agency to conduct areawide planning activities in establishing these eligibility criteria.

(c) A designated planning agency may receive state assistance to conduct water quality planning activities if:

1. The designated planning agency agrees to provide planning matching funds. At a minimum, the department shall require the designated planning

agency to agree to provide planning matching funds in an amount equal to the state assistance. The department may require the designated planning agency to agree to provide local matching funds in a higher amount.

2. The designated planning agency meets all grant eligibility criteria.

SECTION 1935. 144.24 (4) (b) of the statutes is amended to read:

144.24 (4) (b) 1. Eligible projects relating to collection systems include only collection systems in unsewered municipalities which are constructing a new wastewater treatment plant and collection system rehabilitation which is necessary to maintain the total integrity of a sewerage system.

2. Funding may not be provided for that portion of any project related to industrial capacity that is defined under ~~the federal act 33 USC 1284 (b) (1), as amended on May 16, 1978, as subject to industrial cost recovery.~~ Notwithstanding the federal act and regulations promulgated under that act, the state program does not require an industrial cost recovery system.

3. The amount of reserve capacity for treatment works eligible for grant assistance is limited to that future capacity required to serve the users of the treatment works expected to exist within the service area of the project 10 years from the time the treatment works are estimated to become operational or ~~June 30, 1985,~~ in the case of interceptor sewers and associated appurtenances, the estimated date of operation. The department, in consultation with the demographic services center in the department of administration under s. 16.96, shall promulgate rules defining procedures for projecting population used in determining the amount of reserve capacity. ~~Notwithstanding the federal act and the rules promulgated thereunder, the state program shall not require an industrial cost recovery system.~~

SECTION 1935m. 144.24 (4) (c) 4 of the statutes is amended to read:

144.24 (4) (c) 4. Engineering design cost grants made from the ~~appropriation~~ appropriations under ~~s. 20.370 (4) (df) and 20.866 (2) (tn)~~ shall be awarded at the time a construction grant is awarded and may be awarded only if an advance commitment for reimbursement is made under sub. (9m).

SECTION 1936g. 144.24 (7) (c) of the statutes is renumbered 144.24 (7) (c) 1 and amended to read:

144.24 (7) (c) 1. Metropolitan sewerage districts that serve 1st class cities are limited in each fiscal year to receiving total grant awards not to exceed 33% of the sum of the amounts in the schedule for that fiscal year for the appropriations under s. 20.370 (4) ~~(db)~~ (cb) and ~~(de)~~ (cf) and the amount authorized under sub. (10) for that fiscal year plus the unencumbered balances at the end of the preceding fiscal year for those appropriations and that authorization. This

subdivision is not applicable to grant awards provided during fiscal years 1985-86 and 1986-87.

SECTION 1936r. 144.24 (7) (c) 2 of the statutes is created to read:

144.24 (7) (c) 2. Metropolitan sewerage districts that serve 1st class cities are limited to new project grant awards of not more than \$29,900,000 in fiscal year 1985-86 and of not more than \$35,300,000 in fiscal year 1986-87 from the amounts authorized under sub. (10), plus any unallocated balances from the previous fiscal year which the department determines, in accordance with its rules establishing a priority funding list under sub. (6), will be available for obligation during the succeeding fiscal year.

SECTION 1937. 144.24 (9) (c) of the statutes is amended to read:

144.24 (9) (c) The maximum ~~amount~~ of state assistance the department may commit in each fiscal year for future reimbursement under this subsection is ~~110% of an amount equal to the amount authorized under sub. (10) for that fiscal year.~~

SECTION 1938. 144.24 (10) of the statutes is amended to read:

144.24 (10) EXPENDITURE AUTHORIZATION. The From the appropriations under ss. 20.370 (4) (df) and 20.866 (2) (tn), the department is authorized an additional \$92,731,700 \$49,400,000 in fiscal year 1983-84, 1985-86 and an additional \$103,104,900 \$62,800,000 in fiscal year 1984-85 and an additional amount equal to \$103,104,900 plus 10% compounded annually in each fiscal year after 1984-85 through fiscal year 1986-87 for new grants under this section for engineering design costs, construction costs and other costs which can be funded from bond revenue.

SECTION 1938m. 144.242 (4) (b) of the statutes is amended to read:

144.242 (4) (b) *Eligible projects.* Only a project for construction necessary to abate combined sewer overflows identified in department-approved facilities plans as cost-effective and reasonably necessary for water quality improvements is eligible for financial assistance under the combined sewer overflow abatement financial assistance program, except that the department need not determine the cost-effectiveness of projects performed under a contract awarded under s. 66.905.

SECTION 1939b. 144.242 (9) of the statutes is repealed.

SECTION 1939e. 144.245 (title) of the statutes is amended to read:

**144.245 (title) Private sewage system replacement or rehabilitation.**

SECTION 1939m. 144.245 (1) (a) of the statutes is amended to read:

144.245 (1) (a) "Governmental unit" means a governmental unit responsible for the regulation of private sewage systems, as defined under s. 145.01 (5).

"Governmental unit" also includes a federally recognized American Indian tribe or band.

SECTION 1939s. 144.245 (1) (am) of the statutes is created to read:

144.245 (1) (am) "Indian lands" means lands owned by the United States and held for the use or benefit of Indian tribes or bands or individual Indians and lands within the boundaries of a federally recognized reservation that are owned by Indian tribes or bands or individual Indians.

SECTION 1940. 144.245 (1) (c) of the statutes is amended to read:

144.245 (1) (c) "Principal residence" means a residence which is occupied at least 51% of the year by ~~an individual, a family or household~~ the owner.

SECTION 1941c. 144.245 (4) (a) of the statutes is renumbered 144.245 (4) (e).

SECTION 1941g. 144.245 (4) (b) of the statutes is renumbered 144.245 (4) (d) and amended to read:

144.245 (4) (d) The discharge of sewage to the surface of the ground ~~or to a drain tile.~~

SECTION 1941n. 144.245 (4) (c) of the statutes is renumbered 144.245 (4) (a) and amended to read:

144.245 (4) (a) The discharge of sewage ~~to any waters of the state~~ into surface water or groundwater.

SECTION 1941r. 144.245 (4) (c) of the statutes is created to read:

144.245 (4) (c) The discharge of sewage to a drain tile or into zones of bedrock.

SECTION 1941w. 144.245 (4) (d) of the statutes is renumbered 144.245 (4) (b).

SECTION 1941y. 144.245 (4m) of the statutes is created to read:

144.245 (4m) CATEGORIES OF FAILING PRIVATE SEWAGE SYSTEMS. For the purposes of this section, the department shall establish the category of each failing private sewage system for which a grant application is submitted, as follows:

(a) Category 1: failing private sewage systems described in sub. (4) (a) to (c).

(b) Category 2: failing private sewage systems described in sub. (4) (d).

(c) Category 3: failing private sewage systems described in sub. (4) (e).

SECTION 1942. 144.245 (5) (a) 1 of the statutes is amended to read:

144.245 (5) (a) 1. A person ~~who is eligible for grant funds under this section if he or she owns a principal residence which is served by a category 1 or 2 failing private sewage system and which, if the residence was constructed prior to and inhabited on July 1, 1978, is eligible for grant funds under this section if the family income of the person does not exceed the income limitations under par. (c), if the residence is not located in an area served by a sewer and if a written enforcement order was issued under s. 144.025 (2) (d), 145.02 (3) (f)~~

or 145.20 (2) (f) or a written enforcement order under s. 146.13 was issued by a governmental unit.

SECTION 1943m. 144.245 (5) (a) 2 of the statutes is amended to read:

144.245 (5) (a) 2. A business ~~which is eligible for grant funds under this section if it owns a small commercial establishment which is served by a category 1 or 2 failing private sewage system and which, if the small commercial establishment was constructed prior to July 1, 1978, is eligible for grant funds under this section if the income of the business does not exceed the income limitations under par. (d), if the small commercial establishment is not located in an area served by a sewer and if a written enforcement order was issued under s. 144.025 (2) (d), 145.02 (3) (f) or 145.20 (2) (f) or a written enforcement order was issued under s. 146.13 by a governmental unit.~~

SECTION 1944m. 144.245 (5) (a) 3 of the statutes is amended to read:

144.245 (5) (a) 3. A person who owns a principal residence ~~or small commercial establishment~~ which is served by a private sewage system subject to a written enforcement order ~~is eligible~~ may submit an application for grant funds during the ~~5-year~~ 3-year period after the order is issued ~~if the governmental unit submits an application and requests payment for the project prior to the end of this 5-year period.~~ Grant funds may be awarded after work is completed if rehabilitation or replacement of the system meets all requirements of this section and rules promulgated under this section.

SECTION 1946. 144.245 (5) (c) 1 of the statutes is amended to read:

144.245 (5) (c) 1. In order to be eligible for grant funds under this section, the annual family income of the person who owns the principal residence may not exceed ~~\$27,000~~ \$32,000 or 125% of the county median income for the county in which the residence is located, whichever is greater.

SECTION 1947. 144.245 (5) (c) 2 of the statutes is amended to read:

144.245 (5) (c) 2. Except as provided under subd. 4, annual family income shall be based upon the taxable adjusted gross income of the owner and the owner's spouse, if any, as computed for ~~federal~~ Wisconsin income tax purposes for the taxable year prior to the year of the enforcement order. The county median income shall be determined based upon the most recent tables statistics published ~~in the federal register~~ by the federal department of housing and urban development ~~on December 31 of~~ for the year prior to the year of the enforcement order.

SECTION 1947m. 144.245 (5) (c) 3 of the statutes is amended to read:

144.245 (5) (c) 3. In order to be eligible for grant funds under this section, a person shall submit a copy of ~~his or her federal~~ the designated income tax ~~return~~ returns for the taxable year prior to the year of the enforcement order ~~and, if married and filing sepa-~~

~~rately, a copy of his or her spouse's federal income tax return for that year together with any application required by the governmental unit. For taxable year 1985 and earlier, the person shall submit a copy of his or her individual or combined Wisconsin income tax return. For taxable year 1986 and thereafter, the person shall submit a copy of his or her joint Wisconsin income tax return or, if filing separately, his or her separate Wisconsin income tax return and the separate Wisconsin income tax return of his or her spouse, if any.~~

SECTION 1948. 144.245 (5) (c) 4 of the statutes is amended to read:

144.245 (5) (c) 4. A governmental unit may disregard the ~~federal~~ Wisconsin income tax return for the taxable year prior to the year of the enforcement order and may determine annual family income based upon satisfactory evidence of taxable adjusted gross income or projected taxable income of the owner and the owner's spouse in the current year. The department shall promulgate rules establishing criteria for determining what constitutes satisfactory evidence of taxable adjusted gross income or projected taxable adjusted gross income in a current year.

SECTION 1948e. 144.245 (5) (d) 1 of the statutes is amended to read:

144.245 (5) (d) 1. In order to be eligible for grant funds under this section, the annual income of the business which owns the small commercial establishment may not exceed ~~\$27,000~~ \$32,000 or 125% of the county median income for the county in which the small commercial establishment is located, whichever is greater.

SECTION 1948h. 144.245 (5) (d) 2 of the statutes is amended to read:

144.245 (5) (d) 2. Except as provided under subd. 4, annual income shall be based upon the ~~adjusted gross net~~ adjusted gross net income of the business as computed for ~~federal~~ Wisconsin income tax purposes for the taxable year prior to the year of the enforcement order. The county median income shall be determined based upon the most recent tables statistics published ~~in federal register~~ by the federal department of housing and urban development ~~on December 31 of~~ for the year prior to the year of the enforcement order.

SECTION 1948L. 144.245 (5) (d) 3 of the statutes is amended to read:

144.245 (5) (d) 3. In order to be eligible for grant funds under this section, a business shall submit a copy of the business' ~~federal~~ Wisconsin income tax return for the taxable year prior to the year of the enforcement order together with any application required by the governmental unit.

SECTION 1948o. 144.245 (5) (d) 4 of the statutes is amended to read:

144.245 (5) (d) 4. A governmental unit may disregard the ~~federal~~ Wisconsin income tax return for the taxable year prior to the year of the enforcement order

and may determine annual income based upon satisfactory evidence of ~~adjusted gross net~~ income or projected ~~adjusted gross net~~ income of the business in the current year. The department shall promulgate rules establishing criteria for determining what constitutes satisfactory evidence of ~~adjusted gross net~~ income or projected ~~adjusted gross net~~ income in a current year.

SECTION 1948r. 144.245 (5) (e) of the statutes is created to read:

144.245 (5) (e) The department of revenue shall, upon request by the department, verify the income information submitted by an applicant or grant recipient.

SECTION 1948u. 144.245 (5m) of the statutes is created to read:

144.245 (5m) DENIAL OF APPLICATION. The department or a governmental unit shall deny a grant application under this section if the applicant or a person who would be directly benefitted by the grant intentionally caused the conditions which resulted in a category 1 or 2 failing private sewage system. The department or governmental unit shall notify the applicant in writing of a denial, including the reason for the denial.

SECTION 1948y. 144.245 (6) of the statutes is amended to read:

144.245 (6) USE OF FUNDS. Funds available under a grant under this section shall be applied to the rehabilitation or replacement of the private ~~domestic~~ sewage system. An existing private sewage system may be replaced by an alternative private sewage system or by a system serving more than one principal residence.

SECTION 1951m. 144.245 (8) of the statutes is renumbered 144.245 (8) (a) and amended to read:

144.245 (8) (a) In order to be eligible for a grant under this section, a governmental unit shall make an application for replacement or rehabilitation of private sewage systems of principal residences or small commercial establishments and shall submit an application for participation to the department. The application shall be in the form and include the information the department prescribes. In order to be eligible for funds available in a fiscal year, an application is required to be received by the department prior to ~~the~~ end June 1 of the previous fiscal year.

SECTION 1951p. 144.245 (8) (b) of the statutes is created to read:

144.245 (8) (b) An American Indian tribe or band may submit an application for participation for any Indian lands under its jurisdiction.

SECTION 1952c. 144.245 (9) (g) of the statutes is amended to read:

144.245 (9) (g) Establish a system, ~~by resolution of the governing body of that governmental unit,~~ which provides for the equitable distribution of grant funds received among ~~the owners of eligible private sewage systems. This system shall be based on eligibility criteria established under sub. (5). This system shall pro-~~

~~vide that eligible owners of private sewage systems who are denied grants in one fiscal year receive first priority in the next fiscal year eligible applicants based on the amount requested in the application as approved by the department. If the amount received by a county is insufficient to fully fund all grants, the county shall prorate grant funds on the same basis as sub. (11m).~~

SECTION 1952g. 144.245 (11) (a) of the statutes is repealed.

SECTION 1952n. 144.245 (11) (b) of the statutes is amended to read:

144.245 (11) (b) *Determination of eligible applications.* At the beginning of each fiscal year the department shall determine the ~~number of~~ state grant share for applications from eligible owners received by participating governmental units. The department may revise this determination if a governmental unit does not meet the conditions specified under sub. (9) or if it determines that individuals do not meet eligibility requirements under sub. (5).

SECTION 1952r. 144.245 (11) (c) of the statutes is amended to read:

144.245 (11) (c) *Allocation.* The department shall allocate available funds for grants to each participating governmental unit according to the ~~number of total amount of the state grant share for all eligible applications received by that governmental unit. The department may prorate available funds on this basis if these funds are not sufficient to fully fund all applications.~~

SECTION 1952w. 144.245 (11m) of the statutes is created to read:

144.245 (11m) PRORATING. (a) The department shall prorate available funds under this subsection if funds are not sufficient to fully fund all applications. A prorated payment shall be deemed full payment of the grant.

(b) If funds are sufficient to fully fund all category 1 but not all category 2 failing private sewage systems, the department shall fully fund all category 1 systems and prorate the funds for category 2 systems on a proportional basis.

(c) If funds are not sufficient to fully fund all category 1 failing private sewage systems, the department shall fund the category 1 systems on a proportional basis and deny the grant applications for all category 2 systems.

SECTION 1954. 144.25 (10) of the statutes is created to read:

144.25 (10) To the greatest extent practicable, the department, the department of agriculture, trade and consumer protection and the administering and implementing county, city or village shall encourage and utilize the Wisconsin conservation corps for appropriate projects.

SECTION 1954m. 144.44 (7) (c) of the statutes is amended to read:

144.44 (7) (c) *Exemption from licensing; development of improved methods.* The department may exempt by rule specified solid wastes or specified facilities from licensing as solid waste facilities if it finds that regulation under this section would discourage the development of improved methods of solid waste disposal, including the landspreading of sludges, or would not be warranted, in light of the potential hazard to public health or the environment. If an application for an exemption relates to the disposal of foundry sands, fly ash, bottom ash and paper mill sludge, the department shall respond to the application within 90 days.

SECTION 1954mi. 144.441 (3) (b) of the statutes is amended to read:

144.441 (3) (b) *Exemption from tonnage fees; certain materials used in the operation of the facility.* Solid waste materials approved by the department for lining, daily cover or capping or for constructing berms, dikes or roads within a solid waste disposal facility are not subject to the tonnage fee imposed under par. (a).

SECTION 1954mj. 144.441 (7) (b) of the statutes is amended to read:

144.441 (7) (b) *Collection.* The owner or operator of a licensed solid or hazardous waste disposal facility shall collect the groundwater fee from the generator, a person who arranges for disposal on behalf of one or more generators or an intermediate hauler and shall pay the fees collected to the department the amount of the fees required to be collected according to the amount of solid or hazardous waste received and disposed of at the facility during the preceding reporting period.

SECTION 1954mk. 144.441 (7) (f) of the statutes is amended to read:

144.441 (7) (f) *Exemption from groundwater fee; certain materials used in operation of the facility.* Solid waste materials approved by the department for lining, daily cover or capping or for constructing berms, dikes or roads within a solid waste disposal facility are not subject to the groundwater fee imposed under par. (a).

SECTION 1955g. 144.441 (7) (i) of the statutes is created to read:

144.441 (7) (i) *Failure to pay groundwater fee.* 1. If a person required under par. (a) to pay a groundwater fee to a licensed solid or hazardous waste disposal facility fails to pay the fee, the owner or operator of the licensed solid or hazardous waste disposal facility shall submit to the department with the payment required under par. (b) an affidavit stating facts sufficient to show the person's failure to comply with par. (a).

2. If the person named in the affidavit under subd. 1 is a generator or a person who arranges for collection or disposal services on behalf of one or more generators and the person holds a license for the collection and transportation of solid or hazardous waste, the department shall immediately notify the person that

the license will be suspended 30 days after the date the notice is mailed unless the person submits to the department an affidavit stating facts sufficient to show that it has paid the fee as required under par. (a).

3. If the person named in the affidavit under subd. 1 is an intermediate hauler that holds a license for the collection and transportation of solid or hazardous waste, the department shall immediately notify the person that the license will be suspended 30 days after the date the notice is mailed unless the person submits to the department an affidavit stating facts sufficient to show that either of the following has occurred:

a. The person named in the affidavit under subd. 1 received the required fee from a generator, from a person who arranges for collection or disposal services on behalf of one or more generators or from an earlier intermediate hauler, and paid the fee to the licensed solid or hazardous waste disposal facility or to a subsequent intermediate hauler.

b. A generator, a person who arranges for collection or disposal services on behalf of one or more generators or an earlier intermediate hauler failed to pay the required fees to the person named in the affidavit under subd. 1.

4. If the department does not receive an affidavit under subd. 2 or 3 within 30 days after the date the notice is mailed, the department shall suspend the license issued to the person for the collection and transportation of solid or hazardous waste. Notwithstanding s. 227.064, the department is not required to provide the licensee with a hearing before the suspension.

5. When a person whose license is suspended under subd. 4 provides the department with proof that the person has paid the owner or operator of the licensed solid or hazardous waste facility the amount of the unpaid fee, the department shall immediately reinstate the suspended license.

SECTION 1955m. 144.442 (1m) of the statutes is created to read:

144.442 (1m) ENVIRONMENTAL REPAIR FEE FOR GENERATORS. (a) *Imposition of fee.* Except as provided under par. (f), a generator of solid or hazardous waste shall pay an environmental repair fee for each ton or equivalent volume of solid or hazardous waste which is disposed of at a licensed solid or hazardous waste disposal facility. If a person arranges for collection or disposal services on behalf of one or more generators, that person shall pay the environmental repair fee to the licensed solid or hazardous waste disposal facility or to any intermediate hauler used to transfer wastes from collection points to a licensed facility. An intermediate hauler who receives environmental repair fees under this paragraph shall pay the fees to the licensed solid or hazardous waste disposal facility. Tonnage or equivalent volume shall be calculated in the same manner as the calculation made for tonnage fees under s. 144.441 (3).



(b) *Collection.* The owner or operator of a licensed solid or hazardous waste disposal facility shall collect the environmental repair fee from the generator, a person who arranges for disposal on behalf of one or more generators or an intermediate hauler and shall pay to the department the amount of the fees required to be collected according to the amount of solid or hazardous waste received and disposed of at the facility during the preceding reporting period.

(c) *Amount of environmental repair fee.* Except as provided under par. (d), the environmental repair fee imposed under par. (a) is 10 cents per ton for solid or hazardous waste. This paragraph applies to solid and hazardous waste received by a licensed solid or hazardous waste disposal facility from January 1, 1985, to December 31, 1985.

(cm) *Amount of environmental repair fee.* Except as provided under par. (d), the environmental repair fee imposed under par. (a) is 15 cents per ton for solid or hazardous waste. This paragraph applies to solid and hazardous waste received by a licensed solid or hazardous waste disposal facility after December 31, 1985.

(d) *Amount of environmental repair fee; prospecting or mining waste.* The environmental repair fee imposed under par. (a) is one cent per ton for prospecting or mining waste, including tailing solids, sludge or waste rock.

(e) *In addition to other fees.* The environmental repair fee collected and paid under par. (b) is in addition to the base fee imposed under sub. (2), the surcharge imposed under sub. (3), the tonnage fee imposed under s. 144.441 (3), the waste management base fee imposed under s. 144.441 (5) and the groundwater fee imposed under s. 144.441 (7).

(f) *Exemption from environmental repair fee; certain materials used in operation of the facility.* Solid waste materials approved by the department for lining, daily cover or capping or for constructing berms, dikes or roads within a solid waste disposal facility are not subject to the environmental repair fee imposed under par. (a).

(g) *Reporting period.* The reporting period under this subsection is the same as the reporting period under s. 144.441 (3). The owner or operator of any licensed solid or hazardous waste disposal facility shall pay environmental repair fees required to be collected under par. (b) at the same time as any tonnage fees under s. 144.441 (3) and the waste management base fee under s. 144.441 (5) are paid.

(h) *Use of environmental repair fee.* The fees collected under par. (b) shall be credited to the environmental repair fund.

(i) *Failure to pay environmental repair fee.* 1. If a person required under par. (a) to pay an environmental repair fee to a licensed solid or hazardous waste disposal facility fails to pay the fee, the owner or operator of the licensed solid or hazardous waste disposal facility shall submit to the department with the pay-

ment required under par. (b) an affidavit stating facts sufficient to show the person's failure to comply with par. (a).

2. If the person named in the affidavit under subd. 1 is a generator or a person who arranges for collection or disposal services on behalf of one or more generators and the person holds a license for the collection and transportation of solid or hazardous waste, the department shall immediately notify the person that the license will be suspended 30 days after the date the notice is mailed unless the person submits to the department an affidavit stating facts sufficient to show that it has paid the fee as required under par. (a).

3. If the person named in the affidavit under subd. 1 is an intermediate hauler that holds a license for the collection and transportation of solid or hazardous waste, the department shall immediately notify the person that the license will be suspended 30 days after the date the notice is mailed unless the person submits to the department an affidavit stating facts sufficient to show that either of the following has occurred:

a. The person named in the affidavit under subd. 1 received the required fee from a generator, from a person who arranges for collection or disposal services on behalf of one or more generators or from an earlier intermediate hauler, and paid the fee to the licensed solid or hazardous waste disposal facility or to a subsequent intermediate hauler.

b. A generator, a person who arranges for collection or disposal services on behalf of one or more generators or an earlier intermediate hauler failed to pay the required fees to the person named in the affidavit under subd. 1.

4. If the department does not receive an affidavit under subd. 2 or 3 within 30 days after the date the notice is mailed, the department shall suspend the license issued to the person for the collection and transportation of solid or hazardous waste. Notwithstanding s. 227.064, the department is not required to provide the licensee with a hearing before the suspension.

5. When a person whose license is suspended under subd. 4 provides the department with proof that the person has paid the owner or operator of the licensed solid or hazardous waste facility the amount of the unpaid fee, the department shall immediately reinstate the suspended license.

~~SECTION 1955p. 144.462 of the statutes is created to read:~~

~~144.462 Areas adjacent to large lakes in populous counties. (1) DEFINITIONS. In this section:~~

~~(a) "Large lake" means a lake with an area of 640 acres or more, except lakes designated as outlying waters under s. 29.01 (11).~~

~~(b) "Planned well site" means a parcel of land designated by a municipal governing body on an official plan as reserved for the purpose of supplying future water needs of the municipal water system.~~

Vetoed  
in Part

Vetoed  
in Part

~~(c) "Populous county" means a county with a population of 315,000 or more.~~

~~(2) RESTRICTION. On or after July 1, 1985, the department may not issue an initial operating license under s. 144.44 (4) (b) for a solid waste facility any part of which is to be located in a populous county that does not contain a 1st class city if either of the following conditions applies:~~

~~(a) The facility will be located within 2,500 feet of the ordinary high water mark of a large lake.~~

~~(b) The facility will be located within 2,500 feet of either side of the boundary limits of a 2nd class city and in either of the following locations:~~

~~1. Within 2,500 feet of a planned municipal well site in an area in which large distribution water mains have been installed.~~

~~2. Within 2,500 feet of an area to which a shoreland or floodplain zoning ordinance applies.~~

SECTION 1956. 144.75 of the statutes is created to read:

**144.75 Household hazardous waste.** The department shall establish and administer a grant program to assist municipalities in creating and operating local programs for the collection and disposal of household hazardous waste.

SECTION 1957. 144.77 (6) (c) of the statutes is created to read:

144.77 (6) (c) The department is entitled to recover moneys expended under this section from any person who caused the containers to be abandoned or is responsible for the containers.

SECTION 1958. 144.784 (13) of the statutes is amended to read:

144.784 (13) No grants may be distributed for area-wide solid waste management plans, specific solid waste disposal site feasibility studies or special project studies which have, as their primary goals, disposition of ~~any hazardous substance, hazardous waste as defined under s. 144.61 (5), source material as defined under s. 140.52 (10), by-product material as defined under s. 140.52 (3) or special nuclear material as defined under s. 140.52 (11).~~

~~SECTION 1958c. 144.838 (4) of the statutes is repealed and recreated to read:~~

Vetoed  
in Part

~~144.838 (4) Committees established under sub. (1) or (2) may be funded by their appointing authority. Committees may hire staff members, enter into contracts with private firms or consultants and contract with a regional planning commission or other agency for staff services.~~

SECTION 1958e. 144.96 (3) (e) of the statutes is amended to read:

144.96 (3) (e) In this subsection, "state cost" means the actual expenditure under s. 20.370 (2) (ma) and (mc) for the fiscal year immediately preceding the fiscal year of assessment.

SECTION 1962b. 145.023 of the statutes is created to read:

**145.023 Trial programs.** (1) DEFINITIONS. In this section:

(a) "Alternative private sewage system" means a private sewage system which may not be installed under rules promulgated by the department on or before July 1, 1980.

(b) "Conventional private sewage system" means a private sewage system which may be installed under rules promulgated by the department on or before July 1, 1980.

(2) AUTHORIZATION. The department may approve in the context of specific trial programs installation of alternative private sewage systems under trial regulatory procedures established by the department. The department may not approve the installation of alternative private sewage systems except under this section.

(3) LIMITATIONS. (a) *Guaranteed county minimum of 5; exclusion of first 5 in calculating limitations.* The department may grant at least 5 approvals, in addition to any approvals granted under par. (d), for the installation of alternative private sewage systems for each county during each year. The limitations under pars. (b) and (c) do not apply to the first 5 or fewer approvals, other than approvals granted under par. (d), granted for the installation of alternative private sewage systems in each county during each year. The limitations under pars. (b) and (c) shall be calculated to exclude the first 5 or fewer approvals, other than approvals granted under par. (d).

(b) *State limit.* The department may not grant more than 600 approvals for the installation of alternative private sewage systems during one year under pars. (c) and (e).

(c) *County limit.* The department may not grant more than 25 approvals for the installation of alternative private sewage systems for one county during one year.

(d) *Exceptions to state and county limits.* The limitations under pars. (b) and (c) do not apply to an approval issued under this section:

1. If an application for an alternative private sewage system permit is completed and on file with the department on February 1, 1980.

2. If an application for a permit which could allow the installation of a conventional private sewage system on an individual lot of record was approved by the department or a county, city, village or town but later disapproved because of a failure to meet new soil condition criteria promulgated by the department.

3. If an application for an alternative private sewage system permit is for one additional homesite on a farm to be occupied by a relative who is the operator or a joint operator of the farm. As used in this subdivision "relative" means a parent, child, sibling, grandchild, niece, nephew or first cousin.

4. If an application for an alternative private sewage system permit is for a new system to replace a failing private sewage system or a private sewage system

which is likely to fail including a holding tank or privy if that system exists on February 1, 1980.

(e) *Additional county limit.* In addition to the approvals authorized under pars. (a) and (c), the department may authorize an additional 20 approvals for the installation of alternative private sewage systems during each year in a county which received more applications for the installation of alternative private sewage systems than the county could submit for approval in any year under the limits in s. 145.022 (3) (c), 1983 stats.

(4) **TIME LIMIT.** No trial program may be conducted under this section for a period exceeding 5 years.

(5) **ENVIRONMENTAL IMPACT.** An environmental impact statement is required under s. 1.11 (2) for each type of alternate private sewage system approved but not for each individual unit approved for installation.

(6) **DEPARTMENT SUPERVISION.** The department shall supervise any trial program under this section and may require departmental review of applications for alternative private sewage system permits, periodic inspection of alternative private sewage systems and training requirements for inspectors of alternative private sewage systems.

(7) **COUNTY ADMINISTRATION.** A county shall issue and administer alternative private sewage system permits consistent with this section and s. 145.20 and the private sewage system ordinance enacted under s. 59.065.

(8) **SUNSET.** This section applies from July 1, 1985, to June 30, 1987.

SECTION 1962gm. 146.025 of the statutes is created to read:

**146.025 Restrictions on use of test for acquired immunodeficiency syndrome.** (1) **CONFIDENTIALITY OF TEST.** (a) No health care provider as defined under s. 146.81 (1), blood bank, blood center or plasma center may subject a person to a test to screen for the existence of an antibody to the human virus HTLV-III causing acquired immunodeficiency syndrome unless the person first provides written consent to the testing.

(b) No person may disclose the results of a test to screen for the existence of an antibody to the human virus HTLV-III causing acquired immunodeficiency syndrome, except that the test results may be disclosed as follows:

1. To the subject of the test if the subject has first provided written permission to be so informed.

2. To the department for use in conducting a study of the beneficial or adverse effects to persons in this state who are informed that the results of testing are positive for the existence of the antibody, if the subject of the test has first provided written permission that the department be so informed.

(2) **TEST INFORMATION.** If a person provides consent to testing under sub. (1) (a), if the test yields results positive for the existence of the antibody to the human virus HTLV-III causing acquired immunodeficiency syndrome, and if the person has provided permission

to be informed of test results under sub. (1) (b) 1, the health care provider or blood bank, blood center or plasma center performing the test shall inform the subject of the test of the results in a face-to-face interview in which the following information shall be given to the subject.

(a) The known reliability of the test.

(b) The known causes, effects and treatment of acquired immunodeficiency syndrome.

(c) The availability of, and a referral to, if requested, psychiatric or psychological counseling services.

(3) **FINDING OF RELIABILITY.** The department shall:

(a) Monitor the information obtainable from this state and from federal sources and sources in other states concerning the reliability of:

1. The test for the existence of the antibody to the human virus HTLV-III causing acquired immunodeficiency syndrome.

2. A test for the existence of the human virus HTLV-III causing acquired immunodeficiency syndrome.

3. Based on criteria developed by the department, make a finding of reliability of the tests under subd. 1 and 2 if information obtained about the test indicates that the department's criteria for reliability are met.

(4) **CIVIL LIABILITY.** (a) Any person violating sub. (1) is liable to the subject of the test for actual damages and costs, plus exemplary damages of up to \$1,000 for a negligent violation and up to \$5,000 for an intentional violation.

(b) The plaintiff in an action under par. (a) has the burden of proving by a preponderance of the evidence that a violation occurred under sub. (1). A conviction under sub. (1) is not a condition precedent to bringing an action under par. (a).

(5) **CRIMINAL PENALTY.** Whoever intentionally discloses the results of a blood test in violation of sub. (1) and thereby causes bodily harm or psychological harm to the subject of the test may be fined not more than \$10,000 or imprisoned not more than one year in the county jail or both.

SECTION 1962h. 146.185 of the statutes is created to read:

**146.185 State supplemental food program for women, infants and children.** From the appropriation under s. 20.435 (1) (em), the department shall in state fiscal years 1985-86 and 1986-87 supplement the provision of supplemental foods, nutrition education and other services to low-income women, infants and children who meet the eligibility criteria under the federal special supplemental food program for women, infants and children authorized under 42 USC 1786. To the extent that funds are available under this section and to the extent that funds are available under 42 USC 1786, every county shall provide the supplemental food, nutrition education and other services

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authorized under this section and shall establish or designate an agency to administer that provision.

SECTION 1963. 146.60 of the statutes is repealed.

SECTION 1964. 146.70 (3) (title) of the statutes is repealed.

SECTION 1965. 146.70 (3) (a) of the statutes is renumbered 146.70 (4) (b) and amended to read:

146.70 (4) (b) The ~~emergency number systems board~~ department shall ~~provide policy directions~~ establish policies relating to the development, operation, coordination and review of emergency number systems.

SECTION 1966. 146.70 (3) (b) of the statutes is repealed.

SECTION 1967. 146.70 (3) (c) of the statutes is renumbered 146.70 (4) (f) and amended to read:

146.70 (4) (f) The ~~board~~ department, on the advice of one or more of the agencies named under sub. (5), may grant to a public agency or telephone utility a waiver, not to exceed 5 years, of any requirement under this section. The ~~board~~ department may not grant more than one waiver under this paragraph within any one system.

SECTION 1968. 146.70 (4) (title) and (a) of the statutes are amended to read:

146.70 (4) (title) POWERS AND DUTIES OF DEPARTMENT. (a) The department, ~~in consultation with and with the approval of the emergency number systems board,~~ shall promulgate such rules under ch. 227 as ~~are deemed it deems~~ necessary to coordinate and implement this section.

SECTION 1969. 146.70 (11) (title) and (a) of the statutes are amended to read:

146.70 (11) (title) STANDARDS AND PLANS. (a) The department, ~~in consultation with and with the approval of the emergency number systems board,~~ shall establish operational standards for public agencies or groups of public agencies operating basic and sophisticated systems established under this section by ~~December 31, 1979.~~ The department shall consult with the departments named under sub. (5) in establishing such standards.

SECTION 1969h. 146.75 of the statutes is created to read:

**146.75 Pregnancy counseling services.** The department shall make grants from the appropriation under s. 20.435 (1) (eg) to individuals and organizations to provide pregnancy counseling services. ~~The department shall make grants available to assist women with problem pregnancies in order that their pregnancies might be carried to term and assist women after their children have been born so that the women and their children might become productive independent contributors to family and community life. The department shall give preference for grants to accomplish these purposes to organizations which do not receive grants under s. 20.435 (1) (f). For a program to be eligible under this section, an applicant must demon-~~

strate that moneys provided in a grant under s. 20.435 (1) (eg) will not be used to perform an abortion, ~~to refer for an abortion, to advertise abortion, to assist or to encourage any individual to procure an abortion or to coordinate any abortion service.~~

Vetoed  
in Part

SECTION 1969m. 146.82 (2) (a) 8 of the statutes is created to read:

146.82 (2) (a) 8. To the department under s. 46.73. The release of a patient health care record under this subdivision shall be limited to the information prescribed by the department under s. 46.73 (2).

SECTION 1969s. 146.82 (2) (a) 9 of the statutes is created to read:

146.82 (2) (a) 9. To staff members of the protection and advocacy agency designated under s. 51.62 (2) or to staff members of the private, nonprofit corporation with which the agency has contracted under s. 51.62 (3) (a) 3, if any, for the purpose of protecting and advocating the rights of a person with development disabilities, as defined under s. 51.62 (1) (a), who resides in or who is receiving services from an inpatient health care facility, as defined under s. 51.62 (1) (b), except that if the patient has a guardian information concerning the patient obtainable by staff members of the agency or nonprofit corporation with which the agency has contracted is limited to the name, birth date and county of residence of the patient, information regarding whether the patient was voluntarily admitted, involuntarily committed or protectively placed and the date and place of admission, placement or commitment, and the name and address of any guardian of the patient and the date and place of the guardian's appointment. Any staff member who wishes to obtain additional information shall notify the patient's guardian in writing of the request and of the guardian's right to object. The staff member shall send the notice by mail to the guardian's address. If the guardian does not object in writing within 15 days after the notice is mailed, the staff member may obtain the additional information. If the guardian objects in writing within 15 days after the notice is mailed, the staff member may not obtain the additional information.

SECTION 1969t. 146.82 (2) (a) 10 of the statutes is created to read:

146.82 (2) (a) 10. To persons as provided under s. 655.17 (7) (b), if the patient files a submission of controversy under s. 655.04 (1) on or after the effective date of this subdivision .... [revisor inserts date], for the purposes of s. 655.17 (7) (b).

SECTION 1970. 146.85 of the statutes is repealed.

SECTION 1970g. 146.87 of the statutes is created to read:

**146.87 Health care education funding report.** The department shall contract for a study of funding of graduate medical education in this state and shall submit the study to the chief clerk of each house of the legislature for distribution to the legislature under s.

Vetoed  
in Part

13.172 (2) by December 1, 1986. The study shall include analyses of all of the following:

1. Current and projected costs and revenues for graduate medical education in this state.
2. Proposals to directly fund graduate medical education by providing block grants to certain hospitals for the purpose of funding graduate medical education.

SECTION 1970j. 146.90 of the statutes is created to read:

**146.90 State health insurance program.** (1)(a) The department, with the advice of the council on health care coverage for the uninsured, shall design a state health insurance program to provide health care coverage to uninsured persons and shall submit a plan detailing the structure, operation and management of the program to the joint committee on finance by January 1, 1987.

(b) The department shall conduct, directly or by contract, research and surveys that the department determines are necessary to obtain information to enable the department to design the program under par. (a).

(c) In designing the structure of the program under par. (a), the department shall consider inclusion of all of the following elements:

1. Providing the opportunity to enroll in the program to all medical assistance recipients.
2. Provisions designed to avoid adverse selection of enrollees.
3. Offering enrollees a choice of either catastrophic or comprehensive health care coverage under the program.
4. A payment system for the program based upon prepaid capitated payments.
5. Incorporating the use of insurance vouchers and direct payments to health care providers in the program.
6. Requiring contributions to the health care coverage costs by enrollees on an income-based progressive scale.
7. Requiring competitive bidding among prospective administrators of, or health care providers for, the program.
8. Provisions designed to avoid creating incentives for employers to cease offering health care coverage to their employees.
9. Provisions designed to obtain maximum federal funding for the program.

(d) In designing the operation and management of the program under par. (a), the department shall include policies and procedures concerning all of the following:

1. Informing uninsured persons of the eligibility requirements and health care coverage options available under the program.
2. Promoting the health care coverage options offered under the program.

3. Administering the program on a state and local basis.

4. Verifying eligibility and contribution requirements.

5. Selecting the agency of state government to be responsible for administering the program when the program is implemented on a statewide basis.

(e) 1. The department shall, in addition to designing the program under par. (a), design an alternative health care coverage program for uninsured persons for whom coverage under the program under par. (a) would not be feasible or would not be appropriate and shall submit a plan detailing the structure, operation and management of the program to the joint committee on finance by January 1, 1987.

2. The department shall conduct, directly or by contract, research and surveys that the department determines are necessary to obtain information to enable the department to design the program under subd. 1.

(2)(a) The department, with the advice of the council on health care coverage for the uninsured, shall design pilot projects to test the programs designed under sub. (1) and shall submit its recommendations for the pilot projects, including a suggested timetable, and evaluation methodology and projected costs, to the joint committee on finance by January 1, 1987.

(b) The recommendations under par. (a) shall include at least one pilot project to be conducted in each of the following areas:

1. A county without a city of the 1st, 2nd or 3rd class.
2. A city of the 2nd or 3rd class.
3. All or part of a city of the 1st class.

(c) The recommendations under par. (a) shall provide that in each county in which a pilot project is conducted the county board, or in a county with a county executive or county administrator the county executive or county administrator, shall appoint a local advisory committee to assist in the implementation of the pilot projects, provide information and advice regarding developing the pilot projects to address local needs and evaluate the effectiveness of the pilot projects. The recommendations shall provide that the committee consist of at least the following members:

1. Three elected county or local officials.
2. Six local public members, each representing one of the following interests:
  - a. The business community.
  - b. Labor.
  - c. The insurance industry.
  - d. Consumers.
  - e. Hospitals.
  - f. Other health care providers.

(3) The joint committee on finance, after receipt of the plan under sub. (1) and the recommendations under sub. (2), shall hold hearings and, by July 1, 1987, determine whether to approve, approve with

modifications or disapprove the pilot project recommendations for inclusion in the 1987-89 biennial budget. If the joint committee approves the pilot project recommendations, it shall direct the department to conduct the activities under sub. (4), in accordance with any modifications it has made.

(4) If so directed by the joint committee on finance, the department shall, by January 1, 1989, do all of the following:

(a) Conduct the approved pilot projects and submit a detailed evaluation of the pilot projects to the joint committee on finance.

(b) Submit to the joint committee a revised plan for a state health insurance program under sub. (1) (a) that is designed in accordance with sub. (1) (c) and (d) and a revised plan for an alternative health care coverage program under sub. (1) (e), each of which incorporates the results of the evaluation of the pilot projects under par. (a) and includes detailed cost estimates of implementing the programs on a statewide basis and operating them for a 10-year period beginning July 1, 1989.

(c) Submit specific recommendations to the joint committee regarding all of the following:

1. The advisability of implementing the programs on a statewide basis.
2. The most expedient method of implementing the programs on a statewide basis.
3. The most expedient method of generating the general program revenues necessary to achieve implementation on a statewide basis.

(d) Promulgate rules necessary for implementing the programs.

(5) The joint committee on finance shall decide, during the deliberations on the 1989-91 biennial budget, whether and in what manner the programs should be implemented on a statewide basis.

SECTION 1970jm. 146.93 of the statutes is created to read:

**146.93 Outpatient primary care program.** (1) (a) The department shall develop and implement a program for the provision of ~~outpatient~~ primary health care services for the period beginning October 1, 1985, to June 30, 1986. The department may promulgate rules necessary to implement the program.

Vetoed  
in Part

(b) The program shall be modeled on any ~~other~~ ~~such~~ primary health care programs in existence on June 30, 1985, and shall, to the extent possible, utilize any available program resources available from any such programs.

Vetoed  
in Part

(c) The department shall seek to obtain a maximum of donated or reduced-rate health care services for the program and shall seek to identify and obtain a maximum of federal funds for the program.

(2) The program under sub. (1) (a) shall provide ~~outpatient~~ primary health care, including diagnostic laboratory and X-ray services, prescription drugs and nonprescription insulin and insulin syringes.

Vetoed  
in Part

(3) The program under sub. (1) (a) shall be implemented in those counties with ~~the highest~~ unemployment rates and within which a maximum of donated or reduced-rate health care services can be obtained.

Vetoed  
in Part

(4) The health care services of the program under sub. (1) (a) shall be provided to any individual residing in a county under sub. (3) who meets all of the following criteria:

(a) The individual is either unemployed or is employed less than 25 hours per week.

(b) The individual's family income is not greater than 150% of the federal poverty line.

(c) The individual does not have health insurance or other health care coverage and is unable to obtain health insurance or other health care coverage.

SECTION 1970js. 146.96 of the statutes is created to read:

**146.96 Inpatient and outpatient program.** The department shall develop and submit to the joint committee on finance by April 1, 1986, a plan for the provision of inpatient and outpatient health care services to individuals meeting the criteria under s. 146.93 (4) (a) to (c) beginning on July 1, 1986.

SECTION 1970ju. 146.99 of the statutes is created to read:

**146.99 Assessments.** Commencing on the effective date of this section .... [revisor inserts date], the department shall, within 90 days after the commencement of each fiscal year, estimate the total amount of expenditures for the department under ss. 146.87 to 146.96 for that fiscal year. The department shall assess the estimated total amount for that fiscal year to hospitals, as defined in s. 50.33 (2), in proportion to each hospital's respective gross private-pay patient revenues during the hospital's most recently concluded entire fiscal year. Each hospital shall pay its assessment on or before December 1 for the fiscal year. All payments of assessments shall be deposited in the appropriation under s. 20.435 (1) (gp).

SECTION 1971. 147.035 (3) (title) of the statutes is amended to read:

147.035 (3) (title) STANDARDS FOR NITROGEN, PHOSPHOROUS AND DISINFECTION IN THE ABSENCE OF FEDERAL STANDARDS.

SECTION 1972. 147.035 (4) of the statutes is created to read:

147.035 (4) STANDARDS FOR TOXIC POLLUTANTS IN THE ABSENCE OF FEDERAL STANDARDS. (a) *Authorization.* Notwithstanding sub. (1) or (2), the department may promulgate by rule, under s. 147.07, a toxic effluent standard or prohibition applicable to a category or class of point sources for the discharge of an identified toxic pollutant, if the U.S. environmental protection agency has not done either of the following for that identified toxic pollutant:

1. Promulgated, under 33 USC 1311 (b) (2), an effluent limitation applicable to the specified category or class of point sources.

2. Promulgated, under 33 USC 1317, an effluent standard or prohibition applicable to the specified category or class of point sources.

(b) *Identification.* An identified toxic pollutant is:

1. Any toxic pollutant or combination of pollutants on the list prepared under s. 147.07 (1) (a).

2. Any toxic pollutant or combination of pollutants on a list prepared under 33 USC 1317.

3. Any other substance which the department has proposed to be added to the list of toxic pollutants under s. 147.07 (1) (a).

(c) *Concurrent rule making.* A toxic effluent standard or a prohibition for a substance identified under par. (b) 3 may not be promulgated before the list of toxic pollutants has been revised under s. 147.07 (1) (a) to include that substance. The revision under s. 147.07 (1) (a) and the toxic effluent standard or prohibition under s. 147.07 (1) (b) may be promulgated concurrently.

(d) *Additional procedures.* As part of the rule-making process for a rule to which this subsection applies, the department shall do all of the following:

1. Specify in the proposed rule whether it applies to all waters of the state or to designated portions of the waters of the state.

2. Consider whether there are available removal technologies which provide the capability of achieving compliance at or for representative point sources likely to be affected by the rule and whether there are alternative control strategies which provide the capability of achieving compliance.

3. If the department finds that the level of pollutant control resulting from the application of available removal technologies or alternative control strategies is inadequate to protect public health, safety or welfare or the environment, consider any evidence presented on the relationship of the economic and social costs of the proposed standard or prohibition, including any social or economic dislocation in representative communities likely to be affected by the rule, to the social and economic benefits likely to be obtained, including attainment of the objectives of this chapter.

(e) *Impact of subsequent federal standards.* 1. If the U.S. environmental protection agency, under 33 USC 1317, promulgates a toxic effluent standard or prohibition for a toxic pollutant after the department promulgates a toxic effluent standard or prohibition, the department may modify its standard or prohibition to conform to the federal standard or prohibition. At the request of a permittee to which the standard or prohibition promulgated by the department applies under the terms of a permit, the department shall modify the permit to conform to the federal standard or prohibition.

2. If the U.S. environmental protection agency, under 33 USC 1311 (b) (2), promulgates an effluent limitation applicable to the discharge of a toxic pollutant from a point source after the department promulgates a toxic effluent standard or prohibition, the

department may modify its standard or prohibition to conform to the federal toxic effluent limitation. A permittee to which the standard or prohibition promulgated by the department applies under the terms of a permit may request that the department modify the permit to conform to the federal effluent limitation. The department shall use the procedures specified under s. 147.03 (2) (b) to (f) to determine whether to grant the request. The department shall grant the request unless it finds that the resulting limitation, as applied to the permittee and to any other permittees subject to the department's standard or prohibition which discharge into the receiving water, would be inadequate to protect the public health, safety or welfare or the environment in the receiving water or any other waters directly affected by the discharge. A decision by the department not to grant the request is reviewable under s. 147.20.

SECTION 1972g. 147.05 (5) of the statutes is created to read:

147.05 (5) Subsections (1) to (4) do not apply to the issuance or modification of a permit to incorporate a toxic effluent standard or prohibition promulgated under s. 147.035 (4).

SECTION 1972r. 147.07 (1) (g) of the statutes is created to read:

147.07 (1) (g) *Procedure for promulgation in absence of federal standards.* In promulgating rules establishing a toxic effluent standard or prohibition for which the U.S. environmental protection agency has not promulgated a toxic effluent limitation, standard or prohibition, the department shall follow the additional procedures specified in s. 147.035 (4) (d).

SECTION 1974. 149.04 (5) (a) of the statutes is amended to read:

149.04 (5) (a) The records and accounts of each county sanatorium ~~shall~~ may be audited ~~annually.~~ ~~Such audits shall be made by the department of revenue as provided in s. 73.10 as soon as is practicable following the close of the institution's fiscal year health and social services.~~ In addition to other findings, such audits shall ascertain compliance with the mandatory uniform cost record-keeping requirements of s. 46.18 (8) to (10) and verify the actual per capita person cost of maintenance, care and treatment of patients.

SECTION 1975. 149.06 (10) of the statutes is amended to read:

149.06 (10) All public health dispensaries and branches thereof shall maintain records of costs and receipts which ~~shall~~ may be audited ~~annually~~ by the department ~~of revenue~~ of health and social services.

SECTION 1975m. 150.01 (21) of the statutes is repealed.

SECTION 1979. 150.31 (1) (intro.) of the statutes is amended to read:

150.31 (1) (intro.) In order to enable the state to budget accurately for medical assistance and to allo-

cate fiscal resources most appropriately, the maximum number of licensed nursing home beds statewide that may be used is 51,959 and the maximum number of beds statewide in facilities primarily serving the developmentally disabled is 3,512. The department may decrease these limits by the amount of any reduction in the actual number of available beds in accordance with criteria promulgated by the department by rule. The department may adjust these limits on the use of licensed beds as provided in subs. (2) to (4). The department shall also biennially recommend changes to this limit based on the following criteria:

~~SECTION 1979c. 150.31 (2m) of the statutes is created to read:~~

**Vetoed  
in Part**

~~150.31 (2m) (a) The department may increase the statewide bed limit specified in sub. (1) by not more than 50 beds to permit the permanent and complete conversion of a hospital to a nursing home if all of the following apply:~~

~~1. On the effective date of this subdivision... [revisor inserts date], the hospital seeking conversion:~~

~~a. Had an approved bed capacity of not more than 25 beds.~~

~~b. Shared facilities and staff with a nursing home licensed under s. 50.03 (4) or (4m).~~

~~2. At the time of the closure either of the following exists:~~

~~a. The number of nursing home beds utilized by each 1,000 persons 65 years of age or over in the county is less than that of the statewide average of nursing home beds utilized by each 1,000 persons 65 years of age or over.~~

~~b. The total occupancy level for the nursing homes in the county is more than the statewide average nursing home occupancy rate.~~

~~(b) The approved bed capacity of a nursing home to which a hospital has been converted under this subsection may not exceed the approved bed capacity of the hospital before conversion.~~

SECTION 1979h. 150.40 of the statutes is created to read:

**150.40 Redistribution of closed beds.** (1) The department shall redistribute within a county the nursing home beds made available as a result of a nursing home closure within that county if all of the following apply at the time of the closure:

(a) The number of other nursing home beds for each 1,000 persons 65 years of age or over in the county is less than 80% of the statewide average of nursing home beds for each 1,000 persons 65 years of age or over.

(b) The total occupancy level for the other nursing homes in the county is equal to or more than the statewide average nursing home occupancy rate.

(2) Subsection (1) does not apply to the following:

(a) Nursing home beds closed under a plan approved by the department under s. 46.277 (3) (b), as

a result of the relocation of former residents to community-based settings.

(b) Facilities primarily serving the developmentally disabled.

SECTION 1979r. 150.61 (1) of the statutes is amended to read:

150.61 (1) ~~Obligate~~ Except as provided in s. 150.613, obligate for a capital expenditure, by or on behalf of a hospital, that exceeds \$600,000 ~~the limits set forth in s. 150.615, all as adjusted under s. 150.15.~~ The cost of the studies, surveys, plans and other activities essential to the proposed capital expenditure shall be included in determining the value of the capital expenditure. Any donation of equipment or facilities that, if acquired directly, would be subject to review under this subchapter is a capital expenditure. Any transfer of equipment or facilities for less than fair market value that, if transferred at fair market value, would be subject to review under this subchapter is a capital expenditure.

SECTION 1979u. 150.61 (2) of the statutes is repealed and recreated to read:

150.61 (2) Implement an organ transplant program, burn center, neonatal intensive care program, cardiac surgery and catheterization program or air transport services or add psychiatric or chemical dependency beds.

**Vetoed  
in Part**

SECTION 1980b. 150.61 (3) of the statutes is amended to read:

150.61 (3) Obligate for an expenditure, by or on behalf of a hospital, independent practitioner, partnership, unincorporated medical group or service corporation as defined in s. 180.99, that exceeds \$600,000 ~~\$1,000,000~~ for clinical medical equipment, as adjusted under s. 150.15.

~~SECTION 1980e. 150.61 (4) of the statutes is amended to read:~~

~~150.61 (4) ~~Purchase~~ Except as provided in s. 150.613 (2), purchase or otherwise acquire a hospital.~~

**Vetoed  
in Part**

SECTION 1980h. 150.613 of the statutes is created to read:

**150.613 Exemptions from capital expenditure review.** ~~(1)~~ A person may obligate for a capital expenditure, by or on behalf of a hospital, without obtaining the approval of the department if the expenditure is for heating, air conditioning, ventilation, electrical systems, energy conservation, telecommunications, computer systems or nonsurgical outpatient services, unless any of the above is a constituent of another project reviewable under s. 150.61 or unless expenditures for any of the above would exceed 20% of a hospital's gross annual patient revenue for its last fiscal year.

**Vetoed  
in Part**

~~(2) A person may obligate for a capital expenditure, by or on behalf of a hospital, or purchase or otherwise acquire a hospital without obtaining the approval of the department if the expenditure, purchase or acquisition is for the purpose of accomplishing a merger or~~

**Vetoed  
in Part**



**Vetoed in Part** consolidation, unless the merger or consolidation is otherwise subject to approval under s. 150.61 (2), (3), (5) or (6).

SECTION 1980L. 150.615 of the statutes is created to read:

**Vetoed in Part** **150.615 Thresholds for capital expenditures.** (1) If the capital expenditure under s. 150.61 (1) is to expand a hospital's floor space, as determined by the department, the limit shall be \$1,000,000.

(2) If the capital expenditure under s. 150.61 (1) is to convert to a new use or to renovate part or all of a hospital, the limit shall be \$1,500,000.

SECTION 1980o. 150.62 of the statutes is created to read:

**150.62 Moratorium.** Notwithstanding any other provision of this chapter, from the effective date of this section ... [revisor inserts date], to July 1, 1988, no person may obligate for a capital expenditure, by or on behalf of a hospital, to relocate a hospital, except to relocate a hospital as a result of a consolidation or merger, or to establish a new hospital under s. 150.61 (1), nor may any person add to a hospital's approved bed capacity under s. 150.61 (5).

**Vetoed in Part**

SECTION 1980m. 150.625 of the statutes is created to read:

**Vetoed in Part** **150.625 Psychiatric beds.** Nothing in this chapter or in any rules promulgated under this chapter shall result in disapproval of any project by a hospital to add psychiatric beds, if all of the following conditions are met:

(1) The hospital's application for approval of the project has been declared complete before January 1, 1985.

(2) The project has not been approved by the effective date of this subsection ... [revisor inserts date].

(3) The project would result in a net reduction of the hospital's beds.

SECTION 1980p. 150.69 (5) of the statutes is amended to read:

150.69 (5) Increases in operating and capital costs resulting from the project are reasonable, including the direct charge to the consumer, the applicant's projected request for rate increases under s. 146.60 ch. 54 and the charges to be paid by medical assistance and by disability insurers. The agent that establishes hospital rates under s. 146.60 hospital rate-setting commission under ch. 54 shall determine the effect on these rates of the applicant's project and provide an analysis to the department within 45 days after the department receives a completed application.

**Vetoed in Part** SECTION 1980i. 150.69 (10) of the statutes is repealed.

SECTION 1980v. 150.69 (13) of the statutes is created to read:

150.69 (13). The applicant has prepared a plan acceptable to the department for the provision of health care to indigents.

SECTION 1980w. 150.79 of the statutes is amended to read:

**150.79 Rate setting.** Rate reimbursement to cover the cost of the project established for medical assistance under s. 49.45 (3) (e) or established under s. 146.60 ch. 54 may not exceed the rates proposed in the approval under s. 150.75 (3) by more than 5% during the 3-year period following completion of the project. This section does not apply if the hospital demonstrates to the satisfaction of the rate setting agent under s. 146.60 hospital rate-setting commission under ch. 54 that the excess was due to conditions beyond its control.

SECTION 1980y. 150.85 of the statutes is created to read:

**150.85 Subchapter applicability.** Sections 150.61 to 150.83 do not apply after July 1, 1989.

SECTION 1982. 161.47 (2) of the statutes is amended to read:

161.47 (2) Within 20 days after probation is granted under this section, the clerk of court shall notify the division of law enforcement services in the department of justice of the name of the individual granted probation and any other information required by the division department. This report shall be upon forms provided by the division department.

SECTION 1983. 161.51 (2) of the statutes is amended to read:

161.51 (2) This section does not affect the responsibility of law enforcement officers and agencies to enforce this chapter, nor the authority granted the division of criminal investigation department of justice under s. 165.70.

SECTION 1984. 161.52 (1) (b) (intro.) of the statutes is amended to read:

161.52 (1) (b) (intro.) A warrant shall issue only upon an affidavit of a designated officer or employe of the pharmacy examining board or the division of criminal investigation in the department of justice having knowledge of the facts alleged, sworn to before the judge and establishing the grounds for issuing the warrant. If the judge is satisfied that grounds for the application exist or that there is probable cause to believe they exist, he shall issue a warrant identifying the area, premises, building or conveyance to be inspected, the purpose of the inspection, and, if appropriate, the type of property to be inspected, if any. The warrant shall:

SECTION 1985. 161.52 (2) (intro.) of the statutes is amended to read:

161.52 (2) (intro.) The pharmacy examining board and the division of criminal investigation department of justice may make administrative inspections of controlled premises in accordance with the following provisions:

SECTION 1986. 161.52 (2) (b) of the statutes is amended to read:

161.52 (2) (b) When authorized by an administrative inspection warrant issued pursuant to sub. (1), an officer or employe designated by the pharmacy examining board or the ~~division of criminal investigation~~ department of justice, upon presenting the warrant and appropriate credentials to the owner, operator or agent in charge, may enter controlled premises for the purpose of conducting an administrative inspection.

SECTION 1987. 161.52 (2) (c) (intro.) of the statutes is amended to read:

161.52 (2) (c) (intro.) When authorized by an administrative inspection warrant, an officer or employe designated by the pharmacy examining board or the ~~division of criminal investigation~~ department of justice may:

SECTION 1989. Subchapter I (title) of chapter 165 of the statutes is repealed.

SECTION 1989m. 165.25 (4) (bn) of the statutes is created to read:

165.25 (4) (bn) The department of justice shall provide legal services, other than those relating to civil actions or opinions, under ch. 150 to the department of health and social services.

SECTION 1990. Subchapter II (title) of chapter 165 of the statutes is repealed.

SECTION 1991. 165.50 (title) of the statutes is amended to read:

**165.50 (title) Criminal investigation.**

SECTION 1992. 165.50 (1) (intro.) of the statutes is amended to read:

165.50 (1) (intro.) The ~~division of criminal investigation~~ department of justice shall perform the following criminal investigatory functions for the state:

SECTION 1993. 165.50 (2) of the statutes is amended to read:

165.50 (2) ~~The attorney general shall appoint an administrator of the division of criminal investigation. The investigators~~ Special criminal investigation agents of the ~~division~~ department shall have the same general police powers as are conferred upon peace officers.

SECTION 1994. 165.51 of the statutes is amended to read:

**165.51 (title) State fire marshal.** ~~The administrator of the division of criminal investigation~~ attorney general shall be designate an employe as the state fire marshal.

SECTION 1995. 165.55 (2) of the statutes is amended to read:

165.55 (2) The ~~division of criminal investigation~~ department of justice shall supervise and direct the investigation of fires of incendiary origin when the state fire marshal deems ~~such~~ the investigation expedient.

SECTION 1996. 165.60 of the statutes is amended to read:

**165.60 Law enforcement.** ~~The division of criminal investigation~~ department of justice is authorized to enforce ss. 944.30, 944.31, 944.33, 944.34, 945.02 (2),

945.03 and 945.04 and ~~shall be~~ is invested with the powers conferred by law upon sheriffs and municipal police officers in the performance of ~~such~~ those duties. ~~Nothing herein shall~~ This section does not deprive or relieve sheriffs, constables and other local police officers of the power and duty to enforce ~~said~~ those sections, and ~~such~~ those officers shall likewise enforce ~~said~~ those sections.

SECTION 1997. 165.70 (1) (intro.) of the statutes is amended to read:

165.70 (1) (intro.) The ~~division of criminal investigation~~ department of justice shall:

SECTION 1998. 165.70 (4) of the statutes is amended to read:

165.70 (4) Local district attorneys, sheriffs and chiefs of police shall cooperate and assist the personnel of the ~~division~~ department in the performance of their duties.

SECTION 1999. Subchapter III (title) of chapter 165 of the statutes is repealed.

SECTION 2000. 165.75 (title) of the statutes is amended to read:

**165.75 (title) Crime laboratories.**

SECTION 2001. 165.75 (1) of the statutes is repealed and recreated to read:

165.75 (1) In this section and ss. 165.78 to 165.81:

(a) "Department" means the department of justice.

(b) "Employe" means any person in the service of the laboratories. "Employe" does not include any division administrator.

(c) "Laboratories" means the crime laboratories.

SECTION 2002. 165.75 (2) of the statutes is amended to read:

165.75 (2) The ~~crime laboratory~~ laboratories shall be located in the ~~city~~ cities of Madison and Milwaukee. The personnel of the ~~laboratory~~ laboratories shall consist of such employes as are authorized under s. 20.922.

SECTION 2003. 165.75 (3) (a) of the statutes is amended to read:

165.75 (3) (a) The purpose of the ~~laboratory~~ laboratories is to establish, maintain and operate a ~~crime laboratory~~ laboratories to provide technical assistance to local law enforcement officers in the various fields of scientific investigation in the aid of law enforcement. Without limitation because of enumeration the ~~laboratory~~ laboratories shall maintain services and employ the necessary specialists, technical and scientific employes for the recognition and proper preservation, marking and scientific analysis of evidence material in the investigation and prosecution of crimes in such fields as firearms identification, the comparison and identification of toolmarks, chemistry, identification of questioned documents, metallurgy, comparative microscopy, instrumental detection of deception, the identification of fingerprints, toxicology, serology and forensic photography.

SECTION 2004. 165.75 (3) (b) of the statutes is amended to read:

165.75 (3) (b) The ~~administrator and employees of the division of law enforcement services~~ are not peace officers and shall have no power of arrest or to serve or execute criminal process. They shall not be appointed as deputy sheriffs and shall not be given police powers by appointment or election to any office. ~~Laboratory employees~~ Employees shall not undertake investigation of criminal conduct except upon the request of a sheriff, coroner, medical examiner, district attorney, chief of police, warden or superintendent of any state prison, attorney general or governor. The head of any state agency may request investigations but in ~~such those~~ cases the services shall be limited to the field of health, welfare and law enforcement responsibility which has by statute been vested in the particular state agency.

SECTION 2005. 165.75 (3) (c) of the statutes is amended to read:

165.75 (3) (c) Upon ~~such~~ request under par. (b), the ~~laboratory laboratories~~ shall collaborate fully in the complete investigation of criminal conduct within ~~its~~ their competence in the forensic sciences including field investigation at the scene of the crime and for this purpose may equip a mobile unit or units.

SECTION 2006. 165.75 (3) (e) of the statutes is amended to read:

165.75 (3) (e) The ~~administrator~~ department may decline to provide laboratory service in any case not involving a potential charge of felony.

SECTION 2007. 165.78 of the statutes is amended to read:

**165.78 Information center; training activities.** (1) The ~~division of law enforcement services~~ department shall act as a center for the clearance of information between law enforcement officers. In furtherance of this purpose it shall issue bulletins by mail or its telecommunication system. The ~~division~~ department shall at all times collaborate and cooperate fully with the F.B.I. in exchange of information.

(2) The ~~division~~ department shall cooperate and exchange information with other similar organizations in other states.

(3) The ~~division~~ department may prepare and conduct informational and training activities for the benefit of law enforcement officers and professional groups.

SECTION 2008. 165.79 (1) of the statutes is amended to read:

165.79 (1) Evidence, information and analyses of evidence obtained from law enforcement officers by the ~~laboratory laboratories~~ is privileged and not available to persons other than law enforcement officers nor is the defendant entitled to an inspection of information and evidence submitted to the ~~laboratory laboratories~~ by the state or of ~~the a~~ a laboratory's findings, or to examine laboratory personnel as witnesses concerning the same, prior to trial, except to the extent

that the same is used by the state at a preliminary hearing. Upon request of a defendant in a felony action, approved by the presiding judge, the ~~laboratory laboratories~~ shall conduct analyses of evidence ~~upon on~~ on behalf of such the defendant. No prosecuting officer is entitled to an inspection of information and evidence submitted to the ~~laboratory laboratories~~ by the defendant, or of ~~the a~~ a laboratory's findings, or to examine laboratory personnel as witnesses concerning the same, prior to trial, except to the extent that the same is used by the accused at a preliminary hearing. ~~Employees of the laboratory~~ who made examinations or analyses of evidence shall attend the criminal trial as witnesses, without subpoena, upon reasonable written notice from either party requesting ~~such the~~ the attendance. Nothing in this section ~~shall limit~~ limits the right of a court to order the production of evidence or reports ~~pursuant to~~ under s. 971.23 prior to trial.

SECTION 2009. 165.79 (2) of the statutes is amended to read:

165.79 (2) Upon the termination or cessation of the criminal proceedings, the privilege of the findings obtained by ~~the a~~ a laboratory may be waived in writing by the ~~administrator~~ department and the prosecutor involved in the proceedings. The employees of ~~the laboratory~~ may then be subpoenaed in civil actions in regard to any information and analysis of evidence previously obtained in ~~such the~~ the criminal investigation, but the ~~laboratory laboratories~~ shall not engage in any investigation requested solely for the preparation for trial of a civil matter. Upon appearance as a witness or receipt of a subpoena or notice to prepare for trial in a civil action, or appearance either with or without subpoena, the ~~laboratory laboratories~~ shall be compensated by the party at whose request the appearance or preparation was made in a reasonable amount to be determined by the trial judge, which fee shall be paid into the state treasury. In fixing ~~such the~~ the compensation the court may give consideration to the time spent in obtaining and analyzing the evidence for the purposes of criminal proceedings.

SECTION 2010. 165.79 (3) (b) of the statutes is amended to read:

165.79 (3) (b) At any preliminary examination, a report of ~~one of the crime~~ one of the laboratory's, state laboratory of hygiene's or local health department's findings with reference to all or any part of the evidence submitted, certified as correct by the ~~administrator~~ attorney general, the director of the state laboratory of hygiene, the head of the local health department or a person designated by any of them, shall, when offered by the state or the accused, be received as evidence of the facts and findings stated, if relevant. The expert who made the findings need not be called as a witness.

SECTION 2011. 165.80 of the statutes is amended to read:

**165.80 Cooperation with other state departments.** For the purpose of coordinating the work of the ~~laboratory crime laboratories~~ laboratory crime laboratories with the research depart-

ments located in the university of Wisconsin, the attorney general and the university of Wisconsin may agree for the use of university laboratories and university physical facilities ~~in the university~~ and the exchange and utilization of personnel between the laboratory crime laboratories and the university. The university and crime laboratory laboratories cooperation council shall act in an advisory capacity to the attorney general.

SECTION 2012. 165.81 (1) of the statutes is amended to read:

165.81 (1) Whenever the ~~administrator~~ department is informed by the submitting officer or agency that physical evidence in the possession of the laboratory laboratories is no longer needed the ~~administrator~~ department may, unless otherwise provided by law, either destroy the same, retain it in the laboratory laboratories or turn it over to the university of Wisconsin upon the request of the head of any department. Whenever the ~~administrator received~~ department receives information from which it appears probable that ~~such~~ the evidence is no longer needed, ~~he~~ the department may give written notice to the submitting agency and the appropriate district attorney, by registered mail, of ~~his~~ the intention to dispose of the evidence ~~and if~~. If no objection is received within 20 days after ~~such~~ the notice was mailed ~~he~~, it may dispose of ~~such~~ the evidence.

SECTION 2013. 165.83 (1) (a) of the statutes is repealed.

SECTION 2014. 165.83 (2) (intro.) of the statutes is amended to read:

165.83 (2) (intro.) The ~~division~~ department shall:

SECTION 2015. 165.83 (2) (f) of the statutes is amended to read:

165.83 (2) (f) Collect information concerning the legal action taken in connection with offenses committed in this state from the inception of the complaint to the final discharge of the defendant and such other information as may be useful in the study of crime and the administration of justice. The ~~administrator of the~~ division department may determine any other information to be obtained regarding crime records.

SECTION 2016. 165.83 (2) (n) of the statutes is amended to read:

165.83 (2) (n) Make available upon request, to all local and state law enforcement agencies in this state, to all federal law enforcement and criminal identification agencies, and to state law enforcement and criminal identification agencies in other states, any information in the law enforcement files of the ~~division~~ department which will aid these agencies in the performance of their official duties. For this purpose the ~~division~~ department shall operate on a 24-hour a day basis, 7 days a week. ~~Such~~ The information may also be made available to any other agency of this state or political subdivision of this state, and to any other federal agency, upon assurance by the agency

concerned that the information is to be used for official purposes only.

SECTION 2017. 165.84 of the statutes is amended to read:

**165.84 Cooperation in criminal identification, records and statistics.** (1) All persons in charge of law enforcement agencies shall obtain, or cause to be obtained, the fingerprints in duplicate, according to the fingerprint system of identification established by the director of the F.B.I., full face, profile and full length photographs, and other available identifying data, of each person arrested or taken into custody for an offense of a type designated in s. 165.83 (2) (a), of all persons arrested or taken into custody as fugitives from justice, and fingerprints in duplicate and other identifying data of all unidentified human corpses in their jurisdictions, but photographs need not be taken if it is known that photographs of the type listed, taken within the previous year, are on file at the ~~division~~ department. Fingerprints and other identifying data of persons arrested or taken into custody for offenses other than those designated in s. 165.83 (2) (a) may be taken at the discretion of the law enforcement agency concerned. Any person arrested or taken into custody and subsequently released without charge, or cleared of the offense through court proceedings, shall have any fingerprint record taken in connection therewith returned upon request.

(2) Fingerprints and other identifying data required to be taken under sub. (1) shall be forwarded to the ~~division~~ department within 24 hours after taking for filing and classification, but the period of 24 hours may be extended to cover any intervening holiday or weekend. Photographs taken shall be forwarded at the discretion of the law enforcement agency concerned, but, if not forwarded, the fingerprint record shall be marked "Photo available" and the photographs shall be forwarded subsequently if the ~~division~~ department so requests.

(3) All persons in charge of law enforcement agencies shall forward to the ~~division~~ department copies or detailed descriptions of the arrest warrants and the identifying data described in s. 165.83 (2) (e) immediately upon determination of the fact that the warrant cannot be served for the reasons stated. If the warrant is subsequently served or withdrawn, the law enforcement agency concerned must immediately notify the ~~division~~ department of ~~such~~ the service or withdrawal. In any case, the law enforcement agency concerned must annually, no later than January 31 of each year, confirm to the ~~division~~ department all arrest warrants of this type which continue to be outstanding.

(4) All persons in charge of state penal and correctional institutions shall obtain fingerprints, according to the fingerprint system of identification established by the director of the F.B.I., and full face and profile photographs of all persons received on commitment to these institutions. The prints and photographs so taken shall be forwarded to the ~~division~~ department,

together with any other identifying data requested, within 10 days after the arrival at the institution of the person committed. Full length photographs in release dress shall be taken immediately prior to the release of ~~such~~ these persons from these institutions. Immediately after release, these photographs shall be forwarded to the ~~division~~ department.

(5) All persons in charge of law enforcement agencies, all clerks of court, all municipal judges where they have no clerks, all persons in charge of state and county penal and correctional institutions, and all persons in charge of state and county probation and parole offices, shall supply the ~~division~~ department with the information described in s. 165.83 (2) (f) on the basis of the forms and instructions to be supplied by the ~~division~~ department under s. 165.83 (2) (g).

(6) All persons in charge of law enforcement agencies in this state shall furnish the ~~division~~ department with any other identifying data required in accordance with guidelines established by the ~~division~~ department. All law enforcement agencies and penal and correctional institutions in this state having criminal identification files shall cooperate in providing to the ~~division~~ department copies of such items in these files as will aid in establishing the nucleus of the state criminal identification file.

SECTION 2018. 165.85 (2) (b) of the statutes is repealed.

SECTION 2019. 165.85 (5) (d) of the statutes is created to read:

165.85 (5) (d) Any state agency which receives reimbursement for salary and fringe benefit costs under this subsection shall treat the reimbursement as revenue and deposit any such reimbursement in the appropriate program revenue account or segregated fund. If there is no such appropriate account or fund, the reimbursement shall be deposited as general purpose revenue—earned.

SECTION 2020. 165.86 (intro.) of the statutes is amended to read:

**165.86 (title) Law enforcement training.** (intro.) The ~~division of law enforcement services~~ department shall:

SECTION 2021. 165.86 (2) (b) of the statutes is amended to read:

165.86 (2) (b) Organize a program of training, which shall encourage utilization of existing facilities and programs through cooperation with federal, state and local agencies and institutions presently active in this field. Priority shall be given to the establishment of the ~~state-wide~~ statewide preparatory training program described in sub. (1), but the ~~division~~ department shall cooperate in the creation and operation of in-service, advanced and special courses which meet the curriculum standards recommended by the board. The ~~division~~ department shall keep appropriate records of all such training courses given in the state and the results thereof in terms of persons attending,

agencies represented, and, where applicable, individual grades given.

SECTION 2021r. 165.91 (3) of the statutes is amended to read:

165.91 (3) Upon approval of the plan, the department shall certify the program as eligible to receive aid under s. 20.455 (2) (e) in an amount not to exceed \$20,000 per fiscal year ~~for a period not to exceed 3 consecutive fiscal years~~. The department shall distribute moneys to an approved program in a fiscal year only if \$5,000 of nonstate moneys are expended in that fiscal year for the program. Annually, on or before January 15, the department shall report to the legislature and the governor on the performance of cooperative county-tribal law enforcement programs receiving aid under this section and on the applicability and value of those programs for other counties and tribes.

SECTION 2021rm. 165.91 (5) of the statutes is repealed.

SECTION 2021s. 166.03 (2) (a) 5 of the statutes is created to read:

166.03 (2) (a) 5. Provide assistance to the Wisconsin wing of the civil air patrol from the appropriation under s. 20.505 (2) (f) for the purpose of enabling the patrol to perform its assigned missions and duties as prescribed by U.S. air force regulations. Expenses eligible for assistance are aircraft acquisition and maintenance, communications equipment acquisition and maintenance and office staffing and operational expenses. The civil air patrol shall submit vouchers for expenses eligible for assistance to the division.

SECTION 2022m. 166.03 (2) (b) 6 of the statutes is created to read:

166.03 (2) (b) 6. Request the department of health and social services to inspect or provide for the inspection of shipments of radioactive waste, obtain and analyze data concerning the radiation level of shipments of radioactive waste and issue reports concerning these shipments and radiation levels. The secretary may assess and collect and receive contributions for any costs incurred under this subdivision from any person who produced the radioactive waste which is the subject of the activity for which the costs are incurred. In this subdivision, "radioactive waste" includes high-level radioactive waste, as defined under s. 16.08 (1) (c) and transuranic waste, as defined under s. 16.08 (1) (d).

SECTION 2022r. 166.03 (2) (b) 7 of the statutes is created to read:

166.03 (2) (b) 7. Assess and collect and receive contributions for any costs incurred by state agencies to establish and maintain radiological emergency response plans related to nuclear generating facilities.

SECTION 2022w. 166.03 (2) (b) 8 of the statutes is created to read:

166.03 (2) (b) 8. Make payments from the appropriation under s. 20.505 (2) (e) to reimburse the federal government for the amounts advanced to pay any

required state share of grants to individuals and to provide the state's share of grants to local governments as defined in 42 USC 5122 (b) for major disaster recovery assistance.

SECTION 2022y. 166.15 of the statutes is created to read:

**166.15 Radioactive waste emergencies.** (1) DEFINITIONS. In this section:

(a) "Association" means a relationship in which one person controls, is controlled by or is under common control with another person.

(b) "Company" means any partnership, joint-stock company, business trust or organized group of persons, whether incorporated or not, and any person acting as a receiver, trustee or other liquidator of a partnership, joint-stock company, business trust or organized group of persons. "Company" does not include a state or local governmental body.

(c) "Control" means to possess, directly or indirectly, the power to direct or cause the direction of the management and policies of a company, whether that power is exercised through one or more intermediary companies, or alone, or in conjunction with, or by an agreement with, any other company, and whether that power is established through a majority or minority ownership or voting of securities, common directors, officers, stockholders, voting trusts, holding trusts, affiliated companies, contract or by any other direct or indirect means. "Control" includes owning, holding or controlling, directly or indirectly, at least 5% of the voting power in the election of directors of a company. "Control" has the same meaning as the terms "controlled by" and "under common control with".

(d) "Emergency provider" means any person who provides emergency care or facilities and includes emergency government.

(e) "Harm" means:

1. Damage to property.
2. Personal physical injury, illness or death, including mental anguish or emotional harm attendant to the personal physical injury, illness or death.

~~3. Mental anguish or emotional harm manifested by a substantial objective symptom.~~

4. Consequential economic loss.
5. Environmental pollution, as defined in s. 144.01 (3).

6. Expenses incurred by an emergency provider in preparing for and responding to a nuclear incident which are not reimbursed under s. 144.76 (7) or 166.03 (1) (b) 2 or 3 or (2) (b) 7.

(f) "Nuclear incident" means any sudden or non-sudden release of radiation, as defined under s. 140.52 (5), from radioactive waste being stored or disposed of in a waste repository or transported. "Nuclear incident" does not include any release of radiation from radioactive waste being transported under routine operations.

(g) "Person" means any individual or company. "Person" includes the federal government.

(h) "Radioactive waste" means high-level radioactive waste, as defined in s. 16.08 (1) (c), transuranic waste, as defined in s. 16.08 (1) (d), and radioactive defense waste.

(i) "Responsible party" means any person described under sub. (3) (a) 1. a to d.

(j) "Routine operations" means the operation of transportation equipment in a manner that is not subject to the requirements for immediate notice of incidents under 49 USC 1801 to 1811 or notice of discharge under s. 144.76 (2).

(k) "Waste repository" means any system used or intended to be used to dispose of or store radioactive waste under 42 USC 10101 to 10226, including but not limited to a permanent disposal system, interim storage system, monitored retrievable storage system, defense waste storage system, away-from-reactor storage facility and a test and evaluation facility.

(2) LIABILITY. All responsible parties are strictly liable, jointly and severally, for any harm caused by a nuclear incident.

(3) REBUTTABLE PRESUMPTION. (a) In any action brought under sub. (2) to recover damages for harm claimed to be caused by a nuclear incident, it is presumed that the nuclear incident was a cause of the harm if the plaintiff produces evidence to the court sufficient to enable a reasonable person to find all of the following:

1. The defendant is any of the following:

a. A person who is in any way responsible for the design, construction, operation or monitoring of the waste repository or transportation equipment from which the radiation was released in the nuclear incident.

b. A person who owns the waste repository or transportation equipment from which the radiation was released in the nuclear incident.

c. A person who produces, possesses, controls or owns radioactive waste stored or disposed of in the waste repository or transportation equipment from which the radiation was released in the nuclear incident.

d. A person who has an association with any person described under subd. 1. a to c.

2. The harm could reasonably have resulted from the nuclear incident.

(b) A defendant in an action brought under sub. (2) may rebut the presumption under par. (a) by proving to a reasonable certainty, by evidence that is clear, satisfactory and convincing, that:

1. The defendant is not a responsible party; or

2. The harm claimed to be caused by a nuclear incident could not have reasonably resulted from the nuclear incident. The defendant may satisfy the requirement of this subdivision by proving to a reasonable certainty, by evidence that is clear, satisfac-

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~~tory and convincing, that the radiation released in the nuclear incident did not violate any regulation under 42 USC 2011 to 2296.~~

(4) COURT AWARD. In issuing any final order in any action brought under this section in which the plaintiff prevails, the court shall award to the plaintiff the cost of the suit, including reasonable attorney and expert witness fees, and the damages sustained by the plaintiff.

(5) CONSTRUCTION. This section may not be deemed to have any effect upon the liability of any person for any harm caused by any incident which is not a nuclear incident.

SECTION 2023. 179.04 (title) of the statutes is amended to read:

**179.04 (title) Record office and agent.**

SECTION 2024. 179.04 (1) (a) of the statutes is amended to read:

179.04 (1) (a) ~~An~~ A record office at which shall be kept the records required under s. 179.05.

SECTION 2025. 179.04 (2) of the statutes is amended to read:

179.04 (2) If a limited partnership fails to maintain an agent for service of process in this state or if the agent cannot with reasonable diligence be found, substituted service may be made on the secretary of state by delivering duplicate copies of the process, together with a fee of \$4 ~~\$10~~. The secretary of state shall forward one copy by registered mail, addressed to the limited partnership at its ~~principal place of business, or if none at its registered~~ record office.

SECTION 2026. 179.05 (1) (intro.) of the statutes is amended to read:

179.05 (1) (intro.) Each limited partnership shall keep at the record office under s. 179.04 (1) (a) all of the following:

SECTION 2027. 179.11 (1) (c) of the statutes is amended to read:

179.11 (1) (c) The address of the record office and the name and address, including street and number, of the agent for service of process required to be maintained under s. 179.04.

SECTION 2028. 179.12 (2) (b) of the statutes is amended to read:

179.12 (2) (b) A change in the name of the limited partnership, or a change in the address of the ~~registered~~ record office or a change in the name or address of the registered agent.

SECTION 2029. 179.16 (1) (intro.) of the statutes is amended to read:

179.16 (1) (intro.) Two signed copies of the certificate of limited partnership and of any certificates of amendment or cancellation or of any court order of amendment or cancellation shall be delivered to the secretary of state. A person who executes a certificate as an agent officer, general partner or fiduciary need not exhibit evidence of his or her authority as a prerequisite to filing. Unless the ~~secretary of state finds~~

~~that any certificate document~~ does not conform to law, upon receipt of all filing fees ~~he or she~~ the secretary of state shall do all of the following:

SECTION 2030. 179.16 (3) of the statutes is created to read:

179.16 (3) (a) The secretary of state may waive any of the following:

1. Submission of more than one original of a document.

2. An omission or defect in a document, if the secretary of state determines from the face of the document that the omission or defect is immaterial.

(b) A waiver under par. (a) occurs when the document is filed.

SECTION 2031. 179.16 (4) of the statutes is created to read:

179.16 (4) The secretary of state shall charge and collect for the following services the following amounts:

(a) Checking each domestic or foreign limited partnership record, and answering inquiry thereon, including giving a list of general partners of a domestic limited partnership or giving the address of the office of a foreign limited partnership as set forth in the application for registration under s. 179.82 (6), \$5 plus 50 cents for each additional list of general partners.

(b) Answering a request for verification of the existence or the registration of a domestic or foreign limited partnership or for the name and address of its current registered agent, if written, \$5; otherwise no charge.

SECTION 2032. 179.53 of the statutes is amended to read:

**179.53 Withdrawal of limited partner.** A limited partner may withdraw from a limited partnership at the time or upon the happening of events specified in the certificate of limited partnership and in accordance with the partnership agreement. If the certificate does not specify the time or the events upon the happening of which a limited partner may withdraw or a definite time for the dissolution and winding up of the limited partnership, a limited partner may withdraw upon not less than 6 months' prior written notice to each general partner at his or her address on the books of the limited partnership at its record office in this state.

SECTION 2033. 179.88 of the statutes is amended to read:

**179.88 Substituted service.** Service of process on the secretary of state under this subchapter shall be made by serving of ~~a copy~~ duplicate copies of the process on the secretary of state, together with a fee of \$4 ~~\$10~~. The secretary of state shall mail notice of the service and a copy of the process within 10 days addressed to the foreign limited partnership at its ~~last-known address~~ office in the state of its organization. The time within which the foreign limited partnership may answer or move to dismiss under s. 802.06 (2)

does not start to run until 10 days after the date of the mailing. The secretary of state shall keep a record of service of process under this section showing the day and hour of service and the date of mailing.

SECTION 2034. 180.07 (3) (intro.) of the statutes is amended to read:

180.07 (3) (intro.) Shall not be the same as or deceptively similar to the name of any corporation or limited partnership existing under any law of this state, or any foreign corporation or foreign limited partnership authorized to transact business in this state, or a name the exclusive right to which is at the time reserved in the manner provided in this chapter, except that this provision shall not apply if the applicant files with the secretary of state either of the following:

SECTION 2035. 180.09 (2) of the statutes is amended to read:

180.09 (2) A registered agent, which agent may be either an individual resident in this state whose business office is identical with such registered office, or a domestic corporation organized under this chapter, or a foreign corporation authorized to transact business in this state, having a business office identical with such registered office.

SECTION 2036. 180.12 (4) of the statutes is amended to read:

180.12 (4) If the articles of incorporation expressly vest authority in the board of directors, then, to the extent that the articles of incorporation shall not have established series and fixed and determined the variations in the relative rights and preferences as between series, the board of directors may divide any or all of such classes into series and, within the limitations set forth in this section and in the articles of incorporation, fix and determine the relative rights and preferences of the shares of any series so established. Duplicate copies of a resolution adopted by the directors pursuant to this section with a certificate thereto affixed, signed by the president or a vice president and the secretary or an assistant secretary and sealed with the corporate seal, stating the fact and date of adoption, and that such copies are true copies of the original shall be filed in the office of the secretary of state and recorded in the office of the register of deeds of the county in which the registered office of the corporation is located, and when so filed ~~and recorded~~ shall constitute an amendment to the articles of incorporation. A resolution adopted prior to May 19, 1965, by the directors of a public service corporation pursuant to s. 184.13 theretofore in effect, need not be filed, refiled or recorded under this subsection.

SECTION 2037. 180.765 (2) of the statutes is amended to read:

180.765 (2) That the corporation has theretofore filed with the secretary of state a statement of intent to dissolve, ~~and the date on which such statement was filed, and that said statement has been duly recorded and the date and place of such recording;~~

SECTION 2038. 180.787 of the statutes is amended to read:

**180.787 Survival of remedy after dissolution.** The dissolution of a corporation shall not take away or impair any remedy available to or against such corporation, its directors, officers or shareholders, for any right or claim existing or any liability incurred, prior to such dissolution if action or other proceeding thereon is commenced within 2 years after the date of such dissolution, except that notice of an additional assessment under ch. 71 shall be given within the time prescribed under s. 71.11 (21) and except that the time limit under s. 77.59 (3) applies in respect to sales and use tax liability. Any such action or proceeding by or against the corporation may be prosecuted or defended by the corporation in its corporate name, except that if an additional assessment is made under s. 71.11 (21n), such assessment shall be defended in the name of the person named in the matter. The shareholders, directors and officers may take such corporate or other action as is appropriate to protect such remedy, right or claim. If such corporation was dissolved by the expiration of its period of duration, such corporation may amend its articles of incorporation at any time during such period of 2 years so as to extend its period of duration.

SECTION 2038m. 180.791 (3) of the statutes is amended to read:

180.791 (3) The secretary of state shall forward report blanks by 1st class mail to every corporation in good standing not later than 60 days prior to the date on which the corporation is required by this chapter to file an annual report.

SECTION 2039. 180.793 (2) of the statutes is amended to read:

180.793 (2) Any such report not filed as required by sub. (1) may be filed only upon payment to the secretary of state of ~~\$21~~ \$22.

SECTION 2040. 180.793 (4) of the statutes is amended to read:

180.793 (4) The corporation may be restored to good standing by delivering to the secretary of state a current annual report conforming to the requirements of law and by paying to the secretary of state the ~~\$21~~ \$22 late filing fee plus ~~\$10~~ \$11 for each calendar year or part of a calendar year during which the corporation has not been in good standing, not exceeding a total of ~~\$110~~ \$132.

SECTION 2040m. 180.833 (3) of the statutes is created to read:

180.833 (3) The secretary of state shall forward report blanks by 1st class mail to every corporation in good standing not later than 60 days prior to the date on which the corporation is required by this chapter to file an annual report.

SECTION 2041. 180.87 (1) (h) of the statutes is amended to read:



180.87 (1) (h) Filing a statement of change of address of registered office or change of registered agent, or both, or a statement of resignation of registered agent, \$10, except that no fee may be collected for a change of address resulting from the action of a governmental agency if there is no corresponding change in physical location and if ~~the original and a copy~~ 2 copies of the notice of the action are submitted to the secretary of state. If simultaneous filings are made by one registered agent such fee shall be reduced to \$1 each on such filings in excess of 200.

SECTION 2042. 180.87 (1) (j) of the statutes is amended to read:

180.87 (1) (j) Filing an annual report of a foreign corporation ~~\$25~~ \$26, and in case the annual report shows that the corporation employs in this state capital in excess of the amount of capital on which a fee has previously been paid, computed as provided in s. 180.813, an additional fee which, with previous payments made on account of capital employed in this state, will amount to \$1.25 for each \$1,000 or fraction thereof of the excess.

SECTION 2043. 180.87 (1) (o) of the statutes is amended to read:

180.87 (1) (o) Receiving service of any process, notice or demand authorized to be served on the secretary of state by this chapter, ~~\$4~~ \$10.

SECTION 2044. 180.87 (1) (p) of the statutes is amended to read:

180.87 (1) (p) Filing an annual report of a domestic corporation, ~~\$10~~ \$11.

SECTION 2045. 180.87 (1) (r) of the statutes is amended to read:

180.87 (1) (r) Checking each domestic or foreign corporate record, and answering inquiry thereon including giving a list of officers and directors, ~~\$2~~ \$5 plus 50 cents for each additional list of officers and directors. Answering a request for verification of corporate existence or status or for information as to the current registered office or agent, if written, ~~\$4~~ \$5; otherwise no charge.

SECTION 2045m. 180.99 (11) of the statutes is amended to read:

180.99 (11) ANNUAL REPORT. A corporation organized and operating under this section shall furnish a report to the office of the secretary of state in each year following the year in which the corporation's articles of incorporation are filed by the secretary of state, during the calendar year quarter in which the anniversary of the filing occurs. The report shall show the names and post-office addresses of all its shareholders, directors and officers, which shall certify that, with the exceptions permitted in sub. (7), all such persons are duly licensed, certified, registered or otherwise legally authorized to render the same professional or other personal service in this state. This report shall be made on forms prescribed and furnished by the secretary of state, but shall contain no

fiscal or other information except that expressly called for by this subsection. The secretary of state shall forward report blanks by 1st class mail to every corporation in good standing not later than 60 days prior to the date on which the corporation is required by this chapter to file an annual report. It shall be signed by the president or vice president and the secretary or an assistant secretary of the corporation, and acknowledged before a notary public by the persons signing the report, shall be filed in the office of the secretary of state, and shall be in lieu of the regular annual report of corporations otherwise required by this chapter. The filing of such reports shall be governed by s. 180.793 (2), (3) and (4).

SECTION 2046. 181.06 (3) (intro.) of the statutes is amended to read:

181.06 (3) (intro.) Shall not be the same as or deceptively similar to the name of any corporation, ~~whether profit or non-profit, or any limited partnership~~ existing under any law of this state, or any foreign corporation, ~~whether profit or non-profit, or any foreign limited partnership~~ authorized to transact business or conduct affairs in this state, or a name the exclusive right to which is at the time reserved in the manner provided in this chapter, or ch. 180, except that this subsection shall not apply if the applicant files with the secretary of state either of the following:

SECTION 2047. 181.08 of the statutes is amended to read:

**181.08 Registered agent.** Each corporation shall have and continuously maintain in this state a registered agent, which agent may be ~~either~~ an individual, resident in this state, or a domestic corporation, ~~whether profit or non-profit, organized under this chapter or ch. 180 or a foreign corporation, whether profit or non-profit,~~ authorized to transact business or conduct affairs in this state. The name and address of the registered agent shall be filed with the secretary of state.

SECTION 2047m. 181.651 (3) of the statutes is amended to read:

181.651 (3) The secretary of state shall forward by 1st class mail a report form to every corporation in good standing not later than 60 days prior to the date on which the corporation is required by this chapter to file an annual report. The form shall list the information from the previous annual report submitted by the corporation and request the corporation to make the necessary changes to update the report.

SECTION 2048. 181.653 (4) of the statutes is amended to read:

181.653 (4) The corporation may be restored to good standing by delivering to the secretary of state a current annual report conforming to the requirements of law and by paying to the secretary of state the ~~\$14~~ \$17 late filing fee plus ~~\$5~~ \$6 for each calendar year or part of a calendar year during which the corporation has not been in good standing, not exceeding a total of ~~\$54~~ \$77.

SECTION 2049. 181.68 (1) (b) of the statutes is amended to read:

181.68 (1) (b) Filing articles of amendment ~~and issuing a certificate of amendment~~, \$25, except that no fee may be collected for an amendment showing only a change of address resulting from the action of a governmental agency if there is no corresponding change in physical location and if ~~the original and a copy 2 copies~~ of the notice of the action are submitted to the secretary of state;

SECTION 2050. 181.68 (1) (e) of the statutes is amended to read:

181.68 (1) (e) Filing statement of change of registered agent, address of registered agent, or a statement of resignation of registered agent, \$10, except that no fee may be collected for a change of address resulting from the action of a governmental agency if there is no corresponding change in physical location and if ~~the original and a copy 2 copies~~ of the notice of the action are submitted to the secretary of state;

SECTION 2051. 181.68 (1) (f) of the statutes is amended to read:

181.68 (1) (f) Receiving service of any process, notice or demand authorized to be served on the secretary of state by this chapter, ~~\$4~~ \$10;

SECTION 2052. 181.68 (1) (gm) of the statutes is amended to read:

181.68 (1) (gm) Filing an annual report of a domestic corporation, ~~\$5~~ \$6;

SECTION 2053. 181.68 (1) (h) of the statutes is amended to read:

181.68 (1) (h) Filing a notice of transfer of a reserved corporate name, ~~\$5~~ \$10;

SECTION 2054. 181.68 (1) (i) of the statutes is amended to read:

181.68 (1) (i) Checking each corporate record, and answering inquiry thereon, \$2 including giving a list of officers and directors, \$5 plus 50 cents for each additional list of officers and directors. Answering a request only for verification of corporate existence or status or for information as to the principal office or name and address of the registered agent, if written, ~~\$1~~ \$5; otherwise no charge.

SECTION 2054m. 181.79 of the statutes is created\* to read:

**181.79 Public purpose corporations. (1) DEFINITION.** *In this section, "public purpose corporation" means any corporation organized under this chapter to provide for a guaranteed student loan program.*

**(2) BOARD OF DIRECTORS. (a) Appointment.** *The board of directors of every public purpose corporation shall consist of 7 members appointed as follows:*

*1. Five members shall be public members, nominated by the governor, and with the advice and consent of the senate appointed, for staggered 4-year terms.*

*2. One member shall be a senator and one member shall be a representative to the assembly, appointed as are the members of standing committees in their respective houses.*

*(b) Removals and vacancies. Notwithstanding ss. 181.20 (4) and 181.21, the removal of a director from office and filling of a vacancy occurring in the board of directors shall be governed by ss. 17.07 and 17.20.*

**(3) CHIEF ADMINISTRATIVE OFFICER.** *The chief administrative officer of every public purpose corporation shall be nominated by the governor, and with the advice and consent of the senate appointed, for a 2-year term.*

**(4) COMPENSATION.** *Directors of public purpose corporations shall receive no compensation for services but shall be reimbursed for necessary expenses, including travel expenses, incurred in the discharge of duties, such reimbursement in the case of a legislator member of the board of directors to be paid by the legislature. The annual compensation of any employe of a public purpose corporation, including the chief administrative officer of the corporation, may not exceed the maximum of a salary range recommended by the secretary of employment relations and approved by the joint committee on employment relations in accordance with the procedure prescribed under s. 20.923 (4).*

**(5) PURCHASING.** *Every public purpose corporation shall adhere to specifications prepared under s. 16.72 (2), if applicable to the product or service to be purchased.*

**(6) CODE OF ETHICS.** *Every public purpose corporation shall, with the advice of the ethics board, adopt and enforce ethics guidelines applicable to its directors, employes and paid consultants which are similar to subch. III of ch. 19, except that the corporation may not require its paid consultants to file financial disclosure statements.*

**(7) TRAVEL SCHEDULE AMOUNTS.** *Directors and employes of every public purpose corporation are subject to uniform travel schedule amounts approved under s. 20.916 (8).*

**(8) AUDIT.** *Notwithstanding s. 13.94 (4) (b), public purpose corporations are subject to full audit of all of their records and operations under s. 13.94.*

**(9) APPLICABILITY OF CHAPTER.** *The provisions of this chapter apply to public purpose corporations except as otherwise provided in this section.*

SECTION 2054r. 185.48 (2) of the statutes is amended to read:

185.48 (2) The annual report shall be made on forms furnished by the secretary of state, and the

Partial  
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Partial  
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Overruled

\* The statute was created on October 16, 1985, when the required two-thirds of each house of the Legislature had voted to pass vetoed item 2-G notwithstanding the objections of the Governor.

information therein contained shall be given as of the date of the execution of the report. The secretary of state shall forward by 1st class mail report blanks to each cooperative in good standing not later than 60 days prior to the date on which the cooperative is required to file an annual report under this chapter.

SECTION 2055. 185.48 (4) of the statutes is amended to read:

185.48 (4) Any report not filed as required by sub. (3) may be filed only upon payment to the secretary of state of \$24 \$22.

SECTION 2056. 185.48 (6) of the statutes is amended to read:

185.48 (6) The cooperative may be restored to good standing by delivering to the secretary of state a current annual report and by paying the \$24 \$22 late filing fee plus \$10 \$11 for each calendar year or part thereof during which it was not in good standing, not exceeding a total of \$110 \$132.

SECTION 2057. 185.83 (1) (b) of the statutes is amended to read:

185.83 (1) (b) An amendment to or restatement of the articles or articles of merger, consolidation or division, \$10, except that no fee may be collected for an amendment showing only a change of address resulting from the action of a governmental agency if there is no corresponding change in physical location and if ~~the original and a copy~~ 2 copies of the notice of the action are submitted to the secretary of state; and an additional fee of \$1.25 for each \$1,000 of authorized stock not authorized at the time of amendment, restatement, merger, consolidation or division.

SECTION 2058. 185.83 (1) (d) of the statutes is amended to read:

185.83 (1) (d) Receiving services of any process, notice or demand, \$4 authorized to be served on the secretary of state by this chapter, \$10.

SECTION 2059. 185.83 (1) (e) of the statutes is amended to read:

185.83 (1) (e) Filing an annual report of a cooperative, \$10 \$11.

SECTION 2060. 185.83 (1) (f) of the statutes is amended to read:

185.83 (1) (f) Checking each domestic or foreign corporate record, and answering inquiry thereon, including giving a list of officers and directors, \$2 \$5 plus 50 cents for each additional list of officers and directors. Answering a request for verification of corporate existence or status or information as to the current location of the principal office or as to the current registered agent or registered office, if written, \$4 \$5; otherwise no charge.

~~SECTION 2060b. 185.981 (1) to (4) of the statutes are amended to read.~~

Vetoed  
in Part

185.981 (1) Cooperative associations may be organized under this chapter without capital stock, exclusively to establish and operate in the state or in any county or counties therein a nonprofit plan or

~~plans for sickness care, including hospital care, for their members and their dependents through contracts with physicians, medical societies, chiropractors, optometrists, dentists, dental societies, hospitals and others.~~

~~(2) Such associations shall operate only on a cooperative nonprofit basis and for the purpose of establishing, maintaining and operating a voluntary nonprofit medical health, dental or vision care plan or plans or for constructing, operating and maintaining nonprofit hospitals or other facilities whereby sickness care, including hospital, dental or vision care, is provided at the expense of such association, its members or both, to such persons or groups of persons as shall become subscribers to such plan, under contracts which will entitle each such subscriber to definite medical, surgical, chiropractic, vision, dental or hospital care, appliances and supplies, by physicians and surgeons licensed and registered under ch. 448, optometrists licensed under ch. 449, chiropractors licensed under ch. 446 and dentists licensed under ch. 447 in their offices, in hospitals, in other facilities and in the home.~~

~~(3) No cooperative association organized for the purposes provided in ss. 185.981 to 185.983 shall be prevented from contracting with any hospital in this state for the rendition of such hospital care as is included within such a plan because such hospital participates in any other such plan, or in a plan organized and operated under ss. 148.03 and 61.30. No hospital may discriminate against any physician and surgeon, chiropractor or dentist with respect to the use of such hospital's facilities by reason of his or her participation in a sickness care plan of a cooperative.~~

~~(4) No contract by or on behalf of any such cooperative association shall provide for the payment of any cash, indemnity or other material benefit by that association to the subscriber or the subscriber's estate on account of death, illness or injury, nor be in any way related to the payment of any such benefit by any other agency, but any such association may stipulate in its plan that it will pay any nonparticipating physician and surgeon, optometrist, chiropractor, dentist or hospital outside of its normal territory for sickness or hospital care rendered any covered member or a member's covered dependent who is in need of the benefits of such plan when he or she is outside of the territory of such association in which the benefits of such plan are normally available. Any such plan may prescribe monetary limitations with respect to such extraterritorial benefits.~~

~~SECTION 2060b. 185.981 (1) to (4) of the statutes, as affected by 1985 Wisconsin Act ... (this act), are repealed and restated to read:~~

185.981 (1) Cooperative associations may be organized under this chapter without capital stock, exclusively to establish and operate in the state or in any county or counties therein a nonprofit plan or plans for sickness care, including hospital care, for

Vetoed  
in Part

their members and their dependents through contracts with physicians, medical societies, optometrists, dentists, dental societies, hospitals and others.

**Vetoed  
in Part**

(2) Such associations shall operate only on a cooperative nonprofit basis and for the purpose of establishing, maintaining and operating a voluntary nonprofit medical, dental or vision care plan or plans or for constructing, operating and maintaining nonprofit hospitals or other facilities whereby sickness care, including hospital, dental or vision care, is provided at the expense of such association, its members or both, to such persons or groups of persons as shall become subscribers to such plan under contracts which will entitle each such subscriber to definite medical, surgical, vision, dental or hospital care, appliances and supplies, by physicians and surgeons licensed and registered under ch. 448, optometrists licensed under ch. 449 and dentists licensed under ch. 447 in their offices, in hospitals, in other facilities and in the home.

(3) No cooperative association organized for the purposes provided in ss. 185.981 to 185.983 shall be prevented from contracting with any hospital in this state for the rendition of such hospital care as is included within such a plan because such hospital participates in any other such plan, or in a plan organized and operated under ss. 148.03 and 613.80. No hospital may discriminate against any physician and surgeon or dentist with respect to the use of such hospital's facilities by reason of his or her participation in a sickness care plan of a cooperative.

(4) No contract by or on behalf of any such cooperative association shall provide for the payment of any cash, indemnity or other material benefit by that association to the subscriber or the subscriber's estate on account of death, illness or injury, nor be in any way related to the payment of any such benefit by any other agency, but any such association may stipulate in its plan that it will pay any nonparticipating physician and surgeon, optometrist, dentist or hospital outside of its normal territory for sickness or hospital care rendered any covered member or a member's covered dependent who is in need of the benefits of such plan when he or she is outside of the territory of such association in which the benefits of such plan are normally available. Any such plan may prescribe monetary limitations with respect to such extrajurisdictional benefits.

SECTION 2060bk. 185.981 (4m) of the statutes is created to read:

185.981 (4m) (a) A sickness care plan operated by a cooperative association shall include coverage for diagnosis and treatment of a health condition or complaint by a licensed chiropractor within the scope of the chiropractor's professional license, if the plan covers diagnosis and treatment of the condition or complaint by a licensed physician or osteopath, even if different nomenclature is used to describe the condition or complaint. Examination by or referral from a

physician shall not be a condition precedent for receipt of chiropractic care under this paragraph. This paragraph does not:

1. Prohibit the application of deductibles or coinsurance provisions to chiropractic and physician charges on an equal basis.

2. Require the plan to cover any service by a chiropractor if the plan's coverage is limited to surgical benefits.

3. Require the plan to cover any service by a chiropractor to a person who is not a registered bed patient in a hospital if the plan does not cover any service by a physician to a person who is not a registered bed patient in a hospital.

(b) A plan which limits participation to providers selected by the plan, but which does not employ a licensed chiropractor, shall select one or more licensed chiropractors and shall permit a subscriber to receive chiropractic care in accordance with par. (a) from one or more of the selected chiropractors. A plan which does not limit participation to providers selected by the plan shall permit a subscriber to receive chiropractic care in accordance with par. (a) from the subscriber's choice of one or more licensed chiropractors who have agreed to participate in the plan and abide by its terms.

(c) A plan need not provide coverage under this subsection for more than 28 visits to a licensed chiropractor in each policy year.

SECTION 2060bp. 185.981 (4m) of the statutes, as created by 1985 Wisconsin Act ... (this act), is repealed.

SECTION 2060bq. 185.981 (4t) of the statutes is created to read:

185.981 (4t) A sickness care plan operated by a cooperative association is subject to s. 632.87 (2m).

SECTION 2060bs. 185.982 (title) of the statutes, as affected by 1985 Wisconsin Act ... (this act), is amended to read:

185.982 (title) Manner of practicing medicine; payment; promotional expense.

SECTION 2060bw. 185.982 (title), (1) and (2) of the statutes are amended to read:

185.982 (title) Manner of practicing medicine, chiropractic and dentistry; payment; promotional expense.

(1) No sickness care plan or contract issued thereunder by such cooperative association shall interfere with the manner or mode of the practice of medicine, optometry, chiropractic or dentistry, the relationship of physician, chiropractor, optometrist or dentist and patient, nor the responsibility of physician, chiropractor, optometrist or dentist to patient. A plan may require persons covered to utilize health care providers designated by the cooperative association. The cooperative association may provide health care services directly through providers who are employees of the cooperative association or through agreements with individual providers or groups of providers organized on a group practice or individual practice

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basis. In making such agreements, no plan may refuse to provide coverage for vision care services or procedures provided by an optometrist licensed under ch. 449 within the scope of the practice of optometry, as defined in s. 449.01 (1), if the plan provides coverage for the same services or procedures when provided by another health care provider.

(2) Any cooperative association operating a voluntary sickness care plan under the provisions of this chapter may pay physicians and surgeons, optometrists, chiropractors or dentists on a salary, per person or fee-for-service basis to provide sickness care to members of such association. Every association shall contract only with its own members for the benefits of any plan which it operates, but any association which operates a hospital may make the facilities thereof available to nonmembers and to nonparticipating physicians, optometrists or dentists.

SECTION 2060b. 185.982 (1) and (2) of the statutes, as affected by 1985 Wisconsin Act ... (this act) are repealed and recreated to read:

185.982 (1) No sickness care plan or contract issued thereunder by such cooperative association shall interfere with the manner or mode of the practice of medicine, optometry or dentistry, the relationship of physician, optometrist or dentist and patient, nor the responsibility of physician, optometrist or dentist to patient. A plan may require persons covered to utilize health care providers designated by the cooperative association. The cooperative association may provide health care services directly through providers who are employees of the cooperative association or through agreements with individual providers or groups of providers organized on a group practice or individual practice basis. In making such agreements, no plan may refuse to provide coverage for vision care services or procedures provided by an optometrist licensed under ch. 449 within the scope of the practice of optometry, as defined in s. 449.01 (1), if the plan provides coverage for the same services or procedures when provided by another health care provider.

(2) Any cooperative association operating a voluntary sickness care plan under the provisions of this chapter may pay physicians and surgeons, optometrists or dentists on a salary, per person or fee-for-service basis to provide sickness care to members of such association. Every association shall contract only with its own members for the benefits of any plan which it operates, but any association which operates a hospital may make the facilities thereof available to nonmembers and to nonparticipating physicians, optometrists or dentists.

SECTION 2060d. 185.983 (1m) of the statutes is amended to read:

185.983 (1m) In addition to ss. 601.04, 601.31, 632.79 and 632.895 (5), the commissioner of insurance may by rule subject a medicare supplement policy as defined in s. 600.03 (28r) or a medicare replacement policy as defined in s. 600.03 (28p) sold by a voluntary

nonprofit sickness care plan to other provisions of chs. 600 to 646.

SECTION 2060g. 185.983 (3) (b) of the statutes is amended to read:

185.983 (3) (b) Except as provided in par. (c), par. (a) applies to plans on and after May 10, 1984, and before July 1, 1986 1988.

SECTION 2060r. 185.983 (3) (c) of the statutes is amended to read:

185.983 (3) (c) If compliance with the requirements of par. (a) during the period specified in par. (b) would impair any provision of a contract between a cooperative association and any other person, and if the contract provision was in existence prior to May 10, 1984, then immediately after the expiration of all such contract provisions, if before July 1, 1986 1988, the plan operated by the cooperative association shall comply with the requirements of par. (a), and if on or after July 1, 1986 1988, the plan shall provide one period of at least 30 days during which any pharmacist may elect to participate in the plan, as provided in par. (a), for at least one year.

SECTION 2061b. 186.01 (3m) of the statutes is created to read:

186.01 (3m) "National board" means the national credit union administration board of the national credit union administration established under 12 USC 1752 or the managing body of any successor that is authorized to provide federal share insurance for state-chartered credit unions.

SECTION 2061e. 186.26 (1) (b) of the statutes is amended to read:

186.26 (1) (b) In lieu of an annual examination of a credit union under par. (a), the commissioner may accept an audit report of the condition of the credit union made by a certified public accountant not an employe of the credit union in accordance with rules promulgated by the commissioner. The cost of the audit shall be paid by the credit union. A copy of each audit under this paragraph shall be furnished to the Wisconsin credit union savings insurance corporation if the credit union's savings are protected or guaranteed by the Wisconsin credit union savings insurance corporation.

SECTION 2061h. 186.27 (2) of the statutes is amended to read:

186.27 (2) When called as a witness in any criminal proceeding or trial in a court of justice; or

SECTION 2061L. 186.27 (3) of the statutes is created to read:

186.27 (3) The commissioner may do any of the following:

(a) Furnish to the national board or any official or examiner of it a copy of any examination made of any credit union or of any report made by the credit union.

(b) Give access to and disclose to the national board or any official or examiner of it any information possessed by the commissioner about the condi-

tions or affairs of any credit union whose savings are insured by the national board.

SECTION 2061n. 186.29 (1) (k) of the statutes is created to read:

186.29 (1) (k) Has been given notice of intent to terminate insured status by the national board.

SECTION 2061p. 186.29 (1m) of the statutes is renumbered 186.29 (1m) (a) and amended to read:

186.29 (1m) (a) The commissioner may suspend, for a period of up to 120 days, the business or ~~any an~~ officer, director, committee member or employe of ~~any a~~ credit union ~~for conduct specified if the commissioner finds the existence of any condition~~ under sub. (1) (a) to ~~(j)~~ (k). The commissioner may renew a suspension under this paragraph any number of times and for periods of up to 120 days if the commissioner finds that the condition or conditions continue to exist.

SECTION 2061r. 186.29 (1m) (b) of the statutes is created to read:

186.29 (1m) (b) The commissioner shall suspend the business of a credit union, other than a corporate central credit union, if the credit union does not comply with s. 186.34 (2) (a). The commissioner shall then liquidate the credit union under this section unless the credit union files a complete application for federal share insurance from the national board within 30 days after the date the suspension under this paragraph commences. The commissioner shall authorize a credit union to resume its business if it files an application within the time period specified in this paragraph.

SECTION 2061t. 186.29 (1p) of the statutes is created to read:

186.29 (1p) POSSESSION BY COMMISSIONER. (a) *Discretionary possession.* The commissioner may take possession of the business and property of a credit union if the commissioner finds the existence of any condition under sub. (1) (a) to (k).

(b) *Mandatory possession.* The commissioner shall take possession of the business and property of a credit union that violates s. 186.34 (2) (b) and of a credit union that the commissioner is required to liquidate under sub. (1m) (b).

SECTION 2061v. 186.31 (1) of the statutes is amended to read:

186.31 (1) Any credit union, which is in good faith winding up its business for the purpose of consolidating with some other credit union, may transfer its assets and liabilities to the credit union with which it is in the process of consolidation; but no consolidation may be made without the consent of the commissioner, and not then to defeat or defraud any of its creditors in the collection of debts against such credit union. No consolidation may be carried out without the consent of the Wisconsin credit union savings insurance corporation if it protects or guarantees the accounts of any credit union participating in the con-

solidation, or the national board if it insures the shares of any credit union participating in the consolidation.

SECTION 2061u. 186.314 (4) of the statutes is amended to read:

186.314 (4) Upon ceasing to be a state credit union, such credit union shall no longer be subject to this chapter. The successor federal credit union shall be vested with all the assets and shall continue to be responsible for all of the obligations of the state credit union, including annual and special assessments levied under s. 186.35 (5) (d) prior to the date a copy of the federal credit union charter is filed with the commissioner, to the same extent as though the conversion had not taken place.

SECTION 2061y. 186.34 of the statutes is created to read:

**186.34 Federal share insurance.** (1) No credit union organized under this chapter on or after the effective date of this subsection .... [revisor inserts date], may accept any deposit from any person other than an incorporator before the credit union has received a certificate of share insurance issued by the national board.

(2) (a) Every credit union organized under this chapter prior to the effective date of this paragraph .... [revisor inserts date], except a corporate central credit union, shall file a complete application for federal share insurance from the national board not later than 180 days after the effective date of this paragraph .... [revisor inserts date]. The commissioner shall suspend the business of or liquidate any credit union that fails to comply with this paragraph under s. 186.29 (1m) (b).

(b) Every credit union incorporated under this chapter prior to the effective date of this paragraph .... [revisor inserts date], except a corporate central credit union, shall obtain a certificate of insurance issued by the national board within 42 months after the effective date of this paragraph .... [revisor inserts date]. The commissioner shall liquidate under s. 186.29 any credit union that fails to comply with this paragraph.

(c) Within 42 months after the effective date of this paragraph .... [revisor inserts date], a corporate central credit union shall either obtain a certificate of insurance from the national board or shall voluntarily terminate share protection or guarantee coverage by the Wisconsin credit union savings insurance corporation under s. 186.35 (10) (a).

(3) The commissioner shall give the Wisconsin credit union savings insurance corporation written notice of all of the following:

(a) The name of each credit union liquidated under s. 186.29 for failure to comply with sub. (2) (a) or (b), after the charters of all such credit unions have been canceled.

(b) That all other credit unions have complied with sub. (2).

(4) Every credit union that receives a certificate of insurance from the national board shall file a copy of

the certificate with the commissioner within 30 days after the credit union receives the certificate. Every credit union organized under this chapter prior to the effective date of this subsection .... [revisor inserts date], that receives a certificate of insurance from the national board shall also file a copy of the certificate with the Wisconsin credit union savings insurance corporation within 30 days after receipt of the certificate.

(5) Notwithstanding any other provision of this chapter, every credit union, other than a corporate central credit union, shall take, and a corporate central credit union may take, every action lawfully required to maintain federal share insurance coverage in full force and effect, and shall refrain or desist from taking any action that is likely to cause termination of federal share insurance coverage.

SECTION 2062b. 186.35 (2) (a) of the statutes is amended to read:

186.35 (2) (a) Aid and assist any member credit union which develops financial difficulties such as insolvency, nonliquidity or liquidation, in order that the savings and deposits of each member of a member credit union and each public depositor shall be protected or guaranteed. The corporation shall protect or guarantee each account in a member credit union to the extent the funds in the account do not exceed the greater of \$100,000 or the amount of deposit protection or guaranty provided for the benefit of a depositor in any other financial institution authorized to do business in this state.

SECTION 2062e. 186.35 (5) (a) of the statutes is amended to read:

186.35 (5) (a) All credit unions and corporate central credit unions operating and existing under this chapter prior to the effective date specified in SECTION 3204 (intro.) of this act .... [revisor inserts date], shall become members of the corporation. ~~Credit unions organized under federal charter, whose principal office is located in this state, may become members upon application and approval of the trustees~~ No credit union organized under this chapter or any other law may become a member of the corporation after the effective date specified in SECTION 3204 (intro.) of this act .... [revisor inserts date].

SECTION 2062h. 186.35 (5) (c) of the statutes is repealed.

SECTION 2062L. 186.35 (5) (d) of the statutes is renumbered 186.35 (5) (d) 1 and amended to read:

186.35 (5) (d) 1. A regular annual assessment, not to exceed 0.1% of the member's savings capital, including public funds deposited in the credit union, shall be levied by the trustees against each member. ~~In the event of potential impairment of the corporation's capital funds, special assessments may be levied by the trustees with the approval of the commissioner whose savings are protected or guaranteed by the corporation.~~ The member's savings capital as of December 31 shall be the basis for calculating the annual assessment due the ensuing year. The trustees shall determine the

date the annual assessment is due and payable. Each annual assessment, and any special assessment, ~~when paid by the member, under subd. 2 shall be a charge to its regular reserve. The guaranty on these credit union savings in a central credit union shall extend to the full amount of the savings balances and is not limited by the maximum protection afforded a member under sub. (2) (a). The guaranty on public funds is not limited by sub. (2) (a).~~ Nothing in this paragraph authorizes levying of assessments against national corporate central credit unions.

SECTION 2062n. 186.35 (5) (d) 2 of the statutes is created to read:

186.35 (5) (d) 2. In the event of the potential impairment of the corporation's capital, special assessments may be levied against all member credit unions by the trustees with the approval of the commissioner. The trustees shall determine the total amount of any special assessment, and each member shall be liable to the corporation for a fraction of the total special assessment. Each member's fractional share of a special assessment shall be determined under sub. (12).

SECTION 2062r. 186.35 (5) (g) of the statutes is repealed.

SECTION 2062u. 186.35 (10) to (13) of the statutes are created to read:

186.35 (10) TERMINATION OF PROTECTION OR GUARANTY. (a) The accounts of every credit union, including a corporate central credit union, that is a member of the corporation on the effective date of this paragraph .... [revisor inserts date], and receives a certificate of insurance under s. 186.34 shall cease to be protected or guaranteed by the corporation on the effective date of the certificate. A corporate central credit union may voluntarily terminate protection or guarantees of its accounts by the corporation by filing with the trustees a resolution duly adopted by the corporate central credit union's board of directors. The accounts of a corporate central credit union that files a resolution under this paragraph shall cease to be protected or guaranteed by the corporation on the date the resolution is filed.

(b) Within 90 days after the date a credit union's accounts cease to be protected or guaranteed under par. (a), the corporation shall refund to the credit union the membership fee paid by the credit union and a prorated portion of any regular annual assessment paid by the credit union for the calendar year in which the credit union's membership terminated. The proration shall be based on the number of full calendar months remaining in the calendar year after the date of termination.

(11) LIQUIDATION OF THE CORPORATION. (a) Within 30 days after receipt of written notice from the commissioner under s. 186.34 (3), the corporation shall publish a class 3 notice, under ch. 985, requiring all persons who have claims against the corporation to file proof of their respective claims at a place and by a date not earlier than 30 days after the last insertion of

the notice. Proof of publication shall be filed with the clerk of the circuit court. Notwithstanding any other law, any claim for which no proof of claim is filed by the date fixed in the notice is barred. Within 30 days after the last date for filing claims, the corporation shall give notice by registered or certified mail to each claimant if the corporation denies all or any part of the claimant's claims. Any claim for which notice of complete or partial denial is duly mailed is barred unless the claimant commences an action within 90 days after the date of mailing of the notice.

(b) Within 30 days after the termination of the period for commencing actions under par. (a), the trustees shall determine the amount reasonably necessary to pay all of the corporation's outstanding, lawful liabilities and to pay the expenses of winding up the corporation's affairs. Upon receiving the approval of the commissioner, the corporation shall set aside the amount approved by the commissioner and shall immediately distribute all of the remaining assets of the corporation, subject to par. (c). The corporation may make other subsequent distributions, subject to par. (c) if any additional surplus is realized. Any surplus remaining after the corporation has been dissolved shall be distributed, subject to par. (c).

(c) Distributions under par. (b) shall be limited exclusively to credit unions that are members of the corporation operating under this chapter on the date that the corporation authorizes each distribution. Each member's share of a distribution under par. (b) shall be determined under sub. (12).

(12) COMPUTATIONS. Each member credit union's fractional share of liquidating distributions under sub. (11) and special assessments under sub. (5) (d) 2 shall be calculated as follows:

(a) Except as provided in par. (c), the numerator of the fraction shall be the total of all annual and special assessments paid to the corporation by the member, reduced by any refund to the member of a prorated portion of an annual assessment under sub. (10) (b) and by any amounts paid to the member by the corporation as a protection or guaranty of any account in the member credit union, other than an account transferred to the member credit union as a result of a consolidation or liquidation of another credit union.

(b) The denominator of the fraction shall be the total of all annual and special assessments paid by all members participating in the distribution or special assessment.

(c) 1. The numerator of the fraction under par. (a) for a corporate central credit union shall include all annual and special assessments paid to the corporation in the name of a predecessor credit union that are attributable to deposits in the predecessor credit union by other credit unions organized under this chapter or any other law.

2. The numerator of the fraction under par. (a) for a credit union that is the predecessor of a corporate central credit union under subd. 1 shall exclude all

annual and special assessments paid to the corporation in the name of the predecessor credit union that are attributable to deposits in the predecessor credit union by other credit unions organized under this chapter or any other law.

(13) LIMITATIONS ON ACTIONS. Notwithstanding any other law, the corporation is immune from any claim by any person if the claim relates primarily to protection or guarantees of accounts in a member credit union and arises after the effective date of a certificate of insurance obtained by the member credit union under s. 186.34.

SECTION 2062y. 186.38 (2) of the statutes is amended to read:

186.38 (2) ORGANIZATION. The corporation may be organized under this section by the duly authorized representatives of ~~both the Wisconsin credit union savings insurance corporation and one or more other~~ credit union share or deposit corporations. The articles of incorporation shall require the approval of the commissioner and shall be filed with the commissioner and the register of deeds of the county in which the principal office of the corporation is located. Amendments to the articles, adopted by a vote of two-thirds of the voting shares represented at an annual meeting or at a special meeting called for that purpose, shall be filed with the commissioner upon payment of a fee of \$5 and if approved by the commissioner shall become effective upon being recorded in the office of the register of deeds in the same manner as the original articles. This corporation shall be under the exclusive supervision of the commissioner under sub. (9) and the commissioner shall, with the approval of the credit union review board, fix and assess the corporation a fair amount for such supervision and examination of the corporation.

SECTION 2063. 190.11 (3) of the statutes is amended to read:

190.11 (3) The secretary of state shall collect a fee of ~~25 cents per folio~~ \$1 per page filed under sub. (1).

SECTION 2063m. 194.01 (4) of the statutes is amended to read:

194.01 (4) "For hire" means for compensation, and includes compensation obtained by a motor carrier indirectly, by subtraction from the purchase price or addition to the selling price of property transported, where the purchase or sale thereof is not a bona fide purchase or sale. Any person who pretends to purchase property to be transported by such person or who purchases property immediately prior to and sells it immediately after the transportation thereof shall be deemed to be transporting the property for hire and not a bona fide purchaser or seller thereof. ~~The lease or rental of a motor vehicle to a person for transportation of the person's property which lease or rental directly or indirectly includes the lessor's services as of a driver shall be deemed to be transportation for hire and not private carriage. Nothing herein contained shall be construed to include~~ This subsection does not



apply to motor vehicle operations which are conducted merely as an incident to or in furtherance of any business or industrial activity.

SECTION 2066. 194.11 of the statutes is amended to read:

**194.11 Inspection of premises or vehicles.** The department or the office, or its duly authorized agents of the department or office, may at any time enter upon any premises within this state occupied by any common motor carrier of property or passengers, any contract motor carrier or any private motor carriers, or any motor vehicle of a common motor carrier, contract motor carrier or a private motor carrier, ~~or may stop any such motor vehicle upon the public highways~~ for the purpose of exercising any power provided for in this chapter. Duly authorized agents of the department may stop a motor vehicle under this section upon the public highways for the purpose of exercising any power provided for in this chapter.

SECTION 2067. 195.07 (1) of the statutes is amended to read:

195.07 (1) **POWERS.** The office ~~may request the department to~~ shall inquire into the neglect or violation of the laws of this state by railroads, or by the officers, agents or employes thereof, or by persons operating railroads, and ~~the department may~~ shall report violations to the attorney general.

SECTION 2068. 195.07 (2) of the statutes is amended to read:

195.07 (2) **ATTORNEY GENERAL AND DISTRICT ATTORNEY TO PROSECUTE.** Upon request of the ~~department office~~, the attorney general or the district attorney of the proper county shall aid in any investigation, hearing or trial had under, and shall institute and prosecute all necessary actions or proceedings for the enforcement of, laws relating to railroads.

SECTION 2069. 195.285 (1) of the statutes is amended to read:

195.285 (1) Upon the petition of a railroad corporation, the department, or the governing body of any city, village, town or county asserting that the stopping of vehicles under s. 346.45 at a railroad crossing is hazardous to human life, the office ~~of the commissioner of transportation~~ shall hold a hearing on the matter as provided under s. 195.04. Notice of petition shall be served upon the department, which shall be an interested party, and any recommendations it may file with the office ~~of the commissioner of transportation~~ regarding the hazardous effect of vehicles stopping at such crossings shall be considered as evidence in the proceedings. Upon the recommendation of the department and concurrence by the office ~~of the commissioner of transportation~~, the petition may be dismissed without holding a hearing. If upon the public hearing the ~~department office~~ determines that it would be in the public interest to exempt vehicles specified in s. 346.45 from stopping at such grade crossing, it may order the public body having jurisdiction over the highway to erect signs, signals, markings or other

devices exempting such vehicles from stopping at the crossing.

SECTION 2071. 198.22 (11) of the statutes is amended to read:

198.22 (11) **EXAMINATION AND REPORT OF STATE DEPARTMENT.** The directors shall annually employ the ~~department of revenue pursuant to s. 73.10 or a certified public accountant to make an annual examination and report of the accounts and transactions of the district and of all contracts entered into by the district and make such the recommendations and suggestions as to it or him that seem proper and required for the efficient, economical and advantageous management and operation of the district.~~

SECTION 2071g. 199.03 (10) of the statutes is repealed and recreated to read:

199.03 (10) "Periodic customer billing" means a notice required by law or an invoice listing charges submitted to a residential utility customer on a monthly or other regular basis by a public utility to whom the corporation furnishes an enclosure under s. 199.10. "Periodic customer billing" does not mean any promotional or informational literature, invoice listing charges for any other person or any enclosure which describes current or future service charges.

SECTION 2071m. 218.01 (7a) (a) of the statutes is amended to read:

218.01 (7a) (a) No motor vehicle shall be offered for sale by any motor vehicle dealer or motor vehicle salesman unless the odometer reading thereon is disclosed in writing by the prior owners and ~~such the~~ disclosure is subsequently shown to the retail purchaser by the dealer or salesman prior to sale. ~~Such The~~ disclosure requirement ~~shall~~ does not apply to a moped, motor bicycle, all-terrain vehicle, motor vehicle with a gross weight rating of more than 16,000 pounds ~~or,~~ a vehicle 25 or more years old; or a new vehicle obtained by ~~such the~~ dealer directly from a manufacturer or distributor.

SECTION 2073. 227.01 (11) (jL) of the statutes is created to read:

227.01 (11) (jL) 1. Relates to the administration of the child support supplement program under s. 46.257.

2. Subdivision 1 does not apply after September 30, 1990.

SECTION 2074. 227.01 (11) (jm) of the statutes is created to read:

227.01 (11) (jm) 1. Relates to any of the procedures authorized or directed under s. 46.25 (9).

2. Subdivision 1 does not apply after December 31, 1986.

SECTION 2075. 227.01 (11) (jo) of the statutes is created to read:

227.01 (11) (jo) Relates to any of the procedures authorized or directed under s. 46.25 (9) (b) to (d). This paragraph applies after December 31, 1986.

SECTION 2078. 227.024 (1m) of the statutes is created to read:

227.024 (1m) EXCEPTION; PREPARATION OF CERTAIN ENVIRONMENTAL RULES BASED ON FEDERAL REGULATIONS. (a) *Identical programs*. Notwithstanding sub. (1), an agency may use the format of federal regulations published in the code of federal regulations in preparing a proposed rule for publication or distribution and in preparing a proposed rule for filing if the agency determines that all or part of a state environmental regulatory program is to be administered according to standards, requirements or methods which are identical to standards, requirements or methods specified for all or part of a federal environmental regulatory program.

(b) *Similar programs*. Notwithstanding sub. (1), an agency may use the format of federal regulations published in the code of federal regulations in preparing a proposed rule for publication or distribution and in preparing a proposed rule for filing if the agency determines that all or part of a state environmental regulatory program is to be administered according to standards, requirements or methods which are similar to standards, requirements or methods specified for all or part of a federal environmental regulatory program.

SECTION 2079. 227.024 (2) of the statutes is amended to read:

227.024 (2) ANALYSIS. (a) (title) *Requirement*. An agency shall prepare in plain language an analysis of each proposed rule to be printed with the proposed rule when it is published or distributed.

(b) (title) *Reference to statutes and rules*. The analysis shall include a reference to any statute that the proposed rule interprets, any related statute and related rule and.

(c) (title) *Summary*. The analysis shall include a brief summary of the proposed rule.

SECTION 2080. 227.024 (2) (d) of the statutes is created to read:

227.024 (2) (d) *Reference to federal regulations*. If the proposed rule is prepared in the format authorized under sub. (1m), the analysis shall include a reference to the federal regulation upon which it is based. If the proposed rule is prepared in the format authorized under sub. (1m) but differs from the federal regulation as permitted under sub. (1m) (b), the analysis shall specify each portion of the proposed rule that differs from the federal regulation upon which it is based.

SECTION 2081. 227.033 (3) of the statutes is created to read:

227.033 (3) Nothing in this section prohibits the administrator of the division of merit recruitment and selection in the department of employment relations from adopting rules relating to expanded certification under s. 230.25 (1n).

SECTION 2081m. 227.09 (8) of the statutes is created to read:

227.09 (8) If the hearing examiner assigned under s. 227.012 (1) (b) renders the final decision in a contested case and the decision is subject to judicial review under s. 227.15, the department of natural resources may petition for judicial review.

SECTION 2082. 230.01 (2) of the statutes is amended to read:

230.01 (2) It is the policy of the state and the responsibility of the secretary and the administrator to maintain a system of personnel management which fills positions in the classified service through methods which apply the merit principle, with adequate civil service safeguards. It is the policy of this state to provide for equal employment opportunity by ensuring that all personnel actions including hire, tenure or term, and condition or privilege of employment be based on the ability to perform the duties and responsibilities assigned to the particular position without regard to age, race, creed or religion, color, handicap, sex, national origin, ancestry, sexual orientation or political affiliation. If there are substantial disparities between the proportions of members of racial, ethnic, gender, or handicap groups in a classified civil service classification in an agency and the proportions of such groups in this state, it is the policy of this state to take affirmative action which is not in conflict with other provisions of this subchapter to correct the imbalances and to eliminate the present effects of past discrimination. Gender group does not include any group discriminated against because of sexual orientation. It is the policy of the state to ensure its employees opportunities for satisfying careers and fair treatment based on the value of each employee's services. It is the policy of this state to encourage disclosure of information under subch. III and to ensure that any employee employed by a governmental unit is protected from retaliatory action for disclosing information under subch. III. It is the policy of this state to correct pay inequities based on gender or race in the state civil service system.

SECTION 2084. 230.046 (2) of the statutes is amended to read:

230.046 (2) SUPERVISORY TRAINING. After initial appointment to a supervisory position, the appointing authority shall ensure that each classified service supervisor successfully completes a supervisory development program approved by the secretary. A waiver of any part of the probationary period under s. 230.28 (1) (c) may not be granted before completion of the development program. The program shall include such subjects as state personnel policies, grievance handling, discipline, performance evaluation, understanding the concerns of state employees with children and the supervisor's role in management.

SECTION 2085. 230.048 of the statutes is created to read:

**230.048 Day care for children of state employes.** (1) The department shall develop a pilot proposal for administration of a day care facility located at or near

a place of employment for state employees, to provide day care services for children of state employees. The department shall contract with one or more day care providers who shall operate the day care facility. The day care provider shall charge a fee to state employees whose children receive day care services at the facility.

(2) The department shall fund 90% of the salary of a day care facility director for 6 months and 90% of the costs of equipment and of facility rental and remodeling from the appropriation under s. 20.512 (1) (b).

(3) (a) The department shall prepare a preliminary report and a final report evaluating all of the following:

1. The day care facility's effectiveness in enhancing the productivity and efficiency of state employees.

2. The effect of providing funds under 1985 Wisconsin Act ... (this act) upon the implementation of the pilot proposal and upon future funding needs for operating the day care facility.

3. The desirability and effect of providing space in state facilities to day care providers at no cost or at a cost less than the cost of operating, maintaining and amortizing the construction cost of the space.

(b) The department shall submit the reports under this subsection to the governor as follows:

1. The preliminary report, no later than the first day of the 13th month commencing after the day care facility commences operations.

2. The final report, no later than the first day of the 19th month commencing after the day care facility commences operations.

SECTION 2086. 230.08 (2) (e) (intro.) of the statutes is amended to read:

230.08 (2) (e) (intro.) The number of division administrator positions as specified in this paragraph for any board, department, or commission ~~or office~~ as defined in sub. (4) (a) and s. 15.01 (5), with specific functional assignments to be determined by the appointing authority, except as otherwise provided in sub. (4) or as otherwise provided by law:

SECTION 2087. 230.08 (2) (e) 4a of the statutes is repealed.

SECTION 2087m. 230.08 (2) (e) 5m of the statutes is amended to read:

230.08 (2) (e) 5m. Historical society — 1 2.

SECTION 2089. 230.08 (2) (L) 5m of the statutes is created to read:

230.08 (2) (L) 5m. Public defender board.

SECTION 2090. 230.08 (2) (Lp) of the statutes is repealed.

SECTION 2090m. 230.08 (2) (m) 1 of the statutes is repealed.

SECTION 2091s. 230.08 (2) (p) of the statutes is amended to read:

230.08 (2) (p) The executive director ~~and~~, an executive assistant to the executive director and all investment directors of the investment board.

SECTION 2092. 230.08 (3) (d) of the statutes is repealed.

SECTION 2093. 230.08 (4) (a) of the statutes is amended to read:

230.08 (4) (a) The number of administrator positions specified in sub. (2) (e) includes all administrator positions specifically authorized by law to be employed in a department, board, or commission ~~or office~~ outside the classified service. In this paragraph, "department" has the meaning given under s. 15.01 (5), "board" means the public defender board and the board of vocational, technical and adult education, and "commission" means the public service commission ~~and "office" means the governor's employment and training office.~~ Notwithstanding sub. (2) (z), no division administrator position exceeding the number authorized in sub. (2) (e) may be created in the unclassified service.

SECTION 2094. 230.08 (4) (c) of the statutes is amended to read:

230.08 (4) (c) Any proposal of a board, department, or commission ~~or office~~, as defined in par. (a) and s. 15.01 (5), for a change in the number of positions enumerated in sub. (2) (e), before being submitted to the legislature, shall first be submitted by the board, department, or commission ~~or office~~ for a separate review by the department of administration and by the secretary. The department of administration's review shall include information on the appropriateness of the proposed change with regard to a board's, department's, or commission's ~~or office's~~ current or proposed internal organizational structure under s. 15.02 (4). The secretary's review shall include information on whether the existing classified or existing or proposed unclassified division administrator position involved is or would be assigned to pay range 1-18 or above in schedule 1, or a comparable level, of the compensation plan under s. 230.12. The results of these reviews shall be provided by the department of administration and by the secretary to the joint committee on finance and the joint committee on employment relations at the same time that the board's, department's, or commission's ~~or office's~~ proposal is presented to either committee.

SECTION 2095. 230.09 (1) (intro.) of the statutes is amended to read:

230.09 (1) (intro.) The secretary shall ascertain and record the duties, responsibilities and authorities of, and establish grade levels and classifications for, all positions in the classified service. ~~He or she shall use job evaluation methods which in his or her judgment are appropriate to the class or occupational groups.~~ Each classification so established shall include all positions which are comparable with respect to authority, responsibility and nature of work required. Each classification shall be established to include as many positions as are reasonable and practicable. In addition, each class shall:

SECTION 2096. 230.09 (2) (b) of the statutes is amended to read:

230.09 (2) (b) To accommodate and effectuate the continuing changes in the classification plan as a result of the classification survey program and otherwise, the secretary shall, upon initial establishment of a classification, assign that class to the appropriate pay rate or range, and may, upon subsequent review, reassign classes to different pay rates or ranges. The secretary shall apply the principle of equal pay for work of equivalent skills and responsibilities when assigning a classification to a pay range assign each class to a pay range according to the skill, effort, responsibility and working conditions required for the class, without regard to whether the class is occupied primarily by members of a certain gender or racial group. The secretary shall give notice to appointing authorities to permit them to make recommendations before final action is taken on any such assignment or reassignment of classes.

SECTION 2097. 230.09 (2) (bp) of the statutes is created to read:

230.09 (2) (bp) 1. Notwithstanding ss. 111.93 (3) and 230.01 (3), if the secretary reassigns a class to a different pay range in order to correct pay inequities based on gender or race, the secretary may adjust the pay rate of an employe occupying a position in that class so that the pay rate is higher than the permanent status in class minimum of the pay range to which the class is reassigned.

2. Subdivision 1 does not apply after June 30, 1989.

SECTION 2098. 230.12 (1) (a) of the statutes is amended to read:

230.12 (1) (a) *General provision.* 1. The compensation plan ~~is the listing of the~~ consists of both of the following:

a. The dollar values of the pay rates and ranges and the within range pay steps of the separate pay schedules to which the classes and grade levels for positions in the classified service established under the classification plan are assigned.

b. The provisions governing the pay of all unclassified positions except positions for faculty and academic staff of the university of Wisconsin system which are not identified under s. 20.923 (4), (8) or (9), for employes of the legislature which are not identified under s. 20.923 (4), for employes of a service agency under subch. IV of ch. 13, for employes of the state court system and for one stenographer employed by each elective constitutional officer under s. 230.08 (2) (g).

2. In addition, the compensation plan may, when applicable, include provisions for supplemental pay and pay adjustments, and other provisions required to implement the plan or amendments thereto.

3. Provisions for administration of the compensation plan and salary transactions shall be provided in

either the rules of the secretary or the compensation plan.

SECTION 2100g. 230.12 (1) (b) (title) of the statutes is amended to read:

230.12 (1) (b) (title) *Schedules.*

SECTION 2100h. 230.12 (1) (b) of the statutes is renumbered 230.12 (1) (b) 1 and amended to read:

230.12 (1) (b) 1. The secretary shall develop a master salary schedule. Except as provided in subd. 2 under the master salary schedule, counterpart pay ranges in the separate pay schedules shall have the same minimum pay rates, maximum pay rates and permanent status in class minimum pay rates. The several separate pay schedules may incorporate different pay structures and wage and salary administration features. Each schedule shall provide for pay ranges or pay rates and applicable methods and frequency of within range pay adjustments based on such considerations as competitive practice, appropriate principles and techniques of wage and salary administration and determination, elimination of pay inequities based on gender or race, and the needs of the service. Not limited by enumeration, such considerations for establishment of pay rates and ranges and applicable within range pay adjustments may include provisions prevalent in schedules used in other public and private employment, professional or advanced training, recognized expertise, or any other criteria which assures state employe compensation is set on an equitable basis.

Vetoed  
in Part

SECTION 2100i. 230.12 (1) (b) 2 of the statutes is created to read:

230.12 (1) (b) 2. The secretary may ~~not, for the purpose of complying with this paragraph,~~ reformulate any separate pay schedule existing on the effective date of this subdivision ... [revisor inserts date], which is not compatible with the master salary schedule, ~~but the secretary shall attempt to ensure that pay for positions covered by such a separate schedule is comparable to pay for positions requiring similar skill, effort, responsibility and working conditions.~~

Vetoed  
in Part

SECTION 2101. 230.12 (3) (a) of the statutes is amended to read:

230.12 (3) (a) *Submission to the joint committee on employment relations.* The secretary shall submit to the joint committee on employment relations a proposal for any required changes in the compensation plan which may include across the board pay adjustments for positions in the classified service. The proposal shall include the amounts and methods for within range pay progression, for pay transactions, and for performance awards. The proposal shall be based upon experience in recruiting for the service, the principle of providing pay equity regardless of gender or race, data collected as to rates of pay for comparable work in other public services and in commercial and industrial establishments, recommendations of agencies and any special studies carried on as to the need for any changes in the compensation plan to

cover each year of the biennium. The proposal shall also take proper account of prevailing pay rates, costs and standards of living and the state's employment policies.

SECTION 2102. 230.12 (3) (ad) of the statutes is amended to read:

230.12 (3) (ad) *Timing of proposed changes.* Notwithstanding any other statute, the secretary may delay timing for announcement or implementation of any recommended changes in the compensation plan under this section until after some or all of the collective bargaining agreements under subch. V of ch. 111 for that biennium are negotiated. Any such action taken under this paragraph is not appealable under s. 230.44.

SECTION 2103. 230.12 (3) (e) of the statutes is amended to read:

230.12 (3) (e) *University of Wisconsin system faculty and academic staff employes.* The secretary, after receiving recommendations from the board of regents, shall submit to the joint committee on employment relations a proposal for adjusting compensation and employe benefits for employes under ss. 20.923 (5) and (6) (m) and 230.08 (2) (d). The proposal shall be based upon the competitive ability of the board of regents to recruit and retain qualified faculty and academic staff, data collected as to rates of pay for comparable work in other public services, universities and commercial and industrial establishments, recommendations of the board of regents and any special studies carried on as to the need for any changes in compensation and employe benefits to cover each year of the biennium. The proposal shall also take proper account of prevailing pay rates, costs and standards of living and the state's employment policies. The proposal for such pay adjustments may contain recommendations for across-the-board pay adjustments, merit or other adjustments and employe benefit improvements. Paragraph (b) and sub. (1) (bf) shall apply to the process for approval of all pay adjustments for employes under ss. 20.923 (5) and (6) (m) and 230.08 (2) (d). The proposal as approved by the joint committee on employment relations and the governor shall be based upon a percentage of the budgeted salary base for employes under ss. 20.923 (5) and (6) (m) and 230.08 (2) (d). The amount included in the proposal for merit and adjustments other than across-the-board pay adjustments shall be available for discretionary use by the board of regents.

SECTION 2104. 230.12 (10) of the statutes is created to read:

230.12 (10) **PAY INCREASES FOR CERTAIN UNCLASSIFIED SERVICE EMPLOYES.** (a) *Generally.* No appointing authority may, during any fiscal year, grant a person occupying a position in the unclassified service a pay increase in addition to any across-the-board pay increase approved in the compensation plan, if the additional pay increase exceeds an amount equal to 10% of the base pay the person received before receiv-

ing any across-the-board pay increase for that fiscal year. No person occupying a position in the unclassified service may receive a pay increase other than any across-the-board pay increase and any merit and discretionary pay adjustments approved in the compensation plan, or any equivalent adjustment, unless either of the following applies:

1. The person occupies a position assigned to an executive salary group under s. 20.923 and the secretary finds that, during the time the person occupied the position:

a. The duties and responsibilities of the position increased substantially; and

b. The position is reassigned under s. 20.923 to an executive salary group with a higher maximum compensation rate than that of the executive salary group to which the position was assigned before the reassignment.

2. The person occupies a position not assigned to an executive salary group, and the secretary finds that during the time the person occupied the position the duties and responsibilities of the position increased substantially so that if the position were allocated to a classification or assigned to an executive salary group under s. 20.923 (4), the secretary would have a reasonable basis upon which to reallocate the position to a higher classification or reassign the position to a higher executive salary group.

(b) *Pay increases if duties and responsibilities increase.* A person described under par. (a) 1 or 2 may receive a pay increase equal to the amount specified in the compensation plan. No person described under par. (a) 1 or 2 may receive more than one pay increase based upon the same finding by the secretary under par. (a) 1 or 2.

(c) *Exceptions.* This subsection does not apply to any person employed by the office of the governor or lieutenant governor, by the university of Wisconsin system except in a position identified under s. 20.923 (4), (8) or (9), by the legislature except in a position identified under s. 20.923 (4), by a service agency under subch. IV of ch. 13, or by the courts, or to one stenographer employed by each elective constitutional officer under s. 230.08 (2) (g).

SECTION 2105. 230.25 (1n) of the statutes is created to read:

230.25 (1n) (a) After certifying names under sub. (1) and (1m), the administrator may engage in expanded certification by doing one or more of the following:

1. Certifying up to 3 names of persons belonging to at least one of one or more specified racial or ethnic groups.

2. Certifying up to 3 names of persons of a specified gender.

3. Certifying up to 3 names of persons with a handicap.

(b) The administrator may certify names under par. (a) 1 or 2 only if an agency requests expanded certifi-

cation in order to achieve a balanced work force within that agency. The administrator may certify names under par. (a) 3 only if an agency requests expanded certification in order to hire persons with a handicap.

SECTION 2106. 230.27 (1) of the statutes is amended to read:

230.27 (1) A "project position" means a position which is normally funded for 6 or more consecutive months and which requires employment for 600 hours or more per 26 consecutive biweekly pay periods, either for a temporary workload increase or for a planned undertaking which is not a regular function of the employing agency and which has an established probable date of termination. No project position may exist for more than 4 years.

SECTION 2107. 230.36 (1) of the statutes is amended to read:

230.36 (1) If a conservation warden, conservation patrol boat captain, conservation patrol boat engineer, state forest ranger, conservation field employe of the department of natural resources who is subject to call for fire control duty, member of the state patrol, state motor vehicle inspector, lifeguard, excise tax investigator employed by the department of revenue, ~~investigator~~ special criminal investigation agent employed by ~~the division of criminal investigation~~ of the department of justice, special tax agent, state drivers' license examiner, member of the state fair police department, university of Wisconsin system police officer and other state facilities police officer and patrol officer, security officer, watcher, engineer, engineering aid, building construction superintendent, fire fighter employed at the Wisconsin veterans home, or guard or institutional aid or a state probation and parole officer or any other employe whose duties include supervision and discipline of inmates or wards of the state at a state penal institution, including ~~central state hospital~~ or the Ethan Allen school or while on parole supervision outside of the confines of the institutions, or supervision of persons placed on probation by a court of record, or supervision and care of patients at a state mental institution, and university of Wisconsin hospital and clinics suffers injury while in the performance of his or her duties, as defined in subs. (2) and (3); or any other state employe who is ordered by his or her appointing authority to accompany any employe listed in this subsection while ~~such~~ the listed employe is engaged in the duties defined in sub. (3), or any other state employe who is ordered by his or her appointing authority to perform the duties, when permitted, in lieu of ~~such~~ the listed employe and while so engaged in the duties defined in sub. (3), suffers injury as defined in sub. (2) the employe shall continue to be fully paid by the employing agency upon the same basis as paid prior to the injury with no deduction from sick leave credits, compensatory time for overtime accumulations or vacation. The full pay shall continue, while the employe is unable to return

to work as the result of the injury, or until the termination of his or her employment upon recommendation of the appointing authority. At any time during the employe's period of disability the appointing authority may order physical or medical examinations to determine the degree of disability at the expense of the employing agency.

SECTION 2108. 230.36 (3) (b) (intro.) of the statutes is amended to read:

230.36 (3) (b) (intro.) A conservation warden, conservation patrol boat captain, conservation patrol boat engineer, member of the state patrol, state motor vehicle inspector, university of Wisconsin system police officer, security officer, watcher, member of the state fair police department, special tax agent, excise tax investigator employed by the department of revenue and ~~investigator~~ special criminal investigation agent employed by ~~the division of criminal investigation~~ of the department of justice at all times while:

SECTION 2109. 230.36 (3) (c) (intro.) of the statutes is amended to read:

230.36 (3) (c) (intro.) A guard, institution aide, or other employe at the university of Wisconsin hospital and clinics or at state penal and mental institutions, including ~~central state hospital~~ or the Ethan Allen school and state probation and parole officers, at all times while:

SECTION 2109m. 231.01 (5m) of the statutes is created to read:

231.01 (5m) "Hospital" has the meaning specified in s. 50.33 (2), excluding the facilities exempted by s. 50.39 (3).

SECTION 2110. 231.01 (7) (d) of the statutes is amended to read:

231.01 (7) (d) "Project" does not include ~~any~~:

1. Any institution, place or building used or to be used primarily for sectarian instruction or study or as a place for devotional activities or religious worship.

SECTION 2111. 231.01 (7) (d) 2 of the statutes is created to read:

231.01 (7) (d) 2. Any office or clinic of a person licensed under ch. 446, 447, 448, 449 or 455.

SECTION 2112. 231.03 (6) of the statutes is repealed and recreated to read:

231.03 (6) Issue bonds of the authority, and may refuse to issue bonds of the authority only if it determines that the issuance would not be financially feasible, to do the following:

(a) Finance any project undertaken by a participating health institution if any of the following applies:

1. The department of health and social services approves the project under subch. II of ch. 150.

2. The department of health and social services need not approve the project under subch. II of ch. 150 because the cost of the project is equal to or less than the amount in s. 150.21 (3) or (4) and the cost of the project is equal to or greater than 5% of the

annual operating expenses of the participating health institution.

3. The project is for any of the following purposes:

a. A capital expenditure, by or on behalf of a hospital, that under generally accepted accounting principles is not properly chargeable as an expense of operations or maintenance, including the cost of studies, surveys, plans and other activities essential to the proposed capital expenditure.

b. The addition of a service or unit or expansion of an existing service or unit by or on behalf of a hospital.

c. The expenditure, by or on behalf of a hospital, independent practitioner, partnership, unincorporated medical group or service corporation, as defined in s. 180.99, for clinical medical equipment.

d. The acquisition of a hospital.

e. An addition to a hospital's bed capacity.

f. The construction or operation of an ambulatory surgery center or a home health agency.

SECTION 2112n. 231.03 (6) (b) of the statutes, as affected by 1985 Wisconsin Act .... (this act), is repealed and recreated to read:

231.03 (6) (b) Refinance outstanding debt of any participating health institution if the department of health and social services certifies that refinancing will result in a reduction in the participating health institution's rates below the rates which would have otherwise prevailed, except that the authority may not refinance any office or clinic of a person licensed under ch. 446, 447, 448, 449 or 455 and except that this certification is not required for the refinancing for a participating health institution that operates a nursing home as defined under s. 50.01 (3) or a community-based residential facility that is licensed under s. 50.03 and that is certified by the department as a provider of medical assistance.

SECTION 2113. 231.03 (6r) (a) of the statutes is repealed.

SECTION 2114p. 231.03 (6r) (b) of the statutes is renumbered 231.03 (6) (b) and amended to read:

231.03 (6) (b) ~~Notwithstanding sub. (6), issue bonds of the authority to refinance~~ Refinance outstanding debt of any ~~health facility which is a participating health care institution as defined under ch. 150. The authority may not issue bonds under this paragraph unless if~~ the department of health and social services certifies that refinancing will result in a reduction in the participating health facility's institution's rates below the rates which would have otherwise prevailed. ~~The authority may refuse to issue bonds under this paragraph if it determines that the issuance would not be financially feasible, except that the authority may not refinance any office or clinic of a person licensed under ch. 446, 447, 448, 449 or 455 and except that this certification is not required for the refinancing for a participating health institution that operates a facility as defined under s. 49.45 (6m) (a) 2.~~

SECTION 2115. 231.03 (6w) of the statutes is created to read:

231.03 (6w) (a) In every year, the authority may not issue any private activity bond, as defined under s. 66.522 (1) (e), in an aggregate principal amount which, when aggregated with any other such bonds issued by the authority in the same year, exceeds the sum of:

1. The aggregate principal amount which the authority has elected, in a previous year, to apply to carry-forward projects, as defined under s. 66.522 (1) (b), if the deadline for applying the elected amount has not expired under 26 USC 103 (n) (10) (C), and which has not been issued in any previous year; and

2. As affected by any change authorized by the governor under s. 14.06, \$25,000,000. No change authorized under s. 14.06 which is a decrease in such \$25,000,000 bond limit may exceed \$25,000,000 minus the aggregate principal amount of private activity bonds which have been issued under this subsection in the same year, minus the aggregate principal amount which the authority, in the same year, has elected to apply to carry-forward projects under par. (c) and minus the aggregate principal amount of private activity bonds which the authority has committed in the same year by inducement resolution.

(b) The authority shall provide for the certification of no consideration required under 26 USC 103 (n) (12) (A).

(c) Annually, no later than the bonding year deadline, as defined in s. 66.522 (1) (am), the authority shall assign to the building commission in writing any amount remaining when the aggregate principal amount of private activity bonds, as defined under s. 66.522 (1) (e), issued by the authority in the same year plus any amount which the authority has elected to apply to a carry-forward project, as defined under s. 66.522 (1) (b), plus the total aggregate principal amount of private activity bonds which the authority reasonably expects to issue on or before the last business day of the year is subtracted from the amount specified under par. (a) 2.

SECTION 2115m. 231.17 of the statutes is amended to read:

**231.17 Investment of funds.** The authority may invest any funds in bonds, notes, certificates of indebtedness, treasury bills or other securities constituting direct obligations of, or obligations the principal and interest of which are guaranteed by, the United States; in those certificates of deposit or time deposits constituting direct obligations of any bank which are insured by the federal deposit insurance corporation; in certificates of deposit constituting direct obligations of any credit union which are insured by the Wisconsin credit union savings insurance corporation or the national ~~credit union administration board~~, as defined in s. 186.01 (3m); in certificates of deposit constituting direct obligations of any savings and loan association which are insured by the federal savings and loan insurance corporation; or in short-term discount obli-

gations of the federal national mortgage association. Any such securities may be purchased at the offering or market price thereof at the time of such purchase.

SECTION 2116. 234.01 (3) of the statutes is renumbered 234.01 (7m) and amended to read:

234.01 (7m) "~~Certified housing~~ Housing rehabilitation loan" means a ~~negative interest or~~ low interest housing rehabilitation loan as defined in s. ~~560.06 (1) (f), certified by the department of development under s. 560.06 (2) (a) 2~~ 234.49 (1) (f).

SECTION 2117. 234.04 (2) of the statutes is amended to read:

234.04 (2) The authority may make or participate in the making and enter into commitments for the making of long-term mortgage loans to eligible sponsors of housing projects for occupancy by persons and families of low and moderate income, or for the making of homeownership mortgage loans or housing rehabilitation loans to persons and families of low and moderate income, an ~~eligible borrower as defined in s. 560.065 (1) (e)~~ applicant under s. 234.59 or other eligible beneficiaries as defined in s. ~~560.06 (1) (e)~~ 234.49. The loans may be made only upon the determination by the authority that they are not otherwise available from private lenders upon reasonably equivalent terms and conditions. The authority may employ, for such compensation as it determines, the services of any financial institution or mortgage banker in connection with any loan.

SECTION 2118. 234.06 (3) of the statutes is amended to read:

234.06 (3) The authority may, as authorized in the state housing plan under s. 560.115, 1983 stats., use the moneys held in the housing development fund to ~~make grants to counties, cities, villages and towns and eligible sponsors, in such amounts as the authority determines, not to exceed the net costs, exclusive of any federal aid or assistance, as are incurred by the counties, cities, villages or towns or eligible sponsors in a plan of land and building acquisition, improvements, renewal, relocation or conservation, for the purpose of providing housing or facilities reasonably related to such housing establish and administer programs of grants to counties, municipalities and eligible sponsors of housing projects for persons of low and moderate income, to pay organizational expenses, administrative costs, social services, technical services, training expenses or costs incurred or expected to be incurred by counties, municipalities or sponsors for land and building acquisition, construction, improvements, renewal, rehabilitation, relocation or conservation under a plan to provide housing or related facilities, if the costs are not reimbursable from other private or public loan, grant or mortgage sources.~~

SECTION 2119. 234.08 (5) of the statutes is amended to read:

234.08 (5) This section does not supersede or impair the power of the department of development to

carry out its program responsibilities relating to economic development which are funded by bonds or notes issued under this section.

SECTION 2120. 234.08 (6) of the statutes is amended to read:

234.08 (6) The authority may reimburse the department of development its operating costs to carry out its program responsibilities relating to economic development which are funded by bonds or notes issued under this section.

SECTION 2121. 234.18 (2) of the statutes is amended to read:

234.18 (2) In addition to bonds or notes issued under sub. (1), the authority may not have outstanding at any one time notes and bonds for any of its corporate purposes in an aggregate principal amount exceeding \$125,000,000, excluding bonds and notes issued to refund outstanding bonds and notes authorized under this subsection. Bonds and notes authorized under this subsection and issued for the purpose of economic development may be issued only with the consent of the department of development. The department may not impose conditions inconsistent with the state housing plan under s. 560.115, 1983 stats.

SECTION 2122. 234.18 (2m) of the statutes is created to read:

234.18 (2m) (a) In every year, the authority may not issue any private activity bond, as defined under s. 66.522 (1) (e), in an aggregate principal amount which, when aggregated with any other such bond issued by the authority in the same year, exceeds the sum of:

1. The aggregate principal amount which the authority has elected, in a previous year, to apply to carry-forward projects, as defined under s. 66.522 (1) (b), if the deadline for applying the elected amount has not expired under 26 USC 103 (n) (10) (C), and which has not been issued in any previous year; and

2. As affected by any change authorized by the governor under s. 14.06, \$95,000,000. No change authorized under s. 14.06 which is a decrease in such \$95,000,000 bond limit may exceed \$95,000,000 minus the aggregate principal amount of private activity bonds, as defined under s. 66.522 (1) (e), which have been issued under this subsection in the same year minus the aggregate principal amount which the authority, in the same year, has elected to apply to carry-forward projects under par. (c) and minus the aggregate principal amount of private activity bonds which the authority has committed in the same year by inducement resolution.

(b) The authority shall provide for the certification of no consideration required under 26 USC 103 (n) (12) (A).

(c) Annually, no later than the bonding year deadline, as defined under s. 66.522 (1) (am), the authority shall assign to the building commission in writing any amount remaining when the aggregate principal amount of private activity bonds, as defined under s.



66.522 (1) (e), issued by the authority in the same year plus any amount which the authority has elected to apply to a carry-forward project, as defined under s. 66.522 (1) (b), plus the total aggregate principal amount of private activity bonds which the authority reasonably expects to issue on or before the last business day of the year is subtracted from the amount specified under par. (a) 2.

SECTION 2123. 234.265 of the statutes is renumbered 234.265 (intro.) and amended to read:

**234.265 Records of the authority.** (intro.) All records of the authority or any corporation established by the authority shall be open to the public, except those:

(1) Those records relating to pending export loans, grants, economic development loans or housing projects which, in the opinion of the authority, must remain confidential to protect the competitive nature of the grant, loan or project.

SECTION 2124. 234.265 (2) of the statutes is created to read:

234.265 (2) Records or portions of records consisting of personal or financial information provided by a person seeking a grant or loan under s. 234.49 or 234.59, unless the person consents to disclosure of the information.

SECTION 2124d. 234.49 (3) of the statutes is created to read:

234.49 (3) Deferred payment loans under sub. (1) (f) 1 shall be made from the deferred payment loan fund under s. 234.491, and repayments of deferred payment loans shall be deposited into that fund.

SECTION 2124m. 234.491 of the statutes is created to read:

**234.491 Deferred payment loan fund.** There is established under the jurisdiction and control of the authority a deferred payment loan fund, consisting of each of the following:

(1) Any moneys appropriated to the authority under s. 20.490 (4) (a).

(2) Any moneys deposited into the deferred payment loan fund in repayment of loans made under s. 234.49 (1) (f) 1.

(3) Any income from investment of moneys in the deferred payment loan fund by the authority under s. 234.03 (18).

SECTION 2125. 234.50 (3) of the statutes is repealed.

SECTION 2125m. 234.50 (5) of the statutes is repealed.

SECTION 2126. 234.51 (2) (am) of the statutes is repealed.

SECTION 2127. 234.59 (3) (b) of the statutes is created to read:

234.59 (3) (b) 1. a. A homeownership mortgage loan may not be made to any applicant whose income combined, except as provided in subd. 1. b, with the income from all sources of all adults who intend to

purchase an eligible property or to occupy the same dwelling unit as that applicant, exceeds 110% of the median income of the county where the eligible property for which the applicant seeks a loan is located.

b. For the purpose of subd. 1. a, no income of any child or parent of an applicant may be considered unless the child or parent applies for a homeownership mortgage loan in conjunction with the applicant.

2. If the number of persons intending to occupy an eligible property consists of more or less than 4 persons, the authority may increase the percentage given under subd. 1. a by not more than 5% for each person more than 4, or decrease that percentage by not more than 5% for each person less than 4.

SECTION 2128. 234.60 (1) of the statutes is amended to read:

234.60 (1) ~~Subject to sub. (6), the~~ The authority may issue its bonds or notes ~~at the request of the department of development~~ to fund homeownership mortgage loans.

SECTION 2129. 234.60 (6) of the statutes is repealed.

SECTION 2130. 234.60 (7) of the statutes is repealed.

SECTION 2131. 234.60 (8) of the statutes is repealed.

SECTION 2131m. 234.70 (1) of the statutes is amended to read:

234.70 (1) Upon the authorization of the department of health and social services, the authority may issue bonds or notes and make loans for the financing of ~~the development costs of housing projects which are residential facilities that receive the approval of as defined in s. 46.28 (1) (d) and the development costs of those housing projects, if~~ the department of health and social services has approved the residential facilities for financing under s. 46.28 (2). The limitations in ss. 234.18 (1) and (2), 234.40, 234.50, 234.60, 234.65 and 234.80 do not apply to bonds or notes issued under this section. The definition of "nonprofit corporation" in s. 234.01 (9) does not apply to this section.

SECTION 2131p. 234.70 (2) (c) 1 of the statutes is amended to read:

234.70 (2) (c) 1. Of the amount specified in par. (a), \$48,580,000 may only be used to finance residential facilities ~~servicing 125~~ with 100 or fewer units for elderly persons, as defined in s. 46.28 (1) (c) or to finance additional residential facilities serving 15 or fewer persons who are chronically disabled.

SECTION 2131s. 234.70 (2) (c) 2 of the statutes is amended to read:

234.70 (2) (c) 2. The remainder of the amount specified in par. (a) may only be used to finance residential facilities ~~servicing with~~ with 50 or fewer units for elderly persons, as defined in s. 46.28 (1) (c), or to finance additional residential facilities serving 15 or fewer persons who are chronically disabled.

SECTION 2131t. 234.90 (4) (b) of the statutes, as created by 1985 Wisconsin Act 9, is amended to read:

234.90 (4) (b) The total principal amounts of all loans which the authority may guarantee under par. (a) may not exceed ~~\$50,000,000~~ \$20,000,000.

SECTION 2132. 236.02 (3) of the statutes is amended to read:

236.02 (3) "County planning agency" means a rural county planning agency authorized by s. 27.015, a county park commission authorized by s. 27.02 except that in a county with a county executive or county administrator, the county park manager appointed under s. 27.03 (2), a county zoning agency authorized by s. 59.97 or any agency created by the county board and authorized by statute to plan land use.

SECTION 2133. 236.12 (2) (b) of the statutes is amended to read:

236.12 (2) (b) Four copies to the county planning agency, if the agency employs on a full-time basis a professional engineer, a planner, or other person charged with the duty of administering planning legislation and adopts a policy requiring submission so that body may determine if it has any objection to the plat on the basis of conflict with park, parkway, expressway, major highways, airports, drainage channels, schools, or other planned public developments. If no county planning agency exists, then ~~two~~ 2 copies to the county park commission except that in a county with a county executive or county administrator, 2 copies to the county park manager, if the subdivision abuts a county park or parkway so that body may determine if it has any objection to the plat on the basis of conflict with the park or parkway development.

SECTION 2133m. 340.01 (intro.) of the statutes is amended to read:

**340.01 Words and phrases defined.** (intro.) In s. 23.33 and chs. 340 to 349 and 351, the following words and phrases have the designated meanings unless a different meaning is expressly provided or the context clearly indicates a different meaning:

SECTION 2133r. 340.01 (2g) of the statutes is created to read:

340.01 (2g) "All-terrain vehicle" means an engine-driven device which has a net weight of 500 pounds or less, which has a width of 46 inches or less, which is equipped with a seat designed to be straddled by the operator and which is designed to travel on 3 or more low-pressure tires. A low-pressure tire is a tire which has a minimum width of 6 inches, which is designed to be mounted on a rim with a maximum diameter of 12 inches and which is designed to be inflated with an operating pressure not to exceed 6 pounds per square inch as recommended by the manufacturer.

SECTION 2133t. 340.01 (32) (intro.) of the statutes is amended to read:

340.01 (32) (intro.) "Motorcycle" means a motor vehicle which is capable of speeds in excess of 30 miles per hour with a 150-pound rider on a dry, level, hard surface with no wind, excluding a tractor or an all-terrain vehicle, with a power source as an integral part of the vehicle, and which meets either of the following conditions:

SECTION 2134m. 341.057 of the statutes is created to read:

**341.057 All-terrain vehicles.** All-terrain vehicles are not required to be registered under this chapter but shall be registered under s. 23.33 (2).

~~SECTION 2139m. 341.13 (1) (d) of the statutes is created to read:~~

~~341.13 (1) (d) The plate shall be designed with red letters and numbers and a white background.~~

Vetoed  
in Part

SECTION 2140m. 341.13 (3) of the statutes is amended to read:

341.13 (3) In lieu of issuing ~~a new plates~~ plate upon each renewal of registration of a vehicle, the department may issue ~~an one~~ insert tag, decal or other identification per vehicle to indicate the period of registration. ~~Such tags, decals~~ The tag, decal or other identification are to shall be provided by the department and used only ~~to the extent that if the outstanding plates are~~ plate is in suitable condition for further usage. A decal shall be displayed as provided in s. 341.15 (1m).

SECTION 2141. 341.13 (3m) of the statutes is created to read:

341.13 (3m) In lieu of issuing new plates upon the renewal of a calendar year registration under s. 341.51 or 341.57, the department may issue insert tags, decals or other identification for use as provided in sub. (3).

SECTION 2149. 341.14 (3) of the statutes is amended to read:

341.14 (3) Upon request therefor by the state or a county or municipality or federally recognized Indian tribe or band which is registering a vehicle owned by it and to be used in law enforcement work, to be used by investigators for the office of the state public defender or to be used for operation under s. 20.916 (7), the department shall issue the same type of registration plate as it would issue for a privately owned vehicle of the same type in lieu of the type of plate it ordinarily would issue for a vehicle owned by the state or by a county or municipality or Indian tribe or band. This subsection does not affect the registration fee to be charged.

SECTION 2164m. 341.15 (1) of the statutes is renumbered 341.15 (1) (intro.) and amended to read:

341.15 (1) (intro.) Whenever 2 registration plates are issued for a vehicle, one ~~such~~ plate shall be attached to the front and one to the rear of the vehicle. Whenever only one registration plate is issued for a vehicle, the plate shall be attached ~~to the front~~, if as follows:

(a) ~~If the vehicle is a truck tractor or road tractor; otherwise, it shall be attached, to the front.~~

(b) For any other vehicle for which only one plate is issued, to the rear, except, that a plate issued to a municipality under s. 341.26 (2m) may be attached to the front of the vehicle if the design or use of the vehicle is such as to make a plate attached to the rear difficult to see and read.

SECTION 2165m. 341.15 (1m) of the statutes is created to read:

341.15 (1m) (a) Except as provided in par. (b), any registration decal or tag issued by the department shall be placed on the rear registration plate of the vehicle in the manner directed by the department.

(b) Any registration decal or tag issued by the department for a truck tractor, road tractor or other vehicle which may bear a registration plate attached to the front as provided in sub. (1) shall be placed on the front registration plate of the vehicle in the manner directed by the department.

SECTION 2185. 341.51 (2) of the statutes is amended to read:

341.51 (2) Upon registering a dealer, distributor, manufacturer or transporter the department also shall issue 2 registration plates. The department, upon receiving a fee of \$5 for each additional plate desired by a dealer, distributor or manufacturer of motor vehicles, trailers or semitrailers, \$5 for each additional plate desired by a dealer, distributor or manufacturer of mobile homes and \$5 for each additional plate desired by a transporter, shall issue to ~~such the~~ registered dealer, distributor, manufacturer or transporter ~~such the~~ additional plates as ordered. The department may charge a fee of \$2 per plate for replacing lost, damaged or illegible plates issued under this subsection.

SECTION 2188. 341.57 (2) of the statutes is amended to read:

341.57 (2) A finance company licensed under s. 138.09 or 218.01, a credit union licensed under ch. 186, a savings and loan association organized under ch. 215 or a state bank or a national bank with offices in this state may apply to the department for registration on such form as the department provides. Upon receipt of the application together with a registration fee of \$75, the department shall register the applicant and shall issue one registration plate containing the registration number assigned to the applicant. The department, upon receiving a fee of \$5 for each additional plate desired by the applicant, shall issue ~~such~~ additional plates as the applicant orders. Section 341.52 applies to the design of the plates. The registration and plates are valid only during the calendar year for which issued. ~~Plates are~~ A plate is transferable from one motor vehicle to another. The department may charge a fee of \$2 per plate for replacing lost, damaged or illegible plates issued under this subsection.

SECTION 2190m. 341.63 (3) of the statutes is amended to read:

341.63 (3) Whenever the registration of a vehicle is suspended under this section, the department may order the owner or person in possession of the registration plates shall forthwith to return them to the department. Any person who fails to return the plates as required by this section when ordered to do so by the department may be required to forfeit not more than \$200.

SECTION 2191m. 342.15 (1) (b) of the statutes is amended to read:

342.15 (1) (b) No person may transfer a motor vehicle without disclosing in writing to the transferee the odometer reading ~~and. The disclosure shall state either that such the reading is known to be actual mileage, or that such the reading is not the actual mileage and should not be relied upon, or that such the reading reflects the mileage in excess of the designed mechanical limit of 99,999 miles or kilometers. The disclosure shall further state that either the odometer was not altered, set back, disconnected, repaired or replaced, or that the odometer was altered for repair or replacement purposes and the mileage registered on the repaired or replacement odometer was identical to that before such the service, or that the repaired or replacement odometer was incapable of registering the same mileage, and was reset to zero and the mileage on the original odometer before repair or replacement was as stated by the transferor. No transferor shall knowingly give a false statement to a transferee in making such the disclosure. The department shall prescribe the manner in which such the written disclosure shall be made and retained. The transferor of a moped, motor bicycle, all-terrain vehicle, motor vehicle with a gross weight rating of more than 16,000 pounds, or of a vehicle 25 or more years old, need not disclose odometer mileage as required by this subsection.~~

SECTION 2192m. 342.16 (1m) of the statutes is amended to read:

342.16 (1m) No motor vehicle dealer or motor vehicle salesman may transfer a motor vehicle without disclosing in writing to the transferee the odometer reading ~~and. The disclosure shall state either that such the reading is known to be actual mileage, or that such the reading is not the actual mileage and should not be relied upon, or that such the reading reflects the mileage in excess of the designed mechanical limit of 99,999 miles or kilometers. Such The disclosure shall further state that either the odometer was not altered, set back, disconnected, repaired or replaced, or that the odometer was altered for repair or replacement purposes and the mileage registered on the repaired or replacement odometer was identical to that before such the service, or that the repaired or replacement odometer was incapable of registering the same mileage, and was reset to zero and the mileage on the original odometer before repair or replacement was as~~

stated by the transferor. No motor vehicle dealer or motor vehicle salesman may knowingly give a false statement to a transferee in making ~~such the~~ disclosure. The department shall prescribe the manner in which ~~such the~~ written disclosure shall be made and retained. ~~Such~~ The disclosure requirement ~~shall does~~ not apply to a moped, motor bicycle, all-terrain vehicle, motor vehicle with a gross weight rating of more than 16,000 pounds, or a vehicle 25 or more years old.

SECTION 2193g. 343.21 (1) (a) of the statutes is amended to read:

343.21 (1) (a) For the issuance of an instruction permit, ~~\$10~~ \$15.

SECTION 2193m. 343.21 (1) (c) of the statutes is amended to read:

343.21 (1) (c) For the renewal of a license, \$9, except that ~~\$4~~ \$6 shall be charged for renewal of a chauffeur's license and \$4 for renewal of a school bus operator's license other than a school bus operator's license under s. 343.12 (3).

SECTION 2194. 343.305 (10) (d) of the statutes is repealed.

SECTION 2195. 343.35 (1) of the statutes is repealed and recreated to read:

343.35 (1) The department may order any person whose operating privilege has been canceled, revoked or suspended to surrender his or her license or licenses to the department. The department may order any person who is in possession of a canceled, revoked or suspended license of another to surrender the license to the department.

SECTION 2196. 343.50 (11) of the statutes is amended to read:

343.50 (11) SURRENDER OF CARD UPON CANCELLATION. ~~Whenever a person is notified that the~~ The department may order any person whose identification card has been canceled, ~~the person shall to~~ surrender the card to the department. The department may take possession of any identification card required to be ~~surrendered to the department canceled~~ or may direct any traffic officer to take possession thereof and return it to the department.

SECTION 2197. 343.50 (13) of the statutes is amended to read:

343.50 (13) PENALTY. Any person who fails to comply with an order under sub. (11) or who violates sub. (11) or (12) may be required to forfeit not more than \$100.

SECTION 2199. 343.52 (2) of the statutes is amended to read:

343.52 (2) The department shall cancel the special identification card of any person or organization who improperly uses a card as described in sub. (1). ~~Whenever~~ The department may order a person or organization is notified that the whose identification card has been canceled, ~~the person or organization shall to~~ surrender the card to the department. The department may take possession of any identification card

required to be ~~surrendered to the department canceled~~ or may direct any traffic officer to take possession thereof and return it to the department.

SECTION 2200. 344.09 (1) of the statutes is amended to read:

344.09 (1) Whenever the secretary is satisfied that the reason for suspension of an operating privilege under this chapter has been removed, including satisfaction of any of the requirements of s. 344.18, the secretary shall ~~forthwith~~ order reinstatement of ~~such the~~ operating privilege ~~and~~. The department shall give notice of ~~such the~~ reinstatement to the person whose operating privilege has been suspended. ~~Such in the manner it deems appropriate.~~ The reinstatement order has the same effect as an automatic reinstatement under s. 343.39.

SECTION 2201. 344.15 (4) of the statutes is amended to read:

344.15 (4) After receipt of the report of an accident of the type specified in s. 344.12, the secretary ~~shall~~ may forward to the insurer named therein, that portion of the report or other notice which pertains to an automobile liability policy or bond. The secretary shall assume that an automobile liability policy or bond as described in this section was in effect and applied to both the owner and operator with respect to the accident unless the insurer notifies the secretary otherwise within 30 days from the mailing to the insurer of that portion of the report or other notice pertaining to the automobile liability policy or bond. Upon receipt of notice from the insurer that an automobile liability policy or bond was in effect as to the owner only, the operator only or was not in effect as to either of them, the secretary shall within the remainder of the 90-day period specified in s. 344.13 (3) require the owner or operator or both, whichever is applicable, to deposit security pursuant to this chapter. As respects permission to operate the vehicle, the insurer may correct the report or other notice only if it files with the secretary within the 30-day period specified in this subsection an affidavit signed by the owner stating that the operator did not have the owner's permission to operate the vehicle. Where the insurer's failure to notify the secretary within 30 days of a correction in that portion of the report or other notice pertaining to an automobile liability policy or bond is caused by fraud, the insurer shall notify the secretary of the correction within 30 days of the time the fraud is discovered.

SECTION 2202. 344.15 (5) of the statutes is amended to read:

344.15 (5) Nothing in this chapter shall be construed to impose any obligation not otherwise assumed by the insurer in its automobile liability policy or bond except that if no correction is made in the report or other notice within 30 days after it is mailed to the insurer, the insurer, except in case of fraud, whenever such fraud may occur, is estopped from using as a defense to its liability the insured's failure to

give permission to the operator or a violation of the purposes of use specified in the automobile liability policy or bond or the use of the vehicle beyond agreed geographical limits.

SECTION 2203. 344.21 of the statutes is amended to read:

**344.21 Matters not to be evidence in civil suits.** Neither the report required following an accident, the action taken by the department pursuant to this chapter, the findings, if any, upon which such action is based nor the security filed as provided in this chapter shall be referred to in any way or be any evidence of the negligence or due care of either party at the trial of any action at law to recover damages, but this shall not be construed to exclude a notice of insurance filed pursuant to s. 344.14 or 344.15 (4), or both, from being admissible in evidence where it would otherwise be material and admissible under the rules of evidence.

SECTION 2204. 344.45 (1) of the statutes is amended to read:

344.45 (1) Whenever a person's operating privilege or registration is revoked or suspended under this chapter, the department ~~shall~~ may also order ~~such~~ the person to surrender to the department his or her license and the registration plate or plates of the vehicle or vehicles for which registration was revoked or suspended. If ~~such~~ the person fails forthwith to return ~~such~~ the license, registration plate or plates to the department, the department ~~shall~~ may direct a traffic officer to take possession thereof and return them to the department.

SECTION 2205. 344.48 (1) (a) of the statutes is amended to read:

344.48 (1) (a) Forge or, without authority, sign any notice provided for in s. 344.14 or 344.15 (4), or both, to the effect that a policy or bond is in effect or, knowing or having reason to believe that ~~such~~ the notice has been forged or signed without authority, file or offer ~~such~~ the notice for filing; or

SECTION 2206m. 345.11 (1r) of the statutes is created to read:

345.11 (1r) The uniform traffic citation shall be used for violations of s. 23.33 relating to highway use or ordinances in conformity with that section if the violation is committed on a highway, but no points shall be assessed against the driving record of the operator of an all-terrain vehicle. The report of conviction and abstract of court record copy shall be forwarded to the department.

SECTION 2207. 345.26 (3) (a) of the statutes is amended to read:

345.26 (3) (a) The arresting officer or the person accepting the deposit may allow the alleged violator to submit a check for the amount of the deposit or make the deposit by use of a credit card, and ~~such~~ the check or credit charge receipt shall be considered a receipt in lieu of par. (b).

SECTION 2208. 345.37 (7) of the statutes is amended to read:

345.37 (7) If a defendant who has not made a ~~cash~~ deposit of money or stipulation of no contest and who has deposited his or her valid Wisconsin's chauffeur's or operator's license under s. 345.23 (2) (c) fails to appear in court at the time fixed in the citation or by subsequent postponement, the court shall order the license suspended for a period of 30 days or until the case is disposed of, whichever is longer. Within 48 hours after the order of suspension, notice of the suspension shall be forwarded to the department but the court shall retain possession of the suspended license. The court may enter an order vacating the suspension if the defendant so moves within 10 days after the date set for the appearance and proves to the satisfaction of the court that the failure to appear was due to mistake, inadvertence, surprise or excusable neglect. If no order has been entered vacating the suspension the court shall forthwith forward the license to the secretary. If the court enters an order vacating the suspension or if the disposition of the case requires termination of the suspension the court shall immediately notify the secretary. Suspension under this subsection shall not affect the power of the court to suspend or revoke under s. 343.30 or the power of the secretary to suspend or revoke under s. 343.32.

SECTION 2208m. 346.02 (11) of the statutes is created to read:

346.02 (11) **APPLICABILITY TO ALL-TERRAIN VEHICLES.** The operator of an all-terrain vehicle on a roadway is subject to ss. 346.04, 346.06, 346.11, 346.14 (1), 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50 (1) (b), 346.51, 346.52, 346.53, 346.54, 346.55, 346.71, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92 (1) and 346.94 (1), (6), (6m) and (9) but is not subject to any other provision of this chapter.

SECTION 2214. 346.655 (1) of the statutes is amended to read:

346.655 (1) On or after ~~January 1, 1982~~ the effective date specified in SECTION 3204 (51) (b) of this act .... [revisor inserts date], if a court imposes a fine or a forfeiture for a violation of s. 346.63 (1), or a local ordinance in conformity therewith, or s. 346.63 (2) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, it shall impose a driver improvement surcharge in an amount of ~~\$150~~ \$200 in addition to the fine or forfeiture and penalty assessment.

SECTION 2214m. 346.66 of the statutes is amended to read:

**346.66 Applicability of sections relating to accidents and accident reporting.** In addition to being applicable upon highways, ss. 346.67 to 346.70 are applicable upon all premises held out to the public for use of their motor vehicles, whether such premises are publicly or privately owned and whether or not a fee is charged for the use thereof. ~~Such~~ These sections do not apply to accidents involving only snowmobiles, all-terrain

vehicles or vehicles propelled by human power or drawn by animals.

SECTION 2215. 346.70 (2) of the statutes is amended to read:

346.70 (2) WRITTEN REPORT OF ACCIDENT. ~~Within~~ Unless a report is made under sub. (4) by a law enforcement agency, within 10 days after an accident of the type described in sub. (1), the operator of a vehicle involved in the accident shall forward a written report of the accident to the department. The department may accept or require a report of the accident to be filed by an occupant or the owner in lieu of a report from the operator. Every accident report required to be made in writing shall be made on the appropriate form approved by the department and shall contain all of the information required therein unless not available. The ~~required information report~~ shall include the name of the operator's insurer, the name of the owner's insurer and other information sufficient to enable the department to determine whether the requirements for deposit of security under s. 344.14 are inapplicable by reason of the existence of insurance or other exceptions specified in ch. 344.

SECTION 2216. 346.70 (3) of the statutes is amended to read:

346.70 (3) WHO TO REPORT WHEN OPERATOR UNABLE. Whenever the operator of a vehicle is physically incapable of giving the notice and making the report required by subs. (1) and (2), ~~and there was another occupant in the vehicle at the time of the accident capable of giving the notice and making the report, such occupant shall give or cause such notice to be given and shall make the report. If there is no other occupant of the vehicle or if such occupant is physically or mentally incapable of giving the notice and making the report, the owner of the vehicle involved in the accident shall, as soon as he learns of the accident, give the notice and make the report required by subs. (1) and (2). If the owner of the vehicle is physically or mentally incapable of giving the notice and making the report required by subs. (1) and (2), and if there was another occupant in the vehicle at the time of the accident capable of giving the notice and making the report, the occupant shall give the notice and make the report.~~

SECTION 2217. 346.70 (4) (b) of the statutes is amended to read:

346.70 (4) (b) ~~Such~~ The reports shall be made on a uniform traffic accident report form prescribed by the ~~committee created by par. (e) and supplied by the secretary in sufficient quantities to meet the requirements of the department and the law enforcement agency.~~

SECTION 2218. 346.70 (4) (c) of the statutes is repealed.

SECTION 2219. 346.70 (4) (d) of the statutes is repealed.

SECTION 2220. 346.70 (4) (e) of the statutes is repealed.

SECTION 2220m. 346.71 of the statutes is amended to read:

**346.71 (title) Coroners or medical examiners to report; require blood specimen.** (1) Every coroner or medical examiner shall on or before the 10th day of each month report in writing ~~to the department~~ the death of any person within the jurisdiction during the preceding calendar month as the result of an accident involving a motor vehicle and the circumstances of such accidents. If the accident involved an all-terrain vehicle, the report shall be made to the department of natural resources. If the accident involved any other motor vehicle, the report shall be made to the department.

(2) In cases of death involving a motor vehicle in which the decedent was the operator of a motor vehicle or a pedestrian 16 years of age or older and who died within 6 hours of the time of the accident, the coroner or medical examiner shall require that a blood specimen of at least 10 cc. be withdrawn from the body of the decedent within 12 hours after his or her death, by the coroner or medical examiner or by a physician so designated by the coroner or medical examiner or by a qualified person at the direction of such physician. All funeral directors shall obtain a release from the coroner or medical examiner prior to proceeding with embalming any body coming under the scope of this section. The blood so drawn shall be forwarded to a laboratory approved by the department of health and social services for analysis of the alcoholic content of such blood specimen. The coroner or medical examiner causing the blood to be withdrawn shall be notified of the results of each analysis made and shall forward the results of each such analysis to the department of health and social services. ~~The~~ If the death involved a motor vehicle, the department shall keep a record of all such examinations to be used for statistical purposes only. ~~The and the department shall disseminate and make public the cumulative results of the examinations, without identifying the individuals involved, shall be disseminated and made public by the department.~~ If the death involved an all-terrain vehicle, the department of natural resources shall keep a record of all such examinations to be used for statistical purposes only and the department of natural resources shall disseminate and make public the cumulative results of the examinations without identifying the individuals involved.

SECTION 2220p. 347.24 (1) (a) of the statutes is amended to read:

347.24 (1) (a) Except as provided ~~in par. under~~ pars. (b) and (c), no person may operate on a highway during hours of darkness any implement of husbandry or any other vehicle not specifically required by law to be equipped with lamps or other lighting devices unless such implement or vehicle is equipped with at least 2 lighted lamps or lanterns exhibiting a white light visible from a distance of 500 feet ahead and 2 lighted lamps or lanterns exhibiting a red light visible

from a distance of 500 feet to the rear or, as an alternative to the red lamps or lanterns, 2 red reflectors mounted as specified in s. 347.18 and meeting the visibility requirements of s. 347.19 may be displayed on the rear of such vehicle or implement of husbandry.

SECTION 2220r. 347.24 (1) (c) of the statutes is created to read:

347.24 (1) (c) An implement of husbandry which is an all-terrain vehicle need only comply with the lamp requirements established under s. 23.33 (6).

SECTION 2221m. 349.13 (1m) of the statutes is amended to read:

349.13 (1m) In addition to the requirements under s. 346.503 (1m), the department, with respect to state trunk highways outside of corporate limits and parking facilities under its jurisdiction, and local authorities, with respect to highways under their jurisdiction including state trunk highways or connecting highways within corporate limits and parking facilities within corporate limits, may, by official traffic signs indicating the restriction, prohibit parking, stopping or standing upon any portion of a street, highway or parking facility reserved for ~~vehicles~~ any vehicle displaying special registration plates issued under s. 341.14 (1), (1a), (1m) or (1q) or a special identification card issued under s. 343.51 or ~~vehicles~~ any vehicle registered in another jurisdiction and displaying a registration plate, card or emblem issued by the other jurisdiction which designates the vehicle as a vehicle used by a physically disabled person ~~by official traffic signs indicating the restriction~~.

~~SECTION 2221r. 349.17 (1m) of the statutes is created to read:~~

Vetoed  
in Part

~~349.17 (1m) Notwithstanding sub. (1) a 1st class city may prohibit heavy traffic from using a street or highway within its limits, including a street or highway over which a state trunk highway is routed.~~

SECTION 2222. 409.403 (5) (a) of the statutes is renumbered 409.403 (5) (a) 1 and amended to read:

409.403 (5) (a) 1. The fee for filing and indexing and for stamping a copy furnished by the secured party to show the date and place of filing for an original financing statement, ~~an amendment or for a continuation statement~~ is \$2 ~~\$6~~ if the statement is in the standard form prescribed by the secretary of state and otherwise is an additional \$1 ~~\$2~~ per page, plus in each case, if the financing statement is subject to s. 409.402 (5), \$1. The fee for each name more than one required to be indexed is \$1 ~~\$2~~. The secured party may show a trade name for any person and an extra indexing fee of \$1 ~~\$2~~ shall be paid with respect thereto. These fees include fees for processing the termination statement.

SECTION 2223. 409.403 (5) (a) 2 of the statutes is created to read:

409.403 (5) (a) 2. The fee for filing and indexing and for stamping a copy furnished by the secured party to show the date and place of filing for an amendment or a continuation statement is \$4 if the amendment or statement is in the standard form prescribed by the

secretary of state and otherwise is an additional \$1 per page, plus in each case, if the financing statement is subject to s. 409.402 (5), \$1. The fee for each name more than one required to be indexed is \$1. The secured party may show a trade name for any person and an extra indexing fee of \$1 shall be paid with respect thereto.

SECTION 2224. 409.403 (5) (a) 3 of the statutes is created to read:

409.403 (5) (a) 3. A register of deeds shall forward \$2 to the office of the secretary of state for each original financing statement filed with the office of the register of deeds under subd. 1 and for each amendment and each continuation statement filed with the office of the register of deeds under subd. 2.

SECTION 2225. 409.403 (5) (b) 1 of the statutes is amended to read:

409.403 (5) (b) 1. The fee for filing and indexing and for stamping a copy furnished by the secured party to show the date and place of filing for an original financing statement is \$4 ~~\$6~~ if the statement is in the standard form prescribed by the secretary of state and otherwise is an additional \$2 per page. The fee for each name more than one required to be indexed is \$2. The secured party may show a trade name for any person and an extra indexing fee of \$2 shall be paid with respect thereto. These fees include fees for processing the termination statement.

SECTION 2226. 409.403 (5) (b) 2 of the statutes is amended to read:

409.403 (5) (b) 2. The fee for filing and indexing and for stamping a copy furnished by the secured party to show the date and place of filing for an amendment or a continuation statement is \$2 ~~\$4~~ if the statement is in the standard form prescribed by the secretary of state and otherwise is an additional \$1 per page. The fee for each name more than one required to be indexed is \$1. The secured party may show a trade name for any person and an extra uniform indexing fee of \$1 shall be paid with respect thereto.

SECTION 2227. 409.404 (3) (a) of the statutes is repealed and recreated to read:

409.404 (3) (a) *Fees for filing a termination statement with the office of the register of deeds.* There is no fee for a termination statement that is filed with the office of the register of deeds and there is no fee for indexing any name in connection with the termination process if fees are paid under s. 409.403 (5) (a) 1.

SECTION 2228. 409.404 (3) (c) of the statutes is repealed and recreated to read:

409.404 (3) (c) *Transition provision requiring fees for filing certain termination statements.* If fees are not paid by a secured party under s. 409.403 (5) (a) 1 or (b) 1, and if the secured party is filing a termination statement in the standard form prescribed by the secretary of state, the fee for filing and indexing the termination statement with the office of the register of deeds or the office of the secretary of state is \$2, and, if not in the standard form, the fee is \$4, plus, in each case, an

additional fee of \$1 for each name other than the first name against which the termination statement is required to be indexed.

SECTION 2229. 409.405 (1) of the statutes is amended to read:

409.405 (1) A financing statement may disclose an assignment of a security interest in the collateral described in the financing statement by indication in the financing statement of the name and address of the assignee or by an assignment itself or a copy thereof on the face or back of the statement. On presentation to the filing officer of such a financing statement the filing officer shall mark the same as provided in s. 409.403 (4). The fee for filing, indexing and furnishing filing data for a financing statement so indicating an assignment is ~~\$2~~ \$4 if the statement is in the standard form prescribed by the secretary of state and otherwise is an additional \$1 per page, plus in each case an additional fee of \$1 for each name more than one against which the financing statement is required to be indexed. A register of deeds shall forward \$2 to the office of the secretary of state for each financing statement indicating an assignment of a security interest that is filed with the office of the register of deeds.

SECTION 2230. 409.405 (2) of the statutes is amended to read:

409.405 (2) A secured party may assign of record all or part of his or her rights under a financing statement by the filing in the place where the original financing statement was filed of a separate written statement of assignment signed by the secured party of record and setting forth the name of the secured party of record and the debtor, the file number and the date of filing of the financing statement and the name and address of the assignee and containing a description of the collateral assigned. A copy of the assignment is sufficient as a separate statement if it complies with the preceding sentence. On presentation to the filing officer of such a separate statement, the filing officer shall mark such separate statement with the date and hour of the filing. The officer shall note the assignment on the index of the financing statement, or in the case of a fixture filing, or a filing covering timber to be cut, or covering minerals or the like (including oil and gas), or accounts subject to s. 409.103 (5), the officer shall index the assignment under the name of the assignor as grantor and, to the extent that the law of this state provides for indexing the assignment of a mortgage under the name of the assignee, the officer shall index the assignment of the financing statement under the name of the assignee. The fee for filing, indexing and furnishing filing data about such a separate statement of assignment is ~~\$2~~ \$4 if the statement is in the standard form prescribed by the secretary of state and otherwise is ~~\$4~~ \$6, plus in each case an additional fee of \$1 for each name more than one against which the statement of assignment is required to be indexed. A register of deeds shall forward \$2 to the office of the secretary of state for each statement of assignment

filed with the office of the register of deeds. Notwithstanding this subsection, an assignment of record of a security interest in a fixture contained in a mortgage effective as a fixture filing (~~under s. 409.402 (6)~~) may be made only by an assignment of the mortgage in the manner provided by the law of this state other than chs. 401 to 409.

SECTION 2231. 409.406 of the statutes is amended to read:

**409.406 Release of collateral; duties of filing officer; fees.** A secured party of record may by his or her signed statement release all or a part of any collateral described in a filed financing statement. The statement of release is sufficient if it contains a description of the collateral being released, the name and address of the debtor, the name and address of the secured party, and the file number of the financing statement. A statement of release signed by a person other than the secured party of record must be accompanied by a separate written statement of assignment signed by the secured party of record and complying with s. 409.405 (2), including payment of the required fee. Upon presentation of such a statement of release to the filing officer, the officer shall mark the statement with the hour and date of filing and shall note the same upon the margin of the index of the filing of the financing statement. The fee for filing and noting such a statement of release is ~~\$2~~ \$4 if the statement is in the standard form prescribed by the secretary of state and otherwise is ~~\$4~~ \$6, plus in each case an additional fee of \$1 for each name more than one against which the statement of release is required to be indexed. A register of deeds shall forward \$2 to the office of the secretary of state for each statement of release filed with the office of the register of deeds.

SECTION 2232. 409.407 (2) of the statutes is amended to read:

409.407 (2) ORAL REQUEST FOR INFORMATION FROM FILING OFFICER; ISSUANCE OF CERTIFICATE; FEES. (a) Upon the oral request of any person, the filing officer shall disclose orally at the time of the request or as soon thereafter as possible any presently effective statement filed or continued within the preceding 6 years naming a particular debtor and if there is such a statement, giving the date and hour of filing of each such statement and the names and addresses of each secured party therein. The fee for such information may not exceed ~~\$4~~ \$5, plus \$1 for each statement disclosed. Upon the further oral request for a copy of a statement disclosed orally, the filing officer shall furnish a copy for an additional fee of \$1 per page.

(b) Upon request of any person, the filing officer shall issue a certificate showing whether there is on file on the date and hour stated therein, any presently effective statement filed or continued within the preceding 6 years naming a particular debtor and if there is, giving the date and hour of filing of each such statement and the names and addresses of each secured party therein. The uniform fee for such a certificate is



~~§3 if the request for the certificate is in the standard form prescribed by the secretary of state and otherwise shall be \$4 \$5, plus \$1 for each statement reported therein. Upon request the filing officer shall furnish a certified copy of any filed statement for a uniform fee of \$1 for each page of the copied statement plus 50 cents for the certificate.~~

SECTION 2233. 409.410 of the statutes is created to read:

**409.410 Statewide lien system.** (1) The office of the secretary of state and the office of each register of deeds in this state shall establish and maintain at least one computer terminal allowing the direct entry into permanent computer storage and the direct retrieval from permanent computer storage of information under sub. (2).

(2) Beginning 30 days after notification by the secretary of state, each filing officer shall enter all information contained in all financing statements, amendments, termination statements, continuation statements, statements of assignment and statements of release submitted for filing, indexing or marking under ss. 409.401 to 409.408, including the date and time of filing these statements or amendments, into permanent computer storage by means of a computer terminal established and maintained under sub. (1).

SECTION 2233d. 422.201 (10m) (a), (b) 1 and (h) of the statutes are amended to read:

422.201 (10m) (a) With respect to consumer credit transactions under an open-end credit plan entered into on or after November 1, 1981 ~~and before August 1, 1985, or after October 31, 1987,~~ the parties may agree to the payment by the customer of a finance charge determined by application of a rate not in excess of 18% per year calculated according to the actuarial method, except as provided in pars. (b) and (h).

(b) 1. Notwithstanding par. (a), with respect to consumer credit transactions under an open-end credit plan entered into on or after November 1, 1981 ~~and before August 1, 1985, or after October 31, 1987,~~ the parties may agree to the payment by the customer of a finance charge of which the customer is notified under subd. 3 if the yield on the most recently auctioned 2-year U.S. treasury notes on each of 5 successive Thursdays exceeds 15% per year, as determined by the administrator based on the report of the federal reserve bank of New York.

(h) A purchase, cash advance or other debit transaction entered into by a customer under an open-end credit plan in existence on November 1, 1981, is subject to the limit on finance charges under sub. (2) (a), except a purchase, cash advance or other debit transaction entered into on or after November 1, 1981 ~~and before August 1, 1985, or after October 31, 1987,~~ is subject to the limits on finance charges provided in pars. (a) and (b) if the creditor mails or delivers to the customer a written notice of a finance charge to be applied which is greater than permitted under sub. (2)

(a) at least 15 days prior to the beginning date of a billing cycle and the customer makes the purchase, obtains the cash advance or enters into the debit transaction on or after that date. This paragraph does not prohibit changes in open-end credit terms under s. 422.415.

SECTION 2233f. 422.201 (10n) of the statutes is repealed.

SECTION 2233h. 422.202 (2m) (a), (b) and (c) (intro.) of the statutes are amended to read:

422.202 (2m) (a) A charge not to exceed \$2 in any billing cycle in which the creditor receives less than a minimum payment due as agreed by the parties. Any charge imposed under this paragraph may not be included in any outstanding balance for purposes of calculating any finance charge or minimum payment. ~~A charge may not be made under this paragraph after July 31, 1985, and before November 1, 1987.~~

(b) A charge not to exceed 50 cents in any billing cycle in which there are at least 28 calendar days and where the balance as calculated in s. 422.201 (10m) is less than \$33.34. If the charge permitted in this subsection is imposed, no finance charge may be imposed under s. 422.201 (10m) nor may the charge permitted in par. (a) be imposed or collected. A charge may be imposed under this paragraph notwithstanding s. 422.415, ~~except that no charge may be imposed under this paragraph after July 31, 1985, and before November 1, 1987.~~

(c) (intro.) A charge not to exceed \$2 for each cash advance under an open-end credit plan other than by a seller credit card or an overdraft checking loan. ~~A charge may not be made under this paragraph after July 31, 1985, and before November 1, 1987.~~ In this paragraph:

SECTION 2233m. 422.421 (6) (b) of the statutes is amended to read:

422.421 (6) (b) For any variable rate transaction pursuant to an open-end credit plan ~~entered into before August 1, 1985, or after October 31, 1987,~~ the maximum rate of finance charge for any payment period may not exceed the limit established under s. 422.201 (10m) (a), except that the limit does not apply to the periods specified in s. 422.201 (10m) (b) 2 if the yield on the most recently auctioned 2-year U.S. treasury notes on each of 5 successive Thursdays exceeds 15% per year, as determined by the administrator based on the report of the federal reserve bank of New York.

SECTION 2234m. 440.03 (2) and (4) to (6) of the statutes are created to read:

440.03 (2) The department may provide examination development services, consultation and technical assistance to other state agencies, federal agencies, counties, cities, villages, towns, national or regional organizations of state licensing agencies, similar licensing agencies in other states, national or regional accrediting associations, and nonprofit organizations. The department may charge a fee sufficient to reim-

burse the department for the costs of providing such services. In this subsection, "nonprofit organization" means a nonprofit corporation as defined in s. 181.02 (4) and an organization exempt from tax under 26 USC 501.

(4) The department may issue subpoenas for the attendance of witnesses and the production of documents or other materials prior to the commencement of disciplinary proceedings.

(5) The department may investigate allegations of negligence by physicians licensed to practice medicine and surgery under ch. 448.

(6) The department shall have access to any information contained in the reports filed with the medical examining board and the board of nursing under ss. 655.045 and 655.26.

SECTION 2236. 440.04 (6) of the statutes is amended to read:

440.04 (6) Appoint outside the classified service an administrator for any division established in the department and a director for any bureau, ~~including a bureau of nursing or a bureau of design professions, established in the department. Directors of bureaus shall be appointed from a list of candidates recommended to the secretary by a committee composed of the persons designated by the chairperson of each examining board for the occupations or professions which are regulated by that bureau. Every chairperson of an affected examining board shall designate persons to serve on the committee, and the number designated by each chairperson shall not exceed the number appointed by any other chairperson of an affected examining board. The secretary and the committee shall jointly establish qualifications for each bureau director as authorized in s. 230.08 (2).~~ The secretary may assign any bureau director appointed in accordance with this subsection to serve concurrently as a bureau director and a division administrator.

SECTION 2237. 440.05 (1) of the statutes is repealed and recreated to read:

440.05 (1) Examination: The fee for examination for the initial license, permit, certificate or registration shall be an amount equal to the actual cost of the examination, as determined by the department, but not less than \$40. The initial license, permit, certificate or registration shall be granted to applicants upon successful completion of the examination and upon completion of other applicable requirements. If an examination is not required, the initial license shall be granted upon payment of a \$40 fee if the applicant is otherwise qualified.

SECTION 2238. 440.05 (3) of the statutes is repealed and recreated to read:

440.05 (3) (a) Renewals: The fee for renewal of a license, permit, certificate or registration for each of the following occupations shall be:

1. Certified public accountants, \$43.
2. Public accountants, \$43.
3. Accounting firms, \$50.

4. Barber instructor, \$57.
5. Master barber, \$57.
6. Barber shop manager, \$57.
7. Shop manager location, \$57.
8. Chiropractors, \$71.
9. Beauty salons, \$50.
10. Managing cosmetologists, \$38.
11. Cosmetology operators, \$38.
12. Cosmetology instructors, \$38.
13. Electrologists, \$38.
14. Manicurists, \$38.
15. Electrolysis salons, \$50.
16. Cosmetology schools, \$50.
17. Itinerant cosmetologist, \$38.
18. Dentists, \$35.
19. Dental hygienists, \$35.
20. Designers, \$33.
21. Land surveyors, \$33.
22. Architect/engineer corporations, \$50.
23. Architect corporations, \$50.
24. Engineering corporations, \$50.
25. Architects, \$33.
26. Professional engineers, \$33.
27. Funeral directors, \$58.
28. Funeral establishments, \$50.
29. Funeral director certified in good standing, \$58.
30. Embalmers, \$58.
31. Hearing aid dealers/fitters, \$119.
32. Licensed practical nurses, \$32.
33. Registered nurses, \$32.
34. Nursing home administrators, \$53.
35. Optometrists, \$63.
36. Registered pharmacists, \$57.
37. Assistant pharmacists, \$57.
38. Pharmacies, \$50.
39. Drug manufacturers permit, \$50.
40. Distributor of dangerous drugs, \$50.
41. Medicine/surgery (MD), \$82.
42. Medicine/surgery (DO), \$82.
43. Doctor of osteopathy/surgery, \$82.
44. Physicians assistants, \$82.
45. Physical therapists, \$82.
46. Podiatrists, \$82.
47. Private detective agencies, \$50.
48. Private detectives, \$124.
49. Psychologists, \$74.
50. Private practice school psychologist, \$74.
51. Real estate broker, \$45.
52. Real estate salesperson, \$45.
53. Cemetery associations, \$50.
54. Cemetery salespersons, \$45.
55. Veterinarians, \$50.
56. Animal technicians, \$50.

SECTION 2238d. 440.20 of the statutes is renumbered 440.20 (1).

SECTION 2238h. 440.20 (2) and (3) of the statutes are created to read:

440.20 (2) Any person who in good faith testifies before the department or any examining board or otherwise provides the department or any examining board with information concerning possible unprofessional conduct, negligence in treatment or any other violation by a person holding a license, permit, certificate or registration issued by the department is immune from civil liability for his or her acts or omissions in testifying or otherwise providing such information. The good faith of any person specified in this subsection shall be presumed in any civil action and an allegation that such a person has not acted in good faith must be proven by clear and convincing evidence.

(3) The burden of proof in disciplinary proceedings before the department or any examining board is clear and convincing evidence, for proceedings concerning violations occurring before January 1, 1986, and on or after July 1, 1989, and a preponderance of the evidence, for proceedings concerning violations occurring on or after January 1, 1986, and before July 1, 1989.

SECTION 2238L. 441.07 (1m) of the statutes is created to read:

441.07 (1m) The board may use any information obtained by the board or the department under s. 655.17 (7) (b) in investigations and disciplinary proceedings, including public disciplinary proceedings, conducted under this chapter.

SECTION 2238m. 445.125 (2) of the statutes is amended to read:

445.125 (2) All such trust funds shall be deposited with a bank or trust company within the state whose deposits are insured by the federal deposit insurance corporation, invested in a savings and loan association within the state whose shares are insured by the federal savings and loan insurance corporation or invested in a credit union within the state whose savings are insured by the national board, as defined in s. 186.01 (3m), or by the Wisconsin credit union share savings insurance corporation and shall be held in a separate account in the name of the depositor, in trust for the beneficiary until the trust fund is released under either of the conditions provided in sub. (1). In the event of the death of the depositor before the death of the potential decedent, title to such funds shall vest in the potential decedent, and the funds shall be used for the personal property and services to be furnished under the contract for the funeral of the potential decedent. The depositor shall be furnished with a copy of the receipts, certificates or other appropriate documentary evidence showing that the funds have been deposited or invested in accordance with this section. The depositor or the beneficiary shall furnish the bank, trust company, savings and loan association or credit union with a copy of the contract. Upon receipt of a certified copy of the certificate of death of the

potential decedent, together with the written statement of the beneficiary that the agreement was complied with, the bank, trust company, savings and loan association or credit union shall release such trust funds to the beneficiary.

SECTION 2238ms. 445.06 of the statutes is amended to read:

**445.06 Renewal of licenses.** The examining board shall issue renewal licenses to funeral directors. The renewal fee shall be that specified in s. 440.05 (3). Before any renewal license is delivered to any licensed funeral director, proof must be furnished by the applicant, to the satisfaction of the examining board, that the applicant is doing business at a recognized funeral establishment, except that if such applicant is not doing business at a recognized funeral establishment at the time of application for a license, the applicant shall be given a certificate, without additional cost, to the effect that the applicant is in good standing as a funeral director, and shall be entitled to a renewal license at any time during that license period, when located at a recognized funeral establishment, without payment of any additional renewal fee. The applicant must also furnish proof of completion of at least ~~20~~ 15 hours of continuing education during the previous 2-year licensure period, except that new licensees are exempt from this requirement during the time between initial licensure and commencement of a full 2-year licensure period. The license shall expire on December 31 of odd-numbered years.

SECTION 2238ng. 447.02 (1) (b) of the statutes is repealed.

SECTION 2238nr. 447.02 (2) of the statutes is repealed and recreated to read:

447.02 (2) No contract of employment entered into between a dentist and any other party under which the dentist renders dental services may require the dentist to act in a manner which violates the professional standards for dentistry set forth in this chapter. Nothing in this subsection limits the ability of the other party to control the operation of the dental practice in a manner in accordance with the professional standards for dentistry set forth in this chapter.

SECTION 2238og. 447.07 (3) (h) of the statutes is repealed and recreated to read:

447.07 (3) (h) Advertising by use of statements of a character tending to deceive or mislead the public.

SECTION 2238or. 447.07 (6) of the statutes is repealed.

SECTION 2238p. 448.02 (3) (intro.) of the statutes is renumbered 448.02 (3) (a) and amended to read:

448.02 (3) (a) The board shall investigate allegations of unprofessional conduct and negligence in treatment by persons holding a license or certificate granted by the board. ~~A finding by a panel established under s. 655.02 or by a court that a physician has acted negligently is an allegation of unprofessional conduct.~~ An allegation that a physician has violated s. 448.30 or 450.075 (3) is an allegation of unprofessional conduct.

Information contained in a report filed with the board under s. 655.045 (1) which is not a finding of negligence may, within the discretion of the board, be used as the basis of an investigation of a person named as a respondent.

(b) ~~After the an~~ investigation, if the board finds that there is probable cause to believe that the person is guilty of unprofessional conduct or negligence in treatment, the board shall hold a hearing on such conduct. The board may use any information obtained by the board or the department under s. 655.17 (7) (b) in an investigation or a disciplinary proceeding, including a public disciplinary proceeding, conducted under this subsection. A finding by a panel established under s. 655.02 or by a court that a physician has acted negligently in treating a patient is conclusive evidence that the physician is guilty of negligence in treatment. A certified copy of the findings of fact, conclusions of law and order of the panel or the order of a court is presumptive evidence that the finding of negligence in treatment was made. The board shall render a decision within 90 days following completion of the hearing. ~~The~~

(c) After a disciplinary hearing, the board may, when it determines that a panel established under s. 655.02 or a court has found that a person has been negligent in treating a patient or when it finds a person guilty of unprofessional conduct or negligence in treatment, do one or more of the following: warn or reprimand that person, or limit, suspend or revoke any license or certificate granted by the board to that person.

(d) If the board finds that any physician or podiatrist refuses to serve on a patient's compensation panel under s. 655.03 without being excused by the director of state courts, it may warn or reprimand the physician or podiatrist or may limit, suspend or revoke the license issued by the board.

(g) The board shall comply with rules of procedure for the investigation, hearing and action promulgated under ss. 440.03 (1) and 448.40. ~~Any person who in good faith provides to the board information concerning possible unprofessional conduct by a person holding a license or certificate granted by the board is immune from civil liability for his or her acts or omissions in providing such information.~~

SECTION 2238t. 448.02 (3) (a) and (b) of the statutes are renumbered 448.02 (3) (e) and (f).

SECTION 2238u. 448.02 (3) (h) of the statutes is created to read:

448.02 (3) (h) Nothing in this subsection prohibits the board, in its discretion, from investigating and conducting disciplinary proceedings on allegations of unprofessional conduct by persons holding a license or certificate granted by the board when the allegations of unprofessional conduct may also constitute allegations of negligence in treatment.

SECTION 2238v. 448.03 (title) of the statutes is amended to read:

**448.03 (title) License required to practice; use of titles; civil immunity; practice of Christian Science.**

SECTION 2238w. 448.03 (2) (g) of the statutes is amended to read:

448.03 (2) (g) Ritual circumcision by a rabbi, ~~or the practice of Christian Science.~~

SECTION 2238y. 448.03 (6) of the statutes is created to read:

448.03 (6) PRACTICE OF CHRISTIAN SCIENCE. No law of this state regulating the practice of medicine and surgery may be construed to interfere with the practice of Christian Science. A person who elects Christian Science treatment in lieu of medical or surgical treatment for the cure of disease may not be compelled to submit to medical or surgical treatment.

SECTION 2238z. 448.065 of the statutes is amended to read:

**448.065 Permanent license for certain professors.** A person who possesses a temporary license under s. 448.04 (1) (b) 2 and who has practiced under such license for 4 or more years may apply for a license to practice medicine and surgery under s. 448.04 (1) (a). If the applicant achieves a passing grade in the examination for a license to practice medicine and surgery and three-fourths of the board find that the applicant is qualified, notwithstanding s. 448.05 (1) (b) and (2), the board may grant the license. The board may limit the license and, notwithstanding s. 448.02 (3) (a), may continue such limits indefinitely or may remove the limits when it is satisfied that the reasons for the limits no longer exist, except that the board shall remove any limitations on the geographical areas of this state in which the physician may practice and any limitations on the persons with whom the physician may associate, after a period of 5 years of continuous medical practice within this state by the physician.

SECTION 2241. 560.04 (3) (title) and (a) (title) of the statutes are repealed.

SECTION 2242. 560.04 (3) (a) of the statutes is renumbered 234.03 (15m) and amended to read:

234.03 (15m) ~~The department shall~~ To establish and administer programs of grants to counties, municipalities and eligible sponsors of ~~low and moderate-income~~ housing projects. ~~Eligible sponsors may include housing authorities under ss. 59.075, 61.73 and 66.40 to 66.404, nonstock and nonprofit corporations. Grants may be approved for the support of for persons of low and moderate income, to pay organizational expenses, administrative costs, social services, technical services, training expenses or costs incurred or expected to be incurred by counties, municipalities or sponsors for land and building acquisition, construction, improvements, renewal, rehabilitation, relocation or conservation under a plan to provide housing or related facilities, if the costs are not reimbursable from other private or public loan, grant or mortgage sources.~~

SECTION 2243m. 560.04 (3) (b) of the statutes is renumbered 560.04 (3) and amended to read:

560.04 (3) (title) HOUSING ASSISTANCE. The department may make, with or without interest or security, loans from the appropriation made under s. 20.143 (3) (f), (fa), (j), (L) or (v) for development or construction of low- and moderate-income housing projects. No loan may be made unless the secretary may reasonably anticipate permanent financing of the project. The department shall request the building commission to contract revenue obligations to fund loans under this ~~paragraph subsection~~. The building commission shall, at the request of the department, contract under subch. II of ch. 18 \$1,000,000 in revenue obligations, excluding obligations issued to refund outstanding revenue obligations issued under this ~~paragraph subsection~~, for the purpose of funding loans under this ~~paragraph subsection~~. The department may, under s. 18.56 (5) and (9) (j), deposit in a separate and distinct fund outside the state treasury all revenues received in the repayment of loans, funded from the appropriation under s. 20.143 (3) (v), made under this subsection and any other revenues dedicated to it by the department. The department may pledge revenues received or to be received by this fund to secure revenue obligations issued to fund loans under this ~~paragraph subsection~~. The department shall have all other powers necessary and convenient to distribute the proceeds of the revenue obligations and loan repayments in accordance with subch. II of ch. 18.

SECTION 2243p. 560.04 (3) (c) of the statutes is repealed.

SECTION 2244. 560.06 (title) and (1) (intro.) of the statutes are renumbered 234.49 (title) and (1) (intro.).

SECTION 2245. 560.06 (1) (a) of the statutes is repealed.

SECTION 2246. 560.06 (1) (b) and (c) of the statutes are renumbered 234.49 (1) (b) and (c).

SECTION 2247. 560.06 (1) (d) of the statutes is renumbered 234.49 (1) (d), and 234.49 (1) (d) 3 and 5, as renumbered, are amended to read:

234.49 (1) (d) 3. Construction of porches, except existing;

a. Existing porches may be repaired or winterized and entryways or, for the purpose of energy conservation, replaced.

b. Entryways may be constructed for the purpose of energy conservation.

5. Sidewalks and the paving of driveways, except for repairs to existing sidewalks or driveways may be repaired or replaced and existing driveways may be repaired.

SECTION 2248. 560.06 (1) (e) of the statutes is renumbered 234.49 (1) (e).

SECTION 2249m. 560.06 (1) (f) (intro.) of the statutes is renumbered 234.49 (1) (f) (intro.) and amended to read:

234.49 (1) (f) (intro.) "Housing rehabilitation loan" means a loan to finance eligible rehabilitation. The maximum amount of any such loan outside of design-

~~ated reinvestment neighborhoods or areas as defined in s. 66.465 may not exceed \$7,500 for a structure with one dwelling unit and \$5,000 per dwelling unit for a structure with 2 to 4 dwelling units, and the maximum amount of any such loan in designated reinvestment neighborhoods or areas may not exceed \$10,000 for a structure with one dwelling unit and \$7,500 per dwelling unit for a structure with 2 to 4 dwelling units, except that the department may increase such limits in any calendar year after May 19, 1978 by an amount not exceeding a 10% annual rate of increase. On and after August 7, 1981, the maximum amount of a housing rehabilitation loan may not exceed is \$15,000. The term of any housing rehabilitation loan to finance eligible rehabilitation, the repayment of which is made in monthly or other periodic instalments, may not exceed 15 years. Housing rehabilitation loans include:~~

SECTION 2250m. 560.06 (1) (f) 1 of the statutes is renumbered 234.49 (1) (f) 1.

SECTION 2250p. 560.06 (1) (f) 2 of the statutes is renumbered 234.49 (1) (f) 2.

SECTION 2251. 560.06 (1) (f) 3 of the statutes is repealed.

SECTION 2252. 560.06 (1) (g) to (i) of the statutes are renumbered 234.49 (1) (g) to (i).

SECTION 2253. 560.06 (2) (title) and (a) (intro.) of the statutes are renumbered 234.49 (2) (title) and (a) (intro.).

SECTION 2254. 560.06 (2) (a) 1 of the statutes is repealed.

SECTION 2255. 560.06 (2) (a) 2 of the statutes is repealed.

SECTION 2256. 560.06 (2) (a) 3 to 8 of the statutes are renumbered 234.49 (2) (a) 3 to 8 and amended to read:

234.49 (2) (a) 3. To maintain a current list of authorized lenders who are authorized to make or service housing rehabilitation loans. The department authority shall establish standards governing the performance of authorized lenders in making and servicing housing rehabilitation loans and shall periodically monitor such performance.

4. To designate as an authorized lender the authority or any local government agency, housing authority under s. 59.075, 61.73, 66.395 or 66.40, bank, savings and loan institution, mortgage banker or credit union which, if the designee has a demonstrated history or potential of ability to adequately make and service housing rehabilitation loans.

5. To enter into contracts with the authority or authorized lenders, or both, authorizing the authority or authorized lenders them to process applications and service housing rehabilitation loans. The contracts may include the responsibilities of the authority or authorized lenders with respect to credit evaluations, financial eligibility determinations, valuation of the housing for which the loan is to be made, collection procedures in the event of delinquent loan repayments and other functions which the department

authority may require. Such contracts may provide for the payment of a fee for originating such loans or for servicing such loans.

6. To enter into contracts or agreements with authorized lenders, and sponsors, ~~and the authority~~ providing for the maximum and minimum acceptable rates of interest to be charged for various classifications of housing rehabilitation loans, ~~including a zero rate, in accordance with sub. (1) (f).~~ In no event may the stated rate of interest on any housing rehabilitation loan under this section exceed the greater of 8% per year or 3% plus the rate necessary to fully repay interest and principal on housing rehabilitation loan program bonds issued pursuant to s. 234.50.

7. To enter into contracts or agreements with authorized lenders, and sponsors ~~and the authority~~ providing for the maximum acceptable amount, duration and other terms of housing rehabilitation loans in accordance with sub. (1) (f).

8. To adopt ~~rules~~ procedures and forms necessary to effectuate the rehabilitation program or to facilitate the marketing of bonds issued under s. 234.50.

SECTION 2257. 560.06 (2) (a) 9 of the statutes is renumbered 234.49 (2) (a) 9.

SECTION 2258. 560.06 (2) (b) of the statutes is repealed.

SECTION 2259. 560.06 (2) (c) of the statutes is renumbered 234.49 (2) (c).

SECTION 2260. 560.06 (3) of the statutes is repealed.

SECTION 2261. 560.065 (title) and (1) (intro.) and (a) of the statutes are renumbered 234.59 (title) and (1) (intro.) and (a).

SECTION 2262. 560.065 (1) (c) of the statutes is repealed.

SECTION 2263. 560.065 (1) (d) to (j) of the statutes are renumbered 234.59 (1) (d) to (j).

SECTION 2264. 560.065 (2) (intro.) and (a) of the statutes are renumbered 234.59 (2) (intro.) and (a).

SECTION 2265. 560.065 (2) (b) of the statutes is repealed.

SECTION 2266. 560.065 (2) (c) and (e) of the statutes are renumbered 234.59 (2) (c) and (e).

SECTION 2267. 560.065 (2) (f) of the statutes is repealed.

SECTION 2268. 560.065 (3) of the statutes is renumbered 234.59 (3), and 234.59 (3) (a), as renumbered, is amended to read:

234.59 (3) (a) The amount of a homeownership mortgage loan may not exceed the lesser of 95% of the purchase price or 95% of the appraised value of the eligible property ~~or 250% of the eligible borrower's annual income.~~

SECTION 2269. 560.065 (4) of the statutes is repealed.

SECTION 2270. 560.07 (3) of the statutes is renumbered 560.07 (3) (a) and amended to read:

560.07 (3) (a) Serve as the state's official liaison agency between persons interested in locating new economic enterprises in Wisconsin, and state and local groups seeking new enterprises. In this respect the department shall aid communities in organizing for and obtaining new business or expanding existing business and shall process refer requests which reflect interest in locating economic enterprises in the state to Forward Wisconsin, inc.

SECTION 2271. 560.07 (3) (intro.) of the statutes is created to read:

560.07 (3) (intro.) For the purpose of attracting persons interested in locating new enterprises in this state:

SECTION 2272. 560.07 (3) (b) of the statutes is created to read:

560.07 (3) (b) Contract with Forward Wisconsin, inc., if the secretary determines it appropriate, to pay Forward Wisconsin, inc., an amount not to exceed the amount appropriated under s. 20.143 (1) (bm), to establish and implement a nationwide business development promotion campaign to attract persons interested in locating new enterprises in this state. Funds may be expended to carry out such a contract only as provided in s. 16.501.

SECTION 2273. 560.07 (3) (c) of the statutes is created to read:

560.07 (3) (c) Whenever appropriate, submit to the secretary of administration a report setting forth the amount of private contributions received by Forward Wisconsin, inc., since the time the department last submitted such a report.

SECTION 2273m. 560.085 (1) (e) of the statutes is created to read:

560.085 (1) (e) "Royalty" means a share of future profits from, or an interest in, a product or process.

SECTION 2274. 560.085 (2) (a) of the statutes is renumbered 560.085 (2).

SECTION 2275. 560.085 (2) (b) of the statutes is repealed.

SECTION 2276. 560.085 (3) (a) of the statutes is amended to read:

560.085 (3) (a) A grant under ~~sub. (2) (a)~~ this section shall support research addressing the technical aspects of a new or improved industrial product or process.

SECTION 2277. 560.085 (3) (b) of the statutes is amended to read:

560.085 (3) (b) No grant may be made under ~~sub. (2) (a)~~ this section unless the business entity and the higher education institution have entered into a written agreement concerning patents and licenses which may result from the proposed research, dissemination of information relating to the proposed research and program responsibilities of research project personnel.

SECTION 2278m. 560.085 (3) (c) of the statutes is amended to read:

560.085 (3) (c) Funds expended or encumbered ~~for projects funded under sub. (2) (a)~~ in any biennium for a project funded by a grant under this section may not exceed 40% of the total budgets of all research projects awarded grants under ~~sub. (2) (a) this section~~ in that biennium.

SECTION 2279. 560.085 (3) (d) of the statutes is amended to read:

560.085 (3) (d) The business entity shall contribute at least 20% but not more than 90% of the budget of a research project awarded a grant under ~~sub. (2) (a) this section~~.

SECTION 2281. 560.085 (3) (h) of the statutes is renumbered 560.085 (5) (a), and 560.085 (5) (a) (intro.), as renumbered, is amended to read:

560.085 (5) (a) (intro.) In awarding grants under ~~sub. (2) (a) this section~~, the board shall give priority to the following:

SECTION 2282. 560.085 (3) (i) of the statutes is renumbered 560.085 (5) (b).

SECTION 2283m. 560.085 (4) of the statutes is created to read:

560.085 (4) (a) The board shall develop a policy relating to obtaining reimbursement of grants under this section. The policy shall consider methods of reimbursement, including, but not limited to, full and partial repayment of the principal amount of the grant and payment of a royalty on the product or process resulting from the research funded by the grant.

(b) All moneys received in reimbursement of grants under this section shall be deposited into the appropriation under s. 20.143 (4) (i).

SECTION 2283n. 560.093 of the statutes is created to read:

**560.093 Management training.** (1) In cooperation with the university of Wisconsin system and the board of vocational, technical and adult education, the department shall offer grants to develop and use in this state training programs relating to the use of management techniques to improve the quality of goods provided and services produced in this state. Each program shall focus upon the development of a curriculum and the training of instructors in these management techniques.

(2) The department may make a grant to any interested person for the development and use of the programs under sub. (1) after considering the following:

(a) Whether the program will be offered to representatives of the vocational, technical and adult education system and of higher education institutions, as defined in s. 560.085 (1) (d), and to representatives of any business, agency as defined in s. 230.03 (3) or local governmental unit the chief executive officer of which states to the department that the business, agency or local governmental unit will implement the management techniques on at least an experimental basis.

(b) Whether the program recipients will attempt to offer the programs so as to result in widespread dissemination of the management techniques.

SECTION 2284. 560.095 (1) of the statutes is amended to read:

560.095 (1) CREATION AND PURPOSE. There is created a labor training program to provide specialized job training to state residents in new technologies and industrial job skills to meet the critical manpower needs of specific businesses when the training is not available through existing federal, state or local resources, except as provided in sub. (4) (c).

SECTION 2285. 560.095 (3) (c) of the statutes is amended to read:

560.095 (3) (c) No payment may be made by the department for any training program until the program is approved by a majority of a ~~3-member~~ 5-member review panel ~~consisting~~. The review panel shall consist of the secretary, the director of the vocational, technical and adult education system and the secretary of industry, labor and human relations, or their designees, and 2 persons representing the financial and technical communities of this state. The governor shall select the 2 persons representing the financial and technical communities of this state from a list submitted by the secretary. A labor training program may not be approved without a finding by the review panel that comparable training cannot be made available through existing federal, state or local resources, except as provided in sub. (4) (c).

SECTION 2286. 560.095 (4) (c) of the statutes is amended to read:

560.095 (4) (c) A participating business may make its contribution to the labor training program in cash or in-kind payments. Up to 20% of the contribution of a participating business may consist of funds which the business receives under the federal job training partnership act, 29 USC 1501 to 1781.

SECTION 2287. 560.115 of the statutes is repealed.

SECTION 2288. 560.15 (1) (intro.) of the statutes is amended to read:

560.15 (1) (intro.) The department, with the advice and assistance of the council for economic adjustment and community response committees created under sub. (3), and in cooperation with the ~~governor's employment and training office and the~~ department of industry, labor and human relations, shall perform the responsibilities under sub. (2) if the following conditions are met:

SECTION 2289. 560.15 (1) (a) of the statutes is amended to read:

560.15 (1) (a) A business, regardless of its size or form of organization, is considering ceasing its operations or has decided to cease its operations or has ceased its operations at any place of business located in this state; is considering laying off or has decided to lay off or has laid off, whether permanently or tempo-

rarily, any of its employees at any place of business located in this state.

SECTION 2290. 560.15 (1) (b) 2 of the statutes is repealed.

SECTION 2291. 560.15 (2) (d) of the statutes is created to read:

560.15 (2) (d) A business or one or more former employees of a business laid off by an act under sub. (1) (a) or one or more employees of a business, if the business has performed an act under sub. (1) (a), for the purpose of informing the business, former employees or employees of their rights and opportunities under s. 560.16.

SECTION 2291m. 560.151 of the statutes is created to read:

**560.151 Duties of council on economic adjustment.** The council on economic adjustment shall approve the distribution and use of assistance under s. 14.20.

SECTION 2293. 560.16 of the statutes is created to read:

**560.16 Employee ownership assistance loans.** (1) DEFINITIONS. In this section:

(a) "Board" means the employee ownership board.

(b) "Business" means an employee-owned business or an existing business which is the subject of an application for a loan under this section.

(c) "Employee-owned business" means a business located in this state which is organized in a manner determined by the secretary to involve substantial employee participation or a cooperative organized under ch. 185 or a corporation in which the employees own the stock of the corporation through an employee stock ownership plan as defined under 26 USC 4975 (e) (7) and in which:

1. A majority of the voting rights are held by employees and any employee who has stock allocated to the employee is entitled to vote;

2. Shares are voted in such a manner that the vote of the majority of employees controls the vote of the majority of shares;

3. Voting rights on corporate matters for shares held in a trust for the employees shall pass through to those employees, at least to the extent required by the pass-through voting requirements under 26 USC 409A (e); and

4. The majority of the members of the board of directors are elected by the employees.

(d) "Employee-owned business group" means a group formed by or on behalf of employees of an employee-owned business which is considering substantial layoffs or a closing for the purpose of determining how to create new jobs, avoid layoffs or avoid the closing.

(e) "Existing business" means the assets of any business which is located in this state and which is operating or has ceased operating for not more than one year prior to the date the application is submitted under sub. (3).

(f) "Existing business group" means a group formed by or on behalf of the current or former employees of an existing business which has experienced substantial layoffs or a closing not more than one year prior to the date the application is submitted under sub. (3) for the purpose of determining the feasibility of assuming ownership or control of the existing business and operating it as an employee-owned business.

(g) "Group" means an employee-owned business group or an existing business group which has applied for a loan under this section.

(h) "Professional services" includes, but is not limited to, accounting services, engineering studies, design assistance, architectural services, appraisal services, marketing assistance, attorney services, financial packaging and employee relations services.

(2) EMPLOYEE OWNERSHIP ASSISTANCE LOANS. (a) The department may use the moneys under s. 20.143 (1) (f) to administer loans to existing business groups for a feasibility study to investigate the reorganization or new incorporation of an existing business as an employee-owned business and for professional services to implement the study.

(b) The department may not administer any loan under this section unless the board has approved the loan.

(c) The board may not approve a loan under this section unless the board has considered all of the following:

1. The number of employees affected by the considered or actual closing or layoff by the business.

2. The management capability of the group.

3. The economic impact of the considered or actual closing or layoff by the business on the community, region or state.

4. A preliminary assessment of the viability of the employee-owned business or proposed employee-owned business and, in the case of a proposed employee-owned business, the potential for a successful buy out by the group.

(3) LOAN APPLICATIONS. To apply for a loan under this section, a group shall submit an application to the department which includes:

(a) A general analysis outlining the need for a feasibility study or professional services under sub. (2) (a), including, but not limited to, such items as the number of employees affected, the economic impact on the community of a business closing and a preliminary analysis as to the feasibility of undertaking employee ownership of the business and the potential for a successful buy out by the group.

(b) A petition in support of the effort signed by at least a majority of the members of the group and a list of the names and addresses of all the members of the group.

(c) If the application is for a loan under sub. (2) (a), a letter from a majority of the owners of the business



indicating a preference to sell the business to the group if the study concludes that reorganization or new incorporation of the business which is the subject of the study as an employe-owned business is feasible.

(d) The estimated cost and time required to conduct the feasibility study or provide the service.

(e) A description of the group's financial assets available to match the loan and a statement indicating the group's willingness to match the loan.

(f) A written commitment from a person with the recognized expertise and experience necessary to conduct the feasibility study or provide the professional services to be financed by the loan.

(4) **LOAN LIMITS; CONTRACT APPROVAL.** (a) A loan to a group under this section may not exceed \$25,000 unless the joint committee on finance, under s. 13.101 (5m), approves a specified amount exceeding \$25,000.

(b) As a condition of approval of a loan to a group under this section, the board shall require that the group provide matching funds for at least 25% of the loan, except that the board may waive application of that requirement if the board determines that the group is subject to extreme financial hardship.

(c) Any contract for any feasibility study or professional services financed by a loan under sub. (2) (a) shall be subject to the approval of the board. The board may not approve such a contract unless it determines that the contractor has the expertise required to provide the necessary study or services and that the contractor's costs are consistent with existing market rates.

(5) **REPAYMENT.** Any loan under this section is subject to the following repayment conditions:

(a) If a business is purchased or improved by a group which has received a loan under this section, the group shall repay the entire amount of the loan, with interest, in a lump sum at the closing of the purchase of the business or within one year after the date of the release of the loan by the department, whichever occurs later.

(b) If an existing business is not purchased by a group which has received a loan under this section within one year after the completion of the feasibility study, the group shall submit to the department a final report concerning the feasibility of repaying the loan.

(6) **STUDIES.** (a) Any feasibility study of an existing business financed by a loan under sub. (2) (a) shall include:

1. An assessment of the market value and demand for any product produced by the existing business.

2. A complete evaluation of the production costs of the existing business, including, but not limited to, labor, inventory, machinery and equipment, and the application of new technology.

3. A verified statement of the financial condition and business operation of the existing business for the previous 3 years, certified by an independent public accountant.

4. A full narrative appraisal of the fair market value of the assets of the existing business by a disinterested and qualified appraiser using all 3 commonly accepted appraisal methods.

5. A comprehensive projected business plan of the proposed employe-owned business, including the proposed organizational structure and ownership arrangements.

6. The number and type of jobs to be created or preserved by the proposed employe-owned business at its start-up and for each of the 3 subsequent years.

7. An analysis of the reasons for the closing or considered closing of the existing business.

8. A plan for implementing the feasibility study, if the study concludes that reorganization or new incorporation of the existing business as an employe-owned business is feasible.

(b) The results of a feasibility study of an existing business financed by a loan under sub. (2) (a) shall be solely for the use of the group which received the loan, except that if the group's bid to purchase the business has been withdrawn, rejected or terminated, the group shall submit a copy of the study and the results of any professional services financed by the loan to the board and the board may provide a copy of such results to any person seeking to purchase the existing business.

SECTION 2293m. 600.03 (28p) of the statutes is created to read:

600.03 (28p) "Medicare replacement policy" means a disability insurance policy or certificate issued to a resident of this state pursuant to a contract between the federal health care financing administration and a federally qualified health maintenance organization or a federally certified competitive medical plan to provide health care benefits to persons eligible for medicare under 42 USC 1395f, 1395x and 1395mm.

SECTION 2294. 601.21 of the statutes is created to read:

**601.21 Note to chapter 609.** (1) Biennially, the commissioner shall prepare and submit a note, as provided in subs. (2) and (3), for inclusion in ch. 609 of each biennial edition of the Wisconsin statutes.

(2) The commissioner shall include in the note under sub. (1) a list of the significant provisions of chs. 600 to 655 that apply to health maintenance organizations, preferred provider plans and limited service health organizations under ch. 609 and shall prepare the note in the form specified by the revisor of statutes under s. 13.93 (1) (q).

(3) The commissioner shall submit the note under sub. (1) to the revisor of statutes at the time specified by the revisor under s. 13.93 (1) (q).

SECTION 2296. 601.31 (1) (L) 2 of the statutes is amended to read:

601.31 (1) (L) 2. Corporation or partnership intermediary, \$100; and

SECTION 2297. 601.31 (1) (L) 3 of the statutes is amended to read:

601.31 (1) (L) 3. Licensees authorized to place business under s. 618.41, \$100, ~~including the fee prescribed under subd. 1 or 2 unless the license under this subdivision is separately issued; and.~~

SECTION 2298. 601.31 (1) (L) 4 of the statutes is repealed.

SECTION 2299. 601.31 (1) (m) 3 of the statutes is amended to read:

601.31 (1) (m) 3. Holder of a license to place business under s. 618.41, ~~including the fees set under subd. 1 or 2,~~ \$100.

SECTION 2300. 601.31 (1) (s) of the statutes is repealed.

SECTION 2300g. 601.41 (1) of the statutes is amended to read:

601.41 (1) DUTIES. The commissioner shall administer and enforce chs. 600 to 647 ~~and ss. 59.07 (2) (c) and 120.13 (2) (b) to (f)~~ and shall act as promptly as possible under the circumstances on all matters placed before the commissioner.

SECTION 2300r. 601.43 (1) (a) (title) of the statutes is amended to read:

601.43 (1) (a) (title) *Insurers, other licensees and other persons subject to regulation.*

SECTION 2301. 601.64 (3) (d) of the statutes is amended to read:

601.64 (3) (d) *Procedure.* The commissioner may demand and accept any forfeiture imposed under this subsection ~~or s. 601.65~~, which shall be paid into the common school fund. The commissioner may cause action to be commenced to recover the forfeiture in an amount to be determined by the court. Before an action is commenced, the commissioner may compromise the forfeiture; after the action is commenced, the attorney general may compromise the forfeiture.

SECTION 2302m. 601.65 of the statutes is created to read:

**601.65 Marketing firm forfeitures.** (1) In this section "firm" means a person that markets insurance but does not include an insurer.

(2) A firm is liable for a forfeiture of not more than \$1,000 for each violation by an insurance agent of a provision of, a rule promulgated under or an order issued under chs. 600 to 655 if the violation is in connection with an insurance policy or group certificate obtained or to be obtained through or from the firm and if any of the following applies:

(a) The firm regularly utilizes the insurance agent to market insurance policies or group certificates.

(b) The primary insurance marketing activities of the insurance agent are in connection with insurance policies or group certificates obtained or to be obtained through or from the firm.

(c) The insurance agent is employed by or is under contract with the firm to market insurance policies or group certificates.

(3) If a provision of, a rule promulgated under or an order issued under chs. 600 to 655 imposes a duty

to submit a periodic or recurring report to the commissioner, each week of delay in submitting the report constitutes a separate violation. Each day of continued violation of an order issued under s. 601.41 (4) constitutes a separate violation.

SECTION 2304. Chapter 609 of the statutes is created to read:

#### CHAPTER 609

#### HEALTH MAINTENANCE ORGANIZATIONS, LIMITED SERVICE HEALTH ORGANIZATIONS AND PREFERRED PROVIDER PLANS

**609.001 Joint ventures; legislative findings.** (1) The legislature finds that increased development of health maintenance organizations, preferred provider plans and limited service health organizations may have the effect of putting small, independent health care providers at a competitive disadvantage with larger health care providers. In order to avoid monopolistic situations and to provide competitive alternatives, it may be necessary for those small, independent health care providers to form joint ventures. The legislature finds that these joint ventures are a desirable means of health care cost containment to the extent that they increase the number of entities with which a health maintenance organization, preferred provider plan or limited service health organization may choose to contract and to the extent that the joint ventures do not violate state or federal antitrust laws.

(2) The legislature finds that competition in the health care market will be enhanced by allowing employers and organizations which otherwise act independently to join together in a manner consistent with the state and federal antitrust laws for the purpose of purchasing health care coverage for employees and members. These joint ventures will allow purchasers of health care coverage to obtain volume discounts when they negotiate with insurers and health care providers. These joint ventures should result in an improved business climate in this state because of reduced costs for health care coverage.

**609.01 Definitions.** In this chapter:

(1) "Health care plan" has the meaning given under s. 628.36 (2) (a) 1.

(2) "Health maintenance organization" means a health care plan offered by an organization established under ch. 185, 611, 613 or 614 or issued a certificate of authority under ch. 618 that makes available to its enrolled participants, in consideration for predetermined periodic fixed payments, comprehensive health care services performed by providers selected by the organization.

(3) "Limited service health organization" means a health care plan offered by an organization established under ch. 185, 611, 613 or 614 or issued a certificate of authority under ch. 618 that makes available to its enrolled participants, in consideration for predetermined periodic fixed payments, a limited range of health care services performed by providers selected by the organization.

(4) "Preferred provider plan" means a health care plan offered by an organization established under ch. 185, 611, 613 or 614 or issued a certificate of authority under ch. 618 that makes available to its enrolled participants, for consideration other than predetermined periodic fixed payments, either comprehensive health care services or a limited range of health care services performed by providers selected by the organization.

(5) "Primary provider" means a selected provider who is an individual and who is designated by an enrolled participant.

(6) "Selected provider" means a provider, as defined in s. 628.36 (2) (a) 2, selected by a health maintenance organization, limited service health organization or preferred provider plan to perform health care services for enrolled participants.

(7) "Standard plan" means a health care plan other than a health maintenance organization or a preferred provider plan.

**609.05 Primary provider and referrals.** (1) Except as provided in subs. (2) and (3), a health maintenance organization, limited service health organization or preferred provider plan shall permit its enrolled participants to choose freely among selected providers.

(2) A health care plan under sub. (1) may require an enrolled participant to designate a primary provider and to obtain health care services from the primary provider when reasonably possible.

(3) A health care plan under sub. (1) may require an enrolled participant to obtain a referral from the primary provider designated under sub. (2) to another selected provider prior to obtaining health care services from the other selected provider.

**609.10 Standard plan required.** (1) (a) Except as provided in subs. (2) to (4), an employer that offers any of its employes a health maintenance organization or a preferred provider plan that provides comprehensive health care services shall also offer the employes a standard plan, as provided in pars. (b) and (c), that provides at least substantially equivalent coverage of health care expenses and that is not a health maintenance organization or a preferred provider plan.

(b) At least once annually, the employer shall provide the employes the opportunity to enroll in the health care plans under par. (a).

(c) The employer shall provide the employes adequate notice of the opportunity to enroll in the health care plans under par. (a) and shall provide the employes complete and understandable information concerning the differences between the health maintenance organization or preferred provider plan and the standard plan.

(2) If, after providing an opportunity to enroll under sub. (1) (b) and the notice and information under sub. (1) (c), fewer than 25 employes indicate that they wish to enroll in the standard plan under sub. (1) (a), the employer need not offer the standard plan on that occasion.

(3) Subsection (1) does not apply to an employer that employs fewer than 25 full-time employes.

(4) Nothing in sub. (1) requires an employer to offer a particular health care plan to an employe if the health care plan determines that the employe does not meet reasonable medical underwriting standards of the health care plan.

(5) The commissioner may establish by rule standards in addition to those established under s. 609.20 for what constitutes adequate notice and complete and understandable information under sub. (1) (c).

**609.15 Grievance procedure.** (1) Each health maintenance organization, limited service health organization and preferred provider plan shall do all of the following:

(a) Establish and use an internal grievance procedure that is approved by the commissioner and that complies with sub. (2) for the resolution of enrolled participants' grievances with the health care plan.

(b) Provide enrolled participants with complete and understandable information describing the internal grievance procedure under par. (a).

(c) Submit an annual report to the commissioner describing the internal grievance procedure under par. (a) and summarizing the experience under the procedure for the year.

(2) The internal grievance procedure established under sub. (1) (a) shall include all of the following elements:

(a) The opportunity for an enrolled participant to submit a written grievance in any form.

(b) Establishment of a grievance panel for the investigation of each grievance submitted under par. (a), consisting of at least one individual authorized to take corrective action on the grievance and at least one enrolled participant other than the grievant, if an enrolled participant is available to serve on the grievance panel.

(c) Prompt investigation of each grievance submitted under par. (a).

(d) Notification to each grievant of the disposition of his or her grievance and of any corrective action taken on the grievance.

(e) Retention of records pertaining to each grievance for at least 3 years after the date of notification under par. (d).

**609.20 Rules for preferred provider plans.** The commissioner shall promulgate rules applicable to preferred provider plans for all of the following purposes:

(1) To ensure that enrolled participants are not forced to travel excessive distances to receive health care services.

(2) To ensure that the continuity of patient care for enrolled participants is not disrupted.

(3) To define substantially equivalent coverage of health care expenses for purposes of s. 609.10 (1) (a).

(4) To ensure that employes offered a preferred provider plan that provides comprehensive services

under s. 609.10 (1) (a) are given adequate notice of the opportunity to enroll and complete and understandable information under s. 609.10 (1) (c) concerning the differences between the preferred provider plan and the standard plan, including differences between providers available and differences resulting from special limitations or requirements imposed by an institutional provider because of its affiliation with a religious organization.

**Vetoed in Part** ~~609.50 Chiropractic coverage. Health maintenance organizations, limited service health organizations and preferred provider plans are subject to s. 632.87 (3).~~

**609.60 Optometric coverage.** Health maintenance organizations and preferred provider plans are subject to s. 632.87 (2m).

**Vetoed in Part** ~~SECTION 2304d. 609.05 (3) of the statutes, as created by 1985 Wisconsin Act ... (this act), is amended to read:~~

~~609.05 (3) A health care plan under sub. (1) may require an enrolled participant to obtain a referral from the primary provider designated under sub. (2) to another selected provider prior to obtaining health care services from the other selected provider except as provided in s. 609.50.~~

~~SECTION 2304g. 609.05 (3) of the statutes, as affected by 1985 Wisconsin Act ... (this act), is repealed and recreated to read:~~

~~609.05 (3) A health care plan under sub. (1) may require an enrolled participant to obtain a referral from the primary provider designated under sub. (2) to another selected provider prior to obtaining health care services from the other selected provider.~~

~~SECTION 2304r. 609.50 of the statutes, as created by 1985 Wisconsin Act ... (this act), is repealed.~~

SECTION 2305. 611.67 of the statutes is repealed and recreated to read:

**611.67 Management contract services.** (1) In this section:

- (a) "Health maintenance organization" has the meaning given under s. 609.01 (2).
- (b) "Limited service health organization" has the meaning given under s. 609.01 (3).
- (c) "Management authority" means the authority to exercise any management control of the corporation or of its underwriting, loss adjustment, investment, general servicing or production function or other major corporate function.
- (d) "Preferred provider plan" has the meaning given under s. 609.01 (4).

(2) Except as provided in sub. (3), a corporation may not be a party to a contract which has the effect of delegating management authority to a person to the substantial exclusion of the board.

(3) An insurer that offers a health maintenance organization, limited service health organization or preferred provider plan may delegate management authority with regard to the health maintenance

organization, limited service health organization or preferred provider plan to a person other than an officer, director or employe of the insurer if the person exercises the management authority according to the terms of a written contract between the insurer and the person and if the contract is filed with the commissioner and not disapproved by the commissioner under sub. (4).

(4) (a) The commissioner may disapprove a contract under sub. (3) within a 30-day period after the date of filing or within a reasonable extension period following the 30-day period if the extension period is specified by notice to the health care plan within the 30-day period.

(b) The commissioner may disapprove a contract under sub. (3) only if the commissioner makes one of the findings specified in s. 618.22 (2).

SECTION 2305c. 611.76 (1) (c) of the statutes is created to read:

611.76 (1) (c) *Conversion and merger.* A domestic mutual may adopt a plan of acquisition, merger or consolidation as part of a plan of conversion under this section. The commissioner shall approve the plan of acquisition, merger or consolidation as part of the plan of conversion unless grounds for disapproval exist under s. 611.72 (3).

SECTION 2305g. 611.76 (3) (b) of the statutes is amended to read:

611.76 (3) (b) *Examination.* The commissioner shall cause to be made an examination of the company and all its controlled affiliates under s. 601.43 to determine their its financial condition and whether it is operated in accordance with the law.

SECTION 2305n. 611.76 (3) (c) of the statutes is amended to read:

611.76 (3) (c) *Appraisal.* The commissioner shall appoint an appraisal committee, consisting of at least 3 qualified and disinterested persons with differing kinds of training, to determine the value of the corporation as of the date of the resolution in sub. (2) or, if sub. (4m) applies, as of the date of conversion. Members of the committee shall receive reasonable compensation and shall be reimbursed for reasonable expenses in discharging their duties. They may, as reasonably necessary, employ consultants to advise them on technical problems of the appraisal. The appraisal committee shall consider the assets and liabilities of the corporation, adjusting liabilities to take account of the amounts of any reserves in excess of or below realistic estimates, the value of the marketing organization, the value of goodwill, the going-concern value and any other factor having an influence on the value of the corporation.

SECTION 2305r. 611.76 (3) (d) of the statutes is created to read:

611.76 (3) (d) *Presumption.* In a proceeding under this section, any report adopted by an appraisal committee under par. (c) or examination report concerning the domestic mutual or its affiliate is admissible as

evidence and the facts asserted in the reports are presumed to be true.

SECTION 2305w. 611.76 (4) (intro.) of the statutes is amended to read:

611.76 (4) PLAN OF CONVERSION. (intro.) ~~When the examination and appraisal reports have been made to the commissioner, he or she shall make copies available to the board, which shall thereupon prepare and~~ The board may adopt by resolution a plan of conversion, which, unless sub. (4m) applies, shall specify:

SECTION 2305z. 611.76 (4m) of the statutes is created to read:

611.76 (4m) INSURERS IN FINANCIALLY HAZARDOUS CONDITION; PLAN OF CONVERSION. If grounds exist under s. 645.41 (2) or (4) for rehabilitation or liquidation of a domestic mutual or are reasonably expected to exist within one year, the board may adopt a plan of conversion which shall specify all of the following:

(a) That each person who has been a policyholder and has paid premiums within 5 years prior to the date the resolution is adopted under sub. (2) is entitled to receive his or her equitable share of the value of the domestic mutual, adjusted to reflect the condition of the domestic mutual immediately prior to the date of conversion; that the equitable share shall be determined by the ratio that the net premium paid by the policyholder during the 5 years immediately preceding the date of the adoption of the resolution under sub. (2) bears to the total net premium received by the domestic mutual during that period, unless the commissioner approves another method of determining equitable shares with the net premium to be calculated as gross premium less premium returned and dividends paid to policyholders; that each policyholder's equitable share may be distributed in any form including securities of the insurer or another person, debt instruments, property or cash; and that the value of the domestic mutual will be finally determined immediately prior to the date of conversion and with the approval of the commissioner.

(b) Any person who will, under the plan of conversion, acquire control of the domestic stock corporation and the manner in which this will occur.

(c) That sufficient capital will be contributed or other measures taken to remove any grounds for liquidation under s. 645.41 (2) or (4) and to reasonably assure that those grounds will not exist within the 5 years immediately following the date of conversion.

SECTION 2306b. 611.76 (6) of the statutes is amended to read:

611.76 (6) HEARING. The commissioner shall ~~thereupon~~ hold a hearing after receipt of a plan of conversion, notice of which shall be mailed to the last-known address of each person who was a policyholder of the corporation on the date of the resolution under sub. (2), together with a copy of the plan of conversion or a copy of a summary of the plan, if the commissioner approves the summary, and any comment the commissioner considers necessary for the adequate infor-

mation of policyholders. If the plan of conversion is submitted under sub. (4m), the hearing shall be held not less than 10 days nor more than 30 days after notice is mailed. Failure to mail notice to a policyholder does not invalidate a proceeding under this section if the commissioner determines the domestic mutual has substantially complied with this subsection and has attempted in good faith to mail notice to all policyholders entitled to notice.

SECTION 2306g. 613.81 of the statutes is renumbered 613.81 (1) and amended to read:

613.81 (1) Every nonprofit service insurance corporation organized under s. 613.80 which does not pay any dividends, benefits or pecuniary profits to any members or directors is, except for purposes of the franchise tax measured by net income, a charitable and benevolent corporation, and its property and the transfer of property to it by gift or inheritance, is exempt from taxation as provided in ss. 70.11, 72.15 and subch. IV of ch. 72 but shall make reasonable payments for municipal services under sub. (2).

SECTION 2306h. 613.81 (2) and (3) of the statutes are created to read:

613.81 (2) Corporations under sub. (1) shall make reasonable payments for the municipal services under s. 70.119 (1) and (2).

(3) Corporations under sub. (1) shall negotiate with municipalities on payments for municipal services. No municipality may suspend or withhold service to the corporations during negotiations.

SECTION 2307. 618.22 (2) (intro.) of the statutes is amended to read:

618.22 (2) DISAPPROVAL. (intro.) The commissioner shall disapprove a contract under sub. (1) or s. 611.67 if he or she finds that:

SECTION 2308. 618.41 (6m) of the statutes is created to read:

618.41 (6m) RUSTPROOFING WARRANTIES INSURANCE. An insurer issuing a policy of insurance to cover a warranty, as defined in s. 100.205 (1) (g), shall comply with s. 632.18 and the policy shall be on a form approved by the commissioner under s. 631.20.

SECTION 2309. 619.10 (5) of the statutes is amended to read:

619.10 (5) "Insurer" means any person or association of persons, including a health maintenance organization, limited service health organization or preferred provider plan offering or insuring health services on a prepaid basis, including, but not limited to, policies of health insurance issued by a currently licensed insurer, nonprofit hospital or medical service plans under ch. 613, cooperative medical service plans under s. 185.981, or other entity whose primary function is to provide diagnostic, therapeutic or preventive services to a defined population in return for a premium paid on a periodic basis. "Insurer" includes any person providing health services coverage for individuals on a self-insurance basis without the intervention

of other entities, as well as any person providing health insurance coverage under a medical reimbursement plan to persons. "Insurer" does not include a plan under ch. 613 which offers only dental care.

SECTION 2310. 619.12 (1) (intro.) of the statutes is amended to read:

619.12 (1) (intro.) Except as provided in sub. (2), the board or administering carrier shall certify as eligible a person who is covered by medicare because he or she is disabled under 42 USC 423 and any person upon receipt of who receives any of the following based wholly or partially on medical underwriting considerations within 6 9 months prior to making application for coverage by the plan:

SECTION 2311. 619.13 (1) (b) 1 of the statutes is amended to read:

619.13 (1) (b) 1. Except as provided in subd. 2, every participating insurer shall share in the operating and administrative expenses of the plan in proportion to the ratio of the insurer's total cost of premium, subscriber contract charges and health maintenance organization, limited service health organization or preferred provider plan charges on business written in this state on behalf of residents during the preceding calendar year to the aggregate cost of premium, subscriber contract charges, health maintenance organization, limited service health organization or preferred provider plan charges, self-insurance and medical reimbursement charges received by all participating insurers for health insurance written in this state on behalf of residents during the preceding calendar year, as determined by the commissioner.

SECTION 2312. 619.13 (1) (b) 2 of the statutes is amended to read:

619.13 (1) (b) 2. If the participating insurer is a self-insurer or a provider of health insurance coverage under a medical reimbursement plan, the participating insurer's share in the operating and administrative expenses of the plan shall be proportional to the ratio of the sum of the total benefits paid and the total administrative costs incurred during the preceding calendar year to residents to the aggregate cost of premium, subscriber contract and health maintenance organization, limited service health organization or preferred provider plan charges, and self-insurance and medicare reimbursement charges received by all participating insurers on health insurance business written in this state on behalf of residents during the preceding calendar year, as determined by the commissioner.

SECTION 2313. 619.16 (1) (intro.) of the statutes is amended to read:

619.16 (1) (intro.) The board shall select an insurer through a competitive bidding negotiation process to administer the plan. The board shall evaluate bids proposals submitted under this subsection based on criteria established by the board which shall include all of the following:

SECTION 2314. 619.16 (2) (b) of the statutes is amended to read:

619.16 (2) (b) At least one year prior to the expiration of each 3-year period of service by an administering carrier, the board shall invite all insurers, including the current administering carrier, to submit bids proposals to serve as the administering carrier for the succeeding 3-year period. Selection of the administering carrier for the succeeding period shall be made at least 6 months prior to the end of the current 3-year period.

SECTION 2315. 619.16 (3) (f) 2 of the statutes is amended to read:

619.16 (3) (f) 2. In this paragraph "direct and indirect expenses" shall include that portion of the carrier's audited administrative costs, printing, claims administration, management, building overhead expenses, and other actual operating and administrative expenses approved by the board as allocable to the administration of the plan and included in the bid specifications request for proposals.

SECTION 2316. 619.165 of the statutes is created to read:

**619.165 Reductions in premiums for low-income eligible persons.** (1) (a) The board shall reduce the premiums established by the commissioner under s. 619.11 in conformity with ss. 619.14 (5) and 619.17, for the eligible persons and in the manner set forth in pars. (b) to (d).

(b) Except as provided in par. (c), if the household income, as defined in s. 71.09 (7) (a) 5 and as determined under par. (d), of an eligible person is equal to or greater than the first amount and less than the 2nd amount listed in any of the following, the board shall reduce the premiums for the eligible person, as established by the commissioner, by the percentage listed after the amounts:

1. If equal to or greater than \$0 and less than \$6,000, by 30%.
2. If equal to or greater than \$6,000 and less than \$9,000, by 24%.
3. If equal to or greater than \$9,000 and less than \$12,000, by 18%.
4. If equal to or greater than \$12,000 and less than \$15,000, by 12%.
5. If equal to or greater than \$15,000 and less than \$16,500, by 6%.

(c) 1. If the percentage reduction of premiums for an eligible person under par. (b) would result in premiums for the eligible person that are lower than 100% of the rate that a standard risk would be charged under an individual policy providing substantially the same coverage and deductibles as are provided under the plan, the board shall reduce the premiums for the eligible person to 100% of that rate.

2. If the commissioner determines that the unencumbered funds under s. 20.145 (7) (a) are insufficient to reimburse the plan for all premium reductions

applicable to premiums due and payable on any date, pars. (a) and (b) and subd. 1 do not apply to any premiums due on or after that date.

(d) The board shall establish and implement the method for determining the household income of an eligible person under par. (b).

(2) The board shall direct the administering carrier to collect, under s. 619.16 (3) (b), from the eligible persons under sub. (1) the premiums as reduced under sub. (1) rather than the premiums established by the commissioner.

(3) The commissioner shall forward to the board moneys received under s. 20.145 (7) (a) in an amount sufficient to reimburse the plan for premium reductions under sub. (1).

SECTION 2316m. 625.16 of the statutes is amended to read:

**625.16 (title) Medicare supplement policy and medicare replacement policy loss ratios.** The commissioner may by rule establish reasonable minimum standards for loss ratios of medicare supplement policies and medicare replacement policies. The standards shall be based on incurred claims experience and earned premiums and be in accord with accepted actuarial principles so that benefits will be reasonable in relation to the premiums charged.

SECTION 2316n. 628.33 of the statutes is repealed.

SECTION 2316v. 628.33 of the statutes is created to read:

**628.33 Unfair methods of competition and unfair or deceptive act or practices defined.** It is defined as an unfair method of competition and unfair or deceptive act or practice in the business of insurance to refuse to offer inclusion of coverage for services of chiropractors or physicians, as defined in s. 990.01 (28), lawfully rendered in this state when writing a policy providing accident and health benefits for treatment encompassing such services, if the policy provides payment for services performed by such a physician or chiropractor, all at the option of the insured.

SECTION 2317. 628.36 (2) (b) of the statutes is amended to read:

628.36 (2) (b) 1. Except as provided in subs. (2a) to (3) for health maintenance organizations, preferred provider plans and limited service health organizations, no health care plan may prevent any person covered under the plan from choosing freely among providers who have agreed to participate in the plan and abide by its terms, except by requiring the person covered to select primary providers to be used when reasonably possible.

2. No provider may be required to participate exclusively in the a health care plan as a condition of participation in it, nor may any.

3. Except as provided in subd. 4, no provider may be denied the opportunity to participate in the a health care plan, other than a health maintenance organization, limited service health organization or

preferred provider plan, under its the terms, except of the plan.

4. Any health care plan may exclude a provider from participation in the health care plan for cause related to the practice of his or her profession.

SECTION 2317b. 628.36 (2) (b) 5 of the statutes is created to read:

628.36 (2) (b) 5. All health care plans, including health maintenance organizations, preferred provider plans and limited service health organizations, are subject to s. 632.87 (3).

SECTION 2317m. 628.36 (2) (b) 5 of the statutes, as created by 1985 Wisconsin Act ... (this act), is repealed.

SECTION 2318. 628.36 (2a) of the statutes is repealed.

SECTION 2319. 628.36 (2m) (title) of the statutes is amended to read:

628.36 (2m) (title) PHARMACEUTICAL SERVICES IN HEALTH MAINTENANCE ORGANIZATIONS.

SECTION 2320. 628.36 (2m) (a) of the statutes is repealed and recreated to read:

628.36 (2m) (a) In this subsection, "health maintenance organization" has the meaning given in s. 609.01 (2).

SECTION 2321. 628.36 (2m) (b) of the statutes is repealed.

SECTION 2322. 628.36 (2m) (c) of the statutes is repealed.

SECTION 2323. 628.36 (2m) (d) of the statutes is repealed.

SECTION 2324. 628.36 (2m) (e) 1 of the statutes is amended to read:

628.36 (2m) (e) 1. A plan sponsored by a health maintenance organization that provides coverage of pharmaceutical services when performed by one or more pharmacists who are selected by the organization but who are not full-time salaried employees or partners of the organization shall provide an annual period of at least 30 days during which any pharmacist registered under ch. 450 may elect to participate in the plan health maintenance organization under its terms as a selected provider for at least one year.

SECTION 2325. 628.36 (2m) (e) 2 of the statutes is amended to read:

628.36 (2m) (e) 2. Except as provided in subd. 3, subd. 1 applies to plans health maintenance organizations on and after May 10, 1984, and before July 1, 1986 1988.

SECTION 2326. 628.36 (2m) (e) 3 of the statutes is amended to read:

628.36 (2m) (e) 3. If compliance with the requirements of subd. 1 during the period specified in subd. 2 would impair any provision of a contract between a health maintenance organization and any other person, and if the contract provision was in existence prior to May 10, 1984, then immediately after the expiration of all such contract provisions, if before

Vetoed in Part

Vetoed in Part

July 1, ~~1986~~ 1988, ~~the plan operated by~~ the health maintenance organization shall comply with the requirements of subd. 1, and if on or after July 1, ~~1986~~ 1988, ~~the plan~~ shall provide one period of at least 30 days during which any pharmacist may elect to participate in the ~~plan~~ health maintenance organization, as provided in subd. 1, for at least one year.

SECTION 2327. 628.36 (4) of the statutes is created to read:

628.36 (4) FACILITATING COST-EFFECTIVE PROVISION OF HEALTH CARE SERVICES. (a) The commissioner shall provide information and assistance to the department of employe trust funds, employers and their employes, providers of health care services and members of the public, as provided in par. (b), for the following purposes:

1. To facilitate the development and implementation of health care plans that provide innovative approaches to the delivery of health care services or that are designed to contain health care costs.

2. To increase the awareness and understanding among employers and their employes, providers of health care services and members of the public regarding the availability and nature of innovative or cost-effective health care plans.

(b) The commissioner's responsibilities in accomplishing the purposes set forth in par. (a) shall include all of the following:

1. Assisting the department of employe trust funds in the development of health care plans under s. 40.51 (7).

2. Providing employers and their employes with information regarding the availability and nature of health care coverage that may be obtained under s. 40.51 (7).

3. Providing information to employers regarding how to proceed under s. 40.51 (7) to obtain health care coverage for their employes.

4. Providing information to employers and their employes and members of the public regarding the availability and nature of various kinds of health care plans, including their distinct and contrasting characteristics.

5. Providing information to employers and their employes, providers of health care services and members of the public regarding the relative effectiveness of various kinds of health care plans in containing health care costs.

SECTION 2328. 631.01 (1) (b) of the statutes is amended to read:

631.01 (1) (b) On business operations in this state if the contract is negotiated outside this state and if the operations in this state are incidental or subordinate to operations outside this state, unless the contract is for a policy of insurance to cover a warranty, as defined in s. 100.205 (1) (g), in which case the provisions set forth in sub. (4m) apply; and

SECTION 2329. 631.01 (4m) of the statutes is created to read:

631.01 (4m) RUSTPROOFING WARRANTIES INSURANCE. An insurer issuing a policy of insurance to cover a warranty, as defined in s. 100.205 (1) (g), shall comply with s. 632.18 and the policy shall be on a form approved by the commissioner under s. 631.20.

SECTION 2329m. 631.90 of the statutes is created to read:

**631.90 Restriction on use of acquired immunodeficiency syndrome test.** ~~N~~ With regard to policies issued or renewed on and after the effective date of this subsection .... [revisor inserts date], an insurer may not do any of the following:

Vetoed  
in Part

(a) Require or request directly or indirectly any individual to reveal whether the individual has obtained a test to screen for the existence of an antibody to the human virus HTLV-III causing acquired immunodeficiency syndrome or what the results of this test, if obtained by the individual, were.

(b) Condition the provision of insurance coverage on whether an individual has obtained a test to screen for the existence of an antibody to the human virus HTLV-III causing acquired immunodeficiency syndrome or what the results of this test, if obtained by the individual, were.

(c) Consider in the determination of rates or any other aspect of insurance coverage provided to an individual whether an individual has obtained a test to screen for the existence of an antibody to the human virus HTLV-III causing acquired immunodeficiency syndrome or what the results of this test, if obtained by the individual, were.

~~(2) Subsection (1) does not apply to any policy issued on or after the date that the department of health and social services finds under s. 146.025 (3) that the test to screen for the existence of an antibody to the human virus HTLV-III causing acquired immunodeficiency syndrome is a reliable test for the existence of the antibody and that a test to screen for the existence of the human virus HTLV-III causing acquired immunodeficiency syndrome is a reliable test for the existence of the virus.~~

Vetoed  
in Part

SECTION 2330. 632.18 of the statutes is created to read:

**632.18 Rustproofing warranties insurance.** A policy of insurance to cover a warranty, as defined in s. 100.205 (1) (g), shall fully cover the financial integrity of the warranty.

SECTION 2331. 632.72 of the statutes is amended to read:

**632.72 Medical assistance; assignment.** The providing of medical benefits under s. 49.02, ~~49.03~~ or 49.046 or of medical assistance under s. 49.45, 49.46 or 49.47 constitutes an assignment to the department of health and social services or the county ~~or municipality~~ providing the medical benefits or assistance. The assignment shall be, to the extent of the medical benefits or assistance provided, for benefits to which the recipient



would be entitled under any policy of health and disability insurance.

SECTION 2331g. 632.73 (1) of the statutes is amended to read:

632.73 (1) **RIGHT OF RETURN.** A policyholder may return any individual or franchise disability policy within 10 days after receipt. If the policyholder does so, the contract is void, and all payments made under it shall be refunded. This subsection does not apply to medicare supplement policies or medicare replacement policies subject to s. 632.73 (2m).

SECTION 2331j. 632.73 (2m) of the statutes is amended to read:

632.73 (2m) (title) **MEDICARE SUPPLEMENT POLICIES AND MEDICARE REPLACEMENT POLICIES.** Medicare supplement policies and medicare replacement policies, other than those issued pursuant to direct response solicitation, shall have a notice prominently printed on the first page of the policy or attached thereto stating in substance that the applicant shall have the right to return the policy within 10 days of its delivery and to have the premium refunded if, after examination of the policy or certificate, the applicant is not satisfied for any reason. Medicare supplement policies and medicare replacement policies issued pursuant to a direct response solicitation shall have a notice prominently printed on the first page or attached thereto stating in substance that the applicant shall have the right to return the policy or certificate within 30 days of its delivery and to have the premium refunded if, after examination, the applicant is not satisfied for any reason. The commissioner may by rule exempt from this subsection certain classes of medicare supplement policies and medicare replacement policies, if the commissioner finds the exemption is not adverse to the interest of applicants.

SECTION 2332. 632.755 of the statutes is created to read:

**632.755 Public assistance.** (1) (a) A disability insurance policy may not exclude a person or a person's dependent from coverage under the policy because the person or the dependent is eligible for assistance under ch. 49.

(b) A disability insurance policy may not terminate its coverage of an insured person or an insured person's dependent because the person or the dependent is eligible for assistance under ch. 49.

(c) A disability insurance policy may not provide different benefits of coverage to an insured person or the insured person's dependent because the person or the dependent is eligible for assistance under ch. 49 than it provides to insured persons and their dependents who are not eligible for assistance under ch. 49.

(2) Benefits provided by a disability insurance policy shall be primary to those benefits provided under ch. 49.

SECTION 2332m. 632.76 (2) (b) of the statutes is amended to read:

632.76 (2) (b) No claim for loss incurred or disability commencing after 6 months from the date of issue of a medicare supplement policy or a medicare replacement policy may be reduced or denied on the ground that a disease or physical condition existed prior to the effective date of coverage. A Neither a medicare supplement policy nor a medicare replacement policy may ~~not~~ define a preexisting condition more restrictively than a condition for which medical advice was given or treatment was recommended by or received from a physician within 6 months before the effective date of coverage. The commissioner may by rule exempt from this paragraph certain classes of medicare supplement policies and medicare replacement policies, if the commissioner finds the exemption is not adverse to the interest of policyholders.

SECTION 2333. 632.77 (3) of the statutes is amended to read:

632.77 (3) **LIMITATIONS ON PAYMENTS.** Any limitation on payments because of other insurance or because of the income of the insured must be in accordance with provisions approved by the commissioner by rule or explicitly approved in approving the policy form, but the commissioner may not promulgate a rule that conflicts with s. 632.755 nor approve a policy form that does not comply with s. 632.755.

SECTION 2333m. 632.81 of the statutes is amended to read:

**632.81 (title) Minimum standards for medicare supplement policies and medicare replacement policies.** The commissioner may by rule establish minimum standards for benefits under medicare supplement policies and medicare replacement policies to assure that coverage is reasonable in relation to benefits ~~not provided by medicare~~. The commissioner may by rule exempt from the minimum standards certain types of coverage, if the commissioner finds the exemption is not adverse to the interest of policyholders.

SECTION 2333n. 632.87 (1) of the statutes is amended to read:

632.87 (1) No insurer may refuse to provide or pay for benefits for health care services provided by a licensed health care professional on the ground that the services were not rendered by a physician as defined in s. 990.01 (28), unless the contract clearly excludes services by such practitioners, but no contract or plan may exclude services in violation of sub. (2m) or (3).

~~SECTION 2333r. 632.87 (1) of the statutes, as affected by 1985 Wisconsin Act ... (this act) is repealed and recreated to read:~~

~~632.87 (1) No insurer may refuse to provide or pay for benefits for health care services provided by a licensed health care professional on the ground that the services were not rendered by a physician as defined in s. 990.01 (28), unless the contract clearly excludes services by such practitioners, but no contract or plan may exclude services in violation of sub. (2m).~~

Vetoed  
in Part

SECTION 2333s. 632.87 (2m) of the statutes is created to read:

632.87 (2m) (a) No health maintenance organization or preferred provider plan that provides vision care services or procedures within the scope of the practice of optometry, as defined in s. 449.01 (1), may do any of the following:

1. Fail to provide to persons covered by the health maintenance organization or preferred provider plan, at the time of enrollment and annually thereafter, a listing of then participating vision care providers, including participating optometrists, setting forth the names of the vision care providers in alphabetical order by last name and their respective business addresses and telephone numbers, with the listing of participating vision care providers to be incorporated in any listing of all participating health care providers that includes the same information regarding all providers, if such listing is provided at the time of enrollment and annually thereafter, or with the listing of participating vision care providers otherwise to be provided separately.

2. Fail to provide to persons covered by the health maintenance organization or preferred provider plan, at the time vision care services or procedures are needed, the opportunity to choose optometrists from the listing under subd. 1 from whom the persons may obtain covered vision care services and procedures within the scope of the practice of optometry, as defined in s. 449.01 (1).

3. Fail to include as participating providers in the health maintenance organization or preferred provider plan optometrists licensed under ch. 449 in sufficient numbers to meet the demand of persons covered by the health maintenance organization or preferred provider plan for optometric services.

4. When vision care services or procedures are deemed appropriate by the health maintenance organization or preferred provider plan, restrict or discourage a person covered by the health maintenance organization or preferred provider plan from obtaining covered vision care services or procedures, within the scope of the practice of optometry as defined in s. 449.01 (1), from participating optometrists solely on the basis that the providers are optometrists.

SECTION 2333u. 632.87 (3) of the statutes is created to read:

632.87 (3) (a) No policy, plan or contract may exclude coverage for diagnosis and treatment of a condition or complaint by a licensed chiropractor within the scope of the chiropractor's professional license, if the policy, plan or contract covers diagnosis and treatment of the condition or complaint by a licensed physician or osteopath, even if different nomenclature is used to describe the condition or complaint. Examination by or referral from a physician shall not be a condition precedent for receipt of chiropractic care under this paragraph. This paragraph does not

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1. Prohibit the application of deductibles or coinsurance provisions to chiropractic and physician charges on an equal basis.

2. Require the plan to cover any service by a chiropractor if the plan's coverage is limited to surgical benefits.

3. Require the plan to cover any service by a chiropractor to a person who is not a registered bed patient in a hospital if the plan does not cover any service by a physician to a person who is not a registered bed patient in a hospital.

(b) A policy, plan or contract which limits participation to providers selected by the plan, but which does not employ a licensed chiropractor, shall select one or more licensed chiropractors and shall permit a subscriber to receive chiropractic care in accordance with par. (a) from one or more of the selected chiropractors. A plan which does not limit participation to providers selected by the plan shall permit a subscriber to receive chiropractic care in accordance with par. (a) from the subscriber's choice of one or more licensed chiropractors who have agreed to participate in the plan and abide by its terms.

(bm) A policy, plan or contract need not provide coverage under this subsection for more than 28 visits to a licensed chiropractor in each policy year.

(c) The commissioner shall promulgate rules requiring all cooperative associations, health maintenance organizations, insurers and other persons offering health care policies, plans or contracts affected by the requirements of this section and s. 185.981 (4m) to maintain records for 36 months, beginning on the first day of the 3rd month after publication of this paragraph ... [revisor inserts date], showing any changes in costs associated with compliance with the requirements of this section and s. 185.981 (4m).

SECTION 2333v. 632.87 (3) of the statutes, as created by 1985 Wisconsin Act ... (this act), is repealed.

SECTION 2334. 632.89 (1) of the statutes is repealed and recreated to read:

632.89 (1) DEFINITIONS. In this section:

(a) "Collateral" means a member of an insured's immediate family, as defined in s. 632.895 (1).

(c) "Hospital" means any of the following:

1. A hospital licensed under s. 50.35.

2. An approved private treatment facility as defined in s. 51.45 (2) (b).

3. An approved public treatment facility as defined in s. 51.45 (2) (c).

(d) "Inpatient hospital services" means services for the treatment of nervous and mental disorders or alcoholism and other drug abuse problems that are provided in a hospital to a bed patient in the hospital.

(e) "Outpatient services" means nonresidential services for the treatment of nervous or mental disorders or alcoholism or other drug abuse problems provided to an insured and, if for the purpose of enhancing the

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in Part

treatment of the insured, a collateral by any of the following:

1. A program in an outpatient treatment facility, if both are approved by the department of health and social services and established and maintained according to rules promulgated under s. 51.42 (12).

2. A licensed physician who has completed a residency in psychiatry, in an outpatient treatment facility or the physician's office.

3. A licensed psychologist who is listed in the national register of health service providers in psychology.

(f) "Predetermined payment health care plan" means a health maintenance organization, as defined in s. 609.01 (2), or a limited service health organization, as defined in s. 609.01 (3).

SECTION 2335. 632.89 (2) of the statutes is repealed and recreated to read:

632.89 (2) REQUIRED COVERAGE. (a) *Conditions covered.* 1. A group disability policy, joint contract or other contract issued by an insurer shall provide coverage of nervous and mental disorders and alcoholism and other drug abuse problems if required by and as provided in pars. (b) to (d).

2. Except as provided in pars. (b) to (d), coverage of conditions under subd. 1 by a policy or contract may not be subject to exclusions or limitations that are not generally applicable to other conditions covered under the policy or contract.

(b) *Minimum coverage of inpatient and outpatient treatment.* 1. Except as provided in subd. 2, if a group disability policy, joint contract or other contract issued by an insurer provides coverage of inpatient hospital services and outpatient services, then the policy or contract shall provide coverage in every policy year as provided in pars. (c) and (d) except that the total coverage under the policy or contract for a policy year need not exceed \$7,000 or, if the coverage is provided by a predetermined payment health care plan, the equivalent benefits measured in services rendered.

2. The amount under subd. 1 may be reduced if the policy or contract is written in combination with major medical coverage to the extent that results in combined coverage complying with subd. 1.

(c) *Minimum coverage of inpatient hospital services.* 1. If a group disability policy, joint contract or other contract issued by an insurer provides coverage of any inpatient hospital treatment, the policy or contract shall provide coverage for inpatient hospital services for the treatment of conditions under par. (a) 1 as provided in subd. 2.

2. Except as provided in par. (b), a policy or contract under subd. 1 shall provide coverage in every policy year for not less than the lesser of the following:

a. The expenses of the first 30 days as an inpatient in a hospital.

b. The first \$7,000 minus a copayment of up to 10% unless the coverage is provided by a predeter-

mined payment health care plan, in which case the first \$6,300 or the equivalent benefits measured in services rendered.

(d) *Minimum coverage of outpatient services.* 1. If a group disability policy, joint contract or other contract issued by an insurer provides coverage of any outpatient treatment, the policy or contract shall provide coverage for outpatient services for the treatment of conditions under par. (a) 1 as provided in subd. 2.

2. Except as provided in par. (b), a policy or contract under subd. 1 shall provide coverage in every policy year for not less than the first \$1,000 minus a copayment of up to 10% for outpatient services unless the coverage is provided by a predetermined payment health care plan, in which case the first \$900 or the equivalent benefits measured in services rendered.

~~(e) *Scope.* Paragraphs (a) to (d) do not apply to group disability policies, joint contracts and other contracts issued or renewed on or after July 1, 1987.~~

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SECTION 2336. 632.89 (2g) of the statutes is created to read:

632.89 (2g) RECOMMENDATIONS OF DEPARTMENT OF HEALTH AND SOCIAL SERVICES. (a) Every 3 years, the department of health and social services shall review the required coverage amounts under sub. (2) and may recommend to the governor increases in the required coverage amounts reflecting a growth rate not greater than the growth rate in expenditures by this state for medical assistance under ch. 49.

(b) Paragraph (a) does not apply on or after July 1, 1987.

SECTION 2336g. 632.89 (3) of the statutes is renumbered 632.89 (3) (a).

SECTION 2336h. 632.89 (3) (b) of the statutes is created to read:

632.89 (3) (b) Paragraph (a) does not apply to group disability policies, joint contracts or other contracts issued or renewed on or after July 1, 1987.

SECTION 2337. 632.895 (3) of the statutes is amended to read:

632.895 (3) SKILLED NURSING CARE. Every disability insurance policy filed after November 29, 1979, which provides coverage for hospital care shall provide coverage for at least 30 days for skilled nursing care to patients who enter a licensed skilled nursing care facility within 24 hours after discharge from a general hospital. The daily rate payable under this subsection shall not exceed the maximum daily rate established for licensed skilled nursing care facilities by the department of health and social services. The coverage under this subsection shall apply only to skilled nursing care which is certified as medically necessary by the attending physician and is recertified as medically necessary every 7 days. The coverage under this subsection shall apply only to the continued treatment for the same medical or surgical condition for which the insured had been treated at the hospital prior to entry into the skilled nursing care facility and

may be subject to a deductible that applies to the hospital care coverage provided by the policy. The coverage under this subsection shall not apply to care which is essentially domiciliary or custodial, or to care which is available to the insured without charge or under a governmental health care program, other than a program provided under ~~s. 49.46 or 49.47~~ ch. 49.

SECTION 2338. 632.895 (4) of the statutes is amended to read:

632.895 (4) KIDNEY DISEASE TREATMENT. (a) Every disability insurance policy which provides hospital treatment coverage on an expense incurred basis shall provide coverage for hospital inpatient and outpatient kidney disease treatment, which may be limited to dialysis, transplantation and donor-related services, in an amount not less than \$30,000 annually, as defined by the department of health and social services under s. 632.89 (6).

(b) No insurer is required to duplicate coverage available under the federal medicare program, nor duplicate any other insurance coverage the insured may have. Other insurance coverage does not include public assistance under ch. 49.

(c) Coverage under this subsection may not be subject to exclusions or limitations, including deductibles and coinsurance factors, which are not generally applicable to other conditions covered under the policy.

SECTION 2339. 632.897 (1) (c) 2 of the statutes is amended to read:

632.897 (1) (c) 2. An uninsured plan or program whereby a health maintenance organization, limited service health organization, preferred provider plan, labor union, religious community or other sponsor contracts to provide hospital or medical coverage to members of a group on either an expense incurred or service basis, other than for specified diseases or for accidental injuries; or

SECTION 2340. 645.02 (intro.) to (4) of the statutes are amended to read:

**645.02 Persons covered.** (intro.) The proceedings authorized by this chapter may be applied to all of the following:

(1) All insurers who are doing, or have done, an insurance business in this state, and against whom claims arising from that business may exist now or in the future;

(2) All insurers who purport to do an insurance business in this state;

(3) All insurers who have insureds resident in this state;

(4) All other persons organized or in the process of organizing with the intent to do an insurance business in this state; ~~and~~.

SECTION 2341. 645.02 (7) of the statutes is created to read:

645.02 (7) All health maintenance organizations, limited service health organizations and preferred provider plans organized under ss. 185.981 to 185.985.

SECTION 2342. 646.03 (2m) of the statutes is created to read:

646.03 (2m) "Health maintenance organization" has the meaning given under s. 609.01 (2).

SECTION 2342am. 647.04 (7) (dm) of the statutes is created to read:

647.04 (7) (dm) Participation by residents in the establishment of and the vote to elect members of a grievance panel that shall consist entirely of residents of the facility, shall present grievances on behalf of a resident to the facility's staff or administrator, to public officials or to any other person without fear of reprisal, and that shall join with other residents or individuals within or outside of the facility to work for improvements in resident care.

SECTION 2342be. 655.04 (1) (am) of the statutes is created to read:

655.04 (1) (am) Beginning on the effective date of this paragraph .... [revisor inserts date], and thereafter, the submission of controversy form under par. (a) shall include a notice, developed by the director, for the purpose of informing the patient, or the person authorized by the patient under s. 146.81 (5), that, notwithstanding ss. 146.82 (2) (b) and 655.17 (7) (a), any patient health care records and any reports, depositions or recorded testimony of the patient's attending or examining physicians which are in the possession of a patient's compensation panel as a result of proceedings on the submission of controversy may be used by the medical examining board under s. 448.02 and the board of nursing under s. 441.07 in investigations and public disciplinary proceedings against a health care provider alleged to be negligent under the submission of controversy.

SECTION 2342bm. 655.045 of the statutes is created to read:

**655.045 Quarterly reports.** (1) MEDICAL EXAMINING BOARD. For the quarter beginning on January 1, 1986, and thereafter, the director shall file with the medical examining board quarterly reports which include the following information:

(a) The name of each health care provider licensed by the medical examining board who is named as a respondent in a submission of controversy filed under s. 655.04 (1) during the quarter. For each respondent listed, the report shall include the dates on which the medical treatment which gave rise to the claim was rendered, whether the claimant sought recovery in an amount greater or less than \$25,000, a brief description of the allegation of negligence on the part of the respondent and the case number assigned to the claim.

(b) The name of each health care provider licensed by the medical examining board who is joined as a respondent under s. 655.10 in a submission of controversy filed during the quarter. For each respondent listed, the report shall include the case number

assigned to the claim and a brief description of the allegation of negligence on the part of the respondent.

(c) The name of each health care provider licensed by the medical examining board of whom the director has received notice under s. 655.065, or who has been dismissed from a claim as a result of any other settlement agreement, during the quarter. For each respondent named, the report shall indicate the case number assigned to the claim, whether the claim was disposed of by settlement, compromise, stipulation agreement or default, whether the disposition resulted in payment to a claimant and the dollar amount of payment, if any, to the extent the director has this information.

(d) A report of all panel and court findings, orders and judgments relating to claims brought under this subchapter against any health care provider licensed by the medical examining board issued during the quarter. For each respondent named, the report shall indicate the case number assigned to the claim by the director, the court docket number if the action was brought before a court under s. 655.19, whether the finding, order or judgment included an award to a claimant and the dollar amount of the award, if any, to the extent the director has this information.

(2) BOARD OF NURSING. For the quarter beginning on January 1, 1986, and thereafter, the director shall file with the board of nursing quarterly reports which include the name of each health care provider licensed by the board of nursing who is named as a respondent or joined as a respondent under s. 655.10 in a submission of controversy filed under s. 655.04 (1) during the quarter, the case number assigned to the claim, the disposition of any claims against nurse anesthetists disposed of during the quarter, including award and settlement amounts, if known, and a summary of all panel and court findings, orders and judgments issued during the quarter relating to claims brought under this subchapter against any health care provider licensed by the board of nursing.

(3) DEPARTMENT OF HEALTH AND SOCIAL SERVICES. For the quarter beginning on January 1, 1986, and thereafter, the director shall file with the department of health and social services quarterly reports which include the name of each health care provider licensed by the department of health and social services who is named as a respondent or joined as a respondent under s. 655.10 in a submission of controversy filed under s. 655.04 (1) during the quarter, the case number assigned to the claim, the disposition of any claims against health care providers licensed by the department of health and social services which are disposed of during the quarter, including award and settlement amounts, if known, and a summary of all panel and court findings, orders and judgments issued during the quarter relating to claims brought under this subchapter against any health care provider licensed by the department of health and social services.

(4) CIVIL IMMUNITY. The director shall be immune from civil liability for any act performed by the director in compliance with this section.

SECTION 2342e. 655.065 (1) of the statutes is amended to read:

655.065 (1) DISPOSITION WITHOUT A HEARING. All parties shall be afforded opportunity for public hearing after reasonable notice, but disposition of a controversy may be made by compromise, stipulation, agreement or default without hearing. In the case of a disposition of a controversy without a hearing, the attorney who chairs the panel to which the controversy has been assigned shall notify the director of the case number, the names of the parties, whether the disposition was made by settlement, compromise, stipulation agreement or default, whether the disposition resulted in a payment to the claimant and the dollar amount of the payment, if any, to the extent the attorney chairperson has this information.

SECTION 2342h. 655.08 of the statutes is amended to read:

**655.08 (title) Panel findings; referral to director.** ~~If the panel finds that a hospital has acted negligently, it shall refer the finding and its recommendation for appropriate action to the department of health and social services. If the panel finds that any other health care provider has acted negligently, it shall refer the finding and its recommendation for action to the appropriate examining board.~~ All panel findings shall be filed with the director under s. 655.065 (5), to be included in the director's reports under s. 655.045.

SECTION 2342L. 655.10 of the statutes is amended to read:

**655.10 Joinder of parties.** Joinder of parties is governed by ss. 655.065 (4) (a) 2, 803.03 and 803.04. The panel may order joinder of the fund or any additional claimant or respondent if joinder is necessary to determine the claim. The panel shall notify the party joined. The panel shall also notify the director of the names of any health care providers joined under this section, the case number and a brief description of the allegation of negligence against any respondent joined.

SECTION 2342o. 655.17 (7) of the statutes is renumbered 655.17 (7) (a) and amended to read:

655.17 (7) (a) ~~Any~~ Except as provided in par. (b), any patient health care records and any report, deposition or recorded testimony of attending or examining physicians shall be retained in the private records of the panel and shall be open to the inspection of the parties and their attorneys, but not to the general public unless, in the opinion of the panel, the public interest so requires.

SECTION 2342r. 655.17 (7) (b) of the statutes is created to read:

655.17 (7) (b) Notwithstanding s. 146.82 (2) (b), the director may have access to records under par. (a), for the purpose of preparing reports under s. 655.045.

The department of regulation and licensing, the medical examining board and the board of nursing may have access to records under par. (a), for the purpose of investigations and disciplinary proceedings, including public disciplinary proceedings, conducted under ss. 441.07 and 448.02. This paragraph applies only to records which are in the possession of a patients compensation panel as the result of proceedings on a submission of controversy filed under s. 655.04 (1) which alleges bodily injury or death to the patient who is the subject of the records due to the acts or omissions of the health care provider who is the subject of the investigation or disciplinary proceeding.

SECTION 2342u. 655.19 (4) of the statutes is created to read:

655.19 (4) **REPORT TO DIRECTOR.** The clerk of courts shall report to the director the case name and docket number, and the case number previously assigned to the same claim by the director, of any case filed under this section.

SECTION 2342y. 655.26 of the statutes is created to read:

**655.26 Reports on claims paid.** (1) Beginning on February 15, 1986, and thereafter, in addition to any information required by the commissioner under s. 601.42, by the 15th day of each month, a health care provider liability insurer shall report the following information to the medical examining board and the board of governors for the fund established under s. 619.04 (3) on each claim paid by the insurer during the previous month for damages arising out of the rendering of health care services by a health care provider or an employe of a health care provider:

- (a) The health care provider's name and address.
  - (b) Whether the health care provider is a medical or osteopathic physician, a podiatrist, a nurse anesthetist, a partnership, a corporation, an operational cooperative sickness care plan, a hospital or a nursing home.
  - (c) The health care provider's medical specialty, if the provider is a physician.
  - (d) A description of the injury, including its cause and severity.
  - (e) Whether the claim was paid as a result of a settlement, a patients compensation panel award or a court award.
  - (f) The amount of the payment.
  - (g) The number and amounts of any previous claims paid by the insurer for damages arising out of the rendering of health care services by the health care provider or the provider's employes. Only claims paid on or after the effective date of this paragraph .... [revisor inserts date], are required to be reported under this paragraph.
  - (h) Any additional information requested by the medical examining board or the board of governors.
- (2) Beginning on February 15, 1986, and thereafter, by the 15th day of each month, the board of governors

for the fund shall report the information specified in sub. (1) to the medical examining board for each claim paid by the fund during the previous month for damages arising out of the rendering of health care services by a health care provider or an employe of a health care provider.

(3) If more than one payment will be made on a claim, the first report filed under sub. (1) or (2) after the first payment is made on the claim shall include the total amount of the award or settlement and the projected schedule and amounts of payments.

(4) Any person who in good faith provides information to the medical examining board or the board of governors under this section is immune from civil liability for his or her acts or omissions in providing such information.

SECTION 2342yam. Chapter 670 of the statutes is created to read:

**CHAPTER 670  
DENTAL HEALTH CARE SERVICES  
JOINT PRACTICES**

**670.01 Purpose.** The legislature intends to stimulate competition among dental health care providers by encouraging the development of dental joint practices, organized and operated in conformity with state and federal antitrust laws.

**670.05 Definitions.** In this chapter:

- (1) "Commissioner" means the commissioner of insurance.
- (2) "Contracting dentist" means a dentist licensed under ch. 447 who enters into a contract with a joint practice to provide services to enrollees.
- (3) "Enrollee" means an individual who is entitled to receive services obtained from a joint practice by a purchaser.
- (4) "Joint practice" means a partnership formed under ch. 178 or a service corporation organized under s. 180.99 that is controlled by dentists licensed under ch. 447, that provides services to purchasers in consideration for predetermined periodic fixed payments pursuant to service agreements and that contracts with contracting dentists on terms that assign all financial risks arising from the provision of services to the contracting dentists, including the risks of overutilization of services by enrollees and of nonpayment or underpayment by purchasers.
- (5) "Purchaser" means a person that provides predetermined periodic fixed payments to a joint practice to obtain services for enrollees from the joint practice pursuant to a service agreement.
- (6) "Service agreement" means an agreement between a joint practice and a purchaser specifying the services provided by the joint practice to the purchaser and the predetermined periodic fixed payments provided by the purchaser to the joint practice.
- (7) "Services" means services within the scope of the practice of dentistry, as defined in s. 447.02 (1).

**Vetoed  
in Part**

Vetoed  
in Part

~~670.10 Not subject to insurance laws. Joint practices, service agreements and contracting dentists are not subject to chs. 600 to 646.~~

~~670.12 Confidentiality. The commissioner shall keep confidential all records under this chapter that contain trade secrets, as permitted under s. 19.36 (5).~~

~~670.15 Registration. Before providing any services, each joint practice shall obtain from the commissioner a certificate of registration. If the commissioner is satisfied that the joint practice has met all requirements of law and that its methods and practices will adequately safeguard the interests of its purchasers, enrollees and the public in this state, the commissioner shall issue a certificate of registration within 30 days after receiving a complete registration application setting forth all of the following:~~

- ~~(1) The name and business address of the joint practice.~~
- ~~(2) The names and business addresses of all dentists controlling the joint practice.~~
- ~~(3) The intended plan of operation for the year following the date of filing, including all of the following:
  - ~~(a) The geographical area intended to be served.~~
  - ~~(b) The services intended to be provided.~~
  - ~~(c) The proposed marketing methods.~~
  - ~~(d) The projected yearly operating results based on reasonable assumptions of total operating expenses and of total income from payments for services and other sources.~~~~

~~670.20 Reports. (1) Each joint practice shall file with the commissioner an annual report, due March 1 of each year, setting forth all information required in the registration statement, revised as necessary for accuracy as of December 31 of the preceding year. The annual report shall, in addition, set forth the actual geographical area served, services provided, marketing methods employed and operating results of the year immediately preceding the filing of the annual report.~~

~~(2) Each joint practice shall file with the commissioner a notice of revised information within 10 days after any change in the information under s. 670.15 (1) or (2) as set forth in the registration statement under s. 670.15 or in an annual report under sub. (1).~~

~~(3) Each joint practice shall file with the commissioner such other reports regarding the solvency of the joint practice as the commissioner may reasonably require.~~

~~670.25 Letter of credit. Before providing any services, each joint practice shall obtain and file with the commissioner an irrevocable letter of credit in a form acceptable to the commissioner in the amount of \$75,000 payable to the commissioner in favor of any purchaser of services from the joint practice in the event of substantial loss to a purchaser caused by the failure of the joint practice to provide any services to the purchaser pursuant to the service agreement between the joint practice and the purchaser.~~

Vetoed  
in Part

~~670.30 Service agreement. Each joint practice shall file with the commissioner a copy of each service agreement between the joint practice and any purchaser and a copy of any amendment to or renewal of the service agreement, 30 days in advance of the proposed effective date of the service agreement, amendment or renewal. The commissioner may disapprove the service agreement, amendment or renewal if it is contrary to law or to the interests of enrollees, creditors or the public. Failure of the commissioner to respond within 30 days shall constitute approval.~~

~~670.35 Information sheet. (1) Each joint practice shall provide an information sheet approved by the commissioner to each purchaser for distribution to enrollees.~~

~~(2) The information sheet shall be written in commonly understood language, presented in meaningful sequence, appropriately divided and captioned by its various sections and legibly printed or typed.~~

~~(3) The information sheet shall include explanations of services available to enrollees including costs to enrollees, if any, the grievance procedure available to enrollees as required under s. 670.40 and the names and business addresses of contracting dentists.~~

~~(4) The joint practice shall provide a new information sheet to a purchaser reflecting any change in the information required under sub. (3) within 10 days after the change.~~

~~(5) The commissioner may disapprove the information sheet if it is contrary to law or to the interests of enrollees, creditors or the public. Failure of the commissioner to respond within 30 days shall constitute approval.~~

~~670.40 Grievance procedure. (1) Each joint practice shall establish and use an internal grievance procedure that is approved by the commissioner and that complies with sub. (2) for the resolution of enrollee grievances with the joint practice.~~

~~(2) The internal grievance procedure established under sub. (1) shall include all of the following elements:~~

~~(a) The opportunity for an enrollee to submit a written grievance in any form.~~

~~(b) Establishment of a grievance panel for the investigation of each grievance submitted under par. (a), consisting of at least one individual authorized to take corrective action on the grievance and at least one enrollee other than the grievant, if an enrollee is available to serve on the grievance panel.~~

~~(c) Prompt investigation of each grievance submitted under par. (a).~~

~~(d) Notification to each grievant of the disposition of his or her grievance and of any corrective action taken on the grievance.~~

~~(e) Retention of records pertaining to each grievance for at least 3 years after the date of notification under par. (d).~~

Vetoed  
in Part

(3) Each joint practice shall submit an annual report to the commissioner describing the experience under the internal grievance procedure for the year.

**670.45 Unfair marketing practices.** (1) **MISREPRESENTATION.** No joint practice registered under this chapter, no employe or agent of the joint practice, no person whose primary interest is as a competitor of a joint practice registered under this chapter, and no person on behalf of any of the foregoing persons may make or cause to be made any communication relating to a service agreement of any joint practice which contains false or misleading information, including information misleading because of incompleteness. Filing a report and, with intent to deceive a person examining it, making a false entry in a record or willfully refraining from making a proper entry, are "communications" within the meaning of this paragraph. No joint practice may use any business name, slogan, emblem or related device that is misleading or likely to cause the joint practice to be mistaken for another joint practice already in business.

(2) **UNFAIR INDUCEMENTS.** No joint practice and no employe of a joint practice may seek to induce any person to enter into a service agreement or to terminate an existing service agreement by offering benefits not specified in the service agreement, nor may any joint practice make any promise that is not clearly expressed in the service agreement.

(3) **UNFAIR DISCRIMINATION.** (a) No joint practice may unfairly discriminate among purchasers by charging different premiums or by offering different terms of coverage except on the basis of classifications related to the nature and the degree of the risk covered or the expenses involved. Rates are not unfairly discriminatory if they are averaged broadly among enrollees, and terms are not unfairly discriminatory merely because they are more favorable than in a similar individual policy.

(b) No joint practice may refuse to cover or refuse to continue to cover, or limit the amount, extent or kind of coverage available to an enrollee, or charge an enrollee a different rate for the same coverage because of a mental or physical disability except when the refusal, limitation or rate differential is based on either sound actuarial principles supported by reliable data or actual or reasonably anticipated experience.

(4) **RESTRAINT OF COMPETITION.** No joint practice registered under this chapter, no employe or agent of the joint practice, no person whose primary interest is as a competitor of a joint practice registered under this chapter and no one acting on behalf of any of the foregoing persons, may commit or enter into any agreement to participate in any act of boycott, coercion or intimidation tending to unreasonable restraint of the business of providing services to purchasers or to monopoly in that business.

(5) **INFLUENCING EMPLOYERS.** No joint practice or employe or agent of the joint practice may, in connection with a service agreement, encourage, persuade or

attempt to influence any employer to refuse employment to or to discharge any person arbitrarily or unreasonably.

(6) **USE OF OFFICIAL POSITION.** No person holding an elective, appointive or civil service position in federal, state or local government may use decision making power or influence in that position to coerce the making of a service agreement for any prospective purchaser through any particular joint practice.

(7) **OTHER UNFAIR TRADE PRACTICES.** No person may engage in any other unfair method of competition or any other unfair or deceptive act or practice, as defined under sub. (8).

(8) **RULES DEFINING UNFAIR TRADE PRACTICES.** The commissioner may define specific unfair trade practices by rule, after a finding that they are misleading, deceptive, unfairly discriminatory, provide an unfair inducement, or restrain competition unreasonably.

**670.50 Exclusive contracts prohibited.** A joint practice may not make, enforce or participate in any contract with a contracting dentist that prevents or materially inhibits the contracting dentist from entering into other contracts to provide services.

**670.55 Required grace period for service agreements.** Every service agreement shall contain clauses providing for a grace period of at least 7 days for weekly premium service agreements, 10 days for monthly premium service agreements and 31 days for all other service agreements, for each premium after the first, during which the service agreement shall continue in force.

**670.60 Notice of termination of coverage due to cessation of business or default in payment of premiums.** (1) This section shall apply to every service agreement purchased by or on behalf of an employer to provide coverage for employees.

(2) (a) Prior to termination of any service agreement due to a cessation of business or default in payment of premiums by the purchaser, the joint practice shall notify in writing the purchaser of the date as of which the service agreement will be terminated or discontinued. At such time, the joint practice shall additionally furnish to the purchaser a notice form to be distributed to enrollees indicating what rights, if any, are available to them upon termination.

(b) For purpose of notice and distribution to enrollees under par. (a), the administrator responsible for determining the enrollees covered and the premiums payable to the joint practice under any service agreement is responsible for providing such notices.

(3) Under any service agreement subject to this section, the joint practice shall be liable for all valid claims for covered losses prior to the expiration of any grace period specified in the service agreement.

(5) The notice requirements of this section shall not apply if a service agreement providing coverage to enrollees is terminated and immediately replaced by another service agreement, policy or plan providing similar coverage to such employees or members.

Vetoed  
in Part



Vetoed  
in Part

~~670.70 Right to notice and hearing. If the commissioner refuses to accept any registration application or refuses to issue a certificate of registration under s. 670.15, disapproves any service agreement under s. 670.30 or information sheet under s. 670.35, demands any solvency report under s. 670.20 (3) or utilizes a letter of credit under s. 670.25 the commissioner shall notify the joint practice of the reasons for such action. Such action is subject to a right to a contested case hearing under s. 227.064.~~

~~670.75 Revocation of registration. The commissioner may, upon notice, revoke or suspend the registration of a joint practice if any ground for liquidation under s. 670.85 exists or if the joint practice or a director, officer, partner, shareholder, agent, employe or contracting dentist of the joint practice violates any provision of this chapter while acting for the joint practice. The imposition of suspensions and revocations under this section is subject to a right to a contested case hearing under s. 227.064. A revocation of registration may include conditions for reinstatement of registration designed to safeguard the interests of purchasers, enrollees and creditors of the joint practice against the insolvency of the joint practice or designed to ensure future compliance with the provisions of this chapter or designed for both purposes.~~

~~670.77 Penalty. A person who violates any provision of this chapter may be fined not more than \$1,000 for each violation.~~

~~670.80 Examinations. (1) (a) Whenever the commissioner deems it necessary in order to inform himself or herself about any matter related to the enforcement of this chapter, the commissioner may examine the affairs and condition of any joint practice.~~

~~(b) As far as reasonably necessary for an examination, the commissioner may examine the accounts, records, documents or evidences of transactions relating to the affairs and condition of the joint practice, of any director, officer, partner, shareholder, agent, employe and contracting dentist of the joint practice.~~

~~(c) Upon demand, every joint practice shall make available to the commissioner for examination any of its accounts, records, documents or evidences of transactions and any of those of the persons listed in par. (b).~~

~~(2) For each examination under sub. (1), the commissioner shall issue an order stating the scope of the examination and designating the examiner in charge. Upon demand, a copy of the order shall be provided to the joint practice.~~

~~(3) Any examiner authorized by the commissioner shall, as far as necessary to the purposes of the examination, have access at all reasonable hours to the premises and to any books, records, files, securities, documents or property of the joint practice and to those of the persons listed in sub. (1) (b) relating to the affairs and condition of the joint practice.~~

~~(4) The officers, employes and agents of the joint practice and of persons listed in sub. (1) (b) shall comply with every reasonable request of the examiners for assistance in any matter relating to the examination. No person may obstruct or interfere with the examination in any way other than by legal process.~~

~~(5) If the commissioner finds the accounts or records to be inadequate for proper examination of the affairs and condition of the joint practice or improperly kept or posted, the commissioner may direct the joint practice to rewrite, post or balance them at the expense of the joint practice. If the joint practice is unable or unwilling to do so, the commissioner may employ experts to do so at the expense of the joint practice.~~

~~(6) The examiner in charge of an examination shall make a proposed report of the examination which shall include such information and analysis as is ordered in sub. (2), together with the examiner's recommendations. Preparation of the proposed report may include conferences with the joint practice or the representatives of the joint practice at the option of the examiner in charge. The proposed report shall remain confidential until filed under sub. (7).~~

~~(7) The commissioner shall serve a copy of the proposed report upon the joint practice. Within 20 days after service, the joint practice may serve upon the commissioner a written demand for a hearing on the contents of the report. If a hearing is demanded, the commissioner shall give notice and hold a hearing under ch. 227, except that on demand by the joint practice the hearing shall be private. Within 60 days after the hearing, or if no hearing is demanded, within 60 days after the last day on which the joint practice might have demanded a hearing, the commissioner shall adopt the report with any modifications made necessary as a result of the hearing and file it for public inspection, or the commissioner shall order a new examination.~~

~~(8) The commissioner shall forward a copy of the examination report to the joint practice immediately upon adoption, except that if the proposed report is adopted without change, the commissioner need only so notify the joint practice.~~

~~(9) In any proceeding by or against the joint practice, or by or against any person listed in sub. (1) (b), the examination report as adopted by the commissioner shall be admissible as evidence of the facts stated in the report. In any proceeding by or against the joint practice, the facts asserted in any report properly admitted in evidence shall be presumed to be true in the absence of contrary evidence.~~

~~(10) The reasonable costs of examinations under this section shall be paid by joint practices on the basis of a system of billing for actual salaries and expenses of examiners and other apportionable expenses, including office overhead. Payments under this sub.~~

Vetoed  
in Part

Vetoed  
in Part

section shall not be deemed to be a tax or license fee within the meaning of any statute.

670.85 Liquidation. (1) After notice to the joint practice, the commissioner may apply by verified petition to the circuit court for Dane county or for the county in which the principal office of the joint practice is located for an order directing the commissioner to liquidate the joint practice on any one or more of the following grounds:

(a) That the joint practice is or is about to become insolvent.

(b) That the joint practice is in such condition that the further transaction of business would be hazardous, financially or otherwise, to purchasers, enrollees or creditors of the joint practice.

(c) That the joint practice has not provided any services during the previous 12 months.

(d) That within any part of the previous 12 months the joint practice has systematically attempted to compromise with its creditors on the ground that it is financially unable to pay its creditors in full.

(e) That the joint practice has concealed records or assets from the commissioner or improperly removed them from the jurisdiction.

(2) The commissioner shall establish by rule a procedure for the orderly liquidation of a joint practice upon issuance of an order under sub. (1). The procedure shall be based upon procedures applicable to insurers under ch. 645.

SECTION 2342yb. 706.057 (3) (b) of the statutes is amended to read:

706.057 (3) (b) An interest in minerals which was not used during the 20-year period prior to July 1, 1983 1984, does not lapse if the interest in minerals is used within 3 years after July 1, 1984.

SECTION 2342ybm. 706.057 (5) of the statutes is amended to read:

706.057 (5) CURE OF LAPSE. The lapse of an interest in minerals under sub. (3) is cured if the owner of the interest in minerals records a statement of claim complying with all of the requirements of sub. (4) ~~and if the statement of claim is recorded before the surface owner records a statement of claim is recorded~~ under sub. (6) (a) or before a statement of claim takes effect under sub. (6) (b) 1, whichever is later.

SECTION 2342yc. 706.057 (6) of the statutes is renumbered 706.05 (6) (a) and amended to read:

706.057 (6) (a) The owner of the land under which a lapsed ~~an~~ interest in minerals exists may claim that portion of ~~the~~ a lapsed interest in minerals which lies beneath the owner's land by recording a statement of claim. The statement of claim shall contain the name and address of the owner of the land under which the lapsed interest in minerals is located and a description of the land under which the interest in minerals is located. The statement of claim shall be recorded with the register of deeds for the county in which the land is located.

SECTION 2342ycm. 706.057 (6) (b) of the statutes is created to read:

706.057 (6) (b) 1. Except as provided in subd. 2, a statement of claim which is recorded under par. (a) before the lapse of the interest in minerals to which the claim applies takes effect when the interest in minerals lapses.

2. A statement of claim which is recorded under par. (a) before the lapse of the interest in minerals to which the claim applies is void 6 years after the statement of claim is recorded if the interest in minerals does not lapse within that 6-year period.

SECTION 2342yd. 706.057 (9) (a) of the statutes is amended to read:

706.057 (9) (a) The owner of an interest in minerals which is the subject of a claim under sub. (6) (a), within 3 years after the claim is recorded with the register of deeds or within 3 years after the claim takes effect as provided under sub. (6) (b) 1, whichever is later, may bring an action for a declaratory judgment or declaration of interest on the ownership of the interest in minerals. The action shall be commenced in the circuit court in the county where the interest in minerals is located.

SECTION 2342ydm. 706.057 (9) (b) 1 of the statutes is amended to read:

706.057 (9) (b) 1. If the court finds that the owner of the interest in minerals used the interest in minerals within the time limits specified under sub. (3) or that the owner of the interest in minerals recorded a claim under sub. (5) before the surface owner recorded a claim under sub. (6) (a) or before the claim took effect as provided under sub. (6) (b) 1, whichever is later, the court shall issue a judgment declaring that the interest in minerals is not lapsed.

SECTION 2342ydn. 706.057 (9) (b) 2 of the statutes is amended to read:

706.057 (9) (b) 2. If the court finds that the owner of the interest in minerals did not use the interest in minerals within the time limits specified under sub. (3) ~~and that the surface owner's claim under sub. (6) was recorded before did not record~~ the claim under sub. (5) before the surface owner recorded the claim under sub. (6) (a) or before the claim took effect as provided under sub. (6) (b) 1, whichever is later, the court shall issue a judgment affirming the surface owner's claim.

SECTION 2342ydo. 706.057 (9) (c) of the statutes is amended to read:

706.057 (9) (c) Upon the issuance of a judgment affirming the surface owner's claim or, if no action is brought under par. (a), at the end of the 3-year period after the surface owner's claim is recorded or at the end of the 3-year period after the claim takes effect as provided under sub. (6) (b) 1, whichever is later, the ownership of the interest in minerals reverts to the owner of the land under which the lapsed interest in minerals is located and title to the interest in minerals is merged with the title to the surface of the land.

SECTION 2342ye. 751.10 of the statutes is amended to read:

**751.10 (title) Decisions to be written; part of record; certification.** The supreme court shall decide all cases in writing. One copy of each written decision or opinion delivered by the court or a justice in an action or proceeding in the court shall remain in the office of the clerk of the supreme court and one copy shall constitute a part of the record in the action or proceeding and shall be certified to a court of the United States to which the action or proceeding or record is certified or removed. ~~The supreme court may require the department of administration to print its decisions and opinions in the form and number directed by the court.~~

SECTION 2342ym. 751.11 (2) of the statutes is amended to read:

751.11 (2) The supreme court shall purchase ~~and provide to the department of administration~~ sufficient copies of its reports ~~and digests of its reports~~ to meet the requirements for distribution under ss. 16.79 (1), 35.84 and 35.85. The court shall reimburse the department of administration for all costs associated with the distribution of its ~~opinions and digests of its opinions~~ reports, including, but not limited to, printing, mailing, handling, shipping and storage costs.

SECTION 2342yp. 751.11 (3) of the statutes is created to read:

751.11 (3) The supreme court shall provide copies of its reports for any new judgeship of a court of record.

SECTION 2342z. 752.03 of the statutes is amended to read:

**752.03 Number of judges.** There shall be ~~4~~ 13 court of appeals judges. Three judges shall be elected from each of the ~~4~~ 3 districts specified in ss. 752.13 to ~~752.19~~ 752.17 and 4 judges shall be elected from the district specified in s. 752.19.

SECTION 2344m. 752.31 (3) of the statutes is amended to read:

752.31 (3) A case specified under sub. (2) shall be decided by one court of appeals judge, except that any party on appeal or other proceeding in the court of appeals may move in writing to the chief judge of the court of appeals that the case be decided by a 3-judge panel. The chief judge may grant or deny the request ex parte. Any appeal which is decided by a single court of appeals judge shall may be heard in the county where the case or action originated if any party so requests.

~~SECTION 2345m. 755.18 (2) of the statutes is amended to read:~~

~~755.18 (2) Municipalities. The state shall bear the cost of programs under sub. (1) provided by the court. All moneys collected by the supreme court under this section shall be deposited in s. 29.680 (2) (4), except that municipalities shall pay for travel, food and lodging costs of municipal judges participating in those programs.~~

SECTION 2346a. 758.02 of the statutes is created to read:

**758.02 Exchanges.** The state law librarian may effect exchanges of official documents listed in s. 35.84 with law libraries of other states and foreign governments.

SECTION 2346b. 758.19 (3) of the statutes is created to read:

758.19 (3) The director shall establish and charge fees for data processing services provided for the board of attorneys professional competence, the board of attorneys professional responsibility and patients compensation panels.

SECTION 2346d. 765.15 of the statutes is amended to read:

**765.15 Fee to county clerk.** Each county clerk shall receive as a fee for each license granted the sum of ~~\$24.50~~ \$29.50, of which \$4.50 shall become a part of the funds of the county, and ~~\$20~~ \$25 shall be paid into the state treasury. Each county board may increase the license fee of ~~\$24.50~~ \$29.50 by ~~an~~ any amount ~~not to exceed \$5~~, which amount shall become a part of the funds of the county. The clerk shall also receive a standard notary fee of 50 cents for each license granted which may be retained by him or her if operating on a fee or part fee basis, but which otherwise shall become part of the funds of the county.

SECTION 2346m. 765.16 (6) of the statutes is created to read:

765.16 (6) Any municipal court judge.

SECTION 2347. 767.02 (1) (f) of the statutes is amended to read:

767.02 (1) (f) For child support, including an action under s. 767.65.

SECTION 2347m. 767.02 (3) of the statutes is created to read:

767.02 (3) Commencement of an action affecting the family which affects a minor child constitutes an application to the department of health and social services for services on behalf of the minor child under s. 46.25. This application does not authorize representation under s. 46.25 or 59.47 (14), or intervention as a party in any action, by the department of health and social services.

SECTION 2349. 767.08 (2) of the statutes is amended to read:

767.08 (2) (a) If a person fails or refuses to provide for the support and maintenance of his or her spouse or minor child, ~~the person's spouse, the person with legal custody of the child or any nonlegally responsible relative~~ any of the following may commence an action in any court having jurisdiction in actions affecting the family to compel the person to provide any legally required support and maintenance:

1. The person's spouse.
2. The minor child.
3. The person with legal custody of the child.

4. A nonlegally responsible relative.

(b) The court in the action shall ~~after consideration, where appropriate, of the factors enumerated in ss. 767.25 (1m) and 767.26 or the income percentage standard under s. 767.25 (1p), as provided under s. 767.25 or 767.26,~~ determine and adjudge the amount, if any, the person should reasonably contribute to the support and maintenance of the spouse or child and how the sum should be paid. This amount may be expressed as a percentage of the person's income or as a fixed sum. The amount so ordered to be paid may be changed or modified by the court upon notice of motion or order to show cause by either party upon sufficient evidence.

(c) The determination may be enforced by contempt proceedings, an assignment of income under s. 767.265, or other enforcement mechanisms as provided under s. 767.30.

(d) In any such support action there shall be no filing fee or other costs taxable to the person's spouse, the minor child, the person with legal custody or the nonlegally responsible relative, but after the action has been commenced and filed the court may direct that any part of or all fees and costs incurred shall be paid by either party.

SECTION 2349d. 767.085 (1) (title) of the statutes is amended to read:

767.085 (1) (title) PETITION, CONTENTS.

SECTION 2349m. 767.085 (1) (g) of the statutes is created to read:

767.085 (1) (g) Whenever the petitioner requests an order or judgment affecting a minor child, that the petitioner requests the department of health and social services to provide services on behalf of the minor child under s. 46.25, except that this application does not authorize representation under s. 46.25 or 59.47 (14), or intervention as a party in any action, by the department of health and social services.

SECTION 2349o. 767.085 (2) of the statutes is renumbered 767.085 (2) (a).

SECTION 2349p. 767.085 (2) (b) of the statutes is created to read:

767.085 (2) (b) The clerk of court shall provide without charge, to each person filing a petition requesting child support, a document setting forth the percentage standard established by the department of health and social services under s. 46.25 (9) (a) and listing the factors which a court may consider under s. 767.25 (1m).

SECTION 2349q. 767.085 (2m) of the statutes is amended to read:

767.085 (2m) SUMMONS, CONTENTS. Where only one party initiates the action and the parties have minor children, the summons served on the other party shall include notification of the contents of s. 946.715 and be accompanied by a document, provided without charge by the clerk of court, setting forth the percentage standard established by the department of health

and social services under s. 46.25 (9) (a) and listing the factors which a court may consider under s. 767.25 (1m), except that if service is by publication, notification of the contents of the percentage standard and the factors need not be provided.

SECTION 2349r. 767.085 (5) of the statutes is created to read:

767.085 (5) RESPONSE, CONTENTS. Whenever the respondent requests an order or judgment affecting a minor child, the response shall state that the respondent requests the department of health and social services to provide services on behalf of the minor child under s. 46.25, except that this application does not authorize representation under s. 46.25 or 59.47 (14), or intervention as a party in any action, by the department of health and social services.

SECTION 2353. 767.10 of the statutes is amended to read:

**767.10 Stipulation and property division.** The parties in an action for an annulment, divorce or legal separation may, subject to the approval of the court, stipulate for a division of estate, for maintenance payments, for the support of children, for periodic family support payments under s. 767.261 or for custody and visitation, in case a divorce or legal separation is granted or a marriage annulled. A court may not approve a stipulation for child support or family support unless the stipulation provides for payment of child support, determined in a manner consistent with s. 767.25 or 767.51.

SECTION 2354. 767.13 (1m) of the statutes is renumbered 767.13 (6).

SECTION 2355. 767.13 (5) (title) of the statutes is amended to read:

767.13 (5) (title) JUDGMENTS IN CERTAIN ACTIONS AFFECTING THE FAMILY.

SECTION 2356. 767.13 (5) of the statutes is renumbered 767.13 (5) (a) and amended to read:

767.13 (5) (a) (title) *Divorce*. On authority delegated by a judge, which may be by a standard order, and with the approval of the chief judge of the judicial administrative district, a family court commissioner may preside at any hearing held to determine whether a judgment of divorce shall be granted, if both parties state that the marriage is irretrievably broken and that all material issues, including but not limited to division of property or estate, child custody, visitation or support, spousal maintenance and family support, are resolved or if one party does not participate in the action for divorce. The family court commissioner may grant and enter judgment in any action over which he or she presides under this subsection paragraph unless the judgment modifies an agreement between the parties on material issues. If the family court commissioner does not approve an agreement between the parties on material issues, the action shall be certified to the court for trial.

SECTION 2357. 767.13 (5) (b) of the statutes is created to read:

767.13 (5) (b) *Enforcement or revision of maintenance or child support.* Upon referral by a judge, a family court commissioner may conduct hearings and enter judgments in actions for enforcement of, or revision of judgment for, maintenance or child support.

SECTION 2358. 767.13 (7) of the statutes is created to read:

767.13 (7) COOPERATION. Each family court commissioner shall cooperate with the county and the department of health and social services to ensure that all dependent children receive reasonable and necessary child support.

SECTION 2359. 767.25 (1) of the statutes is amended to read:

767.25 (1) ~~Upon every~~ Whenever the court approves a stipulation for child support under s. 767.10, enters a judgment of annulment, divorce or legal separation, or in rendering enters an order or a judgment in an action under s. 767.02 (1) (f) or (j) or 767.08, the court may shall order either or both parents to pay an amount reasonable or necessary for to fulfill a duty to support of a child and shall specifically assign responsibility for and direct the manner of payment of the child's health care expenses. The support amount may be expressed as a percentage of parental income or as a fixed sum.

SECTION 2360. 767.25 (1j) of the statutes is created to read:

767.25 (1j) Except as provided in sub. (1m), the court shall determine child support payments by using the percentage standard established by the department of health and social services under s. 46.25 (9) (a).

SECTION 2361. 767.25 (1m) (intro.) of the statutes is amended to read:

767.25 (1m) (intro.) ~~Except as provided in sub. (1p), in ordering payment of child support the court shall consider the guidelines for the determination of child support established by the department of health and social services and~~ Upon request by a party, the court may modify the amount of child support payments determined under sub. (1j) if, after considering the following factors, the court finds by clear and convincing evidence that use of the percentage standard is unfair to the child or to any of the parties:

SECTION 2362g. 767.25 (1m) (bj) of the statutes is created to read:

767.25 (1m) (bj) Maintenance received by either party.

SECTION 2362j. 767.25 (1m) (bp) of the statutes is created to read:

767.25 (1m) (bp) The needs of each party in order to support himself or herself at a level equal to or greater than that established under 42 USC 9902 (2).

SECTION 2362m. 767.25 (1m) (bz) of the statutes is created to read:

767.25 (1m) (bz) The needs of any person, other than the child, whom either party is legally obligated to support.

SECTION 2362p. 767.25 (1m) (ej) of the statutes is created to read:

767.25 (1m) (ej) If joint custody is awarded under s. 767.24 (1) (b), any physical custody arrangement ordered or decided upon.

SECTION 2362r. 767.25 (1m) (em) of the statutes is created to read:

767.25 (1m) (em) Extraordinary travel expenses incurred in exercising visitation rights under s. 767.245.

SECTION 2362t. 767.25 (1m) (f) of the statutes is amended to read:

767.25 (1m) (f) The physical, mental and emotional health needs of the child, including the costs of health insurance and uninsured health care for the child.

SECTION 2362w. 767.25 (1m) (hm) of the statutes is created to read:

767.25 (1m) (hm) The best interests of the child.

SECTION 2364. 767.25 (1m) (i) of the statutes is amended to read:

767.25 (1m) (i) ~~Such~~ Any other factors as which the court ~~may~~ in each individual case ~~determine to be~~ determines are relevant.

SECTION 2364m. 767.25 (1n) of the statutes is created to read:

767.25 (1n) If the court finds under sub. (1m) that use of the percentage standard is unfair to the child or the requesting party, the court:

(a) May consider the guidelines for the determination of child support established by the department of health and social services under s. 46.25 (9) (b), in modifying the amount of child support payments determined under sub. (1j).

(b) Shall state in writing or on the record its reasons for finding that use of the percentage standard is unfair to the child or the party, its reasons for the amount of the modification and the basis for the modification.

SECTION 2365. 767.25 (1p) of the statutes is repealed.

SECTION 2366. 767.25 (1r) of the statutes is created to read:

767.25 (1r) An order under this section shall direct the person with custody of a minor child to contribute an amount determined under s. 46.257 (6) (b) in the manner determined by the department of health and social services, if that person receives benefits under s. 46.257. This subsection applies between October 1, 1986 and September 30, 1994.

SECTION 2366m. 767.25 (4) of the statutes is amended to read:

767.25 (4) ~~In making an order for child support, the~~ The court may shall order either party or both to pay for the support of any child of the parties who is less than 19 years old and is pursuing an accredited course

of instruction leading to the acquisition of a high school diploma or its equivalent.

SECTION 2367g. 767.25 (6) of the statutes is renumbered 767.25 (6) (intro.) and amended to read:

767.25 (6) (intro.) A party ordered to pay child support under this section shall pay simple interest at the rate of 1.5% per month on any amount unpaid, commencing the first day of the ~~first~~ 2nd month after the month in which the amount was due. Interest under this subsection is in lieu of interest computed under s. 807.01 (4), 814.04 (4) or 815.05 (8) and is paid to the clerk of court under s. 767.29. The clerk of court shall apply all payments received for child support as follows:

SECTION 2367h. 767.25 (6) (a) to (c) of the statutes are created to read:

767.25 (6) (a) First, to payment of child support due within the calendar month during which the payment is received.

(b) Second, to payment of unpaid child support due before the payment is received.

(c) Third, to payment of interest accruing on unpaid child support.

SECTION 2368g. 767.261 of the statutes is renumbered 767.261 (intro.) and amended to read:

**767.261 Family support.** (intro.) The court may make a financial order designated "family support" as a substitute for child support orders under s. 767.25 and maintenance payment orders under s. 767.26. A party ordered to pay family support under this section shall pay simple interest at the rate of 1.5% per month on any amount unpaid, commencing the first day of the ~~first~~ 2nd month after the month in which the amount was due. Interest under this section is in lieu of interest computed under s. 807.01 (4), 814.04 (4) or 815.05 (8) and is paid to the clerk of court under s. 767.29. The clerk of court shall apply all payments received for child support as follows:

SECTION 2368h. 767.261 (1) to (3) of the statutes are created to read:

767.261 (1) First, to payment of child support due within the calendar month during which the payment is received.

(2) Second, to payment of unpaid child support due before the payment is received.

(3) Third, to payment of interest accruing on unpaid child support.

SECTION 2369. 767.265 (1) of the statutes is amended to read:

767.265 (1) Each order entered on or after February 1, 1978, for child support under s. 767.23 or 767.25, for maintenance payments under s. 767.23 or 767.26, for family support under s. 767.261, for support by a spouse under s. 767.02 (1) (f) or for maintenance payments under s. 767.02 (1) (g) ~~and~~, each court-approved stipulation for child support under s. 767.10 entered into on or after July 2, 1983, and each order for child or spousal support entered under s.

940.27 (7) constitutes an assignment of all commissions, earnings, salaries, wages, pension benefits, benefits under ch. 102 or 108 and other money due or to be due in the future to the clerk of the court where the action is filed, ~~as will.~~ The assignment shall be sufficient to meet the maintenance payments, child support payments or family support payments imposed by the court for the support of the spouse or minor children or both and to defray arrearages in payments due at the time the assignment takes effect. Except as provided in sub. (2m), the assignment takes effect if the payer so requests or when the requirement of sub. (2) has been satisfied, or, at the discretion of the court or family court commissioner, may take effect immediately.

SECTION 2370. 767.265 (1) of the statutes, as affected by 1983 Wisconsin Act 27, section 1766am and 1985 Wisconsin Act .... (this act), is repealed and recreated to read:

767.265 (1) Each order for child support under s. 767.23 or 767.25, for maintenance payments under s. 767.23 or 767.26, for family support under s. 767.261, for support by a spouse under s. 767.02 (1) (f) or for maintenance payments under s. 767.02 (1) (g), each court-approved stipulation for child support under s. 767.10 and each order for child or spousal support entered under s. 940.27 (7) constitutes an assignment of all commissions, earnings, salaries, wages, pension benefits, benefits under ch. 102 or 108 and other money due or to be due in the future to the clerk of the court where the action is filed. The assignment requires withholding sufficient to meet the payments required of the party under the order or stipulation, including any arrearages due.

SECTION 2371. 767.265 (1m) of the statutes is amended to read:

767.265 (1m) Any person who is entitled to a payment of support ordered prior to February 1, 1978, by the court or family court commissioner under s. 767.23, 767.25, 767.26 or 767.261 may apply to the court or court commissioner for an assignment. Upon receipt of the application, the court or family court commissioner shall order an assignment. Except as provided in sub. (2m), the court or family court commissioner may order an assignment to take effect immediately or after the requirements of sub. (2) are satisfied. This subsection does not apply after June 30, 1987, or the day before the effective date of the 1987-89 biennial budget act, whichever is later.

SECTION 2372. 767.265 (2) of the statutes is amended to read:

767.265 (2) If the court or family court commissioner orders that an assignment under sub. (1) or (1m) shall take effect after the requirements of this subsection are satisfied or if the court or family court commissioner receives notice of assignment or withholding required under a similar law of another state, the family court commissioner, upon his or her own motion or upon application of the person entitled to

receive payments, shall send a notice by certified mail to the last-known address of any payer who has failed to make a required maintenance payment or child support payment within 10 days of its due date. The notice shall be postmarked no later than 10 days after the date on which the application was filed and shall inform the recipient that an assignment shall go into effect 10 days after the date on which the notice was sent. The payer may, within that 10-day period, request a hearing on the issue of whether the assignment should take effect, in which case the assignment shall be held in abeyance pending the outcome of the hearing. The family court commissioner shall hold a hearing requested under this section within 10 working days after the date of the request. If at the hearing the payer establishes that ~~extraordinary circumstances prevented fulfillment of the maintenance payment or child support obligation and that such circumstances are beyond the control of the payer~~ the assignment is not proper because of a mistake of fact, the family court commissioner may direct that the assignment not take effect until such time, within 12 months, as ~~another month's payment is missed. If such a delay is granted, the assignment shall, upon application, go into effect if, within the following 12 months, the payer fails to make in full any payment within 20 days of its due date.~~ Either party may, within 15 working days of the date of the decision by the family court commissioner under this section, seek review of the decision by the court with jurisdiction over the action. This subsection does not apply after June 30, 1987, or the day before the effective date of the 1987-89 biennial budget act, whichever is later.

SECTION 2373. 767.265 (2h) of the statutes is created to read:

767.265 (2h) If a court-ordered assignment does not require immediately effective withholding and a payer fails to make a required maintenance, child support, spousal support or family support payment within 10 days after its due date, or if the court or family court commissioner receives notice of assignment for withholding required under similar laws of another state, within 20 days after the payment's due date or within 10 days after receipt of notice for withholding under laws of another state the court or family court commissioner shall send a notice by certified or registered mail to the last-known address of the payer. The notice shall inform the payer that an assignment shall go into effect 10 days after the date on which the notice was sent. The payer may, within that 10-day period, by motion request a hearing on the issue of whether the assignment should take effect, in which case the assignment shall be held in abeyance pending the outcome of the hearing. The court or family court commissioner shall hold a hearing requested under this section within 10 working days after the date of the request. If at the hearing the payer establishes that the assignment is not proper because of a mistake of fact, the court or family court

commissioner may direct that the assignment not take effect. If the payer does not request a hearing or the court or family court commissioner finds the assignment is proper, the court or family court commissioner shall send notice of the assignment to the person from whom the payer receives or will receive money. Either party may, within 15 working days after the date of the decision by a family court commissioner under this section, seek review of the decision by the court with jurisdiction over the action.

SECTION 2374. 767.265 (2m) of the statutes is amended to read:

767.265 (2m) If a court with jurisdiction over a proceeding to obtain child support is located in a county which has entered into an agreement with the department of health and social services under s. 767.395 (5) 46.25 (10) (a) 1, any assignment of support under sub. (1) or (1m) takes effect immediately, unless the payer establishes that ~~extraordinary circumstances beyond his or her control prevent fulfillment of the support obligation or provides sufficient security for payment under the support order~~ irreparable harm is likely to occur. This subsection does not apply after June 30, 1987, or the day before the effective date of the 1987-89 biennial budget act, whichever is later.

SECTION 2375. 767.265 (2r) of the statutes is created to read:

767.265 (2r) Upon entry of each order for child support, maintenance, family support or support by a spouse and upon approval of each stipulation for child support, unless the court finds that income withholding is likely to cause the payer irreparable harm, the court shall provide notice of the assignment by personal service or certified or registered mail to the person from whom the payer receives or will receive money. If the clerk of court does not receive the money from the person notified, the court shall provide notice of the assignment to any other person from whom the payer receives or will receive money. Notice under this subsection may be a notice of the court, a copy of the executed assignment or a copy of that part of the court order directing payment.

SECTION 2376. 767.265 (3) of the statutes is amended to read:

767.265 (3) An assignment in effect under this section or under a similar law of another state is binding upon any party from whom the payer receives money one week after service upon it of a true copy of the order, by personal service or by registered or certified mail, until further order of the court. An assignment under this section has priority over any other assignment, garnishment or similar legal process under state law. Except as provided in sub. (3m), for each payment the party from whom the payer receives money shall receive \$1 which shall be deducted from the money to be paid to the payer. Section 241.09 does not apply to assignments under this section. Except as provided in sub. (3m), if the party from whom the payer receives money fails to make the assignment

after receipt of the order as provided in this section, it may be fined not more than \$200 and may be required to pay the amount assigned to the clerk of the court. If an employer who receives an assignment under this section fails to notify the clerk of circuit court that an employe has terminated employment within 10 days of that termination, the employer may be fined not more than \$200. No employer may use an assignment under this section as a basis for ~~the denial of employment,~~ discharge of an employe or ~~for any disciplinary action against the an employe.~~ An employer who denies employment or discharges or disciplines an employe in violation of this subsection may be fined not more than \$200 and may be required to make full restitution to the aggrieved ~~employe person,~~ including reinstatement and back pay. Compliance by the party from whom the payer receives money with the order operates as a discharge of its liability to the payer as to that portion of the payer's commission, earnings, salaries, wages, benefits or other money so affected. This subsection does not apply after June 30, 1987, or the day before the effective date of the 1987-89 biennial budget act, whichever is later.

SECTION 2377. 767.265 (3h) of the statutes is created to read:

767.265 (3h) A person who receives notice of assignment under this section or similar laws of another state shall withhold the amount specified in the notice from any money that person pays to the payer later than one week after receipt of notice of assignment. Within 10 days after the day the person pays money to the payer, the person shall send the amount withheld to the clerk of court of the jurisdiction providing notice or, in the case of an amount ordered withheld for health care payments, to the appropriate health care insurer, provider or plan. Except as provided in sub. (3m), for each payment the person from whom the payer receives money shall receive \$1 which shall be deducted from the money to be paid to the payer. Section 241.09 does not apply to assignments under this section.

SECTION 2378. 767.265 (3m) of the statutes is amended to read:

767.265 (3m) Benefits under ch. 108 may be assigned and withheld only in the manner provided in s. 108.13 (3). ~~All assignments of Any order to withhold benefits under ch. 108 shall be for an amount certain. When such money is to be withheld from these benefits are assigned, no fee may be deducted from the amount assigned withheld and no fine may be levied for failure to execute an assignment withhold the money.~~

SECTION 2379. 767.265 (4) of the statutes is renumbered 767.265 (8).

SECTION 2380. 767.265 (4) of the statutes is created to read:

767.265 (4) A withholding assignment or order under this section has priority over any other assign-

ment, garnishment or similar legal process under state law.

SECTION 2381. 767.265 (5) of the statutes is repealed.

SECTION 2382. 767.265 (6) of the statutes is created to read:

767.265 (6) Except as provided in sub. (3m), if the person from whom the payer receives money fails to withhold the money after receipt of notice as provided in this section, the person may be fined not more than \$100 for each payment not withheld and may be required to pay to the clerk of the court the amount assigned. If an employer who receives an assignment under this section fails to notify the clerk of court within 10 days after an employe is terminated or otherwise temporarily or permanently leaves employment, the employer may be fined not more than \$100. No employer may use an assignment under this section as a basis for the denial of employment to a person, the discharge of an employe or any disciplinary action against an employe. An employer who denies employment or discharges or disciplines an employe in violation of this subsection may be fined not more than \$500 and may be required to make full restitution to the aggrieved person, including reinstatement and back pay. An aggrieved person may apply to the district attorney or to the department of industry, labor and human relations for enforcement of this subsection. Compliance by the person from whom the payer receives money with the order operates as a discharge of the person's liability to the payer as to that portion of the payer's commission, earnings, salaries, wages, benefits or other money so affected.

SECTION 2383. 767.265 (7) of the statutes is created to read:

767.265 (7) A person who receives more than one notice of assignment under sub. (3h) may send all money withheld to the clerk of court in a combined payment, accompanied by any information the clerk of court requires.

SECTION 2384. 767.27 (3) of the statutes is renumbered 767.27 (3) (a) and amended to read:

767.27 (3) (a) Information Except as provided in par. (b), information disclosed under this section shall be confidential and may not be made available to any person for any purpose other than the adjudication, appeal, modification or enforcement of judgment of an action affecting the family of the disclosing parties.

SECTION 2385. 767.27 (3) (b) of the statutes is created to read:

767.27 (3) (b) The clerk of circuit court shall provide information from court records to the department of health and social services under s. 59.395 (7).

SECTION 2386. 767.29 (1) of the statutes is amended to read:

767.29 (1) All orders or judgments providing for temporary or permanent maintenance payments or support of children shall direct the payment of all such sums to the clerk of the court for the use of the person



for whom the same has been awarded, except as otherwise determined by the department of health and social services under s. 46.257 (6). A party securing an order for temporary maintenance payments or support money shall forthwith file the order, together with all pleadings in the action, with the clerk of the court. The clerk shall disburse the money so received under the judgment or order and take receipts therefor. All moneys received or disbursed under this section shall be entered in a record kept by the clerk, which shall be open to inspection by the department of health and social services for the administration of the child and spousal support and establishment of paternity program under s. 46.25, the parties to the action and their attorneys, and the family court commissioner. If the maintenance payments or support money adjudged or ordered to be paid shall not be paid to the clerk at the time provided in the judgment or order, the clerk or the family court commissioner of the county shall take such proceedings as either of them deems advisable to secure the payment of the sum including enforcement by contempt proceedings under ch. 785 or by other means. Copies of any order issued to compel the payment shall be mailed to counsel who represented each party when the maintenance payments or support money was awarded. In case any fees of officers in any of the proceedings, including the compensation of the family court commissioner at the rate of \$50 per day unless the commissioner is on a salaried basis, is not collected from the person proceeded against, the fees shall be paid out of the county treasury upon the order of the presiding judge and the certificate of the clerk of the court.

SECTION 2387. 767.29 (2) of the statutes is amended to read:

767.29 (2) If any party entitled to maintenance payments or support money, or both, is receiving public assistance under ch. 49, the party may assign the party's right thereto to the county department of social services or public welfare or ~~municipal relief agency~~ a department created under s. 46.23 granting such assistance. Such assignment shall be approved by order of the court granting the maintenance payments or support money, and may be terminated in like manner; except that it shall not be terminated in cases where there is any delinquency in the amount of maintenance payments and support money previously ordered or adjudged to be paid to the assignee without the written consent of the assignee or upon notice to the assignee and hearing. When an assignment of maintenance payments or support money, or both, has been approved by the order, the assignee shall be deemed a real party in interest within s. 803.01 but solely for the purpose of securing payment of unpaid maintenance payments or support money adjudged or ordered to be paid, by participating in proceedings to secure the payment thereof. Notwithstanding assignment under this subsection, and without further order of the court, the clerk of court, upon receiving notice

that a party or a minor child of the parties is receiving aid under s. 49.19, shall forward all support assigned under s. 49.19 (4) (h) 1 or 49.45 (19) to the department.

SECTION 2387m. 767.30 (1) of the statutes is amended to read:

767.30 (1) If the court orders any payment for support or maintenance under s. 767.08, child support, family support or maintenance under s. 767.23, child support under s. 767.25, maintenance under s. 767.26, family support under s. 767.261, attorney fees under s. 767.262 ~~or~~, paternity obligations under s. 767.51 ~~or child or spousal support under s. 940.27 (7)~~, the court may provide that any payment be paid in the amounts and at the times as it considers expedient.

SECTION 2388. 767.395 (title) of the statutes is repealed.

SECTION 2389. 767.395 (1) of the statutes is repealed.

SECTION 2390. 767.395 (2) of the statutes is renumbered 46.25 (9) (b) and amended to read:

46.25 (9) (b) ~~The department shall submit guidelines for the determination of~~ Shall establish guidelines for courts to consider in determining child support under s. ss. 767.25 (1m) and 767.51 (5), and shall submit the guidelines to any appropriate standing committee of the legislature for review prior to implementation publication.

SECTION 2391. 767.395 (3) of the statutes is renumbered 46.25 (9) (a) and amended to read:

46.25 (9) (a) ~~The department shall~~ Shall adopt and publish a standard for courts to use in determining a child support obligation based upon a percentage of the gross income and assets of either or both parents.

SECTION 2392. 767.395 (4) of the statutes is renumbered 46.25 (9) (c) and amended to read:

46.25 (9) (c) ~~The department shall~~ Shall develop cost-of-living cost-of-living indices and earnings indices for consideration by courts to consider in ordering adjustments in child support under s. 767.33 (1).

SECTION 2393. 767.395 (5) (a) (intro.) of the statutes is renumbered 46.25 (10) (a) (intro.) and amended to read:

46.25 (10) (a) (intro.) The department shall study the relationship between ~~immediately effective wage assignments~~ immediate income withholding and increased collection of child support obligations. With respect to this study, the department may:

SECTION 2394. 767.395 (5) (a) 1 of the statutes is renumbered 46.25 (10) (a) 1 and amended to read:

46.25 (10) (a) 1. Enter into written agreements with ~~up to 10~~ counties to require the use of ~~immediately effective wage assignments~~ immediate income withholding for child support obligations ~~unless a payer establishes that extraordinary circumstances beyond his or her control prevent fulfillment of the child support obligation or provides sufficient security for payment under the child support order.~~

SECTION 2395. 767.395 (5) (a) 2 of the statutes is renumbered 46.25 (10) (a) 2.

SECTION 2396. 767.395 (5) (a) 3 of the statutes is renumbered 46.25 (9) (d) and amended to read:

46.25 (9) (d) ~~Contract~~ May contract with any clerk of court for the department to receive and disburse court-ordered child support payments and to record all such payments and arrearages in payments if the court or clerk of court so requests.

SECTION 2397. 767.395 (5) (a) 4 of the statutes is renumbered 46.25 (10) (a) 3.

SECTION 2398. 767.395 (5) (b) of the statutes is renumbered 46.25 (10) (b) and amended to read:

46.25 (10) (b) The department shall submit a report to the presiding officer of each house of the legislature no later than June 30, 1986, on the cost-effectiveness and efficiency of ~~immediately effective wage assignments~~ immediate income withholding for child support obligations in the counties with which the department entered into written agreements before July 1, 1984.

SECTION 2399. 767.395 (5) (c) of the statutes is renumbered 46.25 (10) (d).

SECTION 2399m. 767.45 (7) of the statutes is created to read:

767.45 (7) The clerk of court shall provide without charge, to each person bringing an action under this section, except to the state under sub. (1) (g), a document setting forth the percentage standard established by the department of health and social services under s. 46.25 (9) (a) and listing the factors which a court may consider under s. 767.51 (5).

SECTION 2400. 767.455 (4) of the statutes is amended to read:

767.455 (4) SERVICE. The summons and petition shall be served in the manner provided in s. 801.11 (1) (a) or (b) or, notwithstanding s. 990.001 (13), by registered or certified mail, with return receipt signed by the respondent.

SECTION 2400m. 767.455 (6) of the statutes is created to read:

767.455 (6) DOCUMENT. The summons served on the respondent shall be accompanied by a document, provided without charge by the clerk of court, setting forth the percentage standard established by the department of health and social services under s. 46.25 (9) (a) and listing the factors which a court may consider under s. 767.51 (5).

SECTION 2401. 767.51 (3) of the statutes is amended to read:

767.51 (3) The judgment or order may contain any other provision directed against the appropriate party to the proceeding, concerning the duty of support, the custody and guardianship of the child, visitation privileges with the child, the furnishing of bond or other security for the payment of the judgment, or any other matter in the best interest of the child. Unless the court orders otherwise, if there is no presumption of

paternity under s. 891.41 (1) the mother shall have legal custody of the child. The court shall order either party or both to pay for the support of any child of the parties who is less than 19 years old and is pursuing an accredited course of instruction leading to the acquisition of a high school diploma or its equivalent. The judgment or order shall specifically assign responsibility for and direct the manner of payment of the child's medical health care expenses. The judgment or order may direct the father to pay or contribute to the reasonable expenses of the mother's pregnancy and confinement during pregnancy and may direct either party to pay or contribute to the costs of blood tests, attorney fees and other costs. Contributions to the costs of blood tests shall be paid to the county which paid for the blood tests.

SECTION 2402. 767.51 (4m) of the statutes is created to read:

767.51 (4m) Except as provided in sub. (5), the court shall determine child support payments by using the percentage standard established by the department of health and social services under s. 46.25 (9) (a).

SECTION 2403b. 767.51 (5) (intro.) of the statutes is repealed and recreated to read:

767.51 (5) (intro.) Upon request by a party, the court may modify the amount of child support payments determined under sub. (4m) if, after considering the following factors, the court finds by clear and convincing evidence that use of the percentage standard is unfair to the child or to the requesting party:

SECTION 2403d. 767.51 (5) (am) of the statutes is created to read:

767.51 (5) (am) The physical, mental and emotional health needs of the child, including the costs of health insurance and uninsured health care for the child.

SECTION 2403g. 767.51 (5) (b) of the statutes is amended to read:

767.51 (5) (b) The standard of living and circumstances of the parents, including whether a parent receives maintenance payments under s. 767.26 and the needs of each party in order to support himself or herself at a level equal to or greater than that established under 42 USC 9902 (2).

SECTION 2403m. 767.51 (5) (gm) of the statutes is created to read:

767.51 (5) (gm) Any physical custody arrangement ordered or decided upon.

SECTION 2403p. 767.51 (5) (gp) of the statutes is created to read:

767.51 (5) (gp) Extraordinary travel expenses incurred in exercising visitation privileges.

SECTION 2403r. 767.51 (5) (im) of the statutes is created to read:

767.51 (5) (im) The best interests of the child.

SECTION 2406. 767.51 (5) (j) of the statutes is created to read:

767.51 (5) (j) Any other factors which the court in each case determines are relevant to the best interests of the child.

SECTION 2406m. 767.51 (5d) of the statutes is created to read:

767.51 (5d) If the court finds under sub. (5) that use of the percentage standard is unfair to the child or the requesting party, the court:

(a) May consider the guidelines for the determination of child support established by the department of health and social services under s. 46.25 (9) (b), in modifying the amount of child support payments determined under sub. (4m).

(b) Shall state in writing or on the record its reasons for finding that use of the percentage standard is unfair to the child or the party, its reasons for the amount of the modification and the basis for the modification.

SECTION 2407. 767.51 (5m) of the statutes is repealed.

SECTION 2408. 767.51 (5p) of the statutes is created to read:

767.51 (5p) A party ordered to pay child support under this section shall pay simple interest at the rate of 1.5% per month on any amount unpaid, commencing the first day of the 2nd month after the month in which the amount was due. Interest under this subsection is in lieu of interest computed under s. 807.01 (4), 814.04 (4) or 815.05 (8) and is paid to the clerk of court under s. 767.29. The clerk of court shall apply all payments received for child support as follows:

(a) First, to payment of child support due within the calendar month during which the payment is received.

(b) Second, to payment of unpaid child support due before the payment is received.

(c) Third, to payment of interest accruing on unpaid child support.

SECTION 2409. 767.51 (5r) of the statutes is created to read:

767.51 (5r) An order under this section shall direct the person with custody of a minor child to contribute an amount determined under s. 46.257 (6) (b) in the manner determined by the department of health and social services, if the person receives benefits under s. 46.257. This subsection applies between October 1, 1986 and September 30, 1994.

SECTION 2410. 767.53 of the statutes is amended to read:

**767.53 Paternity hearings and records; confidentiality.** Any hearing, discovery proceeding or trial relating to paternity determination shall be closed to any person other than those necessary to the action or proceeding. Any record of the proceedings shall be placed in a closed file, except that access:

(1) Access to the record of any pending or past proceeding involving the paternity of the same child shall

be allowed to the child's parents, the parties and their attorneys or their authorized representatives.

SECTION 2411. 767.53 (2) of the statutes is created to read:

767.53 (2) The clerk of circuit court shall provide information from court records to the department of health and social services under s. 59.395 (7).

SECTION 2412. 786.18 (2) of the statutes is amended to read:

786.18 (2) After ~~such a sale under sub. (1),~~ the court or judge ~~must shall~~ ascertain the present value of ~~such the estate according to the law applicable to annuities~~ and direct the payment of ~~such the~~ sum in gross, or the investment of the proceeds or the proper portion ~~thereof of the proceeds~~ and the payment of the interest ~~therefrom~~ to the person having ~~such the~~ particular estate until the expiration ~~thereof of the estate~~.

SECTION 2413. 800.03 (4) of the statutes is amended to read:

800.03 (4) Notwithstanding sub. (1), a court appearance is required for a violation of a local ordinance in conformity with s. 346.63 (1). If a person fails to make a required appearance under this subsection and the judge issues an arrest warrant, the law enforcement agency which filed the uniform citation and complaint shall file a detailed description of the warrant with ~~the division of law enforcement services~~ of the department of justice.

SECTION 2414. 803.03 (2) (a) of the statutes is amended to read:

803.03 (2) (a) *Joinder of related claims.* A party asserting a claim for affirmative relief shall join as parties to the action all persons who at the commencement of the action have claims based upon subrogation to the rights of the party asserting the principal claim, derivation from the principal claim, or assignment of part of the principal claim. For purposes of this section, a person's right to recover for loss of consortium shall be deemed a derivative right. Any public assistance recipient or any estate of such a recipient asserting a claim against a 3rd party for which the public assistance provider has a right of subrogation or assignment under s. 49.65 (1) or (2) shall join the provider as a party to the claim. Any party asserting a claim based upon subrogation to part of the claim of another, derivation from the rights or claim of another, or assignment of part of the rights or claim of another shall join as a party to the action the person to whose rights the party is subrogated, from whose claim the party derives his or her rights or claim, or by whose assignment the party acquired his or her rights or claim.

SECTION 2415m. 809.25 (2) (a) 1 of the statutes is amended to read:

809.25 (2) (a) 1. For filing an appeal, cross-appeal, petition for review, petition to bypass, or other proceeding, \$50 \$150.

SECTION 2415t. 813.12 (2) of the statutes is amended to read:

813.12 (2) COMMENCEMENT OF ACTION AND RESPONSE. No action under this section may be commenced by complaint and summons. An action under this section may be commenced only by serving a petition described under sub. (5) (a). The action commences with service of the petition upon the respondent and promptly filing if a copy of it the petition is filed before service or promptly after service. A petition may be filed in conjunction with an action affecting the family commenced under ch. 767, but commencement of an action affecting the family or any other action is not necessary for the filing of a petition or the issuance of a temporary restraining order or an injunction. Section 813.06 does not apply to an action under this section. The respondent may respond to the petition either in writing before or at the hearing on the issuance of the injunction or orally at that hearing.

SECTION 2415w. 813.12 (4) (a) 1 of the statutes is amended to read:

813.12 (4) (a) 1. The petitioner ~~has filed~~ files a petition alleging the elements set forth under sub. (5) (a).

SECTION 2418. 814.61 (intro.) and (1) (a) of the statutes are amended to read:

**814.61 Civil actions; fees of the clerk of court.** (intro.) In a civil action, the clerk of court shall collect the fees provided in this section. Unless a specific exemption is provided, a governmental unit, as defined in s. 108.02 (17), shall pay fees under this section. The clerk shall collect the following fees:

(1) (a) At the commencement of all civil actions and special proceedings not specified in ss. 814.62 to 814.66, \$45. ~~This includes actions and proceedings commenced by a governmental unit as defined in s. 108.02 (17), except for~~ does not include any action to determine paternity brought by the state or its delegate under s. 767.45 (1) (g).

SECTION 2419. 814.61 (13) of the statutes is created to read:

814.61 (13) SUPPORT OR MAINTENANCE PETITION. For the cost to the county of administering s. 46.25, whenever a person not receiving aid under s. 49.19, 49.46 or 49.47 files a petition requesting child support, maintenance or family support payments, \$10 in addition to any other fee required under this section. This subsection does not apply to a petition filed by the state or its delegate.

SECTION 2420. 814.62 (intro.) of the statutes is amended to read:

**814.62 Fees in garnishment, wage earner and small claims actions.** (intro.) The clerk of court shall collect the fees provided in this section. Unless a specific exemption is provided, a governmental unit, as defined in s. 108.02 (17), shall pay fees under this section. The clerk shall collect the following fees:

SECTION 2420m. 814.69 (1) and (2) of the statutes are amended to read:

814.69 (1) For a transcript under ~~s. 757.57 (2) or (3) SCR 71.03~~, a fee at the rate of ~~50 cents~~ \$1.50 per 25-line page for the original and ~~15 50 cents~~ per 25-line page for the duplicate. The Except as provided in s. 967.06, the fee shall be paid by the county treasurer upon the certificate of the clerk of court.

(2) For a transcript under s. 757.57 (5), a fee from the party requesting the transcript at the rate of ~~60 cents~~ \$1.75 per 25-line page for the original and ~~20 60 cents~~ per 25-line page for each copy. If the request is by the state or any political subdivision thereof, the fees of the reporter shall be at the rates provided in sub. (1).

SECTION 2423. 818.01 of the statutes is renumbered 818.01 (1) and amended to read:

818.01 (1) No person ~~shall~~ may be arrested in a ~~civil actions~~ action except as prescribed by this chapter, ~~but this provision shall not apply to proceedings for contempt.~~

SECTION 2424. 818.01 (2) of the statutes is created to read:

818.01 (2) Arrest of a person subject to contempt proceedings under ch. 785 may, but need not, be in accordance with the procedure under this chapter.

SECTION 2425. 818.02 (1) (e) of the statutes is amended to read:

818.02 (1) (e) In a proceeding to enforce the duty of child support under s. 52.10 or maintenance.

SECTION 2426. 818.02 (1) (f) of the statutes is amended to read:

818.02 (1) (f) In a proceeding to determine paternity or establish a child support or maintenance obligation, if the court or family court commissioner finds that the petitioner cannot effect service of process upon the respondent despite due diligence on the part of the petitioner or after the respondent is personally served but fails to appear on the return date, on the date set for the pretrial hearing or on the date set for the trial.

SECTION 2427. 842.11 (2) of the statutes is amended to read:

842.11 (2) If, under sub. (1), all or part of the property is subject to a life estate, and after the life estate is valued ~~according to s. 879.65~~, the life tenant and the owners whose interests are being partitioned all file in court an agreement or agreements, executed so as to be entitled to record, stating that the life tenant be paid such value from the proceeds of sale, the referee shall so report to the court, recommending sale clear of such life estate.

SECTION 2428. 853.40 (2) (d) of the statutes is amended to read:

853.40 (2) (d) After death. A person's right to disclaim survives the person's death and may be exercised by the person's personal representative or special administrator upon receiving approval from the court

having jurisdiction of ~~such~~ the person's estate after hearing upon notice to all interested persons if the personal representative or special administrator has not taken any action which would bar the right to disclaim under sub. (7) (a) and if the right to disclaim is not otherwise barred under sub. (7) (b) or (c).

SECTION 2429. 853.40 (7) (b) of the statutes is renumbered 853.40 (7) (c).

SECTION 2430. 853.40 (7) (b) of the statutes is created to read:

853.40 (7) *Payment of debt.* A person's right to disclaim property or an interest in property is barred if there is a pending proceeding under s. 863.46 for the payment of a debt.

SECTION 2431. 859.07 of the statutes is amended to read:

**859.07 Notice; publication.** Notice of the time within which creditors may present their claims and of the time when the claims, as set by the court or probate registrar under informal administration proceedings, will be examined and adjusted by the court shall be given by publication, under s. 879.05 (4), and may be given with the notice for granting letters. No date for examination and adjustment need be given in informal administration proceedings. The first insertion shall be made within 15 days of the date of the order setting the time. In addition ~~to the foregoing~~, if the decedent was at the time of death or at any time prior thereto a patient or inmate of any state or county hospital or institution or any person responsible for any obligation owing to the state or county under s. 46.03 (18), 46.10 or 48.36, notice in writing of the time within which creditors may present their claims and of the time when the claims will be examined, shall be sent by registered or certified mail to the department of health and social services and the county clerk of the applicable county of legal settlement not less than 30 days before such examination, upon such blanks and containing such information as the department or county clerk may provide. Prior to January 1, 1987, the applicable county is the county of legal settlement. On or after January 1, 1987, the applicable county is the county of residence, as defined in s. 49.01 (8g).

SECTION 2432. 859.15 of the statutes is amended to read:

**859.15 Effect of statute of limitations.** A Except as provided in ss. 46.10 (11), 49.08 and 49.195 (1), a claim shall not be allowed which was barred by any statute of limitations at the time of the decedent's death. A claim shall not be barred by statutes of limitation which was not barred at the time of the decedent's death if the claim is filed against the decedent's estate in the court within the time limited for filing claims.

SECTION 2433. 863.05 of the statutes is amended to read:

**863.05 Execution and levies by creditors of distributees prohibited.** No Except as provided in s. 863.46, no

garnishment, attachment or execution ~~shall~~ may issue against nor ~~shall~~ may any levy be made against any property of the estate under any judgment or cause of action against any distributee of the estate.

SECTION 2434. 863.46 of the statutes is created to read:

**863.46 Remedy of creditors of certain heirs and legatees; service of citation.** (1) If any legacy or distributive share of any estate belongs to any debtor who has absconded from or is a nonresident of this state, any of his or her creditors may petition to intervene in the probate proceedings to compel the application of the legacy or distributive share to the payment of his or her debt.

(2) If the appearance of the debtor is necessary for the proceedings, the creditor may serve the debtor with a citation in the manner provided by s. 879.05.

(3) Upon proof of service, the court shall consider the petition at the time fixed in the citation. The court may grant such relief as it determines is just. Any order, judgment or determination made in the proceedings is binding on the debtor. If the claim is not a judgment and any issue arises in the proceedings related to the debt, the court may stay the proceedings pending the final determination of the issue. The court may at any time require the petitioner to give a bond in such sum and with such sureties for costs and damages as it deems proper.

SECTION 2435. 879.65 of the statutes is repealed.

SECTION 2435m. 880.04 (2) (a) of the statutes is amended to read:

880.04 (2) (a) Deposit in a savings account in a bank, the payment of whose accounts in cash immediately upon default of the bank are insured by the federal deposit insurance corporation; or invest in the stock of a savings and loan association, payment of whose stock by substitution of stock in another and similar savings and loan association is insured by the federal savings and loan insurance corporation, in case of default in payment; or deposit in a savings account in a credit union having its deposits guaranteed by the Wisconsin credit union savings insurance corporation or by the national ~~credit union administration board~~, as defined in s. 186.01 (3m). The fee for the clerk's services in depositing and disbursing the funds under this paragraph is prescribed in s. 814.61 (12) (a).

SECTION 2436m. 895.46 (1) (e) of the statutes is created to read:

895.46 (1) (e) All employees of any museum operated by a nonprofit corporation under a lease agreement with the state historical society, and all officers and directors of such a corporation, are covered by this subsection as if they were state historical society employees.

SECTION 2437m. 895.52 (1) (g) of the statutes is amended to read:

895.52 (1) (g) "Recreational activity" means any outdoor activity undertaken for the purpose of exer-

cise, relaxation or pleasure, including practice or instruction in any such activity. "Recreational activity" includes, but is not limited to, hunting, fishing, trapping, camping, picnicking, exploring caves, nature study, bicycling, horseback riding, bird-watching, motorcycling, operating an all-terrain vehicle, ballooning, hang gliding, hiking, tobogganing, sledding, sleigh riding, snowmobiling, skiing, skating, water sports, sight-seeing, rock-climbing, cutting or removing wood, climbing observation towers, animal training, harvesting the products of nature and any other outdoor sport, game or educational activity, but does not include any organized team sport activity sponsored by the owner of the property on which the activity takes place.

SECTION 2438. 939.66 (4m) of the statutes is created to read:

939.66 (4m) A crime of failure to timely pay child support under s. 940.27 (2) when the crime charged is failure to pay child support for more than 120 days under s. 940.27 (1); or

SECTION 2440. 940.203 (3) of the statutes is amended to read:

940.203 (3) No parent, legal guardian or other person exercising temporary or permanent control of a child may knowingly permit, allow or encourage the child to engage in sexually explicit conduct which is filmed, photographed, videotaped, recorded for sound or displayed in any way.

SECTION 2441. 940.205 of the statutes is created to read:

**940.205 Battery or threat to department of revenue employe.** (1) In this section, "family member" means a parent, spouse, sibling, child, stepchild or foster child.

(2) Whoever intentionally causes bodily harm or threatens to cause bodily harm to the person or family member of any department of revenue official, employe or agent under all of the following circumstances is guilty of a Class D felony:

(a) At the time of the act or threat, the actor knows or should have known that the victim is a department of revenue official, employe or agent or a member of his or her family.

(b) The official, employe or agent is acting in an official capacity at the time of the act or threat or the act or threat is in response to any action taken in an official capacity.

(c) There is no consent by the person harmed or threatened.

SECTION 2442m. 940.27 of the statutes is created to read:

**940.27 Failure to support.** (1) In this section:

(a) "Child support" means an amount which a person is legally obligated to provide under s. 49.90, 767.25 or 767.51.

(b) "Spousal support" means an amount which a person is legally obligated to provide under s. 49.90 or 767.26.

(2) Any person who intentionally fails for 120 or more consecutive days to provide spousal or child support which the person knows or reasonably should know the person is legally obligated to provide is guilty of a Class E felony.

(3) Any person who intentionally fails for less than 120 consecutive days to provide spousal or child support which the person knows or reasonably should know the person is legally obligated to provide is guilty of a Class A misdemeanor.

(4) Under this section, the following is prima facie evidence of intentional failure to provide child or spousal support:

(a) For a person subject to a court order requiring child or spousal support payments, failure to pay any child or spousal support payment required under the order.

(b) For a person not subject to a court order requiring child or spousal support payments, failure to provide support equal to at least the amount set forth under s. 49.19 (11) (a) 1 or causing a spouse or child to become a dependent person as defined in s. 49.01 (2).

(5) Under this section, it is not a defense that child or spousal support is provided wholly or partially by any other person.

(6) Under this section, affirmative defenses include but are not limited to inability to provide child or spousal support. A person may not demonstrate inability to provide child or spousal support if the person is employable but, without reasonable excuse, either fails to diligently seek employment, terminates employment or reduces his or her earnings or assets.

(7) (a) Before trial, upon petition by the complainant and notice to the defendant, the court may enter a temporary order requiring payment of child or spousal support.

(b) In addition to or instead of imposing a penalty authorized for a Class E felony or a Class A misdemeanor, whichever is appropriate, the court shall:

1. If a court order requiring the defendant to pay child or spousal support exists, order the defendant to pay the amount required including any amount necessary to meet a past legal obligation for support and, if appropriate, modify that order.

2. If no court order described under subd. 1 exists, enter such an order after considering s. 767.25.

(c) An order under par. (a) or (b) constitutes an income assignment under s. 767.265 and may be enforced under s. 767.30. Any payment ordered under par. (a) or (b) shall be made in the manner provided under s. 767.29.

SECTION 2446. 943.015 of the statutes is created to read:

**943.015 Criminal damage; threat; property of department of revenue employe.** (1) In this section,

“family member” means a parent, spouse, sibling, child, stepchild or foster child.

(2) Whoever intentionally causes or threatens to cause damage to any physical property which belongs to a department of revenue official, employe or agent or his or her family member under all of the following circumstances is guilty of a Class D felony:

(a) At the time of the act or threat, the actor knows or should have known that the person whose property is damaged or threatened is a department of revenue official, employe or agent or a member of his or her family.

(b) The official, employe or agent is acting in an official capacity at the time of the act or threat or the act or threat is in response to any action taken in an official capacity.

(c) There is no consent by the person whose property is damaged or threatened.

SECTION 2447. 968.20 (3) (a) of the statutes is amended to read:

968.20 (3) (a) First class cities shall dispose of firearms or ammunition seized 12 months after taking possession of them if the owner, authorized under sub. (1m), has not requested their return and if the firearm or ammunition is not required for evidence or use in further investigation and has not been disposed of pursuant to a court order at the completion of a criminal action or proceeding. Disposition procedures shall be established by ordinance or resolution and may include provisions authorizing an attempt to return to the rightful owner any firearms or ammunition which appear to be stolen or are reported stolen. If enacted, any such provision shall include a presumption that if the firearms or ammunition appear to be or are reported stolen an attempt will be made to return the firearms or ammunition to the authorized rightful owner. If the return of the seized firearm or ammunition is not requested by its authorized rightful owner under sub. (1) and is not returned by the officer under sub. (2), the seized firearm or ammunition shall be shipped to and become property of the state crime ~~laboratory. The administrator or a laboratories. A~~ person designated by the administrator department of justice may destroy any material for which the laboratory has no use or arrange for the exchange of material with other public agencies. In lieu of destruction, shoulder weapons for which the ~~laboratory has laboratories have~~ no use shall be turned over to the department of natural resources for sale and distribution of proceeds under s. 29.06.

SECTION 2448. 968.20 (3) (b) of the statutes is amended to read:

968.20 (3) (b) Except as provided in par. (a) or sub. (4), the custodian of a seized firearm or ammunition, if the firearm or ammunition is not required for evidence or use in further investigation and has not been disposed of pursuant to a court order at the completion of a criminal action or proceeding, shall make reasonable efforts to notify all persons who have or may

have an authorized rightful interest in the firearm or ammunition of the application requirements under sub. (1). If, within 30 days after the notice, an application under sub. (1) is not made and the seized firearm or ammunition is not returned by the officer under sub. (2), the seized firearm or ammunition shall be shipped to and become the property of the state crime ~~laboratory. The administrator or a laboratories. A~~ person designated by the administrator department of justice may destroy any material for which the ~~laboratory has laboratories have~~ no use or arrange for the exchange of material with other public agencies. In lieu of destruction, shoulder weapons for which the laboratory has no use shall be turned over to the department of natural resources for sale and distribution of proceeds under s. 29.06.

SECTION 2449. 968.20 (3) (c) of the statutes is repealed.

SECTION 2450. 971.14 (2) (a) of the statutes is amended to read:

971.14 (2) (a) The court shall appoint one or more examiners having the specialized knowledge determined by the court to be appropriate to examine and report upon the condition of the defendant. If an inpatient examination is determined by the court to be necessary, the defendant may be committed to a suitable mental health facility for the examination period specified in par. (c), which shall be deemed days spent in custody under s. 973.155. If the examination is to be conducted by the department, the court shall order the individual to the facility designated by the department.

SECTION 2451. 971.39 of the statutes is created to read:

**971.39 Deferred prosecution program; agreements with department.** (1) In counties having a population of less than 100,000, if a defendant is charged with a crime, the district attorney, the department and a defendant may all enter into a deferred prosecution agreement which includes, but is not limited to, the following conditions:

(a) The agreement shall be in writing, signed by the district attorney or his or her designee, a representative of the department and the defendant.

(b) The defendant admits, in writing, all of the elements of the crime charged.

(c) The defendant agrees to participate in therapy or in community programs and to abide by any conditions imposed under the therapy or programs.

(d) The department monitors compliance with the deferred prosecution agreement.

(e) The district attorney may resume prosecution upon the defendant's failure to meet or comply with any condition of a deferred prosecution agreement.

(f) The circuit court shall dismiss, with prejudice, any charge which is subject to the agreement upon the completion of the period of the agreement, unless prosecution has been resumed under par. (e).

(2) Any written admission under sub. (1) (b) and any statement relating to the crime under sub. (1) (intro.), made by the person in connection with any discussions concerning deferred prosecution or to any person involved in a program in which the person must participate as a condition of the agreement, are not admissible in a trial for the crime.

SECTION 2451m. 973.011 (1) of the statutes is amended to read:

973.011 (1) Be based primarily on sentencing experience in this state to the extent sufficient data is available. The rules shall set forth the methodology for calculating recommended sentence lengths for terms of confinement expressed in ranges of months but need not include the actual recommended sentence lengths. The commission shall determine, periodically revise and make available to the public actual recommended sentence lengths calculated using the methodology set forth in the rules. The rules shall indicate the likelihood that the offender would be placed on probation or incarcerated according to sentencing experience in this state.

SECTION 2453. 973.06 (1) (e) of the statutes is amended to read:

973.06 (1) (e) Attorney fees payable to the defense attorney by the county or the state. If the court determines at the time of sentencing that the defendant's financial circumstances are changed, the court may adjust the amount in accordance with s. 977.07 (1) (a) and (2) (a).

SECTION 2467. 977.001 of the statutes is repealed.

SECTION 2467g. 977.02 (3) of the statutes is amended to read:

977.02 (3) Promulgate rules regarding the determination of indigency of persons entitled to be represented by counsel, including the time period in which the determination must be made and the criteria to be used to determine indigency and partial indigency.

SECTION 2467m. 977.02 (4) of the statutes is renumbered 977.02 (5).

SECTION 2467r. 977.02 (4) of the statutes is created to read:

977.02 (4) Promulgate rules regarding the determination of payments required of persons found to be indigent in part.

SECTION 2468. 977.06 (1) of the statutes is renumbered 977.06 and amended to read:

**977.06 Personnel.** The state public defender shall appoint all staff necessary for the carrying out of the duties of the office, all of whom shall be under the classified service except the deputy state public defender, 2 division administrators and the attorney positions in the office. ~~The state public defender shall designate one of the division administrators as the deputy state public defender.~~

SECTION 2469. 977.07 (1) (b) of the statutes is repealed and recreated to read:

977.07 (1) (b) For referrals not made under ss. 809.30 and 974.06, a representative of the state public defender is responsible for making indigency determinations unless the county became responsible under s. 977.07 (1) (b) 2 or 3, 1983 stats., for these determinations. Subject to the provisions of par. (bn), those counties may continue to be responsible for making indigency determinations. Any such county may change the agencies or persons who are designated to make indigency determinations only upon the approval of the state public defender.

SECTION 2470a. 977.07 (1) (bn) of the statutes is amended to read:

977.07 (1) (bn) Notwithstanding par. (b), if the state public defender board determines that ~~timeliness~~ standards under s. 977.02 (3) are not being met or that there is a pattern of improper denial of indigency findings in a county, the state public defender board shall transfer indigency determination authority in the county to the state public defender. In addition, if less than 100% of the cases at the trial level are assigned to private bar attorneys in a county, the public defender board may transfer indigency determination authority in the county to the state public defender.

SECTION 2471a. 977.07 (2) of the statutes is renumbered 977.07 (2) (a) and amended to read:

977.07 (2) (a) The representative of the state public defender or the authority for indigency determinations specified under ~~s. 977.07 sub. (1)~~ making a determination of indigency shall ascertain the assets of the person which exceed the amount needed for the payment of reasonable and necessary expenses incurred, or which must be incurred to support the person and the person's immediate family. The assets shall include disposable income, cash in hand, stocks and bonds, bank accounts and other property which can be converted to cash within a reasonable period of time and is not needed to hold a job, or to shelter, clothe and care for the person and the person's immediate family. Assets which cannot be converted to cash within a reasonable period of time, such as a person's home, car, household furnishings, clothing and other property which has been declared exempt from attachment or execution by law, shall be calculated to be assets equivalent in dollars to the amount of the loan which could be, in fact, raised by using these assets as collateral. If the person's assets, less reasonable and necessary living expenses, are not sufficient to cover the anticipated cost of effective representation when the length and complexity of the anticipated proceedings are taken fully into account, the person shall be determined to be indigent in full or in part. The determination of the ability of the person to contribute to the cost of legal services shall be based upon specific written standards relating to income, assets and the anticipated cost of representation. If found to be indigent in full or in part, the person shall be promptly informed of the state's right to payment or recoupment under s. 48.275 (2) or, 757.66 or 973.06 (1)



(e), and the possibility that ~~such~~ the payment of attorney fees may be made a condition of probation, should the person be placed on probation. Furthermore, if found to be indigent in part, the person shall be promptly informed of the extent to which he or she will be expected to pay for counsel, and whether ~~such~~ the payment shall be in the form of a lump sum payment or periodic payments. The person shall be informed that the payment amount may be adjusted if his or her financial circumstances change by the time of sentencing. The payment and payment schedule shall be set forth in writing. Payments for services of the state public defender or other counsel provided under this chapter made pursuant to this subsection shall be paid to the state public defender for deposit in the state treasury. Under this subsection, reasonable and necessary living expenses equal the applicable payment amount under s. 49.19 (11) (a) 1 plus other specified, emergency or essential costs and the cost of posting bond to obtain release. The representative or authority making the determination of indigency shall consider any assets of the spouse of the person claiming to be indigent as if they were assets of the person, unless the spouse was the victim of a crime allegedly committed by the person.

SECTION 2472. 977.07 (2) (b) of the statutes is created to read:

977.07 (2) (b) Unless the court has made an adjustment under s. 973.06 (1) (e), upon determination at the conclusion of a case that a person's financial circumstances are changed, the state public defender may adjust the amount of payment for counsel under par. (a) in accordance with par. (a) and sub. (1) (a).

SECTION 2473. 977.08 (4) of the statutes is amended to read:

977.08 (4) At the conclusion of each case, any private local attorney who has been appointed shall submit a copy of his or her bill to the state public defender. The state public defender shall review the bill and reject it or approve it in whole or in part. The state public defender shall then pay the bill according to the ~~rate~~ rates under sub. (4m). Any attorney dissatisfied with the decision of the state public defender regarding the bill may have the decision reviewed by the board. This subsection does not apply if the attorney is working under an agreement authorized under s. 977.02 (7m).

SECTION 2474a. 977.08 (4m) of the statutes is amended to read:

977.08 (4m) ~~Private~~ For cases assigned prior to September 1, 1986, private local attorneys shall be paid ~~\$35~~ \$40 per hour for time spent in court ~~and \$25;~~ \$30 per hour for other time spent out of court, excluding travel, related to a case; and \$25 per hour for time spent in travel related to a case if any portion of the trip is outside the county in which the attorney's principal office is located. For cases assigned on or after September 1, 1986, private local attorneys shall be paid \$45 per hour for time spent in court; \$35 per hour

for time spent out of court, excluding travel, related to a case; and \$25 per hour for time spent in travel related to a case if any portion of the trip is outside the county in which the attorney's principal office is located.

SECTION 2475a. 977.08 (5) of the statutes is repealed and recreated to read:

977.08 (5) (a) The purpose of this subsection is to provide standards for use in budgetary determinations.

(b) Any of the following constitutes an annual caseload standard for an assistant state public defender in the subunit responsible for trials:

1. Felony cases: 184.5.
2. Misdemeanor cases: 492.
3. Cases not covered under subd. 1 or 2: 246.

SECTION 2476a. 977.08 (6) of the statutes is repealed.

SECTION 2477e. Laws of 1947, chapter 518, section 3 (new paragraph), as created by 1983 Wisconsin Act 27, section 1799e, is repealed.

SECTION 2477g. Laws of 1947, chapter 518, section 3 (approximate mileage) (TOTAL), as last amended by 1983 Wisconsin Act 27, is amended to read:

(Laws of 1947, chapter 518) Section 3 (approximate mileage).

TOTAL ~~1,028.15~~ 1,025.15

SECTION 2477gg. Laws of 1947, chapter 518, section 3 (approximate mileage) (TOTAL), as last amended by 1983 Wisconsin Act 27, as affected by 1985 Wisconsin Act .... (this act), is amended to read:

(Laws of 1947, chapter 518) Section 3 (approximate mileage).

TOTAL ~~1,025.15~~ 1,021.15

SECTION 2477m. Laws of 1977, chapter 178, section 17 (1), as last affected by chapter 20, laws of 1981, is renumbered section 17 (1) (a) and amended to read:

(Laws of 1977, chapter 178) Section 17 (1) (a) Section 111.70 (1) (nm), (3) (a) 7 and (b) 6, (4) (cm) and (7m) of the statutes, as created by this act, shall be in effect from ~~the effective date of this act~~ January 1, 1978, until July 1, ~~1987~~ 1991, and after that date are void, except as provided in paragraph (b) and except that any collective bargaining negotiations and any petition, action or proceeding under such provisions in respect to such negotiations pending on July 1, 1987 1991, shall continue to be subject to such provisions, until finally settled between the parties or adjudicated by arbitration, the employment relations commission or a court of competent jurisdiction.

SECTION 2477n. Laws of 1977, chapter 178, section 17 (1) (b) is created to read:

(Laws of 1977, chapter 178) Section 17 (1) (b) Commencing on January 1, 1992, section 111.70 (1) (nm), (3) (a) 7 and (b) 6, (4) (cm) and (7m) of the statutes, as shown by the text in effect on June 30, 1991,

shall be in effect, unless the legislature by law causes such provisions to take effect at an earlier date.

SECTION 2478. Laws of 1977, chapter 418, section 923 (42) is repealed.

SECTION 2478m. Laws of 1979, chapter 111, sections 2m, 5m and 18 (2) are repealed.

SECTION 2479g. Laws of 1981, chapter 234, section 2 (1) is amended to read:

(Laws of 1981, chapter 234) Section 2 (1) CHANGE OF LOCATION ON THE STATE TRUNK HIGHWAY SYSTEM. ~~Notwithstanding any other provision of law, the~~ The department of transportation is directed to change the location of the state trunk highway in the county of Milwaukee extending from the intersection with Car Ferry Drive southerly along the proposed route of the Lake Freeway to the intersection with Layton Avenue to a new location extending from the southerly terminus of the Daniel Webster Hoan Memorial Bridge southerly on or, if necessary, adjacent to the Chicago and Northwestern Railroad right-of-way to the intersection with East Layton Avenue, a total of approximately 3.0 miles.

SECTION 2479m. Laws of 1981, chapter 234, section 2 (2) (a) is amended to read:

(Laws of 1981, chapter 234) Section 2 (2) (a) ~~Notwithstanding any other provision of law, the~~ The county of Milwaukee, acting as agent for the state, ~~shall~~ may dispose of interests in lands and property previously acquired and held in trust for the state for the Lake Freeway South in the Milwaukee County Expressway System, ~~except those lands and property which may be necessary for a surface arterial highway of not more than 60 feet in surface width at the new location designated under subsection (1),~~ by conveyance or otherwise under such terms as the county of Milwaukee, with the approval of the secretary of transportation, deems reasonable and in the public interest. ~~As used in this paragraph, "surface width" means that portion of the highway, exclusive of shoulders, for the movement of vehicles. The lands and property to be retained shall be determined by the county of Milwaukee and the department of transportation.~~

SECTION 2480. Laws of 1981, chapter 234, section 2 (2) (b) is amended to read:

(Laws of 1981, chapter 234) Section 2 (2) (b) Any proceeds received from the disposition of interests in lands and property under this subsection shall be deposited in the state transportation fund. Any reimbursement from those proceeds to federal and local governments for expenditures incurred in acquiring such interests shall be made from the appropriation under section 20.395 (9) (qd) of the statutes. This paragraph does not apply to the reimbursement of the county of Milwaukee under paragraph (c).

SECTION 2481g. Laws of 1981, chapter 234, section 2 (2) (c) is created to read:

(Laws of 1981, chapter 234) Section 2 (2) (c) In lieu of the procedures under paragraphs (a) and (b), the

department of transportation may convey to the county of Milwaukee interests in the lands and property previously acquired and held in trust for the state by the department of transportation for the Lake Freeway South as reimbursement for Lake Freeway South project development costs and for expenditures incurred in acquiring lands and property under this subsection.

SECTION 2481i. Laws of 1981, chapter 317, section 2006 (1) (am), as last affected by 1983 Wisconsin Act 97, is amended to read:

(Laws of 1981, chapter 317) Section 2006 (1) (am) In chapter 20, laws of 1981, section 2006 (1) (c), under projects financed by general fund supported borrowing, the amount authorized for the correctional institution under section 46.05 (1n) of the statutes is ~~increased~~ decreased from \$2,700,000 to ~~\$13,600,000~~ \$1,600,000 and the appropriate totals are adjusted accordingly.

SECTION 2481m. 1983 Wisconsin Act 16, sections 2g, 2m and 2n are repealed.

SECTION 2481r. 1983 Wisconsin Act 27, section 2002 (2) is repealed.

SECTION 2482. 1983 Wisconsin Act 27, section 2020 (3) is repealed.

SECTION 2482m. 1983 Wisconsin Act 27, section 2020 (17) (c) 3 is repealed.

SECTION 2483. 1983 Wisconsin Act 27, section 2051 (1s) is repealed.

SECTION 2483g. 1983 Wisconsin Act 27, section 2051 (7m) (b) 2 is amended to read:

(1983 Wisconsin Act 27) Section 2051 (7m) (b) 2. ~~Notwithstanding any other provision of law, upon~~ Upon approval of the disposition plan by the secretary of development, the governmental unit or units designated under the plan to carry out the disposition, acting as agent for the state, shall dispose of all interest in lands and property previously acquired and held in trust for the state for the Stadium Freeway South in the Milwaukee county expressway system by conveyance or otherwise as provided in the disposition plan and under such terms as the governmental unit or units deem reasonable and in the public interest. The governmental unit or units may dispose of the lands and property by public or private sale or by conveying, without charge, the lands and property to the municipality in which the lands and property are located. ~~As nearly as is practicable, the~~ The disposition of lands and property under this subdivision shall be completed by ~~December 31, 1984~~ January 1, 1986.

SECTION 2484. 1983 Wisconsin Act 27, section 2055 (1) is amended to read:

(1983 Wisconsin Act 27) Section 2055 (1) AGENT ORANGE STUDY. The department of veterans affairs shall facilitate a study of the effects of agent orange on Wisconsin Vietnam era veterans. The department of veterans affairs shall contract with the department of health and social services for the study under this sub-

section. The department of veterans affairs shall cooperate with and assist the department of health and social services in the study by providing the information requested by the department of health and social services. The study shall consist of a proportionate mortality study to determine incidence and cause of death of Wisconsin Vietnam era veterans and a cohort study which will compare a group of Wisconsin Vietnam era veterans who served in Vietnam with a group of Wisconsin Vietnam era veterans who did not serve in Vietnam. ~~By December 1, 1984, the department of health and social services shall file a status report on the study with the department of veterans affairs, the joint committee on finance and the department of administration. By June 30 December 31, 1985, the department of health and social services shall submit the results of the study to the department of veterans affairs, the joint committee on finance and the department of administration.~~

SECTION 2485. 1983 Wisconsin Act 27, section 2204 (47) (a) 2 is amended to read:

(1983 Wisconsin Act 27) Section 2204 (47) (a) 2. The repeal of section 20.575 (1) (gm) of the statutes takes effect on June 30, ~~1985~~ 1986.

SECTION 2487. 1983 Wisconsin Act 381, section 4 is repealed.

SECTION 2487m. 1983 Wisconsin Act 391, section 13 (1) is amended to read:

(1983 Wisconsin Act 391) Section 13 (1) In the case of a retirement system or insurance plan in existence on ~~the effective date of this act September 1, 1984,~~ containing a provision which would violate section 111.33 of the statutes, as affected by this act, the treatment of that section by this act does not apply to that provision until ~~2 years after the effective date of this act the date provided in 1985 Wisconsin Act .... (Assembly Bill 85), section 3204 (intro.).~~

SECTION 2488. 1983 Wisconsin Act 413, section 4 (7) (a) is amended to read:

(1983 Wisconsin Act 413) Section 4 (7) (a) The department shall issue a final report presenting the findings and recommendations of the study created by this act ~~within one year after the effective date of this act by December 31, 1985.~~ The final report shall include any comments on the report prepared by the commission or the division of state energy in the department of administration.

SECTION 2488g. 1983 Wisconsin Act 522, section 1 (title) and (1) (title) and (a) (intro.) are repealed.

SECTION 2488h. 1983 Wisconsin Act 522, section 1 (1) (a) 1 to 3 are renumbered 49.80 (1) (b), (d) and (e) of the statutes and amended to read:

49.80 (1) (b) "Dwelling" means the residence of a person who is eligible for assistance under 42 USC 8621 to 8629 low-income warm room program volunteer.

(d) "Program Low-income warm room program materials" include a removable, insulated radiator

blanket, a portable remote control thermostat and other cost-efficient materials or repairs necessary to achieve maximum heating efficiency in a dwelling.

(e) "Program Low-income warm room program volunteer" means a person who is eligible for assistance under 42 USC 8621 to 8629, whose dwelling, in comparison to the dwellings of other persons eligible for assistance under 42 USC 8621 to 8629, has a high ratio of space to occupant, and who volunteers to take the training under ~~paragraph sub. (2) (b),~~ to cooperate with the department of health and social services in the installation and operation of low-income warm room program materials in his or her dwelling and to cooperate with the department in the study under ~~subsection (2) sub. (10).~~

SECTION 2488k. 1983 Wisconsin Act 522, section 1 (1) (b) is renumbered 49.80 (2) (b) of the statutes and amended to read:

49.80 (2) (b) The department of health and social services shall ~~establish~~ administer a low-income warm room program to install low-income warm room program materials in the dwellings of low-income warm room program volunteers and to train the low-income warm room program volunteers and the members of each low-income warm room program volunteer's household in the operation of the low-income warm room program materials to achieve maximum health and heating efficiency.

SECTION 2488L. 1983 Wisconsin Act 522, section 1 (2) is renumbered 49.80 (10) of the statutes and amended to read:

49.80 (10) (title) STUDY OF THE LOW-INCOME WARM ROOM PROGRAM. The department of ~~health and social services~~ shall conduct a study of the impact of the low-income warm room program established administered under ~~subsection (1) sub. (2) (b)~~ on the heating efficiency of each dwelling participating in the low-income warm room program and on human health and safety. The department shall submit ~~an interim report a final report~~ on the results of the study to the joint committee on finance ~~no later than March 1, 1985, and a final report~~ no later than August 1, 1985.

SECTION 2488m. 1983 Wisconsin Act 522, section 1 (3) (title) is repealed.

SECTION 2488n. 1983 Wisconsin Act 522, section 1 (3) is renumbered 49.80 (3) (e) 2 of the statutes and amended to read:

49.80 (3) (e) 2. Notwithstanding section 16.54 (2) (b) of the statutes, as created by Wisconsin Act 27, from the appropriation under section 20.435 (4) (md) of the statutes, as affected by the acts of 1983, the department of health and social services shall expend, from moneys received under 42 USC 8621 to 8629 and transferred to the weatherization program under the plan approved by the joint committee on finance under section 16.54 (2) (b), up to \$10,000 in the 1983-85 biennium for the Allocate the following from the moneys reserved for the provision of weatherization under subd. 1, for administration of the low-income

warm room program ~~established set forth~~ under ~~sub-section (1)~~ sub. (2) (b):

a. In federal fiscal year 1986, \$10,000.

b. In federal fiscal year 1987, \$10,000.

SECTION 2489m. 1985 Wisconsin Act 12, section 14 (2) is amended to read:

(1985 Wisconsin Act 12) Section 14 (2) The treatment of section 70.09 (3) (b) and (e) of the statutes and SECTION 13 of this act take effect on January 1, ~~1988~~ 1986.

**SECTION 3001. Nonstatutory provisions; administration.**

(1) **CRIME LABORATORY.** Employees transferred under this act to the department of justice for support operations at the state crime laboratory in Milwaukee have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of justice which they enjoyed in the department of administration immediately prior to the transfer.

(3) **INDIRECT COST REIMBURSEMENTS.** No later than October 1, 1986, the secretary of administration shall report to the joint committee on finance concerning any federal indirect cost reimbursements, as defined in section 16.54 (9) (a) 2 of the statutes, as created by this act, that are requested to be transferred to the general fund by state agency heads.

(4) **BUILDING CONSTRUCTION SERVICES.** Notwithstanding section 20.505 (1) (a) and (ka) of the statutes and section 20.505 (1) (kc) of the statutes, as created by this act, the department of administration may continue to finance building construction services from the appropriations under section 20.505 (1) (a) and (ka) of the statutes in whole or in part during the 1985-87 fiscal biennium.

(5) **CENTERS FOR THE DEVELOPMENTALLY DISABLED.** Notwithstanding SECTION 3023 (15) (a) 2 of this act, the department of administration may adjust the reimbursement limits under SECTION 3023 (15) (a) 2 of this act, as necessary to reflect actual increases associated with application of a master salary schedule, the cost of state employer contributions for state employee fringe benefits or pay equity adjustments.

(6) **TELECOMMUNICATIONS SYSTEM MODIFICATIONS.** Of the moneys appropriated to the department of administration under section 20.505 (1) (ke) of the statutes by this act, \$205,200 in fiscal year 1985-86 and \$2,067,500 in fiscal year 1986-87 may not be expended until the joint committee on finance approves a final state telecommunications system redesign plan submitted to the committee by the secretary of administration.

(7) **FEDERAL SURPLUS PROPERTY DISTRIBUTION.** The department of administration shall prepare a plan for the orderly discontinuance of one or more federal surplus property distribution centers under subchapter VIII of chapter 16 of the statutes. The plan shall address issues related to the consolidation of property

distribution activities and the continued provision of federal property distribution services on a geographical basis if one or more distribution centers are discontinued. The secretary of administration shall transmit the plan to the joint committee on finance in time to permit review and approval of the plan at the committee's last regularly scheduled meeting under section 13.10 of the statutes in 1985.

(8) **RADIOLOGICAL INSPECTIONS.** The department of administration and the department of health and social services shall submit to the office of the governor and to the joint committee on finance no later than January 1, 1987, a written report on any change necessary in the practices of this state which are related to assessing utilities owning nuclear generating facilities for radiological inspection, monitoring or emergency response planning activities and which are in effect on the date the report is completed.

(9) **REPORT ON VOCATIONAL, TECHNICAL AND ADULT EDUCATION DISTRICT ADMINISTRATIVE POSITIONS.** By July 1, 1986, the department of administration shall submit a report to the joint committee on finance specifying the number, classifications and salary and benefit levels of vocational, technical and adult education district administrative positions. In preparing the report, the department of administration shall utilize standard classifications for administrative positions, including administrators, clerical positions and coordinators.

(10) **STATE ACCOUNTING PROJECT.** Of the moneys appropriated under section 20.505 (1) (a) of the statutes by this act, \$820,000 in fiscal year 1986-87 may not be expended and, of the full-time equivalent positions authorized for the department of administration in fiscal year 1986-87 under this act, 5.0 GPR positions may not be filled until:

(a) The attorney general issues an opinion concerning whether unbudgeted liabilities of the state must be funded under an accounting reporting format conforming to generally accepting accounting principles if the state's budget is in balance on a cash basis;

(b) Following receipt of the opinion, the secretary of administration submits a report to the joint committee on finance containing an analysis of the options available to implement a state accounting system based on generally accepted accounting principles or to upgrade the existing state accounting system; and

(c) Following receipt of the report, the joint committee on finance authorizes expenditure of the moneys and filling of the positions.

**SECTION 3003. Nonstatutory provisions; agriculture, trade and consumer protection.**

(1) **LAND CONSERVATION BOARD; GUIDELINES FOR SOIL AND WATER CONSERVATION STANDARDS.** Prior to January 1, 1986, the land conservation board shall develop guidelines for soil and water conservation standards and shall prepare procedures for submission of these standards, filing of notices of noncompliance and related actions.

(2) SOIL EROSION CONTROL PROGRAM STUDY. The department of agriculture, trade and consumer protection shall conduct an evaluation of the soil erosion control program. The department of agriculture, trade and consumer protection shall submit a summary of this evaluation together with any recommendations to the speaker of the assembly and the president of the senate on or before September 1, 1986.

(3) STATE FAIR PARK BOARD. Notwithstanding section 15.135 (1) of the statutes, as affected by this act, one of the initial members of the state fair park board appointed under section 15.135 (1) of the statutes, as affected by this act, shall be appointed for a term expiring on May 1, 1986; one of the initial members shall be appointed for a term expiring on May 1, 1987; one of the initial members shall be appointed for a term expiring on May 1, 1988; one of the initial members shall be appointed for a term expiring on May 1, 1989; and one of the initial members shall be appointed for a term expiring on May 1, 1990. Thereafter, all members of the state fair park board shall serve for terms prescribed in section 15.135 (1) of the statutes, as affected by this act. Members appointed under section 15.135 (1) of the statutes prior to the effective date of this subsection shall serve until their successors are appointed and qualify.

(4) DIRECT MARKETING PROGRAM. In the 1985-86 fiscal year, the department of agriculture, trade and consumer protection shall establish a direct marketing program for the purpose of assisting farm operators in marketing farm products directly to consumers and wholesalers. The department shall:

(a) Compile and distribute, free of charge, a statewide marketing directory listing all of the following:

1. The name, location and type of each farm operation.
2. The kinds of farm products available from the farm operation.
3. The approximate harvesting dates.

(b) Assist in the establishment and maintenance of local farmers markets.

(c) Explore and develop alternative marketing approaches.

**SECTION 3004. Nonstatutory provisions; arts board.**

(1m) FOLK ARTS COORDINATOR POSITION. The authorized FTE positions for the arts board are increased by 1.0 FED position on the effective date of this subsection until June 30, 1986, to be funded from the appropriation under section 20.215 (1) (m), for coordinating the folk arts program.

**SECTION 3007. Nonstatutory provisions; building commission; authorized state building program.**

(1) For the 1985-87 fiscal biennium, the state building program shall be as follows:

(a) Department of administration	
Projects financed by general fund supported borrowing:	
State capitol restoration	\$ 4,000,000
Projects financed by existing general fund supported borrowing:	
Statewide telecommunications equipment	20,000,000
Projects financed by revenue obligation borrowing:	
Milwaukee lakefront parking facility	12,000,000
Agency totals:	
General fund supported borrowing	4,000,000
Existing general fund supported borrowing	20,000,000
Revenue obligation borrowing	<u>12,000,000</u>
Total - All sources of funds	\$ 36,000,000
(b) Educational communications board	
Projects financed by gifts, grants and other receipts:	
Instructional television fixed service transmitters	\$ 1,056,900
Projects financed by building trust funds:	
Minor projects	349,900
Agency totals:	
Gifts, grants and other receipts	1,056,900
Building trust funds	<u>349,900</u>
Total - All sources of funds	\$ 1,406,800

(c)	Department of health and social services	
	Projects financed by general fund supported borrowing:	
	Ethan Allen food service building	\$ 3,297,000
	Winnebago Sherman hall toilet remodeling	306,000
	Minor projects	500,000
	Projects financed by building trust funds:	
	Minor projects	46,000
	Agency totals:	
	General fund supported borrowing	4,103,000
	Building trust funds	<u>46,000</u>
	Total - All sources of funds	\$ 4,149,000
(d)	State historical society	
	Projects financed by existing general fund supported borrowing:	
	Museum exhibits and remodeling	\$ 1,500,000
	Agency totals:	
	Existing general fund supported borrowing	<u>1,500,000</u>
	Total - All sources of funds	\$ 1,500,000
(e)	Department of military affairs	
	Projects financed by general fund supported borrowing:	
	Adjutant general's office addition	\$ 975,000
	Armory construction and rehabilitation (3 locations)	615,200
	(Total project all funding sources \$2,308,200)	
	Projects financed by federal funds:	
	Armory storage buildings	880,000
	Armory construction and rehabilitation (3 locations)	1,693,000
	(Total project all funding sources \$2,308,200)	
	Projects financed by building trust funds:	
	Minor projects	265,000
	Agency totals:	
	General fund supported borrowing	1,590,200
	Federal funds	2,573,000
	Building trust funds	<u>265,000</u>
	Total - All sources of funds	\$ 4,428,200
(f)	Department of natural resources	
	Projects financed by general fund supported borrowing:	
	Park Falls area office	\$ 135,000
	(Total project all funding sources \$595,000)	
	Projects financed by ORAP supported borrowing:	
	Kinnickinnic park development	200,000
	Peninsula park sewage treatment facilities	800,000
	Devils Lake south shore redevelopment	550,000
	(Total project all funding sources \$800,000)	
	Pike Lake park improvements	312,500
	Cottage Grove - Waukesha trail development	300,000
	Projects financed by building trust funds:	
	Park Falls area office	40,000
	(Total project all funding sources \$595,000)	
	Projects financed by segregated funds:	
	Park Falls area office	420,000
	(Total project all funding sources \$595,000)	
	Minor projects	942,000
	Projects financed by ORAP funds:	
	Minor projects	1,205,300

	Projects financed by federal funds:	
	Devils Lake south shore redevelopment	250,000
	(Total project all funding sources \$800,000)	
	Agency totals:	
	General fund supported borrowing	135,000
	ORAP supported borrowing	2,162,500
	Building trust funds	40,000
	Segregated funds	1,362,000
	ORAP funds	1,205,300
	Federal funds	<u>250,000</u>
	Total - All sources of funds	\$ 5,154,800
(g)	Department of public instruction	
	Projects financed by general fund supported borrowing:	
	School for visually handicapped music building	\$ 390,000
	Projects financed by building trust funds:	
	Minor projects	72,100
	Agency totals:	
	General fund supported borrowing	390,000
	Building trust funds	<u>72,100</u>
	Total - All sources of funds	\$ 462,100
(h)	Department of transportation	
	Projects financed by segregated fund supported revenue obligation borrowing:	
	State patrol academy - phase 2	\$ 2,500,000
	Oshkosh drivers license facility	450,700
	Fond du Lac drivers license facility	597,000
	Milwaukee drivers license facilities	2,000,000
	Projects financed by segregated funds:	
	Minor projects	917,400
	Agency totals:	
	Segregated fund supported revenue obligation borrowing	5,547,700
	Segregated funds	<u>917,400</u>
	Total - All sources of funds	\$ 6,465,100
(i)	Department of veterans affairs	
	Projects financed by gifts, grants and other agency receipts:	
	Quadrangle park improvements	\$ 550,000
	Projects financed by building trust funds:	
	Minor projects	227,000
	Projects financed by federal funds:	
	Minor projects	71,000
	Agency totals:	
	Gifts, grants and other agency receipts	550,000
	Building trust funds	227,000
	Federal funds	<u>71,000</u>
	Total - All sources of funds	\$ 848,000
(j)	University of Wisconsin system	
	Projects financed by general fund supported borrowing:	
	University of Wisconsin system - minor projects	\$ 3,500,000
	Eau Claire - McPhee phy. ed. addition	5,439,000
	LaCrosse - Mitchell hall phy. ed. remodeling	1,080,000
	Madison - Memorial library addition	5,900,000
	- Mechanical engineering addition	2,535,000
	- Large animal holding facility	2,100,000
	- Hydraulics remodeling - phase 4	1,540,000
	- Police and security facility	1,650,000

	- Electrical distribution system improvements	775,000	
	- Chilled water system controls	2,000,000	
Milwaukee	- Golda Meir library remodeling	1,090,000	
	- Chilled water system modifications	1,585,000	
Oshkosh	- Polk library remodeling	1,400,000	
Platteville	- Ottensman hall remodeling	1,100,000	
River Falls	- Hunt phy. ed. addition	3,646,000	
Stevens Point	- Paper science addition	2,100,000	
Stout	- University services building	1,971,000	
	<del>Platteville - Physical education addition and remodeling</del>	<del>5,400,000</del>	Vetoed in Part
	- Steam line extension	35,000	
	(Total project all funding sources \$1,380,000)		
Whitewater	- Anderson library computer center addition	4,200,000	
	Extension - WHA-TV transmission equipment replacement	1,725,000	
	Projects financed by existing general fund supported borrowing:		
	Oshkosh - Ceramics laboratory relocation	280,000	
	Superior - Erlanson hall remodeling	974,000	
	Projects financed by existing program revenue borrowing:		
	Madison - Clinical sciences center radiology facility addition	3,250,000	
	Projects financed by program revenue:		
	Madison - Hospital and clinics warehouse acquisition	600,000	
	- Parking lot 60 reconstruction - phase 2	681,500	
	- Union south red oak grill addition	300,000	
Milwaukee	- City/university parking structure	800,000	
	(Total project all funding sources \$2,450,000)		
	- Student center plaza enclosure	2,100,000	
	- Cramer street parking lot	300,000	
	- Union/EMS parking structure	1,398,000	
	- Capitol/Humboldt U-park lot improvements	500,000	
Oshkosh	- Reeve memorial union air conditioning	840,000	
Platteville	- Student center elevator and addition	506,400	
Stout	- Steam line extension	1,345,000	
	(Total project all funding sources \$1,380,000)		
Whitewater	- University center addition	4,100,000	
	Projects financed by gifts, grants and other receipts:		
	Madison - Crew house addition - phase 2	431,000	
	- Dan McClimon memorial track improvements - phase 2	285,000	
Milwaukee	- City/university parking structure	1,650,000	
	(Total project all funding sources \$2,450,000)		
	Agency totals:		
	General fund supported borrowing	50,867,300	
	Existing general fund supported borrowing	1,254,000	
	Existing program revenue borrowing	3,250,000	
	Program revenue	13,470,900	
	Gifts, grants and other receipts	2,366,000	
	Total - All sources of funds	\$ 71,208,200	
(k)	Funding available to all agencies		
	Projects financed by general fund supported borrowing:		
	Minimum maintenance program	\$ 26,500,000	
	(Total program all funding sources \$29,200,000)		



Health, safety and environment program	7,500,000
Energy conservation program	10,000,000
Removal of architectural barriers program	1,500,000
(Total program all funding sources \$4,500,000)	
Advance land acquisition	2,500,000
Projects financed by capital improvement fund interest earnings:	
Minimum maintenance program	2,700,000
(Total program all funding sources \$29,200,000)	
Projects financed by program revenues:	
Removal of architectural barriers program	3,000,000
(Total program all funding sources \$4,500,000)	
All agency totals:	
General fund supported borrowing	48,000,000
Capital improvement fund interest earnings	2,700,000
Program revenues	<u>3,000,000</u>
Total - All sources of funds.	\$ 53,700,000
(m) Summary	
Total of general fund supported borrowing	\$109,085,500
Total existing general fund supported borrowing	22,754,000
Total existing program revenue borrowing	3,250,000
Total ORAP supported borrowing	2,162,500
Total revenue obligation borrowing	12,000,000
Total segregated fund supported revenue obligation borrowing	5,547,700
Total building trust funds	1,000,000
Total capital improvement fund interest earnings	2,700,000
Total program revenue	16,470,900
Total ORAP funds	1,205,300
Total segregated funds	2,279,400
Total gifts, grants and other receipts	3,972,900
Total federal funds	<u>2,894,000</u>
Total - All sources of funds	\$185,322,200

(2) In addition to the projects and financing authority enumerated under subsection (1), the building and financing authority enumerated under previous authorized state building programs is continued in the 1985-87 biennium.

(3) The state building commission may establish and modify project priorities for the minor project enumerations under subsection (1) and may, within the total funding provided for minor projects, revise the amount of building trust funds allocated among agencies.

(4) The financing authority under subsection (1) (k) for minimum maintenance, health, safety and environment, energy conservation, removal of architectural barriers, total facilities performance projects and advance land acquisition and for telecommunications equipment under subsection (1) (a) may be allocated by the commission among state agencies for the purposes specified without further enumeration for projects exceeding \$250,000.

(6) The commission may make loans to state agencies not funded by general purpose revenues for projects authorized under subsection (1) (k).

(7) With the approval of the commission, the university of Wisconsin-Madison may sell, exchange or

otherwise dispose of the former neurology and rehabilitation hospital property located at 1954 East Washington Avenue in Madison, Wisconsin, and may use the proceeds for the acquisition and remodeling of the primate center property located at 33-35 Orchard Court and 1214-1220 Capitol Court, Madison, Wisconsin. In addition, any federal funds received may be utilized to remodel the primate center property.

(8) The university of Wisconsin-Madison may acquire the property located on the southwest corner of University Avenue and Park Street at 905 University Avenue in Madison, Wisconsin, at a cost of not more than \$1,100,000 plus interest and closing costs, from funds included in its operating budget, with payments for the purchase of the building to be made over a period of not to exceed 6 years.

(9) (a) The enumeration of the accelerator addition at Stoughton, Wisconsin, in chapter 29, laws of 1977, section 1606c (1) (a), is modified to include funding for an addition to the Aladdin storage ring and other necessary ancillary additions for the operation, support or enhancement of the Aladdin storage ring, provided that all funding for the construction is provided from gifts, grants or other non-GPR university receipts.

(b) Notwithstanding sections 16.705 and 16.75 (1), (2) and (2m) of the statutes, for the construction and equipment of the Aladdin storage ring addition, at an estimated cost of \$6,500,000, the university of Wisconsin-Madison may enter into a construction management contract for the building and a single source purchase agreement for the equipment with Scanditronix, Inc.

(10) The commission shall release planning funds to complete the architectural design for the entire Lapham hall science center project upon the completion of a space management and utilization plan by the university of Wisconsin-Milwaukee that is satisfactory to the commission. This authorization is granted in anticipation that the total Lapham hall science center project will be given major priority for funding in the 1987-89 biennium.

(11) The commission may give tentative approval to the remodeling of Burns Clemens hall at the Wisconsin veterans home at King, Wisconsin, as part of the 6-year project planning report for the department of veterans affairs, and may authorize the department to make an application for federal matching funds for future construction of the project.

(12) Notwithstanding section 20.924 of the statutes, the commission may, during the 1985-87 biennium, approve the construction of projects costing in excess of \$250,000 but not enumerated in subsection (1) if all of the following conditions are met:

(a) The projects are funded from federal grants, private gift funds or other nonstate sources of funds.

(b) The commission determines that such action is in the best interests of the state.

(c) The joint committee on finance approves the projects.

(13) The revenue obligation borrowing authority under subsection (1) (a) for the Milwaukee lakefront parking facility as part of a Milwaukee lakefront park is approved with the understanding that there will be joint concurrence of the city of Milwaukee, county of Milwaukee and the commission on the design of the entire facility.

(14) The \$20,000,000 of general obligation bonds authorized in section 20.866 (2) (ym) of the statutes for statewide telecommunications equipment under subsection (1) (a) may not be issued by the commission until the joint committee on finance approves a final state telecommunications system redesign plan submitted to the committee by the secretary of administration and the general obligation bonds may be issued only in the amount approved by the joint committee on finance for the plan.

(15) The commission may approve the exchange of existing department of natural resources field station lands and facilities in Sturgeon Bay for other lands and facilities under terms and conditions which are acceptable to the department.

(16) In addition to the projects enumerated under subsection (1) (j), a dairy product and market develop-

ment center at the university of Wisconsin-Madison may be constructed with any funds available for this purpose under SECTION 3153 (1) of this act.

**SECTION 3008. Nonstatutory provisions; child abuse and neglect prevention board.**

(1) FUND RAISING. In the 1985-87 biennium, the child abuse and neglect prevention board shall give priority to establishing activities directed toward raising funds from private sources.

(2) EXPENDITURE FOR ADDITIONAL POSITION. Of the amounts in the schedule under section 20.433 (1) (g) of the statutes, no moneys may be expended for an additional 1.0 FTE PR staff position until the child abuse and neglect prevention board reports to the joint committee on finance that a total of at least \$15,000 in federal aid and in contributions, grants, gifts and bequests has been received by the board and credited to the appropriations under section 20.433 (1) (m) and (q) of the statutes, and the joint committee on finance approves the expenditure at a regular quarterly meeting under section 13.10 of the statutes.

**SECTION 3009. Nonstatutory provisions; circuit courts.**

(1) CHILD SUPPORT, FAMILY SUPPORT OR MAINTENANCE; INCOME WITHHOLDING NOTIFICATION. (a) No later than April 1, 1987, each clerk of court shall give the department of health and social services the name and last-known address of each person ordered by a court in this state, or required by a stipulation approved by a court in this state, to pay child support, family support or maintenance.

(b) No later than July 1, 1987, the department of health and social services shall notify, in writing, each person identified under paragraph (a) that his or her income may be withheld if he or she does not pay child support, family support or maintenance.

(2) SUPPORT OBLIGATION. The treatment of section 767.51 (3) of the statutes by this act relating to support of a child who is less than 19 years old applies to any child support order entered before, on or after the effective date of this subsection.

**SECTION 3011. Nonstatutory provisions; court of appeals.**

(1) ADDITIONAL JUDGE. Notwithstanding section 752.04 of the statutes, the initial election for a 4th judge for district IV of the court of appeals shall be at the spring election of 1986, for a term commencing August 1, 1986, and ending July 31, 1991. Thereafter, the terms provided in section 752.04 of the statutes apply. At the spring election of 1986 in district IV, candidates may file nomination papers for one seat only, and must specify on those papers whether the judgeship for which they are filing is for the 5-year term or the 6-year term. Notwithstanding section 5.58 (2) (b) of the statutes, the candidates at the election in district IV shall be designated on the ballot as follows: "For Court of Appeals Judge, 5-year term" and "For Court of Appeals Judge, 6-year term". Notwithstanding section 8.11 (3) of the statutes, a primary shall be

held if more than 2 candidates file nomination papers for any of the judgeships in that district.

**SECTION 3014. Nonstatutory provisions; development.**

(1) **FORWARD WISCONSIN, INC., REPORT.** The department of development shall submit its first report under section 16.501 of the statutes, as created by this act, no later than the effective date of this subsection.

(2) **HOUSING PROGRAMS.** (a) On the effective date of this paragraph, all records of the department of development relating to housing programs, except records relating to housing loan programs under section 560.04 (3) of the statutes, as renumbered by this act, are transferred to the Wisconsin housing and economic development authority.

(b) The department of development may agree with the Wisconsin housing and economic development authority to transfer the interest of the department of development in any contract relating to housing programs, except a contract relating to housing loan programs under section 560.04 (3) of the statutes, as renumbered by this act, to the Wisconsin housing and economic development authority.

(3) **HOUSING REHABILITATION LOANS.** The treatment of section 560.06 of the statutes by this act does not permit a loan under that section to finance housing rehabilitation which was commenced before the effective date of this subsection and which was not an eligible rehabilitation under section 560.06 (1) (d), 1983 stats., when commenced.

(4) **HAZARDOUS WASTE RECYCLING PLAN.** The department of development shall prepare a plan for the creation of financial incentives to promote the recycling of hazardous wastes and shall submit the plan to the presiding officer of each house of the legislature by January 1, 1986.

(6) **VIDEO PRODUCTIONS.** Of the amounts appropriated under section 20.143 (2) (b) of the statutes, \$50,000 shall be spent in fiscal year 1985-86 and \$50,000 shall be spent in fiscal year 1986-87 to develop video productions highlighting reasons to travel to this state, including but not limited to historic sites, ethnic attractions and artistic and cultural resources. The department of development shall develop video production specifications and solicit video production proposals from departments specializing in communication arts in the university of Wisconsin system. If the department of development accepts a video production proposal, the department of development and the university of Wisconsin system department submitting the proposal shall jointly develop the video production.

(6m) **INTERNATIONAL TRADE CENTER STUDY.** The department of development may contract with an independent expert consultant to prepare a study regarding whether it is feasible to maintain an international trade center in a city of the 1st class and if so, where to locate that center within that city. The

department may expend not more than \$20,000 from the appropriation under section 20.143 (2) (b) of the statutes to fund this study except that the department must obtain from each of the following, and expend upon the study, an amount equal to the amount expended from the appropriation under section 20.143 (2) (b) of the statutes:

(a) Each city of the 1st class.

(b) Each county having a population of more than 500,000.

(c) Representatives of the private sector.

(7a) **MANAGEMENT TRAINING PROGRAMS.** (a) *Legislative declaration.* The legislature reaffirms the commitment of the people of this state to produce goods and provide services of high quality in the public and private sectors. The legislature finds that, to help businesses located in this state successfully compete in the world economy by producing higher-quality goods and to enable state and local governmental units in this state to more efficiently provide higher-quality services to the public, it is necessary and desirable to provide financial and technical assistance relating to management techniques, as provided under section 560.093 of the statutes, as created by this act.

(b) *Evaluation.* The secretary of development shall evaluate the effectiveness of the programs offered under section 560.093 of the statutes, as created by this act, in improving the quality of goods and services produced or provided in this state. If applicable, the evaluation shall include a description of the effect of the programs upon improving the manner in which agencies, as defined in section 230.03 (3) of the statutes, carry out responsibilities under sections 227.016 and 560.43 of the statutes. No later than January 30, 1988, the secretary of development shall present this evaluation in writing to the presiding officer of each house of the legislature.

(c) *Grant.* From the appropriation to the department of development under section 20.143 (4) (d) of the statutes, as created by this act, the department shall provide grants which provide to the university of Wisconsin system not less than \$38,000 in fiscal year 1985-86 and not less than \$40,000 in fiscal year 1986-87.

(7r) **INDUSTRIAL RESEARCH PARK STUDY.** The department of development may expend not more than \$150,000 in fiscal year 1985-86, from the appropriation under section 20.143 (1) (a) of the statutes, to fund a study of the marketing, feasibility and engineering planning of an industrial research park in Kenosha county. The department shall contract with an independent expert consultant to carry out this study.

**SECTION 3015. Nonstatutory provisions; educational communications board.**

(1) **INITIAL APPOINTMENTS.** Of the initial appointments to the educational communications board under section 15.57 (2), (3) and (5) of the statutes, as affected by this act, one member shall be appointed

for a term expiring on July 1, 1986; one member shall be appointed for a term expiring on July 1, 1987; one member shall be appointed for a term expiring on July 1, 1988; and 2 members shall be appointed for terms expiring on July 1, 1989.

(2) COUNCIL ON INSTRUCTIONAL TELECOMMUNICATIONS. Notwithstanding section 15.377 (3) of the statutes, as created by this act, 3 of the initial members of the council on instructional telecommunications shall be appointed for terms expiring on July 1, 1986; 3 of the initial members shall be appointed for terms expiring on July 1, 1987; 4 of the initial members shall be appointed for terms expiring on July 1, 1988; and 3 of the initial members shall be appointed for terms expiring on July 1, 1989. Thereafter, all members of the council on instructional telecommunications shall be appointed for terms specified under section 15.377 (3) of the statutes, as created by this act.

(3) COUNCIL ON PUBLIC TELEVISION. Of the initial appointments to the council on public television under section 15.577 (2) of the statutes, as created by this act, one member shall be appointed for a term expiring on July 1, 1986; one member shall be appointed for a term expiring on July 1, 1987; one member shall be appointed for a term expiring on July 1, 1988; and 2 members shall be appointed for terms expiring on July 1, 1989.

(4) CAPITAL EQUIPMENT PURCHASES. Of the amount in the schedule for the appropriation under section 20.225 (1) (a) of the statutes, \$675,000 for fiscal year 1985-86 may not be encumbered or expended until the educational communications board submits an allocation plan to the joint committee on finance and the joint committee on finance approves the expenditure. The educational communications board shall consult with the board of regents of the university of Wisconsin system in formulating the allocation plan.

(5m) PARK FALLS WEATHER TRANSMITTER. From the appropriation under section 20.225 (1) (a) of the statutes, the educational communications board shall allocate \$72,100 for fiscal year 1985-86 to fund a 24-hour weather transmitter for the Park Falls area.

(5q) INSTRUCTIONAL TELEVISION FIXED SERVICE. (a) Of the amounts in the schedule for the appropriation under section 20.225 (1) (a) of the statutes, \$113,400 in the 1985-86 fiscal year and \$127,300 in the 1986-87 fiscal year for operation of instructional television fixed service may not be encumbered or expended until the secretary of administration approves the expenditure.

(b) Of the amounts in the schedule for the appropriation under section 20.225 (1) (f) of the statutes, \$99,200 in the 1985-86 fiscal year and \$178,500 in the 1986-87 fiscal year for operation of instructional television fixed service may not be encumbered or expended until the secretary of administration approves the expenditure.

**SECTION 3017. Nonstatutory provisions; employe trust funds.**

(1) AUTOMATED OPERATING SYSTEM. Notwithstanding section 20.001 (3) (c) of the statutes, the moneys appropriated under section 20.515 (1) (t) of the statutes in the 1985-87 fiscal biennium may not be expended unless the department of employe trust funds submits a request to the secretary of administration and the secretary proposes to authorize expenditure of the funds and so notifies the joint committee on finance in writing of the proposed authorization. The secretary of administration may proceed with the proposed authorization if within 14 working days after the notification the joint committee on finance does not schedule a meeting for the purpose of reviewing the secretary of administration's proposed authorization. If the joint committee on finance schedules a meeting for the purpose of reviewing the proposed expenditure, the authorization shall not be made unless the joint committee on finance approves the expenditure.

(2) EXECUTIVE SERVICE EXEMPTIONS. Notwithstanding section 40.02 (30) of the statutes, the revisor of statutes serving on the effective date of this subsection and the secretary of veterans affairs serving on the effective date of this subsection are deemed, as of July 1, 1983, and May 1, 1985, respectively, to be participants who are not elected officials, executives or protective occupation participants. The revisor of statutes serving on the effective date of this subsection, the secretary of veterans affairs serving on the effective date of this subsection, the revisor of statutes bureau and the department of veterans affairs shall each make contributions as required under section 40.05 of the statutes as if this subsection had been in effect on July 1, 1983, and May 1, 1985, respectively.

**SECTION 3019. Nonstatutory provisions; employment relations department.**

(1) BOARD ON AGING AND LONG-TERM CARE STAFF. The secretary of employment relations shall study the duties and pay ranges of the unclassified service positions for the executive director and staff of the board on aging and long-term care, and the pay ranges of classified service positions to which similar duties are assigned, to determine whether the unclassified service positions for the executive director and staff of the board on aging and long-term care are appropriately compensated. The secretary shall complete this study and submit recommendations to the secretary of administration no later than April 30, 1986. Notwithstanding section 230.12 (10) of the statutes, as created by this act, until the report of the secretary of employment relations required under subsection (3) is implemented through statutory changes, a pay adjustment for any of the positions described in this subsection may be made if the secretary of employment relations approves the adjustment after determining that, according to the information provided in the study under this subsection, the adjustment is appropriate.

(2) CORRECTING PAY INEQUITIES. The secretary of employment relations shall begin correcting pay ineq-

uities based on gender or race in the state civil service system in fiscal year 1986-87. Before the secretary begins correcting pay inequities, the secretary shall submit to the joint committee on employment relations a detailed proposal describing how the secretary intends to reassign classifications to pay ranges, approve assignments of academic staff job categories to pay ranges by the board of regents of the university of Wisconsin system and make pay equity adjustments. The joint committee on employment relations may approve, modify or disapprove the proposal. If the joint committee approves the proposal as submitted by the secretary or as modified by the joint committee, the secretary may implement the proposal for correcting pay inequities.

(2m) CORRECTING PAY INEQUITIES; APPLICATION. The treatment by this act of sections 36.09 (1) (k), 230.09 (1) (intro.) and (2) (b) and (bp) and 230.12 (1) (b) and (3) (a) of the statutes applies only to persons employed in the state classified service and in the academic staff of the university of Wisconsin system.

~~(2p) UNIFORM PAY EQUITY. (a) In this subsection, "task force on comparable worth" means the task force on comparable worth, created by executive order 44, dated January 25, 1984.~~

~~(b) The secretary of employment relations shall reassign to the appropriate pay range each classification and academic staff job category which the final report of the task force on comparable worth demonstrates is assigned to a pay range lower or higher than the pay range appropriate for the skill, effort, responsibility and working conditions required for the classification or academic staff job category.~~

~~(c) To correct pay inequities based on gender or race, the secretary of employment relations shall evaluate and take appropriate steps for all classifications and academic staff job categories demonstrated by the final report of the task force on comparable worth to be assigned to a pay range higher than the pay range appropriate for the skill, effort, responsibility and working conditions required for the classification or academic staff job category, to achieve the proper level of compensation.~~

~~(d) Compensation for all classifications and academic staff job categories shall be calculated taking into account all classifications and academic staff categories and taking into account the relationship between the job evaluation point totals and the salaries of all classifications and academic staff categories.~~

(3) UNCLASSIFIED SERVICE POSITIONS. The secretary of employment relations shall identify each salaried position in the state unclassified civil service which is not assigned to an executive salary group, except any such position in the office of the governor or lieutenant governor, in the university of Wisconsin system except for a position identified in section 20.923 (8) or (9) of the statutes, in the legislature, in a service agency under subchapter IV of chapter 13 of the statutes or in the courts, and any elective constitutional officer's ste-

nographer position under section 230.08 (2) (g) of the statutes. For each identified position, the secretary of employment relations shall determine the appropriate executive salary group to which to assign the position, determine the appropriate classification in the state classified civil service classification plan to which to allocate the position or determine that the appointing authority shall set the salary for the position subject to any restrictions in the statutes. The secretary of employment relations shall provide the department of administration with a report and with recommendations for statutory changes to be included in the 1987-89 executive budget bill in order to implement the secretary's determinations.

(4) MANAGEMENT TRAINING. The secretary of employment relations or the secretary's designee shall participate in the programs offered under section 560.093 of the statutes, as created by this act. Participation shall include attending one or more of these programs and training appropriate department staff in the management techniques discussed.

SECTION 3022. Nonstatutory provisions; governor.

(1) GOVERNOR'S EMPLOYMENT AND TRAINING OFFICE. (a) Except as provided in subsection (2) (a), on the effective date of this paragraph, all equipment, supplies and records of the governor's employment and training office are transferred to the department of industry, labor and human relations.

(b) On the effective date of this paragraph, all positions and the employes occupying them in the governor's employment and training office are transferred to the department of industry, labor and human relations. Employes transferred under this paragraph to the department of industry, labor and human relations have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of industry, labor and human relations which they enjoyed in the governor's employment and training office immediately before the transfer.

(c) Except as provided in subsection (2) (b), all contracts entered into by the governor's employment and training office in effect on the effective date of this paragraph remain in effect and are transferred to the department of industry, labor and human relations. The department of industry, labor and human relations shall carry out any of these contractual obligations.

(d) On the effective date of this paragraph, the unencumbered balances of the appropriations to the governor's employment and training office under section 20.532 (1) (m), (mn) and (mp) of the statutes are transferred to the department of industry, labor and human relations under section 20.445 (1) (ma), (mb) and (mc) of the statutes.

(2) YOUTH INITIATIVES PROGRAM. (a) On the effective date of this paragraph, all equipment, supplies and records of the governor's employment and train-

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ing office relating to the youth initiatives program are transferred to the department of public instruction.

(b) All contracts relating to the youth initiatives program entered into by the governor's employment and training office in effect on the effective date of this paragraph remain in effect and are transferred to the department of public instruction. The department of public instruction shall carry out any contractual obligations under these contracts.

(3) **MANAGEMENT TRAINING.** The governor or the governor's designee shall participate in the programs offered under section 560.093 of the statutes, as created by this act. Participation shall include attending one or more of these programs and training staff of the office of the governor in the management techniques discussed.

(4g) **POSITION AUTHORIZATIONS.** The authorized FTE positions for the office of the governor are increased by 2.0 GPR positions on the effective date of this subsection, to be funded from the appropriation under section 20.525 (1) (a) of the statutes, for the purpose of supporting constituent relations functions.

**SECTION 3023. Nonstatutory provisions; health and social services.**

(1) **COMMUNITY YOUTH AND FAMILY AIDS FUNDING.** Within the limits of the availability of federal funds and of the appropriations under section 20.435 (4) (cd) and (oo) of the statutes, as affected by this act, the department of health and social services shall allocate funds for community youth and family aids for the period beginning July 1, 1985, and ending June 30, 1987, as provided in this subsection to county departments of public welfare and social services or to community human services boards as follows:

(a) For community youth and family aids under section 46.26 of the statutes, amounts not to exceed \$15,696,700 for the last 6 months of 1985, \$32,178,000 for 1986 and \$16,296,700 for the first 6 months of 1987. From the amounts distributed under this paragraph, each county shall receive an annual base allocation equal to its base allocation in the previous year, as modified in accordance with section 46.26 (3) (cm) of the statutes. If the funding period is for 6 months, each county's base allocation shall be equal to 50% of its base allocation for the previous year, as modified in accordance with section 46.26 (3) (cm) of the statutes.

(b) For adjustments to base allocations to compensate for increases in per person daily cost assessments, amounts not to exceed \$553,700 for the last 6 months of 1985, \$1,444,000 for 1986 and \$922,800 for the first 6 months of 1987. The department of health and social services shall allocate funds under this paragraph in accordance with the requirements of section 46.26 (3) (d) of the statutes.

(c) For adjustments to the community portion of the community youth and family aids base allocation under paragraph (a) to cover cost increases of services, amounts not to exceed \$395,600 for 1986 and \$401,500 for the first 6 months of 1987. The depart-

ment of health and social services shall allocate these funds by use of a formula which gives equal weight to the county's percentage of the total statewide juvenile population, the average Part I law enforcement apprehension of juveniles for 1975 through 1978, as defined by the uniform crime reporting system of the Wisconsin criminal justice information crime and arrest report of the crime information bureau of the department of justice, and the average juvenile correctional placements with the department of health and social services for 1975 through 1978.

(d) For emergencies related to community youth and family aids under section 46.26 of the statutes, amounts not to exceed \$125,000 for the last 6 months of 1985, \$250,000 for 1986 and \$125,000 for the first 6 months of 1987.

(e) For adjustments under section 46.26 (3) (f) of the statutes to base allocations, amounts equal to \$65,400 for 1986 and \$50,000 for the first 6 months of 1987. The department of health and social services shall allocate funds under this paragraph in accordance with the requirements of section 46.26 (3) (f) of the statutes.

(2) **JUVENILE CORRECTIONS CALCULATIONS.** The department of health and social services shall convert from a calendar year calculation to a fiscal year calculation under section 20.435 (3) (hm) and (ho) of the statutes by calculating separately the period from January 1, 1985, to June 30, 1985.

(3) **COMMUNITY AIDS FUNDING.** Within the limits of available federal funds and of the appropriations under section 20.435 (4) (b) and (o) of the statutes, the department of health and social services shall allocate to county departments of public welfare and social services, to boards established under sections 46.23, 51.42 and 51.437 of the statutes, to a private, non-profit organization that provides training for minority alcohol and drug abuse counselors and to private non-profit child care providers as authorized under section 46.98 (2) (a) 2 of the statutes funds for community social, mental health, mental retardation, alcohol and other drug abuse and developmental disabilities services for the period beginning July 1, 1985, and ending June 30, 1987, as follows:

(a) *Basic county allocation.* 1. For social services under section 49.52 (1) (d) of the statutes and services under section 51.42 (8) (b) of the statutes, the department of health and social services shall allocate not more than \$113,376,500 for the last 6 months of 1985, not more than \$217,975,600 for 1986 and not more than \$112,225,600 for the first 6 months of 1987, plus any amounts transferred to this paragraph from paragraphs (g) and (km).

2. From the amounts specified under subdivision 1 for 1985, the department of health and social services shall allocate to each county for the last 6 months of 1985 an amount equal to its basic county allocation for the first 6 months of 1985 under sections 49.52 (1) (d) and 51.42 (8) (b) of the statutes.

3. From the amount specified under subdivision 1 for 1986, the department of health and social services shall allocate to each county an amount that shall be determined by the following calculations:

a. Subtract from the county's total basic county allocation for 1985 the total amounts allocated to the county for supportive home care in 1985 and the amounts allocated to the county under 1983 Wisconsin Act 208, section 3, as an adjustment to its basic allocation.

b. Add to the amount under subdivision 3. a the amounts allocated to the county in 1985 for respite care projects.

c. Add to the result under subdivision 3. b an amount which will allocate the remaining funds as an equal percentage increase to each county.

4. From the amount specified for the first 6 months of 1987, the department of health and social services shall allocate to each county an amount which provides the same percentage of funds under subdivision 1 as the county received in 1986, based on subdivision 3.

(as) *County adjustments under the community aids formula.* 1. For social services under section 49.52 (1) (d) of the statutes and services under section 51.42 (8) (b) of the statutes, the department of health and social services shall allocate not more than \$125,800 for the first 6 months of 1987, based on the allocation formula specified under subdivision 2.

2. For the first 6 months of 1987 the department of health and social services shall allocate the funds specified in subdivision 1 based on the amounts, if any, by which the basic county allocation and supportive home care allocation of any county for 1985, as determined by the department of health and social services, are less than 75% of the allocations the county would have received if these allocations were determined by using the factors specified under paragraph (bm) 3. a to c.

(bm) *Categorical allocation for services to children.* 1. For categorical allocations for services to children and families, the department of health and social services shall allocate not more than \$3,894,400 for 1986 and not more than \$2,005,600 for the first 6 months of 1987.

2. No county may receive funds allocated under this paragraph until the department of health and social services has approved the county's plan submitted under section 46.031 of the statutes for expenditure of the funds for one or more of the following purposes:

a. Child abuse and neglect investigations.

b. Child abuse and neglect services.

c. Noninstitutional alcohol, drug abuse and mental health services for adolescents and their families.

3. From the amounts specified in subdivision 1, the department of health and social services shall assure that at least \$699,680 of the first \$3,498,400 allocated for 1986 and at least \$360,320 of the first \$1,801,600

allocated for the first 6 months of 1987 are expended for the purpose specified under subdivision 2. b and that at least \$699,680 of the first \$3,498,400 allocated for 1986 and at least \$360,320 of the first \$1,801,600 allocated for the first 6 months of 1987 are expended for the purpose specified under subdivision 2. c.

4. From the amounts specified in subdivision 1 remaining after distribution of the first \$3,498,400 allocated for 1986 and of the first \$1,801,600 allocated for the first 6 months of 1987 has been made under subdivision 3, the department of health and social services shall assure that \$396,000 allocated for 1986 and \$204,000 allocated for the first 6 months of 1987 are expended for the purpose specified in subdivision 2. b or 2. c.

5. From the amounts specified in subdivision 1, the department of health and social services shall allocate to each county \$10,000 in 1986 and \$5,000 in the first 6 months of 1987. The remainder of the available funds for each year shall be allocated as follows:

a. One-third shall be allocated based on each county's proportion of the state's monthly average medical assistance case load for calendar year 1983.

b. One-third shall be allocated based on each county's ranking on an urban-rural scale, which shall be determined by the county's percentage of population living in cities, towns or villages with populations of 2,500 or more.

c. One-third shall be allocated based on each county's ranking as determined by the ratio of the 1983 full value of all taxable property in the county, as defined in section 70.57 of the statutes, to the county's 1980 population.

6. Beginning January 1, 1986, the department of health and social services shall implement a fiscal reporting system under which reports from a county shall provide information on payments claimed for services as provided under this subsection sufficient to determine if the county expenditure of funds under this paragraph is consistent with the approved plan of the county for expenditure under subdivision 2.

7. The department of health and social services shall implement a method to assure, to the extent practicable, that county expenditures of funds for purposes specified under this paragraph do not supplant existing funding for the same purpose.

8. Funds allocated for the purposes specified under this paragraph may be used only for expansion of services provided or improvement of child abuse and neglect investigations performed by a county. The county department to which the funds are allocated shall first use the funds to improve its child abuse and neglect investigations to progress toward meeting the standards established by the department of health and social services under section 48.981 (3) (c) of the statutes. If the department of health and social services approves, that county department may use the rest of its allocation for the purposes specified under subdivision 2. b and c.

(d) *Community options program.* For the long-term support community options program under section 46.27 of the statutes, the department of health and social services shall allocate not more than \$8,838,000 for the last 6 months of 1985.

(e) *Supportive home care.* For supportive home care services, the department of health and social services shall allocate not more than \$14,535,600 for 1986 and not more than \$7,485,800 for the first 6 months of 1987.

(f) *Child day care services.* For child day care services, the department of health and social services shall allocate not more than \$4,835,100 for the last 6 months of 1985, not more than \$11,016,500 for 1986 and not more than \$5,673,500 for the first 6 months of 1987.

(g) *Community support programs.* 1. For community support programs for the chronically mentally ill and developmentally disabled, including programs associated with federal housing and urban development projects, the department of health and social services shall allocate not more than \$1,430,800 for the last 6 months of 1985, not more than \$2,947,400 for 1986 and not more than \$1,532,900 for the first 6 months of 1987. The department may transfer funds allocated under this subdivision to paragraph (a), subject to section 51.42 (8) (ba) of the statutes.

2. In addition to the amounts specified under subdivision 1, for the expansion of community support programs for the chronically mentally ill, the department of health and social services shall allocate not more than \$1,666,700 for 1986 and not more than \$833,300 for the first 6 months of 1987, including any amount transferred to this paragraph from paragraph (o).

(h) *Family support programs.* For family support programs for the families of disabled children under section 46.985 of the statutes, the department of health and social services shall allocate not more than \$125,000 for the last 6 months of 1985, not more than \$500,000 for 1986 and not more than \$475,000 for the first 6 months of 1987.

(hm) *Alzheimer's family and caregiver support.* For services to victims of Alzheimer's disease and their caregivers under section 46.87 of the statutes, as created by this act, the department of health and social services shall allocate up to \$1,133,300 for 1986 and up to \$566,700 for the first 6 months of 1987.

(i) *Emergencies.* For emergencies, the department of health and social services may allocate not more than \$300,000 for the last 6 months of 1985, not more than \$600,000 for 1986 and not more than \$300,000 for the first 6 months of 1987.

(km) *CBRF resident relocation.* For services to or the relocation of current or former residents of community-based residential facilities or other residential facilities certified as medical assistance providers before January 1, 1984, the department of health and social services shall allocate not more than \$762,900

for the last 6 months of 1985, not more than \$1,552,000 for 1986 and not more than \$789,600 for the first 6 months of 1987, plus any additional funds transferred under subsection (4). The department of health and social services may transfer funds allocated under this paragraph to paragraph (a).

(L) *Respite care projects.* For respite care projects, the department of health and social services shall allocate not more than \$163,400 for the last 6 months of 1985.

(m) *Direct services reduction.* For adjusting the basic county allocation under paragraph (a) to compensate for county case load increases resulting from the reduction in direct services provided by the department of health and social services, the department of health and social services shall allocate not more than \$125,300 for the last 6 months of 1985, not more than \$250,600 for 1986 and not more than \$125,300 for the first 6 months of 1987.

(n) *Mental health expenditure levels for medical assistance clients.* For the purposes of section 49.45 (2) (a) 19 of the statutes, as affected by this act, the department of health and social services shall allocate not more than \$765,400 for the last 6 months of 1985, not more than \$1,530,800 for 1986 and not more than \$765,400 for the first 6 months of 1987, plus any amounts transferred under section 49.45 (2) (a) 19 and (6) (b) of the statutes, as affected by this act.

(o) *Alcohol, drug abuse and mental health block grant.* 1. For alcohol, drug abuse and mental health services funded through moneys received under 42 USC 300x to 300x-9, the department of health and social services shall allocate at least \$1,676,100 for the last 6 months of 1985, at least \$3,352,100 for 1986 and at least \$1,676,100 for the first 6 months of 1987.

2. From the amounts specified under subdivision 1, the department of health and social services shall transfer at least \$166,700 in state fiscal year 1985-86 and at least \$333,300 in state fiscal year 1986-87 to the community support program allocation for services to the chronically mentally ill under paragraph (g).

(om) *Special medical foster home.* The department of health and social services shall contract for services provided to children with multiple disabilities in a special medical foster home in Wood county. The department of health and social services shall allocate \$40,000 in fiscal year 1985-86 and \$40,000 in fiscal year 1986-87 for this purpose. Notwithstanding section 16.75 of the statutes, the department of health and social services may enter into a contract under this paragraph without soliciting bids or proposals and without accepting the lowest responsible bid or offer.

(p) *Unanticipated federal funds.* Notwithstanding paragraphs (a) to (o), if unanticipated federal funds for community social, mental health, mental retardation, alcohol and other drug abuse and developmental disabilities services are accepted by the governor under section 16.54 of the statutes, the department of health and social services may, with the approval of



the joint committee on finance, allocate those funds to county departments of public welfare or social services and to boards established under sections 46.23, 51.42 and 51.437 of the statutes.

(qq) *Minority alcohol and drug abuse training project.* For training of minority alcohol and drug abuse counselors, the department of health and social services shall allocate directly to providers of alcohol and drug abuse treatment services not more than \$41,700 in fiscal year 1985-86 and not more than \$83,300 in fiscal year 1986-87. The moneys allocated shall be used for expenses of not more than \$2,500 per person for the cost of providing up to 41 currently employed counselors with up to 2,002 hours of classroom training to achieve counselor certification and up to 15 entry level counselors with up to 2,385 hours of classroom training and up to 24 months training on the job to achieve counselor certification. The funds allocated by the department of health and social services under this paragraph are for the purpose of expanding existing minority training and may not be used to supplant existing funding for minority training. ~~The department of health and social services shall develop guidelines for the distribution of these moneys.~~ Notwithstanding section 16.75 of the statutes, the department of health and social services may enter into a contract under this paragraph without soliciting bids or proposals and without accepting the lowest responsible bid or offer.

Vetoed  
in Part

(qr) *Community-based programs for the developmentally disabled.* For expansion of community-based programs for the developmentally disabled, the department of health and social services shall allocate not more than \$1,320,100 for 1986 and not more than \$679,900 for the first 6 months of 1987. The department of health and social services shall allocate to counties for these periods amounts determined under a formula that shall be promulgated by rule by the department using the following calculation:

Vetoed  
in Part

1. One-third of the total amount for 1986 or for the first 6 months of 1987 shall be allocated to each county based on the ratio the number of persons, if any, on the waiting list for services for the developmentally disabled in that county has to the total number of persons on waiting lists for services for the developmentally disabled in counties statewide.

~~2. One-third of the total amount allocated to each county for 1986 or for the first 6 months of 1987 shall be based on the ratio that the funds, if any, estimated to be necessary to provide services to persons in that county who are on a waiting list as specified under subdivision 1 has to the funds estimated to be necessary to provide services to persons on waiting lists for services to the developmentally disabled in counties statewide.~~

Vetoed  
in Part

3. One-third of the total amount allocated to each county for 1986 or for the first 6 months of 1987 shall be based on the ratio that the excess of expenditures, if any, in that county has to the total required of the

county under sections 49.52 (1) (d) and 51.42 (8) (b) of the statutes.

(4) **COMMUNITY AIDS TRANSFERS.** Between July 1, 1985, and June 30, 1987, the department of health and social services may transfer not more than \$704,400 from the appropriation under section 20.435 (1) (b) of the statutes to the appropriation under section 20.435 (4) (b) of the statutes to be allocated under subsection (3) (km).

(5) **AFDC GRANT DIVERSION PROGRAM.** The department of health and social services may administer the aid to families with dependent children grant diversion program under section 49.50 (7g) of the statutes, as created by this act, prior to the promulgation of rules, but it shall submit the rules required under section 49.50 (7g) (e) of the statutes, as created by this act, in final draft form to the legislative council clearinghouse under section 227.018 (2) of the statutes no later than July 1, 1986.

(6) **SUPPORT OF DEPENDENTS.** Notwithstanding the repeal of sections 52.05, 52.055, 52.06 and 52.07, 1983 stats., by this act, any action commenced under any of those sections prior to the effective date of this subsection shall proceed under those sections.

(7) **CHILD SUPPORT PERCENTAGE STANDARD.** Notwithstanding the creation of section 227.01 (11) (jm) of the statutes by this act, the department of health and social services may engage in the rule-making process with respect to the percentage standard under section 46.25 (9) (a) of the statutes, as affected by this act, at any time on or after the effective date of this subsection. When the department of health and social services adopts rules relating to the percentage standard, it shall include in those rules all of the following:

(a) A definition of "income" which considers adjusted gross income under certain circumstances.

(b) The percentages used to compute payments.

(c) The method of applying the percentage of income standard when:

1. A payer is self-employed or is unemployed but may be employed in the future.

2. Child support is paid to children in 2 or more families.

(8) **GENERAL RELIEF.** (a) *Funds for converting counties.* 1. From the appropriation under section 20.435 (4) (eb) of the statutes, the department of health and social services shall:

a. Distribute, by October 15, 1985, \$600,000 to counties that are required under section 49.02 (2m) of the statutes to institute a countywide system of general relief administration. Distribution shall be based on the ratio that the general relief case load administered by the municipalities in 1984 in each county qualifying for distribution has to the total 1984 general relief case load administered by the municipalities in all counties qualifying for distribution, except that no county may receive less than \$60,000 under this distribution. The general relief case load shall be determined by the 1984

reimbursement claims submitted to the department of health and social services.

b. Distribute, by June 30, 1986, \$200,000 to counties that elect under section 49.03 (1) (a) of the statutes to administer general relief and implement that decision after June 30, 1985, and before July 1, 1986, and to counties required under section 49.02 (2m) of the statutes to administer general relief. Distribution shall be based on the ratio that the general relief case load administered by the municipalities in 1984 in each county qualifying for distribution has to the total 1984 general relief case load administered by the municipalities in all counties qualifying for distribution. The general relief case load shall be determined by the 1984 reimbursement claims submitted to the department of health and social services.

c. Reimburse by September 30, 1986, notwithstanding sections 49.025 (3) and 49.035 (4) of the statutes, a county that elects under section 49.03 (1) (a), to administer general relief and implements that decision after June 30, 1985, and before July 1, 1986, for costs of general relief benefits, under section 49.035 (1) of the statutes, of general relief medical costs, under section 49.035 (2) of the statutes, and of allowable administrative costs under section 49.025 (3) of the statutes, provided under section 49.02 of the statutes by the county after December 31, 1985, and before July 1, 1986, if the county files with the department of health and social services monthly reimbursement claims for this period under procedures established by that department.

d. Reimburse by September 30, 1987, notwithstanding sections 49.025 (3) and 49.035 (4) of the statutes, a county that does not elect under section 49.03 (1) (a), 1985 stats., to administer general relief and implement that decision before July 1, 1986, for costs of general relief benefits, under section 49.035 (1) of the statutes, of general relief medical costs, under section 49.035 (2) of the statutes, and of allowable administrative costs under section 49.025 (3) of the statutes, provided under section 49.02 of the statutes by the county after December 31, 1986, and before July 1, 1987, if the county files with the department of health and social services monthly reimbursement claims for this period under procedures established by that department.

(b) *Administrative, general relief and medical costs reimbursement.* After the allocation under paragraph (a) 1. a has been made and from the appropriation under section 20.435 (4) (eb) of the statutes, the department of health and social services shall allocate under sections 49.025 (1) and (2) and 49.035 of the statutes for reimbursement of eligible administrative, general relief and medical costs on the following basis:

1. For a county or municipality, if claims for reimbursement made in 1986 for costs incurred in 1985 exceed \$8,653,300, the reimbursement of the claims shall be prorated.

2. For a county or municipality, if claims for reimbursement made in 1987 for costs incurred in 1986 exceed the amount of any funds unexpended under subdivision 1, plus \$32,741,700, the reimbursement of the claims shall be prorated.

(c) *Legal settlement.* Notwithstanding the treatment of section 49.02 (5m) of the statutes by this act, if general relief medical treatment or hospitalization is initiated for, or a general relief benefit is provided to, a dependent person before January 1, 1987, a county or municipality may institute a proceeding to be heard by the department of health and social services until before January 1, 1988, for a claim to establish liability for the general relief benefit or medical treatment or hospitalization provided.

(d) *Work relief and grant diversion; rules.* The department of health and social services shall submit its proposed rules required under sections 49.05 (8) and 49.053 (12) of the statutes by March 1, 1986.

(e) *Legal settlement claims.* Notwithstanding the repeal of section 46.106 of the statutes by this act, claims for reimbursement for care provided under section 49.173 or 49.175 of the statutes prior to the effective date of this paragraph may be submitted under section 46.106 of the statutes before January 1, 1986.

(9) DOMESTIC ABUSE SERVICES. (a) From the appropriation under section 20.435 (4) (cb) of the statutes, the department of health and social services shall fund domestic abuse services provided by the following organizations:

1. An organization to which both of the following apply:

a. The organization provides services located in a county containing a city of the 2nd class.

b. There are no domestic abuse services funded under section 46.95 of the statutes, as affected by this act, which are available within 60 miles of the location where the organization provides services.

2. An organization which on May 15, 1985, operated a shelter facility in Wood county.

3. An organization, other than an organization funded under subdivision 1 or 2, which provides domestic abuse services in an area of the state where domestic abuse services are not otherwise available.

(b) The department of health and social services may select 3 organizations, from those qualifying for funding under paragraph (a), to receive funding under this subsection.

(c) Under this subsection the department of health and social services may expend not more than \$110,000 in each of fiscal years 1985-86 and 1986-87, of which at least \$50,000 in each of those fiscal years shall be provided to the organization under paragraph (a) 2.

(9m) DOMESTIC ABUSE FORMULA. Of the funds distributed under section 46.95 of the statutes for fiscal year 1985-86, not less than \$1,488,700 shall be used to continue funding domestic abuse services receiving state funds under that section during fiscal year 1984-

85. Of the funds distributed under section 46.95 of the statutes for fiscal year 1986-87, not less than \$1,531,700 shall be used to continue funding domestic abuse services receiving state funds under that section during fiscal year 1985-86. The department of health and social services may reallocate any funds that are not spent under one category of this formula to the other category.

(10) EXPENDITURE OF FEDERAL CHILD WELFARE FUNDS. (a) *Federal program operations.* From the appropriation under section 20.435 (4) (n) of the statutes, the department of health and social services shall expend moneys received under 42 USC 620 to 626 as follows:

1. For the department's expenses in connection with administering the expenditure of funds received under 42 USC 620 to 626, not more than \$205,200 in federal fiscal year 1986 and not more than \$212,000 in federal fiscal year 1987.

2. For innovative child welfare projects and services provided or purchased by the department, including training for foster parents and for employes of county agencies conducting investigations and providing services under section 48.981 of the statutes, as affected by this act, not more than \$216,000 in federal fiscal year 1986 and not more than \$183,200 in federal fiscal year 1987.

3. For runaway services, not more than \$403,500 in federal fiscal year 1986 and not more than \$392,200 in federal fiscal year 1987.

4. For the prevention and treatment of child abuse and neglect, including training for employes of county agencies conducting investigations and providing services under section 48.981 of the statutes and for contracting with counties and American Indian tribes for child abuse and neglect services, any unanticipated additional funds received by the department, including increased federal funding under 42 USC 620 to 626, reallocation of federal funds from other states and moneys transferred from federal funds received under 42 USC 670 to 676.

(b) *Community social and mental hygiene services.* From the appropriation under section 20.435 (4) (o) of the statutes, the department of health and social services shall expend moneys received under 42 USC 620 to 626 as follows:

1. For the delivery of services to American Indians under section 46.70 of the statutes, not more than \$70,000 in federal fiscal year 1986 and not more than \$70,000 in federal fiscal year 1987.

2. To county departments of public welfare or social services and community human services boards, for the provision or purchase of child welfare projects and services in accordance with plans developed under section 46.031 of the statutes, as affected by this act, subject only to local, state and federal requirements specific to the types of projects or services, at least \$1,820,500 in federal fiscal year 1986 and at least \$1,858,000 in federal fiscal year 1987.

3. For the allocation for services to children and families under subsection (3) (bm), at least \$567,300 in federal fiscal year 1986 and at least \$567,300 in federal fiscal year 1987.

(c) *Community youth and family aids.* From the appropriation under section 20.435 (4) (oo) of the statutes, to county departments of public welfare or social services and community human services boards for the provision of services under section 46.26 of the statutes, as affected by this act, at least \$800,000 in federal fiscal year 1986 and at least \$800,000 in federal fiscal year 1987.

(11) WORKSHOP FOR THE BLIND. The grant to the nonprofit corporation under section 47.03 (1m) of the statutes, as created by this act, shall have a value of \$1,410,800 in the 1985-87 biennium, consisting of \$869,200 in general purpose revenues under section 20.435 (5) (c) of the statutes, \$320,000 in program revenues under section 20.435 (5) (jj), \$156,000 in accounts receivable and inventory paid for prior to transfer of the workshop, and \$65,000 in estimated rent to be paid from section 20.435 (5) (a) and (n) of the statutes and estimated fringe benefit savings due to the availability of state fringe benefit coverage for corporation staff employes. However, the department of health and social services and the nonprofit corporation may negotiate a higher amount for inventory and accounts receivable and may negotiate a lower amount if the contract covers less than an entire fiscal year.

(12) FACILITY PAYMENT. (a) *Facility payment formula.* From the appropriation under section 20.435 (1) (b) or (o) of the statutes, for payment of facility capital payment determined under section 49.45 (6m) (am) 5 and (ar) 5 of the statutes, as created by this act, the department of health and social services shall allocate not less than \$1,000,000 in state fiscal year 1985-86 and not less than \$2,000,000 in state fiscal year 1986-87.

(b) *Facility grants.* From the appropriation under section 20.435 (1) (d) and (na) of the statutes, the department of health and social services may under section 49.45 (6m) (f) of the statutes, as created by this act, make available grants of funds of up to \$1,500,000 in fiscal year 1985-86 and of up to \$1,000,000 in fiscal year 1986-87 to a facility as defined under section 49.45 (6m) (a) 2 of the statutes, as created by this act. Receipt of these funds by a facility is contingent upon departmental approval of an application solicited by the department of health and social services through a process of requests for proposals from a facility that meets one of the following requirements:

1. ~~Of the total number of residents of the facility, at least 70% must be developmentally disabled or mentally ill and each of the following applies:~~

a. The facility has an operating deficit, as defined under criteria developed by the department of health and social services, directly related to payment received for patient care.

Vetoed  
in Part

b. Of the residents of the facility, 90% or more receive services or items funded under sections 49.45 to 49.47 of the statutes.

c. The facility demonstrates efforts to contain costs.

d. The facility demonstrates performance of a study of methods to reduce part or all of the facility's operations.

**Vetoed in Part** 2. ~~Of the total number of residents of the facility, at least more than 60% and less than 71% must be developmentally disabled or mentally ill and each of the following applies:~~

a. The facility meets the criteria under subdivision 1. a to d.

**Vetoed in Part** b. ~~The facility agrees to reduce its bed capacity, within a period of time specified by the department of health and social services, by a number that is not less than 5% of the total number of beds of the facility that are occupied by residents who are geriatric patients, as defined under criteria developed by the department of health and social services.~~

**Vetoed in Part** 3. ~~Of the total number of residents of the facility, at least more than 49% and less than 60% must be developmentally disabled or mentally ill and each of the following applies:~~

**Vetoed in Part** a. ~~The facility meets the criteria under subdivision 1. a to d.~~

**Vetoed in Part** b. ~~The facility agrees to reduce its bed capacity, within a period of time specified by the department of health and social services, by a number that is not less than 10% of the total number of beds of the facility that are occupied by residents who are geriatric patients, as defined under criteria developed by the department of health and social services.~~

(c) *Operating deficit reduction.* From the appropriation under section 20.435 (1) (o) of the statutes, for reduction of operating deficits, as defined under criteria developed by the department of health and social services, incurred by a facility, as defined under section 49.45 (6m) (a) 2 of the statutes, that is established under section 49.14 (1) of the statutes or that is owned and operated by a city or village, the department of health and social services shall allocate \$3,450,000 in fiscal year 1985-86 and \$4,600,000 in fiscal year 1986-87 to these facilities and shall perform all of the following:

1. Estimate the availability of federal medical assistance funds that may be matched to county funds or funds of a city or village for the reduction of operating deficits incurred by the facility.

2. Based on the amount estimated available under subdivision 1, develop a proposed method to distribute this allocation to the individual facilities that have incurred operating deficits that shall include:

a. Development of criteria for determining operating deficits.

b. Agreement by the county in which is located the facility established under section 49.14 (1) of the statutes and agreement by the city or village that owns

and operates the facility that the applicable county, city or village shall provide funds to match federal medical assistance matching funds under this paragraph.

3. Submit the proposed method developed under subdivision 2 for consideration by the joint committee on finance at its last regular quarterly meeting in 1985, under section 13.10 of the statutes.

4. Contingent upon approval by the joint committee on finance, distribute the allocation under the distribution method that is approved.

5. If the federal department of health and human services approves for state expenditure in fiscal year 1985-86 amounts under section 20.435 (1) (o) of the statutes that result in a lesser allocation amount than that allocated under this paragraph, allocate not more than the lesser amount so approved by the federal department of health and human services.

6. If the federal department of health and human services approves for state expenditure in fiscal year 1986-87 amounts under section 20.435 (1) (o) of the statutes that result in a lesser allocation amount than that allocated under this paragraph, submit a revision of the proposed method developed under subdivision 2 for approval by the joint committee on finance in state fiscal year 1986-87, under section 13.10 of the statutes.

7. If the federal department of health and human services disallows use of the allocation of matching federal medical assistance funds distributed under subdivision 4, the requirements under section 49.45 (6m) (br) of the statutes, as created by this act, shall apply.

(13) **COMMUNITY OPTIONS PROGRAM.** (a) *Hospitalization costs for chronically mentally ill.* The department of health and social services shall determine the hospitalization costs funded from state and other public sources, including under medical assistance and community social and mental health aids funding, for serving chronically mentally ill persons and the estimated savings in those hospitalization costs that result from community-based treatment. The department shall report its findings for inclusion in the 1987-89 executive budget bill.

(b) *Implementation of rules.* The department of health and social services shall, by December 1, 1985, submit to the legislative council staff under section 227.029 (1) of the statutes the rules required to be promulgated under section 46.27 (2) (h) of the statutes, as created by this act.

(14) **AID TO FAMILIES WITH DEPENDENT CHILDREN.** (a) Notwithstanding the treatment of section 49.19 (4) (bm), (br), (es) and (h) 1. b and (5) (a) 1m, 2. (intro.), 4. (intro.) and a and 4m of the statutes by SECTION 3203 (23) (am) of this act, the department of health and social services shall perform all of the following:

1. On the first day of the first month commencing after publication of this act commence payment, to any person who is eligible to receive or is a recipient of

aid to families with dependent children, of any amount authorized under section 49.19 (5) (a) 1m of the statutes, payable on or after that date and any amount payable as a result of the treatment of section 49.19 (4) (bm), (br), (es) or (h) 1. b or (5) (a) 2. (intro.), 4. (intro.) or a or 4m of the statutes by this act.

2. On the first day of the 2nd month commencing after publication of this act make payment in a lump sum, to any person who is eligible to receive or is a recipient of aid to families with dependent children, of any amount authorized under section 49.19 (5) (a) 1m of the statutes, payable for the period after September 30, 1984, and before the first day of the first month commencing after publication of this act because of the treatment of section 49.19 (4) (bm), (br), (es) or (h) 1. b or (5) (a) 1m, 2. (intro.), 4. (intro.) or a or 4m of the statutes by this act.

(15) CENTERS FOR THE DEVELOPMENTALLY DISABLED. (a) From the appropriation under section 20.435 (2) (gk) of the statutes, the department of health and social services shall expend moneys to reimburse the cost of services provided by the centers for the developmentally disabled as follows:

1. Reimbursement to the centers for the developmentally disabled shall in each of fiscal years 1985-86 and 1986-87 be based on the actual costs of each center.

2. Total reimbursement to all centers, excluding amounts available for resident activity therapy and amounts collected from other state facilities under shared services agreements, may not exceed \$82,188,600 in fiscal year 1985-86 and \$87,356,200 in fiscal year 1986-87, unless a supplement to section 20.435 (2) (gk) of the statutes is received under section 16.515 of the statutes.

3. Notwithstanding subdivision 2, reimbursement to the centers for the developmentally disabled shall be reduced following each placement made under section 46.275 of the statutes as follows:

a. By \$84.35 per day in fiscal year 1985-86.

b. By \$88.58 per day in fiscal year 1986-87.

(b) The department of health and social services shall develop a method to determine reimbursement to the centers for the developmentally disabled for costs that are not direct care costs under the payment system established under section 49.45 (6m) of the statutes, as affected by this act, that may be used to establish rates for reimbursement of these costs as of July 1, 1987.

(c) The department of health and social services shall submit a report on the method developed under paragraph (b) to the joint committee on finance no later than March 1, 1987.

(16) COMMUNITY OPTIONS PROGRAM; ALZHEIMER'S DISEASE. For services to victims of Alzheimer's disease who are eligible for services under section 46.27 (5) (h) of the statutes, as created by this act, the department of health and social services shall allocate from the appropriation under section 20.435 (4) (bd) of the

statutes \$500,000 for 1986 and \$250,000 for the first 6 months of 1987.

(17) COUNTY CHILD ABUSE AND NEGLECT PROGRAMS. Each county, in its coordinated plan and budget under section 46.031 of the statutes for calendar years 1986 and 1987, shall either submit evidence that the child abuse and neglect investigations and other services it is required to provide under section 48.981 of the statutes are being adequately provided, or shall describe how it intends to improve those services.

(18) LOW-INCOME ENERGY ASSISTANCE PROGRAM. The department of health and social services shall conduct a study of alternative methods of determining benefit payment amounts to low-income households under section 49.80 of the statutes, as created by this act. The department of health and social services shall submit a report that sets forth these alternatives to the joint committee on finance no later than May 1, 1986.

(19) MENTAL HEALTH, ALCOHOL AND OTHER DRUG ABUSE AUDIT AND STUDY. (a) *Audit of outpatient services.* The legislative audit bureau shall prepare a report evaluating the certification process of the department of health and social services of facilities to provide mental health, alcohol and other drug abuse services on an outpatient basis. The report shall address the adequacy of the certification standards, including whether the standards limit unnecessary utilization of mental health, alcohol and other drug abuse services. The legislative audit bureau shall submit the report to the presiding officer of each house of the legislature when the 1987 legislature convenes.

(b) *Study of services.* The legislative council is requested to conduct a study of the delivery of mental health, alcohol and other drug abuse services in this state and to submit a report setting forth its findings to the presiding officer of each house of the legislature when the 1987 legislature convenes.

(20) PREGNANCY COUNSELING SERVICES GRANTS. No moneys may be expended from the appropriation under section 20.435 (1) (eg) of the statutes in the 1985-87 biennium without the approval of the joint committee on finance. The department of health and social services shall submit to the joint committee on finance a plan for the allocation of the moneys based on the recommendations of the legislative council's committee on pregnancy options.

(21) RULES ON SHELTERS FOR THE HOMELESS. (a) Using the procedure specified under section 227.027 of the statutes, the department of health and social services shall promulgate rules to govern the administration of section 46.97 of the statutes, as created by this act, during the period beginning with the effective date of this paragraph and ending with the effective date of the rules required to be promulgated under section 46.97 (4) of the statutes, as created by this act. Notwithstanding section 227.027 of the statutes, the department is not required to make or submit an emergency finding in conjunction with the promulgation of the rules required under this paragraph. Any

rule or portion of a rule promulgated under this paragraph is subject to review by the joint committee for the review of administrative rules under section 13.56 (2) of the statutes.

(b) The department of health and social services shall submit to the legislative council staff under section 227.029 (1) of the statutes the rules required under section 46.97 (4) of the statutes before March 1, 1986.

(22) SERVICES TO HISPANIC WORKERS INJURED IN INDUSTRIAL ACCIDENTS. (a) From the appropriation under section 20.435 (5) (bm) of the statutes, the department of health and social services shall allocate \$52,400 in fiscal year 1985-86 and \$52,400 in fiscal year 1986-87 on a one-time basis to contract with an organization to provide services in a county having a population of 500,000 or more to Hispanic workers who have been injured in industrial accidents, including all of the following:

1. Coordination of vocational training.
2. Group support and self-help activities.
3. Counseling.
4. Advocacy on behalf of injured workers for appropriate services.
5. Independent living services to injured workers with severe disabilities.
6. Interpreter services.
7. Outreach.
8. Assistance in maximizing utilization of public programs for injured workers including state vocational rehabilitation, worker compensation and unemployment compensation programs and federal social security disability and other programs.

(b) Notwithstanding section 16.75 of the statutes, the department of health and social services may enter into a contract under paragraph (a) without soliciting bids or proposals and without accepting the lowest responsible bid or offer.

(23) FAMILY VISITS AT PRISONS. Of the amounts appropriated to the department of health and social services under section 20.435 (3) (a) of the statutes, the department shall expend \$60,000 in fiscal year 1985-86 and \$60,000 in fiscal year 1986-87 to furnish transportation for family members of inmates to visit state prisons.

(23s) HEALTH CARE PROGRAMS. (a) The department of health and social services shall utilize all federal block grant funds that are available for the purpose of providing ~~outpatient~~ primary health care services to individuals without health insurance or other health care coverage to provide such ~~outpatient~~ primary health care services for the period beginning on the effective date of this paragraph to September 30, 1985.

(b) From the appropriation under section 20.435 (1) (gp) of the statutes, the department of health and social services shall fund ~~outpatient~~ primary care under section 146.93 of the statutes in the amount of \$1,225,000.

Vetoed  
in Part

Vetoed  
in Part

(c) From the appropriation under section 20.435 (1) (gp) of the statutes, the department of health and social services shall fund the inpatient and outpatient program developed under section 146.96 of the statutes, if approved by the joint committee on finance, in the amounts of \$912,500 for inpatient care and \$907,500 for outpatient care.

(23sm) POSITION AUTHORIZATION. The authorized FTE positions for the department of health and social services are increased by 3.0 PRO positions on the effective date of this subsection, to be funded from the appropriation under section 20.435 (1) (gp) of the statutes, for the purpose of performing the responsibilities assigned to the department under sections 146.87 to 146.96 of the statutes.

(23t) CAPITAL EXPENDITURE REVIEW POSITION AUTHORIZATION. Commencing on the effective date of this subsection, a total of 8.0 PRO positions are authorized for the department of health and social services to carry out the responsibilities of the department under subchapter III of chapter 150 of the statutes.

(25r) WORK EXPERIENCE AND TRAINING PROJECT. The department of health and social services shall submit to the legislature by September 1, 1985, proposed legislation to implement a work experience, job search and employment training project under 42 USC 601 to 645. If the joint committee on finance so approves, the department of health and social services may expend, of the funds appropriated under section 20.435 (4) (df) of the statutes, up to \$1,000,000 for fiscal year 1985-86 to modify the administration of the work incentive demonstration program under section 49.50 (7) of the statutes in counties participating in the program on the effective date of this subsection and to expand county participation in the program.

~~(27a) TESTING FOR ACQUIRED IMMUNODEFICIENCY SYNDROME STUDY. (a) The department of health and social services shall perform a study evaluating the beneficial or adverse effects to persons in this state who are tested to screen for the existence of an antibody to the human virus HTLV-III causing acquired immunodeficiency syndrome and who are informed under the requirements under section 146.025 (2) of the statutes that the test results are positive for the existence of the antibody.~~

~~(b) If permission is granted by the subject of a positive test under section 146.025 (1) (b) 2 of the statutes, the department of health and social services shall, as soon as possible following conduct of the interview under section 146.025 (2) of the statutes and at periodic intervals thereafter, interview the subject to obtain information for the study under paragraph (a) on the beneficial or adverse effects to the subject of receipt of the positive test results.~~

~~(c) By January 1, 1987, the department of health and social services shall submit a report on the study required under paragraph (a) to the legislative committee on health.~~

Vetoed  
in Part

(28m) ALZHEIMER'S FAMILY AND CAREGIVER SUPPORT PROGRAM RULE MAKING. By January 1, 1986, the department of health and social services shall promulgate rules for the administration of section 46.87 of the statutes, as created by this act, which shall include all of the following:

(a) An allocation formula for the distribution of funds to counties.

(b) Criteria for the approval of a county board's proposed program.

(c) Criteria for the selection of a private nonprofit organization as an administering agency under section 46.87 (4) of the statutes, as created by this act.

(d) The portions of the county plan that must be included in the coordinated plan and budget under section 46.031 of the statutes in participating counties.

(e) The goods and services for which funds may be expended under section 46.87 of the statutes, as created by this act.

(29m) STATE SUPPLEMENT TO SUPPLEMENTAL SECURITY INCOME. (a) *Functional reorganization.* On the effective date of this paragraph, the department of health and social services shall designate and fund from the appropriation under section 20.435 (4) (a) of the statutes one of its employees to act as full-time coordinator of the program of state supplemental payments under section 49.177 of the statutes.

(b) *Adjustments to state supplemental payments.* Notwithstanding the treatment of section 49.177 (3m) (b) of the statutes by SECTION 3204 (intro.) of this act, the department of health and social services shall on the first day of the 3rd month commencing after the effective date of this paragraph:

1. Make payment in a lump sum to any person who is eligible to receive monthly state supplemental payments under section 49.177 (3m) (a) of the statutes of any amount authorized under section 49.177 (3m) (b) of the statutes, payable for the period commencing on July 1, 1985, and before the first day of the 3rd month commencing after the effective date of this paragraph.

2. Commence monthly payment to any person who is eligible to receive monthly state supplemental payments under section 49.177 (3m) (a) of the statutes of any amount authorized under section 49.177 (3m) of the statutes, payable on or after the first day of the 3rd month commencing after the effective date of this paragraph.

(30) RULES ON FAMILY SUPPORT PROGRAM. (a) The department of health and social services may administer the family support program under section 46.985 of the statutes, as created by this act, and may expend the moneys allocated under SECTION 3023 (3) (h) of this act prior to the promulgation of the rules required under section 46.985 (2) (a) of the statutes, as created by this act.

(b) The department of health and social services shall submit to the legislative council staff under section 227.029 (1) of the statutes the rules required

under section 46.985 (2) (a) of the statutes, as created by this act, before January 1, 1986.

**SECTION 3024. Nonstatutory provisions; health facilities authority.**

(1) SMALL PROJECTS BONDING. (a) In this subsection, "project" has the meaning given in section 231.01 (7) of the statutes, as affected by this act.

(b) The Wisconsin health facilities authority may issue bonds to finance a project commenced before the effective date of this paragraph if the project qualifies for financing under section 231.03 (6) of the statutes, as affected by this act, and is not finished on or before the effective date of this paragraph.

**SECTION 3026. Nonstatutory provisions; historical society.**

(1) OPENING OF NEW MUSEUM. The board of curators of the historical society shall submit to the department of administration under section 16.42 of the statutes for inclusion in the 1987-89 executive budget bill a plan for visitor charges to the historical society museum based upon fees assessed at similar museums.

(2) ADMINISTRATOR OF DIVISION OF MUSEUM. Notwithstanding the treatment of section 230.08 (2) (e) 5m of the statutes by this act, this act does not authorize any new positions for the historical society.

~~(3) LOCAL HISTORY. The board of curators of the historical society shall allocate \$13,100 in fiscal year 1985-86 and \$15,400 in fiscal year 1986-87 to fund 0.5 FTE GPR position in the office of local history. The board of curators may use funds appropriated to the historical society including those for support of library and archival costs of Circus World Museum under section 20.245 (1) (a) of the statutes for the purpose of this subsection.~~

Vetoed  
in Part

**SECTION 3027. Nonstatutory provisions; hospital rate-setting commission.**

(1) POSITION AUTHORIZATION. Commencing on the effective date of this subsection, a total of 9.0 GPR and 18.0 PRO positions are authorized for the hospital rate-setting commission to carry out the responsibilities of the commission under chapter 54 of the statutes.

**SECTION 3028. Nonstatutory provisions; housing and economic development authority.**

(1) DEVELOPMENT SUBSIDIES. The Wisconsin housing and economic development authority and the department of health and social services shall jointly prepare a plan for the use of funds for development subsidies and shall submit the plan to the governor and to the presiding officer of each house of the legislature no later than October 1, 1985. The plan shall be reviewed in the manner provided under section 234.165 (2) (a) 3 to 7 of the statutes for review of the authority surplus plan and, if feasible, shall be reviewed concurrently with review of the authority surplus plan. The Wisconsin housing and economic development authority shall consider allocating \$460,800 from the authority surplus fund under section 234.165 of the statutes to carry out the purposes

Vetoed  
in Part

**Vetoed in Part** ~~of the development subsidy program under section 40.28 (3) of the statutes.~~

**SECTION 3029. Nonstatutory provisions; industry, labor and human relations.**

(1) **BUILDING AND SAFETY FEES.** No later than June 30, 1987, the department of industry, labor and human relations shall implement reductions in fees related to the services provided under subchapters I to IV of chapter 101 of the statutes, as affected by this act, chapters 145 and 168 of the statutes and under sections 236.12 (2) (a), 236.13 (1) (d) and (2m) and 236.335 of the statutes in order to maintain at an appropriate level the balance in the appropriation under section 20.445 (1) (j) of the statutes, as affected by this act.

(2) **TRAINING AND WORK EXPERIENCE.** A person may receive bilingual academic or vocational training and work experience through a program funded under one or more of the following sections, regardless of whether the person attends school:

- (a) Section 20.255 (2) (d) of the statutes.
- (b) Section 20.445 (1) (mb) of the statutes.
- (c) Section 20.445 (1) (mc) of the statutes.

**Vetoed in Part**

~~(3m) **UNEMPLOYMENT COMPENSATION FOR SCHOOL BUS DRIVERS.** Notwithstanding 1985 Wisconsin Act 17, section 67(7), section 108.04 (17) (d) of the statutes shall not be applied to disqualify an individual claiming unemployment compensation benefits during the period commencing on May 26, 1985, and ending on September 7, 1985. The department of industry, labor and human relations shall retroactively reimburse any individual who was eligible to receive benefits during the period between May 26, 1985, and the effective date of this subsection but for the application of section 108.04 (17) (d) of the statutes for the benefits to which he or she is entitled under this subsection.~~

(3n) **UNDERGROUND STORAGE TANKS PROGRAM.** Of the moneys appropriated to the department of industry, labor and human relations under section 20.445 (1) (j) of the statutes, \$58,000 in fiscal year 1985-86 and \$58,000 in fiscal year 1986-87 shall be for the purpose of administering the underground storage tanks program, which includes locating abandoned underground petroleum storage tanks.

(3p) **ASSISTANCE FOR DISLOCATED WORKERS.** (a) *Definitions.* In this subsection "dislocated worker" means an individual to whom any of the following applies:

1. The individual has been terminated or laid off or has received a notice of termination or lay-off from employment, is eligible for or has exhausted his or her entitlement to unemployment compensation and is unlikely to return to his or her previous industry or occupation.
2. The individual has been terminated, or has received a notice of termination of employment, as a result of any permanent closure of a plant or facility.
3. The individual is long-term unemployed and has limited opportunities for employment or reemploy-

ment in the same or a similar occupation in the area in which the individual resides, including an older individual who may have substantial barriers to employment by reason of age.

(b) *Grants.* From the appropriation under section 20.445 (1) (b), (mb) and (mc) of the statutes, the department of industry, labor and human relations shall make grants to persons providing to dislocated workers programs offering training and related employment services including but not limited to the following:

1. Job search assistance, including participation in job clubs.
2. Training in job skills.
3. Support services, including but not limited to transportation assistance, relocation assistance, financial counseling, personal counseling and programs conducted in cooperation with employers or labor organizations.

(c) *Grant approval.* No grant may be awarded under this subsection unless both of the following occur:

1. A review panel appointed by the secretary of industry, labor and human relations approves the application for funding and refers its decision to the secretary.
2. After receiving a referral under subdivision 1, the secretary approves the application for funding.

(d) *Application review.* In reviewing applications for funding under this subsection, the review panel and the secretary of industry, labor and human relations shall consider all of the following:

1. The severity of the need for the program in the community to be served when compared with the severity of need in other communities.
2. The appropriateness of the skill development or training to be provided, including whether the demand for that skill exceeds the supply.
3. Whether the program provides for labor organizations to participate in program planning.
4. Whether the program provides for coordination with other employment and training programs offered in the community in which the program will be offered.

(e) *Rule making.* The department of industry, labor and human relations shall adopt rules to administer this subsection. The rules of the department shall address eligible applicants and program providers, application requirements, criteria and procedures for awarding grants, reporting and auditing procedures and administrative operations. The rules shall also provide that a person who terminates farming as a result of a sale of farming premises on a judgment of mortgage foreclosure or as a result of a default and surrender of physical possession of farming premises held under land contract is terminated as a result of permanent closure of a facility.

(f) *Funding.* From the amounts appropriated under sections 20.445 (1) (ma), (mb) and (mc) of the statutes,



all moneys received under 29 USC 1651 to 1658 shall be expended to fund grants and operations under this subsection.

(g) *Sunset*. Paragraphs (a) to (f) do not apply after June 30, 1987.

**SECTION 3035. Nonstatutory provisions; justice.**

(1) **CRIME LABORATORY ANALYSTS.** If the study being conducted by the department of employment relations on the effective date of this subsection relating to crime laboratory analyst classification and compensation levels recommends changes which require additional funding for the state crime laboratories, the department of justice may request additional funding under section 13.101 of the statutes.

**SECTION 3036. Nonstatutory provisions; legislature.**

(1) **LEGISLATIVE COUNCIL; INSTITUTIONAL AND COMMUNITY SERVICES.** The legislative council is requested to conduct a study during the 1985-87 fiscal biennium of the institutional and community services available to persons with developmental disabilities.

(1m) **LEGISLATIVE COUNCIL STUDY.** The legislative council is requested to conduct a study of all of the following and to report the results of its study to the legislature by January 1, 1987:

(a) The impact of health maintenance organizations, home health care, diagnostic-related groups, community-based care and other health care cost containment activities on hospital occupancy rates.

(b) The effect of the activities of the hospital rate-setting commission upon the profitability of hospitals, especially upon hospitals serving rural areas.

(c) The effect of the activities of the hospital rate-setting commission upon the accessibility of hospital care to indigent persons.

(d) The effects of direct state intervention, by rate setting and otherwise, upon hospital rates and other health care costs.

(e) The impact upon hospital rates of deregulation of hospital rates in other states.

(f) The impact upon hospital rates and other health care costs of federal legislative and other initiatives to contain health care costs.

(g) Alternatives to the activities of the hospital rate-setting commission that would address the goal of making the health care delivery system in this state accessible to everyone, regardless of income.

(2) **RECOMMENDED AMOUNT OF STATE DEBT AND OBLIGATIONS.** Notwithstanding section 13.49 (6m) of the statutes, as created by this act, the joint survey committee on debt management shall submit its initial resolution required under that subsection no later than October 1, 1985.

(3) **COMMUNITY OPTIONS PROGRAM AUDIT.** On or before January 1, 1987, the legislative audit bureau shall conduct a program evaluation of the community options program and shall report its findings and

recommendations to the legislature and to the governor.

(4) **LEGISLATIVE COUNCIL; PRIVATE SEWAGE SYSTEM STUDY.** (a) The legislative council is requested to:

1. Study the report of the institute for environmental studies and the department of urban and regional planning of the university of Wisconsin-Madison under SECTION 3053 (4m) of this act.

2. Study other issues related to private sewage systems.

(b) The legislative council is requested to submit the findings, conclusions and recommendations of the study under paragraph (a) to the presiding officer of each house of the legislature by January 1, 1987.

(5) **PRIMARY MORTGAGE LOAN PROGRAM AUDIT.** The legislative audit bureau shall conduct an audit of the veterans primary mortgage loan program during the 1985-87 fiscal biennium.

(6) **MILWAUKEE AREA VOCATIONAL, TECHNICAL AND ADULT EDUCATION DISTRICT AUDIT.** The legislative audit bureau shall conduct an audit of the Milwaukee area vocational, technical and adult education district during the 1985-87 fiscal biennium for the purpose of evaluating the performance and success of the district's minority student recruitment and retention and affirmative action programs. The audit shall include an analysis of the composition, by gender and ethnic background, of the district's personnel and student enrollment separately identified for each program and campus. Any areas related to the areas specified for auditing under this subsection shall also be audited. For purposes of conducting the audit, the bureau may exercise the powers granted under section 13.94 (intro.) of the statutes to secure information. Section 13.94 (1m) of the statutes applies to the contracting of independent experts for the audit. The bureau shall provide a statement of recommendations and file a report of its audit in accordance with section 13.94 (1) (dd) and (i) of the statutes.

(6m) **MINORITY BUSINESS DEMONSTRATION AND TRAINING PROGRAM.** The legislative audit bureau shall conduct an audit of the combined sewer overflow abatement program under section 144.242 of the statutes during the 1985-87 fiscal biennium.

(7p) **POLLUTION ABATEMENT PROGRAM STUDY.** The legislative council is requested to study the effectiveness of all programs that exist in this state that are intended to improve the quality of surface water that is affected by the introduction of nutrients, organic material and sediment, excluding toxic materials, from point sources and nonpoint sources and to report its findings and recommendations to the presiding officer of each house of the legislature before January 1, 1987. The committee shall include persons having expertise in water quality programs.

**SECTION 3038. Nonstatutory provisions; military affairs.**

(1) **TELEPHONE SERVICE.** Of the moneys appropriated to the department of military affairs under sec-

tion 20.465 (1) (a) of the statutes for telephone service, \$30,000 in fiscal year 1985-86 and \$30,000 in fiscal year 1986-87 may not be expended unless their expenditure is authorized by the department of administration in the 4th quarter of each fiscal year of the 1985-87 biennium. Any such expenditure in fiscal year 1985-86 is limited to the amount by which \$44,200 exceeds the estimated federal cost reimbursement for telephone service for that fiscal year. Any such expenditure in fiscal year 1986-87 is limited to the amount by which \$60,700 exceeds the estimated federal cost reimbursement for telephone service for that fiscal year.

(2) **ARMORY REPAIR AND MAINTENANCE.** The moneys appropriated to the department of military affairs under section 20.465 (1) (b) of the statutes for fiscal year 1986-87 may not be expended by the department of military affairs if federal cost-share funding was available for armory repair and maintenance in fiscal year 1985-86 unless the joint committee on finance authorizes their expenditure at a regular quarterly meeting under section 13.10 of the statutes on or after June 1, 1986.

**SECTION 3039. Nonstatutory provisions; natural resources.**

(2) **MANAGED FOREST LAND.** (a) Within 30 days after the effective date of the creation of sections 77.13 and 77.16 (14) of the statutes by this act, the department of natural resources shall notify each person who has submitted a petition requesting that department to designate the person's land as forest croplands under section 77.02 of the statutes, or who has applied to place land under the woodland tax law under section 77.16 (2) of the statutes, that the department will not consider the application, but that the person may, on or after the effective date of the creation of subchapter VI of chapter 77 of the statutes by this act, petition the department of natural resources to designate the land as managed forest land without paying the \$10 application fee required under section 77.82 (2) (intro.) of the statutes, as created by this act.

(b) Within 30 days after the effective date of the creation of sections 77.13 and 77.16 (14) of the statutes by this act, the department of natural resources shall notify each person whose contract is affected by section 77.13 (3) or 77.16 (14) (c) of the statutes of the expiration of the forest cropland and woodland tax laws, of the revised expiration date of the person's contract and of the person's right to petition for the designation of the land as managed forest land under section 77.82 (2) of the statutes, as created by this act.

(c) Each notice under paragraph (a) or (b) shall be accompanied by a copy of subchapter VI of chapter 77 of the statutes, as created by this act, or by a summary of its provisions prepared by the department of natural resources, and by any department form that is necessary to enable the person to submit the petition required under section 77.82 (2) of the statutes, as created by this act, or to notify the department of natural

resources under section 77.13 (3) or 77.16 (14) (c) of the statutes, as created by this act, that the person does not intend to file a petition to have the land designated as managed forest land.

(3) **ENDANGERED RESOURCES LOAN REPAYMENT.** The endangered resources program is no longer required to repay the \$140,400 loan authorized on September 6, 1984, by the joint committee on finance under section 13.10 of the statutes from the appropriation under s. 20.370 (1) (mu) to the appropriation under section 20.370 (1) (fs) of the statutes.

(4) **LIZARD MOUND STATE PARK.** (a) *Conveyance.* Upon payment by Washington county of \$1, the department of natural resources, acting on behalf of the state of Wisconsin, shall cede, grant and convey all rights, title and interest in Lizard Mound state park to Washington county, on the condition that the property be used by the county for recreational purposes.

(b) *Nonapplicability of joint committee on finance approval.* Section 27.01 (3) of the statutes does not apply to the conveyance under paragraph (a).

(5) **RADIOACTIVE WASTE SUPPLEMENT.** The department of natural resources shall publish an educational supplement to the Wisconsin natural resources magazine during the 1985-86 fiscal year concerning radioactive wastes.

(6) **WASTE REDUCTION AND RECYCLING DEMONSTRATION GRANTS; 1985-86 FISCAL YEAR.** During the 1985-86 fiscal year, from the appropriation under section 20.370 (4) (ce) of the statutes, the department of natural resources shall provide a waste reduction and recycling demonstration grant of \$100,000 for the resource recovery and recycling facility in the village of Muscoda in Grant and Iowa counties, notwithstanding eligibility requirements and the limitations under section 144.799 (5) (b) of the statutes.

(7) **WASTEWATER TREATMENT PLANT STUDY.** The department of natural resources shall conduct a study evaluating the wastewater treatment plant operation and maintenance program under section 144.025 (2) (h) of the statutes and shall submit the study with its 1987-89 budget request under section 16.42 of the statutes. The department of natural resources shall conduct the study in conjunction with persons in the private sector who provide similar services. The study shall include an analysis of all of the following:

(a) The role of consultants in the provision of operations services.

(b) The appropriate role of a state agency in the provision of operations services.

(c) The potential costs to the owners of wastewater treatment plants of using private sector consultants for operations services.

(d) The feasibility of having this state assess fees for the provision of operations services in order to offset the cost of the existing program.

~~(8) **WELL COMPENSATION PROGRAM FUNDING.** The amounts in the schedule for the appropriation under section 20.370 (2) (eb) of the statutes for fiscal year~~

Vetoed  
in Part

~~1986-87 may not be expended until the department of natural resources submits to the joint committee on finance a well compensation program participation status report and the joint committee on finance approves the expenditure at a regular quarterly meeting under section 13.10 of the statutes on or after June 1, 1986.~~

(8m) ALL-TERRAIN VEHICLES. (a) *Position authorization.* Beginning on the effective date of this paragraph, the authorized FTE positions for the department of natural resources are increased by 0.25 SEG position to be funded from the appropriation under section 20.370 (3) (as) of the statutes, as created by this act, and by 1.0 SEG position to be funded from the appropriation under section 20.370 (8) (ds) of the statutes, as created by this act.

(b) *Initial limitations.* Prior to July 1, 1988, the department of natural resources need not comply with the 50% minimum under section 23.33 (9) (b) of the statutes, as created by this act.

(c) *Initial membership on the off-the-road vehicle council.* Members of the motorcycle recreation council immediately prior to the effective date of this paragraph automatically shall become members on the off-the-road vehicle council on the effective date of this paragraph and shall serve the same terms on the off-the-road vehicle council which they would have served if the motorcycle recreation council had continued in existence.

(d) *Initial funding.* Notwithstanding section 20.370 (3) (as), (4) (iq) and (8) (ds) of the statutes, as created by this act, moneys may be expended from those appropriations during fiscal years 1985-86 and 1986-87 even if those moneys were not received from all-terrain vehicle registration. Any moneys expended under the authority of this paragraph during fiscal years 1985-86 and 1986-87 shall be deducted from moneys received from all-terrain vehicle registration in fiscal year 1986-87 and, if necessary, in subsequent fiscal years in calculating moneys available from all-terrain vehicle registration.

(9) FOX RIVER MANAGEMENT COMMISSION; MAINTENANCE AND REHABILITATION. In addition to the power and authority granted under section 30.93 of the statutes, the Fox river management commission shall assume responsibility for the maintenance and rehabilitation of the first lock, located in the city of Portage, on the upper Fox river between the effective date of this subsection and June 30, 1987. The commission may utilize funds appropriated under section 20.370 (1) (dr) of the statutes, as created by this act, for these maintenance and rehabilitation activities. The commission may not expend those funds unless the Fox-Wisconsin heritage waterway park corporation approves their expenditure.

(9s) POINT SOURCE WATER POLLUTION ABATEMENT GRANTS DURING THE 1985-87 BIENNIUM. (a) *Definitions.* As used in this subsection:

1. "Community" means a contiguous development of at least 40 acres with a population of at least 150.

2. "Federal act" has the meaning specified under section 144.24 (3) (a) of the statutes.

3. "Village" means a village with a 1980 population of more than 5,000 but less than 7,000, and which has 150 to 200 nonsewered residential units which will require sanitary sewer service.

(b) *Special eligibility for certain communities during the 1985-87 biennium.* Notwithstanding the definition of "point source pollution abatement facilities" under section 144.24 (3) (b) of the statutes and notwithstanding section 144.24 (4) (b) 1 of the statutes, as affected by this act, during the 1985-86 and 1986-87 fiscal years eligible projects relating to collection systems under the point source pollution abatement financial assistance program include projects for the construction of collection systems in unsewered communities if all of the following conditions are satisfied:

1. At least 67% of the project's design flow is from habitations in existence on October 18, 1972.

2. Construction of the project commenced on or after January 1, 1983, and the project was completed prior to January 1, 1985.

3. The municipality applied to the department of natural resources for financial assistance under the point source pollution abatement program on or after January 1, 1982, but prior to January 1, 1985.

4. The municipality notifies the department of natural resources of its intent to reapply for a grant under section 144.24 of the statutes and this subsection by January 1 of the fiscal year in which it seeks the grant.

(bm) *Special eligibility for certain villages during the 1985-87 biennium.* Notwithstanding the definition of "point source pollution abatement facilities" under section 144.24 (3) (b) of the statutes and notwithstanding section 144.24 (4) (a) of the statutes, during the 1985-86 and 1986-87 fiscal years eligible projects under the point source pollution abatement financial assistance program include projects for the construction of a treatment plant serving a village if all of the following conditions are satisfied:

1. The village first submitted its facility plan to the department of natural resources in April 1983.

2. The village applied to the department of natural resources for financial assistance for a step 2 design grant, as defined by the department of natural resources by rule, in November 1984.

3. The village has not received any financial assistance under a grant under section 144.24 of the statutes.

(c) *Special priorities during the 1985-87 biennium.* The department of natural resources shall give projects which received advance commitments for reimbursement under section 144.24 (9) and (9m) of the statutes prior to July 1, 1985, highest ranking on the annual priority funding list according to the ranking of these projects under the federal act. Notwithstanding section 144.24 (6) (a) of the statutes, the depart-

ment of natural resources shall give projects which are eligible under paragraphs (b) and (bm) 2nd highest ranking on the annual priority funding list notwithstanding the ranking of these projects under the federal act. The department of natural resources shall compile any priority funding list on or after the effective date of this paragraph in accordance with this paragraph and any funding list in effect on the effective date of this paragraph shall be deemed to include projects eligible under paragraphs (b) and (bm) and these projects shall be given 2nd highest ranking after projects which received advance commitments for reimbursement prior to July 1, 1985. The department may establish special procedures for projects which are eligible under paragraphs (b) and (bm).

(10) MUNICIPAL WATER SUPPLY GRANTS; RULE MAKING. The department of natural resources may establish standards and procedures under section 144.028 of the statutes, as created by this act, by promulgating emergency rules under section 227.027 of the statutes.

Vetoed  
in Part

~~(10m) FOX RIVER LOCKS FUNDING. The department of natural resources and the Wisconsin waterways commission shall provide from the program under section 30.92 of the statutes at least \$25,000 in fiscal year 1985-86 from the appropriation under section 20.370(4) (bu) of the statutes to the Fox river management commission for the management and operation of the Fox river locks.~~

(11) WELL COMPENSATION AWARD PERMITTED. Notwithstanding section 144.027 (11) (a) 3 of the statutes, the department of natural resources may reimburse a claimant for costs incurred before the department determined that the claim was complete under section 144.027 (5) (c) of the statutes if all of the following conditions exist:

(a) The costs were incurred between January 1, 1985, and June 30, 1985.

(b) The claimant submitted the claim before June 30, 1985.

(c) The claim is for reimbursement of costs for connection to a public water supply.

(d) The claimant was advised by a licensed physician not to consume water from the claimant's well because of potential danger to the claimant's health.

(e) The claim meets all other requirements of section 144.027 of the statutes.

**SECTION 3042. Nonstatutory provisions; public defender board.**

(1) PILOT PROGRAM. The state public defender shall develop a pilot program in which the state public defender enters into a contract in at least one county during the 1985-87 fiscal biennium for the provision of legal services by private local attorneys. The appointment of private local attorneys under such a contract in any such county during the 1985-87 fiscal biennium is subject to the contract and is not subject to section 977.08 of the statutes. The state public defender shall make payments agreed to under any such contract from the appropriation under section 20.550 (1) (d) of

the statutes. The state public defender shall report to the presiding officer of each house of the legislature on the status of the pilot program, including a description of the type of contracts awarded, the cost-effectiveness of the program and the private bar interest in the program, by February 15, 1987.

~~(2) ATTORNEY SALARIES. No person hired as a staff attorney for the office of the state public defender during the 1985-87 biennium may receive a starting gross salary exceeding \$20,000 annually unless the person possesses pertinent work experience, excluding work experience gained in attaining a law degree.~~

Vetoed  
in Part

**SECTION 3043. Nonstatutory provisions; public instruction.**

(1) PUPIL DISCRIMINATION RULES. The state superintendent of public instruction shall submit the rules required under section 118.13 (3) (a) 2 of the statutes, as created by this act, in final draft form under section 227.018 (2) of the statutes no later than the first day of the 12th month commencing after the effective date of this subsection.

(2) TUITION COMPUTATION. Notwithstanding section 121.83 (1) (a) of the statutes, as affected by this act, any discretionary federal aid in excess of \$1,481,400 received under 20 USC 1411 (c) (1) A during the 1984-85 school year by a school district which incurred a financial burden in that school year as a result of the transfer of handicapped pupils from a state institution shall not be treated as an offsetting receipt for purposes of determining net school cost under section 121.83 of the statutes.

~~(2m) COMPREHENSIVE DAY TREATMENT. The state superintendent of public instruction shall use at least \$60,000 of discretionary federal aid received under 20 USC 1411 (c) (1) A in the 1985-86 school year to fund a comprehensive day treatment program for emotionally disturbed and juvenile delinquent youth operated by the Kenosha unified school district.~~

Vetoed  
in Part

~~(2n) FAMILY-BASED TRAINING PROGRAMS. The state superintendent of public instruction shall:~~

~~(a) Use \$92,000 of discretionary federal aid received under 20 USC 1411 (c) (1) A in the 1985-86 school year to fund a family-based training program operated by the Milwaukee public school system.~~

~~(b) Use \$26,000 of discretionary federal aid received under 20 USC 1411 (c) (1) A in the 1985-86 school year to fund a family-based training program operated by the Greenfield school district.~~

(3) ELEMENTARY SCHOOL ESTABLISHMENT. By June 30, 1987, the board of school directors in charge of the public schools of a 1st class city shall establish a new nonspecialty elementary school in aldermanic district 1, 6 or 10, as designated on the effective date of this subsection. In this subsection, "specialty school" has the meaning specified in section 119.16 (11) (a) of the statutes, as created by this act.

(6) BUREAU FOR EQUAL EDUCATIONAL OPPORTUNITY. If federal desegregation technical assistance grants awarded under title IV of the federal civil rights act are

unavailable during the 1985-87 biennium, the department of public instruction shall reallocate administrative funds received under the federal education block grant program for the continuation of existing positions for and operations of the bureau for equal educational opportunity.

(8) **INTERNSHIP PROGRAM PLAN.** The department of public instruction and the board of regents of the university of Wisconsin system shall jointly develop a plan for a pilot program in which candidates for certification as school district administrators would serve in internship positions in school districts. The department and the board shall submit the plan to the governor and the joint committee on finance by February 10, 1986.

(9) **CENTRAL WISCONSIN CENTER.** Subject to the approval of the joint committee on finance, all unexpended and unencumbered funds remaining in the appropriation under section 20.255 (2) (b) of the statutes at the end of the 1985-86 fiscal year, up to a maximum of \$1,222,800, shall be applied to offset federal costs for the public school education of residents of the central Wisconsin center for the developmentally disabled in the 1986-87 fiscal year. The funds shall be applied to costs incurred by the Madison metropolitan school district for the education of residents of the central Wisconsin center for the developmentally disabled in the 1986-87 fiscal year. If any federal discretionary funds for handicapped education are made available as a result of this subsection, the federal funds shall be used to support projects with a duration of no more than one year.

**SECTION 3045. Nonstatutory provisions; regulation and licensing.**

(1) **LEGISLATIVE DECLARATION.** (a) The legislature declares that its purpose in delegating occupational licensing and regulatory authority to the department of regulation and licensing and its attached examining boards was to better protect the public health and safety against incompetent practitioners by providing for more efficient and direct regulation of licensed professionals.

(b) The legislature further declares that the department of regulation and licensing and its examining boards have experienced difficulty in enforcing disciplinary actions against many licensed professionals, at least in part because the burden of proof in disciplinary proceedings has been assumed to be a standard of clear and convincing evidence. The legislature finds that continued difficulty of enforcement would be inimical to the public health and safety.

(c) The legislature further declares that the department of regulation and licensing and its examining boards would be better able to enforce disciplinary actions against licensed professionals and thereby improve protection of the public health and safety if they were allowed to employ a burden of proof standard of a preponderance of the evidence in disciplinary proceedings.

(d) The legislature further declares that allowing the department of regulation and licensing and its examining boards to employ a burden of proof standard of a preponderance of the evidence in disciplinary proceedings would not violate any due process rights of any licensed professionals because there are sufficient procedural and substantive safeguards surrounding these disciplinary proceedings. These safeguards include, for the various professions, an investigation of allegations of unprofessional conduct and a finding of probable cause before conducting a hearing, notice of hearing, a hearing conducted in accordance with any rules promulgated by the department and a public hearing. In addition, all disciplinary proceedings are subject to judicial review, upon petition by the aggrieved practitioner.

**SECTION 3046. Nonstatutory provisions; revenue.**

(1) **ACCOUNTING SERVICES BUREAU.** The department of revenue may certify accounts receivable not collected before July 1, 1985, and owed to the appropriation under section 20.566 (2) (g), 1983 stats., to the department of administration as a state special charge against shared revenues payable to the municipality or county that has an outstanding account receivable. Accounts receivable collected and special charges received shall be deposited into general purpose revenue-earned.

(2) **INVESTMENT AND LOCAL IMPACT FUND BOARD.** Notwithstanding sections 230.14, 230.15 and 230.16 of the statutes, the person occupying the unclassified position of executive secretary for the investment and local impact fund board on the day before the effective date of this subsection shall be appointed to the classified position of executive secretary for the investment and local impact fund board, as created by this act.

(3) **MINING PAYMENT FISCAL GUIDELINES.** Rules promulgated under section 70.395 (2) (hg) of the statutes, as created by this act, initially apply to the use of all moneys received under section 70.395 (2) (d), (f) and (g) of the statutes that are unexpended and unencumbered on the effective date of the rules.

(4) **MINING PAYMENT LAW COMPLIANCE.** Rules promulgated under section 70.395 (2) (hr) of the statutes, as created by this act, initially apply to all moneys received under section 70.395 (2) (d), (f) and (g) of the statutes that are unexpended and unencumbered on the effective date of the rules.

~~(5) **SHARED REVENUE PAYMENTS.** Notwithstanding the treatment of section 79.02 (2) (b) of the statutes by this act, if the treatment of that paragraph of the statutes by this act takes effect on July 10, 1985, or thereafter, the July 1985 payment under that paragraph of the statutes is 20% of the municipality's or county's estimated payments for 1985.~~

Vetoed  
in Part

(6) **SHARED REVENUE UTILITY PAYMENTS.** For purposes of the 1985 distribution under section 79.04 ~~(2)~~ of the statutes, the value of treatment plant and pollution abatement equipment, as defined in section

Vetoed  
in Part

70.11 (21) (a) of the statutes, as determined by the department of revenue, owned by companies taxed under section 76.48 of the statutes shall not be excluded from the amount shown in the account.

(8) TELEPHONE TAX. (a) *Deadlines.* Notwithstanding the treatment of section 76.38 of the statutes by this act, the semiannual instalments under section 76.38 (3a) of the statutes for the 1986 license fee are due on May 10, 1985, and November 10, 1985. Instalments paid prior to the effective date of this paragraph shall be credited against the semiannual instalments required for the 1986 license fee.

(b) *Credit.* The tax payment in May 1985 under section 76.13 (2a) of the statutes by companies defined in section 76.02 (4), 1983 stats., shall be credited by the department of revenue against the instalment of their 1986 license fee payable in November 1985 under section 76.38 (3a) of the statutes.

(9) FINANCIAL ADMINISTRATION HANDBOOK. The department of revenue shall charge municipalities for the copies of the department's financial administration handbook for small municipalities that are requested by them ~~and may not distribute free copies to municipalities.~~

Vetoed  
in Part

(10) STUDY OF CONTRACTING FOR AUDITS. The department of revenue shall study the cost-effectiveness of its contracting for out-of-state audits conducted to monitor compliance with the income tax and franchise tax laws and shall study the feasibility of increasing that kind of contracting. The department of revenue shall report the results of that study to the presiding officers of each house of the legislature on or before December 1, 1986.

(11) 1985 STATE TAX AMNESTY. (a) *Program established.* The department of revenue shall establish a tax amnesty program that shall apply to all taxes administered by the department under chapters 71, 72, 78 and 139 of the statutes and subchapter III of chapter 77 of the statutes. Amnesty is available only with respect to the tax obligations under paragraph (b). The amnesty program shall be in effect from September 15, 1985 to November 22, 1985.

(b) *Eligible obligations; payment; limit.* 1. For a taxpayer who has an existing tax delinquency on the records of the department as of May 15, 1985, the department shall accept as full payment of the delinquent amount a certified check, cashier's check, money order or cash in the amount of 80% of the balance due as of the date of payment. No amnesty is available on a tax delinquency based upon an estimated or default assessment, determination, or notice of amount due unless all tax returns corresponding with the assessment, determination, or notice of amount due are filed with the department during the amnesty period. The maximum reduction available under this subdivision is \$5,000.

2. For a taxpayer who has a tax liability that is neither reported nor established, the department shall accept the filing of returns, together with payment of

all taxes due, with interest, on those returns if payment is made by certified check, cashier's check, money order or cash. On those returns the department shall not impose civil penalties and late filing fees or seek criminal prosecution and the department shall reduce applicable delinquent interest due to the rate of one percent per month or part of a month. If the department determines that additional taxes are due on those returns, penalties and appropriate interest may be imposed on those additional amounts.

3. For a taxpayer who has a tax liability not delinquent on the records of the department as of May 15, 1985, but based upon an assessment, determination, or notice of amount due issued by the department before or during the amnesty period, the department shall waive civil penalties, except as provided in par. (d), and late filing fees and reduce applicable delinquent interest due to the rate of one percent per month or part of a month if an application for amnesty is submitted during the amnesty period and payment is made by certified check, cashier's check, money order or cash. Amnesty is not available under this subdivision for an assessment, determination, or notice of amount due under review by the appellate bureau of the department, the Wisconsin tax appeals commission or any court unless that appeal is withdrawn by the taxpayer.

(c) *Ineligible taxpayers and obligations.* The amnesty program is not available if any of the following conditions apply:

1. The person requesting amnesty has been notified by the date of application for amnesty that he or she is a party to any criminal investigation or any pending criminal litigation relating to any tax administered by the department.

2. The amounts for which amnesty is requested are collected or subject to litigation as of the date of application for amnesty as a result of any civil collection action initiated by the department under authority of section 71.13 or 71.135 of the statutes or any other state law pertaining to creditor enforcement proceedings.

3. The amount for which amnesty is requested is, on the date of application for amnesty, a delinquent nonresident account assigned to a collection agency under section 73.03 (28) of the statutes and is the subject of a civil collection proceeding before any court.

4. The taxpayer is notified during the amnesty period of an adverse determination of his or her appeal of a tax liability by the Wisconsin tax appeals commission or any court during the amnesty period.

(d) *Nonwaiver.* Any penalty assessed under section 71.11 (6), 71.20 (5) (a), (8) (e), (16) or (22) (e), 72.86 (6), 77.60 (5), 78.22 (6), 139.25 (2) or (5) or 139.44 (2) of the statutes or assessed for the underpayment of taxes under section 71.21 or 71.22 of the statutes may not be waived under paragraph (b) 2 or 3.

(e) *Finality; full payment.* All amounts paid under amnesty are final and may not be refunded. Amnesty

is available for a taxpayer only if the full amount due as provided by the amnesty program is paid for all of his or her tax obligations as set forth in paragraph (b) within 90 days after notification by the department and all required tax returns are filed.

(f) *Application.* For amnesty to apply, a properly completed application for amnesty under this section shall be made upon forms and under instructions issued by the department.

(g) *Proceeds.* The proceeds of the program under this subsection shall be deposited in the segregated fund under section 25.38 of the statutes.

(h) *Administrative costs.* Of the amounts appropriated to the department of revenue in 1985-86 under section 20.566 (1) (a) of the statutes for administrative expenses of this program, \$299,400 shall be placed in unallotted reserve. These moneys may be released from unallotted reserve by the joint committee on finance upon review and approval of a plan submitted by the department for expenditure of these moneys.

(12a) **MANAGEMENT TRAINING.** The secretary of revenue or the secretary's designee shall participate in the programs offered under section 560.093 of the statutes, as created by this act. Participation shall include attending one or more of these programs and training appropriate department staff in the management techniques discussed.

**Vetoed in Part** (12b) **TAX STATEMENTS.** Notwithstanding the treatment of section 70.665 of the statutes by this act, taxation district clerks may, for tax bills for 1985, furnish the information required under section 70.665 of the statutes to each taxpayer by separate notice prescribed by the department of revenue with each tax bill.

(15g) **TELEPHONE TAX.** It is the intent of the legislature that the telephone gross receipts tax rates be phased down over a period of 6 years to a level which is comparable to that which other businesses pay in property taxes and that these reductions be passed through to telephone customers in lower rates, thus protecting ratepayers by discouraging bypass and preserving universal telephone service for Wisconsin residents.

**SECTION 3048. Nonstatutory provisions; secretary of state.**

(1) **UCC STATEWIDE LIEN SYSTEM COUNCIL.** Notwithstanding section 14.367 (1) (a) of the statutes, the following initial members of the uniform commercial code statewide lien system council shall be appointed by the secretary of state for terms expiring on the following dates:

(a) The 2 members under section 14.367 (1) (a) 1 of the statutes, July 1, 1987.

(b) The member under section 14.367 (1) (a) 2 of the statutes, July 1, 1989.

(c) The member under section 14.367 (1) (a) 3 of the statutes, July 1, 1989.

(d) The member under section 14.367 (1) (a) 4 of the statutes, July 1, 1991.

(e) The member under section 14.367 (1) (a) 5 of the statutes, July 1, 1991.

**SECTION 3049. Nonstatutory provisions; securities.**

(1g) **ADMINISTRATIVE RULES ADVISORY COMMITTEE.** The commissioner of securities shall submit to the chief clerk of each house of the legislature the recommendations of the administrative rules advisory committee of the office of the commissioner of securities relating to merit review regulation together with the commissioner's statement on each recommendation on whether the commissioner agrees or disagrees with the recommendation. The commissioner shall submit the recommendations and the commissioner's statement within 30 days after the commissioner receives the recommendations of the committee. If the commissioner promulgates rules to carry out the recommendations of the committee, the commissioner shall submit to the chief clerk of each house of the legislature within 6 months after the rules take effect the commissioner's observations on the experience resulting from the rules and any necessary proposed legislation.

**SECTION 3051. Nonstatutory provisions; transportation.**

(1) **CONNECTING HIGHWAYS STUDY.** The department of transportation shall study the designation and definition of connecting highways under section 86.32 of the statutes, as affected by this act, and shall include in the study an examination of jurisdiction over connecting highways and reimbursement for connecting highway maintenance costs. The department of transportation shall submit its recommendations from the study to the department of administration under section 16.42 of the statutes as proposed amendments to section 86.32 of the statutes for inclusion in the 1987-89 executive budget bill.

(1m) **EXISTING HIGHWAY IMPROVEMENT.** For the 1985-87 biennium, the department of transportation shall establish a goal of 775 miles for the surface renewal of existing state trunk and connecting highways by means of resurfacing, reconditioning or reconstruction.

(2) **I 90 INTERCHANGE CONSTRUCTION.** The department of transportation shall allocate sufficient funds from the appropriations under section 20.395 (3) (gq) and (gx) of the statutes in the 1985-87 biennium for construction of an interchange off of I 90 adjacent to Avalon Road south of STH 11 in Rock county, such interchange to consist of a modified cloverleaf located north of Avalon Road. **Vetoed in Part**

(2m) **AVALON ROAD IMPROVEMENT.** Notwithstanding chapter 84 of the statutes and section 20.395 (2) (eq) of the statutes, from the appropriation under section 20.395 (2) (eq) of the statutes, the department of transportation shall expend \$2,900,000 in the 1985-87 biennium for improvements to that segment of Avalon Road in Rock county extending westerly from I 90 to the intersection with USH 51. The improvements **Vetoed in Part**

shall include reconstruction of Avalon Road between I 90 and the intersection with USH 51, construction of a bridge on Avalon Road at a location east of Road Road where Avalon Road intersects with the tracks of the Chicago and Northwestern Railroad and relocation of tracks associated with construction of the bridge.

**Vetoed  
in Part**

(3) LAKE ARTERIAL PROJECT. (a) ~~Removal from state trunk highway system.~~ Except for the location described in paragraph (b), the department of transportation is directed to remove from the state trunk highway system a highway location in Milwaukee county extending from the southerly terminus of the Daniel Webster Hoan Memorial Bridge southerly on or adjacent to the Chicago and Northwestern Railroad right-of-way to the intersection with East Layton Avenue, a total of approximately 3.0 miles.

**Vetoed  
in Part**

(b) ~~Stub-end project construction.~~ The department of transportation shall construct a stub-end project at the southerly terminus of the Daniel Webster Hoan Memorial Bridge in Milwaukee county in the 1985-87 biennium, such project to consist of a new roadway between South Car Ferry Drive and South Bay Street and a realignment of the bridge approach to accommodate the new roadway.

**Vetoed  
in Part**

(4) KINNICKINNIC BRIDGE. The department of transportation shall complete the engineering work associated with the replacement of the Kinnickinnic bridge on STH 32 in Milwaukee county in the 1985-87 biennium.

(5) AERONAUTICS PROGRAM. The intent of this subsection is to prevent aeronautics program expenditures from exceeding aeronautics revenues during the 1985-87 biennium. The department of transportation shall determine whether actual or projected aeronautics revenues during the 1985-87 biennium are sufficient to cover aeronautics program expenditures during the 1985-87 biennium. If the department of transportation determines that actual or projected aeronautics revenues are insufficient to cover aeronautics program expenditures, the department shall propose a solution to the imbalance to the joint committee on finance. The department of transportation shall proceed to resolve the imbalance between such revenues and expenditures as directed by the joint committee on finance.

**Vetoed  
in Part**

(6p) 43RD STREET CONSTRUCTION AND REDEVELOPMENT. (a) The department of transportation, to the extent practicable, shall complete the construction of the 43rd Street project authorized in section 84.013 (3) (o) of the statutes by this act by January 1, 1988.

(b) Costs of the project authorized in section 84.013 (3) (o) of the statutes by this act which are eligible for state funding include the following:

1. Sewer main rehabilitation and water main rehabilitation which are determined by the department of transportation in consultation with the village of West Milwaukee to be necessary to preserve the integrity of the highway constructed under the project.

2. Activities related to determining whether the demolition of buildings located on lands and property previously acquired for the Stadium Freeway South was conducted properly.

3. Activities related to correcting errors, if any, in the conduct of the demolition of the buildings in subdivision 2 in order to permit the redevelopment of the lands and property previously acquired for the Stadium Freeway South.

(c) The department of transportation shall transfer the jurisdiction of the highway authorized in section 84.013 (3) (o) of the statutes by this act to the governmental unit or units in which the highway is located upon completion of the highway project.

(6r) STATE TRUNK HIGHWAY 32 RECONSTRUCTION. (a) *Engineering work.* The department of transportation shall complete the engineering work for the reconstruction of STH 32 in the city of St. Francis in the 1985-87 biennium.

(b) *Acquisition of right-of-way.* The department of transportation shall acquire the right-of-way necessary for the reconstruction of STH 32 in the city of St. Francis in the 1985-87 biennium, and from the appropriation under section 20.395 (3) (cq) of the statutes shall expend not to exceed \$175,000 in the 1985-87 biennium for the purpose of this right-of-way acquisition.

(c) *Reconstruction in 1987-89 biennium.* The department of transportation shall reconstruct STH 32 in the city of St. Francis in the 1987-89 biennium.

(9m) USH 18/151 CONSTRUCTION. The department of transportation shall complete the studies and engineering and design work necessary to permit the department to begin the acquisition of right-of-way for construction of the 2nd roadway of USH 18/151 between Mt. Horeb and Verona by June 30, 1988.

(10m) STH 100 DESIGNATIONS. (a) The department of transportation is directed to change from STH 100 to STH 91 the designation of a highway in Milwaukee county which is routed over 107th Street between Brown Deer Road and Good Hope Road and over Good Hope Road between 107th Street and USH 41/45.

**Vetoed  
in Part**

(b) The department of transportation is directed to change from STH 74 to STH 100 the designation of a highway in Milwaukee and Waukesha counties which is routed over Brown Deer Road and Main Street from 107th Street in Milwaukee county westerly to USH 41/45 in Waukesha county.

(c) The department of transportation is directed to change the designation of USH 41/45 in Milwaukee and Waukesha counties between Good Hope Road in Milwaukee county and STH 74 in Waukesha county to USH 41/45-STH 100.

(11m) 107TH STREET TRAFFIC STUDY. The department of transportation shall conduct a study of the volume and pattern of traffic on 107th Street between Good Hope Road and Brown Deer Road in Milwaukee county and shall utilize the findings of the study to

**Vetoed  
in Part**



**Vetoed  
in Part**

~~determine whether, or to what extent, 107th Street between Good Hope Road and Brown Deer Road should be widened. The department of transportation shall conduct the study required by this subsection no sooner than 6 months after making the changes in state trunk highway designations required in subsection (10m). The department of transportation may not widen 107th Street between Good Hope Road and Brown Deer Road without first conducting the study required by this subsection.~~

**Vetoed  
in Part**

(12m) ~~194~~ NOISE BARRIERS. From the appropriations under section 20.395 (3) (gq) and (gx) of the statutes, the department of transportation shall expend a total of \$2,000,000 in the 1985-87 biennium for the installation of noise barriers on 194 between Morgan Avenue and South 6th Street in the city of Milwaukee.

**Vetoed  
in Part**

(12o) ~~1894~~ NOISE BARRIERS. From the appropriations under section 20.395 (3) (gq) and (gx) of the statutes, the department of transportation shall expend a total of \$2,000,000 in the 1985-87 biennium for the installation of noise barriers on 1894 in Milwaukee county.

(12p) MANITOWOC FERRY SLIP. The department of transportation shall allocate \$75,000 from the appropriation under section 20.395 (2) (cq) of the statutes in the 1985-87 biennium for a harbor assistance grant for improvement of the Manitowoc ferry slip.

**Vetoed  
in Part**

~~(13p) COLUMBUS EXPRESS. The department of transportation shall begin the construction of the USH 151 project in Dane and Columbia counties authorized in section 84.013 (3) (dm) of the statutes by this act, in 1988.~~

(13q) STH 29 CONSTRUCTION. The department of transportation shall complete the construction of STH 29 in Brown county authorized in section 84.013 (3) (u) of the statutes by this act, by December 31, 1989.

**Vetoed  
in Part**

(17) USH 12/NORTH CROSSING BRIDGE AND HIGHWAY. The department of transportation shall conduct preliminary engineering and design work in the 1985-87 biennium for a USH 12/North Crossing bridge and highway project in Eau Claire county and, from the appropriation under section 20.395 (3) (bq) of the statutes, shall allocate \$2,000,000 in the 1985-87 biennium for this purpose.

(21) MASS TRANSIT FARE RULE. The department of transportation shall submit the rule relating to reasonable fares under section 85.20 (1) (hm) of the statutes, as created by this act, in final draft form under section 227.018 (2) of the statutes no later than 180 days after the effective date of this subsection.

(22q) HOWARD AVENUE BRIDGE. Notwithstanding chapter 84 of the statutes and section 20.395 (2) (eq) of the statutes, from the appropriation under section 20.395 (2) (eq) of the statutes, the department of transportation shall allocate sufficient funds in the 1985-87 biennium to complete the engineering and design work associated with the construction of a bridge on Howard Avenue in the city of St. Francis at a location

between South Iowa Avenue and South Pennsylvania Avenue where Howard Avenue intersects with the tracks of the Chicago and Northwestern Railroad.

(26r) STH 142 RESURFACING. The department of transportation shall allocate sufficient funds from the appropriation under section 20.395 (3) (cq) of the statutes in the 1985-87 biennium for completion of the resurfacing of STH 142 between STH 31 and 39th Avenue in the city of Kenosha.

**SECTION 3053. Nonstatutory provisions; university of Wisconsin system.**

(1) REPORTS ON COMPETITIVE SALARY ADJUSTMENTS. No later than August 1, 1986, and August 1, 1987, the board of regents of the university of Wisconsin system shall report to the governor and the joint committee on finance in a form prescribed by the secretary of administration concerning any salary increases granted under subsections (4) and (5) to members of the faculty or academic staff during the 12-month period ending on the preceding June 30 for the purpose of recognizing competitive factors to retain qualified employees.

(3) COOPERATIVE EXTENSION FACULTY COMPENSATION. The board of regents of the university of Wisconsin system shall expend the amount required to finance special faculty compensation adjustments in fiscal year 1986-87 to recognize competitive factors in order to retain qualified employees, not exceeding \$338,700, for members of the faculty employed in cooperative extension programs occupying positions which are federally funded in whole or in part. The compensation adjustments shall be funded from non-federally funded appropriations under section 20.285 (1) of the statutes if the amounts available from federally funded appropriations are insufficient to fund the cost of the adjustments.

(4) SPECIAL SUPPLEMENTARY FACULTY SALARY ADJUSTMENTS. (a) In addition to any salary adjustments made under section 36.09 (1) (j) and 230.12 (3) (e) of the statutes in the 1985-87 fiscal biennium, the board of regents of the university of Wisconsin system shall grant eligible faculty members holding the rank of professor, associate professor or assistant professor at the institutions or institutional equivalents specified in this subsection an increase in base salary equivalent to the following specified percentages calculated on the basis of base payroll of eligible faculty members for October 1984, exclusive of inflationary factors:

1. University of Wisconsin-Madison, 15%.
2. University of Wisconsin centers, 15%.
3. University of Wisconsin-extension, 14.1%.
4. University of Wisconsin-Milwaukee, 12%.
5. All institutions not specified in subdivisions 1 to 4 combined, 10%.

(b) Salary increases under paragraph (a) shall be granted in amounts which average the specified percentages within each institution, institutional equivalent or group of institutions specified in paragraph (a) 1 to 5, but an individual faculty member may be

granted an increase which is greater or less than the specified percentage, and no individual faculty member is required to be granted an increase.

(c) Salary increases granted under paragraph (a) shall be awarded at intervals during the 1985-87 fiscal biennium determined by the board of regents in such manner that the total increase is distributed by January 1, 1987.

(d) Salary increases under this subsection may only be granted to eligible faculty members as a result of individually determined meritorious performance or to recognize competitive factors to retain that faculty member.

(e) This subsection applies notwithstanding section 36.09 (1) (j) of the statutes, as affected by this act.

(4m) PRIVATE SEWAGE SYSTEMS. (a) *Critical resources study.* The institute for environmental studies and the department of urban and regional planning of the university of Wisconsin-Madison shall conduct a cooperative study of the effects, within Wisconsin, of private sewage system installation and use on critical resources, land development patterns and the ability of local governmental units to provide public services. The study shall include both prospective assessments and an analysis of empirical data on the effects of private sewage system. The study shall assess the extent, if any, to which differences in private sewage system designs result in significantly different effects on critical resources and land development patterns. For purposes of the study:

1. Critical resources shall include, but are not limited to, farmlands, forests, wetlands, floodplains, air, surface water, groundwater and fuel or power.

2. Effects on critical resources shall include changes in quantity, quality or availability.

3. Private sewage systems shall refer to holding tanks and private sewage systems of conventional, alternative and experimental design.

(b) *Report and recommendations; critical resources study.* The institute for environmental studies and the department of urban and regional planning at the university of Wisconsin-Madison shall prepare a written report detailing the findings and recommendations of the study under paragraph (a) and shall submit a copy of the report to the legislative council, the governor and the chief clerk of each house of the legislature on or before July 1, 1986, for distribution to the appropriate standing committees under section 13.172 (3) of the statutes.

(c) *Private sewage system design research.* The small scale waste management project in the college of agriculture and life sciences at the university of Wisconsin-Madison shall conduct research for the purpose of designing new types of private sewage systems, using the appropriation under section 20.285 (1) (fn) of the statutes. The research shall be completed by June 30, 1987.

(5) SPECIAL SUPPLEMENTARY ACADEMIC STAFF SALARY ADJUSTMENTS. (a) In addition to any salary

adjustments made under section 36.09 (1) (j) and 230.12 (3) (e) of the statutes in the 1985-87 fiscal biennium, the board of regents of the university of Wisconsin system shall grant eligible members of the academic staff employed one-half time or more in library, instructional or research categories an increase in base salary calculated on the basis of 4.7% of base payroll for positions engaged in such functions for October 1984, exclusive of inflationary factors.

(b) Salary increases under paragraph (a) shall be granted in amounts which average the specified percentage within each institution or institutional equivalent, but an individual academic staff member may be granted an increase which is greater or less than the specified percentage, and no individual academic staff member is required to be granted an increase.

(c) Salary increases under paragraph (a) may only be granted to employees as a result of individually determined meritorious performance or to recognize competitive factors to retain employees.

(d) The secretary of administration shall, under section 16.50 (2) of the statutes, withhold approval of expenditure estimates for salaries of academic staff members at the university of Wisconsin system for the 1985-86 fiscal year in an amount calculated on the basis of 4.7% of the total academic staff payroll for October 1984 for one-half time or greater positions not in library, instructional or research categories, plus inflationary factors.

(e) In addition to any salary adjustments made under paragraph (a) and sections 36.09 (1) (j) and 230.12 (3) (e) of the statutes in the 1985-87 fiscal biennium, the board of regents shall grant to eligible members of the academic staff occupying one-half time or greater positions an increase in base salary from moneys withheld from expenditure under paragraph (d). No salary increases may be granted under this paragraph prior to June 30, 1986, until the joint committee on employment relations approves a plan for implementing the categorization structure developed under subsection (6) and for distributing such increases in coordination with the structure. If the joint committee does not approve a plan prior to June 30, 1986, salary increases shall be granted on June 30, 1986. The board of regents shall grant such salary increases as are required to implement the categorization structure and, if the moneys withheld under paragraph (d) are insufficient for implementation, the board of regents shall supplement the moneys from appropriations under section 20.285 (1) (a) of the statutes for the 1985-87 fiscal biennium.

(f) Upon approval of the report and plan under subsection (6), or on June 30, 1986, whichever is earlier, the secretary of administration shall approve the expenditure estimates under paragraph (d) and any other expenditure estimates required to implement the categorization structure under subsection (6). Withheld moneys approved for expenditure may be utilized only for salary increases required to implement the

categorization structure under subsection (6) or to recognize competitive factors to retain an employe who is individually determined to merit the increase and who is performing functions not performed in state agencies outside the university of Wisconsin system.

(g) No individual academic staff member is required to be granted a salary increase under paragraph (e).

(h) Salary increases granted under paragraphs (a) and (e) shall be awarded at intervals during the 1985-87 fiscal biennium determined by the board of regents in such manner that the total increases are distributed by January 1, 1987.

(i) In this subsection, "categories" means the categories utilized by the board of regents in preparing its submission to the department of administration regarding academic staff compensation for inclusion in the 1985-87 executive budget bill.

(j) This subsection applies notwithstanding section 36.09 (1) (j) of the statutes, as affected by this act.

(6) ACADEMIC STAFF CATEGORIZATION STRUCTURE.

(a) The board of regents of the university of Wisconsin system and the department of employment relations shall jointly retain an independent consultant for the purpose of developing a categorization structure for university of Wisconsin academic staff members under paragraph (b). Prior to July 1, 1986, the board of regents and the department shall submit a report and recommendations to the joint committee on employment relations, for its approval, containing a plan for implementing the categorization structure as required by that paragraph. The report shall include recommended policies and procedures to promote affirmative action and the retention and career progression of women and minorities, together with a review of current policies and practices in this regard, and shall also include an evaluation of whether the duties of any positions in the academic staff are substantially similar to positions in the classified service and the positions should appropriately be placed in the classified service.

Vetoed  
in Part

(b) The categorization structure under paragraph (a) shall:

1. Establish consistent titles and types of appointments for academic staff positions and job categories in which to place such positions. Within each category, position titles shall accurately reflect functions performed by the positions. The categories shall include mechanisms to provide lines of career progression.

2. Establish consistent pay ranges for academic staff positions at all institutions, and assign the job categories established under subdivision 1 to those pay ranges. The ranges shall reflect functions performed, job-related education, competitive factors, experience, training and level of responsibility.

(c) This subsection does not apply after June 30, 1987.

(6m) CORRECTING PAY INEQUITIES. In fiscal year 1985-86 the board of regents of the university of Wisconsin system shall, with respect to academic staff, establish job categories and assign them to pay ranges under section 36.09 (1) (k) of the statutes in a manner acceptable to the secretary of employment relations. In fiscal year 1986-87 the board of regents shall, with respect to academic staff, begin correcting pay inequities based on gender or race.

(7) REALLOCATIONS OF FUNDING. (a) *Interpreter training program.* The board of regents of the university of Wisconsin system shall allocate, from the system's general program operations funds, up to \$95,700 in each fiscal year of the 1985-87 biennium for the interpreter training program as an adjustment to the program's base funding level at the university of Wisconsin-Milwaukee. The amount allocated to the program in each fiscal year under this paragraph shall be determined by the board of regents depending upon the extent of federal funding available for the program.

(b) *School for workers.* The board of regents of the university of Wisconsin system shall allocate for the school for workers \$25,000 in each fiscal year of the 1985-87 biennium as an adjustment to the program's base funding level.

(c) *Dairy products for western Africa.* The board of regents of the university of Wisconsin system shall, if matching funds are received from any source, allocate \$52,000 in GPR research funds during the 1985-87 biennium to study the feasibility of marketing specialty dairy products in western Africa.

(d) *Technology transfer programs.* Of the amounts in the schedule for the appropriation under section 20.285 (1) (a) of the statutes, the board of regents of the university of Wisconsin system shall:

1. Allocate \$125,000 in the 1985-86 fiscal year and \$125,000 in the 1986-87 fiscal year as an adjustment to the program's base funding level for the small business development center technology transfer program.

2. Allocate \$20,000 in the 1985-86 fiscal year and \$20,000 in the 1986-87 fiscal year as an adjustment to the program's base funding level for the office of industrial research and technology transfer program.

(e) *Research project funds.* The board of regents of the university of Wisconsin system, in allocating research project funds during the 1985-87 biennium, shall provide funds for the groundwater management education program and the health policy program.

(f) *Small business development center.* The board of regents of the university of Wisconsin system shall give top priority in the distribution of funds appropriated for the university of Wisconsin-extension under section 20.285 (1) (a) of the statutes during the 1985-87 biennium to the small business development center.

(g) *UNK-LA Growe upward bound program.* The board of regents of the university of Wisconsin system shall allocate, from the system's general program operations funds, \$14,000 in each fiscal year of the

Vetoed  
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in Part

~~1985-87 biennium for the upward bound program as an adjustment to the program's base funding level at the university of Wisconsin-La Crosse to fund participation of Native American students of the Black River Falls school district in the program.~~

(h) *Forest productivity research.* From moneys provided under section 20.285 (1) (a) of the statutes for research purposes, at least one project in each fiscal year of the 1985-87 biennium shall be funded from base funding resources in the area of forest productivity.

(i) *Cooperative extension.* The board of regents of the university of Wisconsin system shall not use funds budgeted for cooperative extension for the funding reallocations directed under this act.

(js) *Student union at university of Wisconsin-Stout.* The board of regents of the university of Wisconsin system shall allocate up to \$133,000 from balances credited in the appropriation under section 20.285 (1) (h) of the statutes to finance the completion of the student union facility at the university of Wisconsin-Stout.

(jw) *Athletics.* From nonathletic program funds budgeted for the university of Wisconsin-Madison, the board of regents shall allocate \$189,400 in the 1985-86 fiscal year and \$189,400 in the 1986-87 fiscal year for womens' sports coaching salaries.

(8) **STEVENS POINT TELEPRODUCTION CENTER.** The board of regents of the university of Wisconsin system shall review the feasibility of designating the university of Wisconsin-Stevens Point as a teleproduction center. The board shall submit its findings and recommendations to the secretary of administration by October 1, 1986.

(9) **UNIVERSITY OF WISCONSIN-SUPERIOR.** In the 1985-86 and 1986-87 academic years, the university of Wisconsin-Superior may annually exempt from non-resident tuition, but not from incidental or other fees, up to 150 students enrolling in programs identified by the institution as having surplus capacity.

(10) **BIOTECHNOLOGY RESEARCH STUDY.** The board of regents of the university of Wisconsin system shall conduct a study evaluating the impact of anticipated biotechnological changes upon the state's economy, especially its farming and agriculturally related industries. The board of regents shall submit a report describing its findings and recommendations to the joint committee on finance by July 1, 1987.

(11) **MERRIMAC BRIDGE STUDY.** The board of regents of the university of Wisconsin system shall, through the university of Wisconsin-Madison department of rural sociology, study the feasibility of constructing a bridge over the Wisconsin river at Merrimac. The study shall consider the economic impact of a bridge on the communities involved. The board of regents shall submit a report describing its findings and recommendations to the joint committee on finance by July 1, 1986.

(11a) **MANAGEMENT TRAINING GRANT.** The university of Wisconsin system shall use any grant provided under SECTION 3014 (7a) (c) to fund staff assistance required to carry out section 560.093 of the statutes, as created by this act. The assistance shall consist primarily of developing, or providing training in, or both, management techniques, based on statistical techniques, for improving goods and services.

**SECTION 3054. Nonstatutory provisions; veterans affairs.**

(1) **OPERATION OF MEMORIAL HALL.** Of the moneys appropriated under section 20.485 (2) (wd) of the statutes for fiscal year 1985-86 \$100,000 may not be expended unless the department of administration determines that it is not expected that the G.A.R. memorial hall will be relocated outside the state capitol building before the end of this biennium.

**SECTION 3055. Nonstatutory provisions; vocational, technical and adult education.**

(2) **RULES EXEMPTING RENTAL AND REMODELING PROPOSALS FROM APPROVAL.** The state board of vocational, technical and adult education shall submit the rules required under section 38.04 (10) (b) of the statutes, as created by this act, in final draft form under section 227.018 (2) of the statutes by the first day of the 9th month commencing after the effective date of this subsection.

(3) **BOARD MEMBERSHIP REVISION.** (a) Notwithstanding section 15.94 (3) of the statutes, as in effect on the day prior to the effective date of this paragraph, the members of the board of vocational, technical and adult education appointed under section 15.94 (3) of the statutes prior to the effective date of this paragraph shall serve until July 1, 1985, or until their successors under paragraph (b) are appointed and qualify, whichever occurs later.

(b) The initial employer member and 2 of the initial additional members of the board of vocational, technical and adult education appointed under section 15.94 (3) of the statutes, as affected by this act, shall be appointed for terms expiring on May 1, 1987; the initial employe member and 2 of the initial additional members shall be appointed for terms expiring on May 1, 1989; and the initial farmer member and 2 of the initial additional members shall be appointed for terms expiring on May 1, 1991. Thereafter, members of the board appointed under section 15.94 (3) of the statutes, as affected by this act, shall serve for terms prescribed in section 15.94 (3) of the statutes, as affected by this act.

(4) **POSITION AUTHORIZATION.** The authorized FTE positions for the state board of vocational, technical and adult education are increased by 3.0 FED positions on the effective date of this subsection, to be funded from the appropriation under section 20.292 (1) (m) of the statutes.

**SECTION 3056. Nonstatutory provisions; other.**

(1) **TAX APPEALS COMMISSION TERMS.** Notwithstanding section 15.06 (1) (a) of the statutes, the terms of the

Vetoed  
in Part

present members, including the chairperson, of the tax appeals commission expire on October 1, 1985. Members of the tax appeals commission shall be nominated by the governor, and with the advice and consent of the senate appointed to the following terms: 2 members to ~~three fourth's time positions~~ the terms of which expire on July 1, 1987, one member to a term that expires on March 1, 1987, one member to a term that expires on March 1, 1989, and one member to a term that expires on March 1, 1991. Thereafter, all members appointed under section 15.06 (1) (a) of the statutes shall serve for the terms prescribed in that paragraph.

(2) EXPENDITURES FOR SPECIFIED PAY ADJUSTMENTS. Not more than \$9,100,000 may be expended during the 1985-87 biennium from the appropriation under section 20.865 (1) (cq) of the statutes, and no money may be expended from that appropriation before July 1, 1986.

(3) FEDERAL INDIRECT COST REIMBURSEMENTS. Notwithstanding sections 16.54 (9) (b) and (c), 20.115 (8) (pz), 20.143 (4) (pz), 20.255 (1) (pz), 20.292 (1) (pz), 20.370 (8) (mn) and (mz), 20.435 (8) (pz), 20.445 (1) (pz), 20.505 (1) (pz) and 20.512 (1) (pz) of the statutes, as created by this act, agencies as defined in section 16.54 (9) (a) of the statutes, as created by this act, are not required to comply with the requirements of section 16.54 (9) (b) and (c) of the statutes, as created by this act, prior to July 1, 1986.

(4) COUNTIES. No later than the first day of the 6th month commencing after the effective date of this subsection, the department of administration and the department of health and social services, in cooperation with social services public advocates, the Wisconsin counties association and interested legislators, shall submit to the presiding officer of each house of the legislature a bill proposing changes in sections 46.22, 46.23, 51.42 and 51.437 of the statutes, as affected by this act, and related sections of the statutes to clarify the assignment of the powers and duties required of counties among the county social service departments, boards and department directors.

(5) CROPLAND SOIL EROSION CONTROL PLAN FOR STATE AGENCIES. The university of Wisconsin system and each other state department or agency which has farm operations shall submit a plan to the governor and to the joint committee on finance by June 1, 1986, detailing procedures:

(a) To bring each farm operation into compliance with the state cropland soil erosion control goal under section 92.025 (4) of the statutes, animal waste water management standards, and any soil conservation or animal waste water plans developed by a county land conservation committee applying to the farm operation; and

(b) To minimize groundwater pollution and runoff into the surface water from fertilizer and pesticide use.

(6) DATA PROCESSING EXPENDITURES. The secretary of administration shall withhold approval of all estimates for all departments for proposed expenditures pursuant to section 16.50 (2) of the statutes in the 1985-87 fiscal biennium to finance the filling of new positions having responsibilities relating to data processing, acquisition of new computer equipment or software or provision of new contractual services with respect to computers or data processing. The department of administration shall develop written guidelines for review of the justification for such proposed expenditures and the secretary shall submit the guidelines to the joint committee on finance. After submittal of the guidelines, the secretary shall review the proposed expenditures in accordance with the guidelines. Upon completion of the review, the secretary shall submit each estimate for such a proposed expenditure which meets with his or her approval to the joint committee on finance. If the cochairpersons of the committee do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposed expenditure within 14 working days after the date of the secretary's submittal, the secretary may approve the estimate. If, within 14 working days after the date of the secretary's submittal, the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposed expenditure, the secretary shall withhold approval of the estimate until the estimate is approved by the committee.

(7)\* PUBLIC PURPOSE CORPORATIONS. (a) *The members of boards of directors of all public purpose corporations, as defined in section 181.79 (1) of the statutes, as created by this act, immediately prior to the effective date of this paragraph shall cease to hold office on the effective date of this paragraph or upon their successors being appointed under section 181.79 of the statutes, as created by this act, whichever occurs first.*

(b) *Of the initial appointments of directors to public purpose corporations made by the governor under section 181.79 (2) (a) 1 of the statutes, as created by this act, one member shall be appointed for a term expiring on May 1, 1986; one member shall be appointed for a term expiring on May 1, 1987; one member shall be appointed for a term expiring on May 1, 1988; and 2 members shall be appointed for terms expiring on May 1, 1989.*

(c) *The persons appointed under paragraph (b) shall be provisionally appointed under section 17.20 (2) of the statutes as if they were filling vacancies.*

(8) SEWERAGE COMMISSION STUDY. There is created a uniform capital study committee with 3 members. The committee shall review the method of capital cost

Partial  
Veto  
Overruled

\* The subsection was created on October 16, 1985, when the required two-thirds of each house of the Legislature had voted to pass vetoed item 2-G notwithstanding the objections of the Governor.

recovery used on the effective date of this act by the metropolitan sewerage district created under section 66.882 of the statutes and any alternative methods determined by the committee. The committee shall report the results of the study to the district and to the speaker of the assembly and the president of the senate no later than the first day of the 9th month after all 3 members of the committee are appointed. The district shall provide the necessary facilities, resources and funds for the study, as reasonably requested by the committee. No later than 80 days after the effective date of this act, each of the following shall appoint one member of the committee:

- (a) The district.
- (b) An appointment board composed of the chief elected official of each city or village served by the district but not within the district's boundaries.
- (c) An organization composed of businesses and tax exempt organizations to be determined by the district.

(8b) MILWAUKEE METROPOLITAN SEWERAGE DISTRICT COMMISSIONERS. Notwithstanding section 66.884 (4) of the statutes, within 60 days after the effective date of this subsection, the mayor of a 1st class city shall appoint 3 elected officials to succeed the commissioners of the metropolitan sewerage district organized under section 66.882 of the statutes who are elected officials and who are serving on the effective date of this act. The mayor shall appoint subject to the procedure specified in section 66.882 (2) (a) of the statutes. If the mayor has not appointed such elected officials within 60 days after the effective date of this subsection, each commissioner of the district who, on the effective date of this act, is an elected official appointed by the mayor of a 1st class city under section 66.882 (2) (a) of the statutes shall cease to be a member of the commission, notwithstanding section 66.884 (1) (a) 2 of the statutes.

Vetoed in Part

~~(9b) ROBERT L. BORUM CLAIM. There is authorized and directed to be expended from the appropriation under section 20.505 (4) (d) of the statutes, as affected by the acts of 1985, \$125,000 to Robert L. Borum, Milwaukee, Wisconsin, to compensate him for permanent partial disability and suffering. His disability results from an industrial accident which occurred in Kenosha on March 31, 1955, and has not been recompensed due to the state industrial commission's November 30, 1955, denial of his claim of permanent injuries, and the operation of chapter 102 of the statutes which limits the claimant to a single cause of action. Acceptance of this payment operates as a full and complete release to the state for any further claim by Mr. Borum arising out of his injury and the consideration thereof by the industrial commission.~~

Vetoed in Part

~~(10b) SCHOOL FINANCE. (a) Department of revenue. The department of revenue shall submit with its 1987-89 budget request a plan to replace the current funding of primary and secondary education by means of the property tax with funding by means of an income~~

~~tax on the residents of school districts. That plan shall be as administratively simple as possible.~~

Vetoed in Part

~~(b) Department of public instruction. In its 1987-89 budget request the department of public instruction shall submit a plan to replace the current school aid formula based on property valuation with a formula based on income and shall submit a plan to divert funds from other state property tax relief programs to school aids.~~

~~(c) Attorney general. The attorney general shall analyze the legal questions involved in the conversion of school funding from the property tax to an income tax and to report the results of its analysis to the presiding officer of each house of the legislature and to the cochairpersons of the joint committee on finance on or before January 1, 1987.~~

~~(d) Governor. The governor shall appoint a task force to advise the department of revenue in its duties under paragraph (a) and the department of public instruction in its duties under paragraph (b). That task force shall consist of one democratic legislator from each house of the legislature, one republican legislator from each house of the legislature, the secretary of revenue or the secretary's designee, the superintendent of public instruction or the superintendent's designee, a school district administrator, a member of a school board, a public school teacher and one other public member.~~

**SECTION 3103. Appropriation changes; agriculture, trade and consumer protection.**

(1) FARMERS FUND. In addition to the amount in the schedule for fiscal year 1985-86, the appropriation to the department of agriculture, trade and consumer protection under section 20.115 (7) (f) of the statutes, as created by this act, is increased for fiscal year 1985-86 by an amount equal to the unencumbered balance in the appropriation under section 20.115 (7) (fm), as created by 1985 Wisconsin Act 8, on June 30, 1985, immediately prior to any reversion under section 20.001 (3) (b) of the statutes.

**SECTION 3113. Appropriation changes; criminal justice.**

(1) COUNCIL ON CRIMINAL JUSTICE. There is transferred to the appropriation under section 20.420 (1) (b) of the statutes, as affected by this act, \$109,700 after September 30, 1985, in fiscal year 1985-86 and \$146,200 in fiscal year 1986-87 from the appropriation under section 20.420 (1) (m), as affected by this act, which includes a decrease of 4.5 FTE FED positions effective October 1, 1985.

Vetoed in Part

**SECTION 3122. Appropriation changes; governor.**

(1) ECONOMIC STABILIZATION FUNDING. Any moneys in the appropriation under section 20.532 (1) (a) of the statutes, as created by this act, that are not encumbered prior to January 1, 1987, shall be transferred on that date to the appropriation under section 20.143 (4) (c) of the statutes.

**SECTION 3129. Appropriation changes; industry, labor and human relations.**

(1) **EMPLOYMENT SECURITY FACILITIES.** There is transferred to the appropriation under section 20.445 (1) (na) of the statutes, as affected by this act, the unencumbered balance, immediately prior to the effective date of this subsection, of the appropriation under section 20.445 (1) (x), 1983 stats.

(2) **BUILDING AND SAFETY FEES.** There is transferred from the balance of the appropriation under section 20.445 (1) (j) of the statutes, as affected by this act, to the general fund \$964,500 on the effective date of this subsection and \$964,500 no later than July 1, 1986.

**SECTION 3151. Appropriation changes; transportation.**

(1) **LAPSES TO THE TRANSPORTATION FUND.** (a) Notwithstanding section 20.001 (3) (c) of the statutes, on June 30, 1985, or the day following publication of this act, whichever is later, there shall lapse to the transportation fund \$8,000,000 from the appropriation under section 20.395 (2) (bq), 1983 stats.

(b) For the purpose of closing out accounts, the lapse of the funds under this subsection shall be treated as if the lapse occurred on June 30, 1985.

(2) **LAKE MICHIGAN FERRY SERVICE ASSISTANCE.** There is transferred from the appropriation under section 20.395 (2) (bq) of the statutes to the appropriation under section 20.395 (2) (hq) of the statutes, as created by this act, \$1,600,000 during fiscal year 1985-86.

**SECTION 3153. Appropriation changes; university of Wisconsin system.**

(1) **SUPPLEMENTAL FUNDING FOR DAIRY CENTER.** (a) The appropriation to the university of Wisconsin system under section 20.285 (1) (a) of the statutes, as affected by the acts of 1985, is increased as one-time

financing for fiscal year 1986-87 for the construction of a dairy product and market development center at the university of Wisconsin-Madison by an amount equal to the amount transferred to the general fund by the Wisconsin housing and economic development authority from the agricultural production loan fund on or before December 31, 1986, after deducting \$6,360,000 unless the result is greater than \$244,000, in which case the amount shall be \$244,000. No funds may be released under this paragraph unless the department of administration determines that an equivalent amount has been received for the construction from private sources.

~~(b) If funds are not available under paragraph (a), the board of regents of the university of Wisconsin system shall allocate, from the system's general program operations funds, \$244,000 as supplemental funding for the dairy center in 1986-87.~~

Vetoed  
in Part

(2) **AUXILIARY RESERVE ACCOUNTS.** (a) There is transferred on the effective date of this paragraph, from balances credited in the appropriation under section 20.285 (1) (h) of the statutes, \$13,464,300 to the appropriation under section 20.285 (1) (im) of the statutes and \$9,115,300 to the appropriation under section 20.285 (1) (L) of the statutes.

(b) Of the amounts transferred to the appropriation under section 20.285 (1) (L) of the statutes under paragraph (a), not more than \$1,621,900 may be expended or transferred under section 20.285 (2) (a) 2 of the statutes in the 1985-86 fiscal year and not more than \$1,994,600 may be expended or transferred under section 20.285 (2) (a) 2 of the statutes in the 1986-87 fiscal year.

**SECTION 3156. Appropriation changes; other.**

(1) **STATE AGENCY INFLATION AMOUNTS REDUCED.** The appropriations specified below are decreased in the fiscal year specified by the amounts shown below for the purpose of reducing the amounts provided to offset inflation in the appropriations specified below and the legislative reference bureau in enrolling this act shall so decrease the amounts shown in the appropriation schedule under section 20.005 (3) of the statutes.

<u>Appropriations</u>	<u>Fiscal Year 1985-86</u>	<u>Fiscal Year 1986-87</u>
20.115 (1)(a)	\$ 4,800	\$ 9,700
(1)(b)	800	1,400
(1)(c)	200	300
(2)(a)	6,000	11,800
(3)(a)	1,200	1,600
(7)(a)	200	300
(8)(a)	800	1,400
20.143 (1)(a)	5,900	12,000
(1)(b)	1,000	2,100
(4)(a)	2,800	5,600
20.215 (1)(a)	1,200	2,400
20.225 (1)(a)	21,800	21,800
(1)(f)	19,000	19,000
20.245 (1)(a)	11,300	22,200
(2)(bd)		100
(2)(bi)	500	1,000

	(3)(a)	100	200
	(4)(a)	5,100	6,600
	(5)(a)	200	500
20.255	(1)(a)	10,900	17,400
20.285	(1)(a)	604,900	1,222,700
	(1)(fc)	4,200	8,800
20.292	(1)(a)	1,600	3,100
	(2)(a)		100
20.370	(1)(ea)	6,200	10,100
	(1)(ma)	1,700	1,800
	(2)(ma)	23,400	30,000
	(3)(ma)	12,800	24,600
	(4)(ia)	300	400
	(8)(ma)	17,700	32,200
20.425	(1)(a)	1,400	2,600
20.432	(1)(a)	500	900
20.435	(1)(a)	9,100	16,700
	(2)(a)	2,000	4,200
	(3)(a)	64,300	129,400
	(3)(am)	100	100
	(4)(a)	59,300	95,000
	(5)(a)		100
	(8)(a)	24,800	57,500
20.445	(1)(a)	8,300	15,200
	(2)(a)	200	200
20.455	(1)(a)	6,200	11,600
	(1)(d)	5,000	9,600
	(2)(a)	20,300	25,100
	(3)(a)	6,000	13,100
	(5)(a)	700	1,400
20.465	(1)(a)	7,100	15,300
	(1)(b)		100
20.505	(3)(b)	1,200	1,400
20.510	(1)(a)	900	1,500
20.512	(1)(a)	7,200	9,600
	(2)(a)	1,400	1,400
20.521	(1)(a)	300	500
20.525	(3)(a)	200	500
25.550	(1)(a)	500	900
	(1)(b)	1,700	3,200
	(1)(c)	15,000	30,400
20.566	(1)(a)	64,400	72,600
	(2)(a)	3,900	7,200
	(3)(a)	27,900	31,100
20.575	(1)(a)	1,000	1,500
20.585	(1)(a)	4,000	4,000
20.665	(1)(a)	100	200
20.680	(2)(a)	7,500	14,200
	(4)(a)	200	400
20.765	(2)(a)		100
	(3)(a)	100	200
	(3)(b)	700	1,400
	(3)(c)	600	1,500
	(3)(d)	700	1,500
	(3)(e)	900	1,800

**SECTION 3200. Terminology changes.**

**(1) ADMINISTRATION.**

**(a) Legislative and judicial purchasing.**

1. Wherever the term "offices", "state offices", "subdivisions", "agencies of the state" or "state departments" appears in the following sections of the statutes, the term "agencies" is substituted: 16.705 (2)



and (3) (intro.), 16.72 (2) (a), 16.73 (2), 16.755 (1) and 16.765 (1), (2) (intro.) and (4).

2. Wherever the term "state agency" or "agency of the state" appears in the following section of the statutes, the term "agency" is substituted: 16.765 (5) and (7) (d).

3. Wherever the term "office" appears in the following sections of the statutes, the term "agency" is substituted: 16.70 (3), as renumbered, 16.705 (5), (6) and (8) and 16.75 (3m) (c) 1 and 2 and (4) (a) 4.

(3) AGRICULTURE, TRADE AND CONSUMER PROTECTION.

(a) *Warehouse keepers and grain dealers.* Wherever the term "dealer", "dealers" or "dealer's" appears in the following sections of the statutes, the term "grain dealer", "grain dealers" or "grain dealer's", respectively, is substituted: 127.04, 127.10 (3) and 127.14 (1) (a) and (c), as renumbered.

(14) DEVELOPMENT.

(b) *Housing programs.* Wherever the term "department" appears in the following sections of the statutes, the term "authority" is substituted: 234.49 (1) (f) and (2) (title), (a) (intro.) and (c) and 234.59 (2) (intro.), all as renumbered.

(c) *Reinvestment neighborhoods.* Wherever the term "department of development" appears in the following section of the statutes, the term "Wisconsin housing and economic development authority" is substituted: 66.465 (2) (a).

(d) *Homeownership mortgage loans.* Wherever the term "eligible borrower" appears in the following section of the statutes, the term "applicant" is substituted: 234.59 (1) (d) 1 to 3, (f) and (j) and (3) (e) (intro.), all as renumbered.

(23) HEALTH AND SOCIAL SERVICES.

(a) *General relief.*

1. Wherever the term "a municipality or a county" appears in the following section of the statutes, the term "a county" is substituted: 49.02 (5) (c) 3.

2. Wherever the term "county or municipality" appears in the following sections of the statutes, the term "county" is substituted: 45.36 (6), 46.208 (1), as created by 1985 Wisconsin Act .... (this act), 49.035 (6) (intro.), as affected by 1985 Wisconsin Act .... (this act), 49.035 (6m), as created by 1985 Wisconsin Act .... (this act), and 767.42, as renumbered.

3. Wherever the term "department, county, municipality" appears in the following section of the statutes, the term "department, county" is substituted: 49.65 (1), as affected by 1985 Wisconsin Act .... (this act) and (2).

4. Wherever the term "municipality or county" appears in the following sections of the statutes, the term "county" is substituted: 49.02 (5) (b) and (c) (intro.), as affected by 1985 Wisconsin Act .... (this act), and 3, (9), as affected by 1985 Wisconsin Act .... (this act), and (10), as affected by 1985 Wisconsin Act .... (this act); 49.05 (4), as affected by 1985 Wisconsin

Act .... (this act); 49.05 (7m), as created by 1985 Wisconsin Act .... (this act); and 49.053 (4) and (8), as created by 1985 Wisconsin Act .... (this act).

5. Wherever the term "municipality or county" appears in the following sections of the statutes, the term "general relief agency" is substituted: 49.002, as affected by 1985 Wisconsin Act .... (this act); 49.01 (9); 49.02 (5) (e); 49.02 (6g), as created by 1985 Wisconsin Act .... (this act); 49.032 (2), as created by 1985 Wisconsin Act .... (this act); 49.037 (1), (2) (intro.), (3), (4), (5) (c), (6) (a), (b), (c) 4 and 5 and (d), (7), (8) (intro.), (9) and (10), all as affected by 1985 Wisconsin Act .... (this act); 49.05 (1m); 49.05 (5), (6) and (8), all as affected by 1985 Wisconsin Act .... (this act); 49.05 (9), as created by 1985 Wisconsin Act .... (this act); 49.053 (1m), (5), (6) and (9) to (11), as created by 1985 Wisconsin Act .... (this act); 49.055 (2), as created by 1985 Wisconsin Act .... (this act); 49.12 (7), as affected by 1985 Wisconsin Act .... (this act); 49.13 (3) (b) and (4), as created by 1985 Wisconsin Act .... (this act); and 49.90 (6), as affected by 1985 Wisconsin Act .... (this act).

(an) *General relief; medical care reimbursement.* 1. Wherever the term "hospital" appears in the following sections of the statutes, the term "hospital or other health care provider" is substituted: 49.02 (5) (c) 1, as affected by 1985 Wisconsin Act .... (this act); 49.02 (5) (c) 1m, as created by 1985 Wisconsin Act .... (this act); 49.02 (5) (c) 2, as affected by 1985 Wisconsin Act .... (this act); 49.02 (5) (c) 2g, as created by 1985 Wisconsin Act .... (this act); 49.02 (5) (c) 2m, as affected by 1985 Wisconsin Act .... (this act); 49.02 (5) (c) 2r, as created by 1985 Wisconsin Act .... (this act); 49.02 (5) (c) 3; 49.02 (5m) (b) (intro.); 49.02 (5m) (c) 2 and 3, as affected by 1985 Wisconsin Act .... (this act); and 49.02 (5m) (d) 1 and 3 and (e) 3. a.

2. Wherever the term "hospitals" appears in the following sections of the statutes, the term "hospitals or other health care providers" is substituted: 49.02 (5) (c) 3; 49.02 (5) (cm), as affected by 1985 Wisconsin Act .... (this act); and 49.02 (5) (cr), as created by 1985 Wisconsin Act .... (this act).

(b) *Facility payment.*

1. Wherever the term "nursing home" appears in the following section of the statutes, the term "facility" is substituted: 49.45 (6m) (c) (intro.), (d) 3 and (h).

2. Wherever the term "reimbursement" appears in the following section of the statutes, the term "payment" is substituted: 49.45 (6m) (c) (intro.), (d) 4 and (h).

3. Wherever the term "reimbursement formula" appears in the following sections of the statutes, the term "payment formula" is substituted: 50.05 (7) (h) and 150.27.

(c) *Reimbursement formula.* Wherever the term "payment formula" appears in the following sections of the statutes, the term "reimbursement formula" is substituted: 50.05 (7) (h), as affected by 1985 Wisconsin

sin Act .... (this act), and 150.27, as affected by 1985 Wisconsin Act .... (this act).

(28) HOUSING AND ECONOMIC DEVELOPMENT AUTHORITY.

(a) *Certified housing rehabilitation loans.* Wherever the term "certified housing rehabilitation loans" appears in the following sections of the statutes, the term "housing rehabilitation loans" is substituted: 234.03 (13s), 234.50 (1), (2) and (4), 234.52 (2), 234.53 (2) and 234.55 (1) and (2) (b).

(35) JUSTICE.

(a) *Crime laboratories.* Wherever the term "laboratory" appears in the following sections of the statutes, the term "laboratories" is substituted: 15.257 (1), 165.75 (3) (d) and (f) and (4), 165.81 (2), 941.295 (3) and 968.20 (5).

(39) NATURAL RESOURCES.

(a) *Natural areas preservation council.* Wherever the term "scientific areas preservation council" appears in the following sections of the statutes, the term "natural areas preservation council" is substituted: 15.347 (4) (intro.) and 165.07.

(46) REVENUE.

(a) *Mining investment and local impact fund.* Wherever the term "mining facility" appears in the following section of the statutes, the term "mine site" is substituted: 70.395 (2) (g) 1 and 2.

(51) TRANSPORTATION.

(b) *Rail property.*

1. Wherever the term "railroad" appears in the following section of the statutes, the term "rail" is substituted: 32.02 (15).

2. Wherever the term "railroad right-of-ways" appears in the following section of the statutes, the term "railroad rights-of-way" is substituted: 32.05 (intro.).

4. Wherever the term "railroad or railway property" appears in the following section of the statutes, the term "rail property" is substituted: 85.09 (3) (intro.) and (a) and (4m).

5. Wherever the term "property" appears in the following section of the statutes, the term "rail property" is substituted: 85.09 (3) (b) and (5).

(56) OTHER.

(a) *County authority.*

1. Wherever the term "county executive" appears in the following section of the statutes, the term "county executive or county administrator" is substituted: 59.84 (5) (intro.), (6) and (8).

2. Wherever the term "executive's" appears in the following section of the statutes, the term "executive's or administrator's" is substituted: 59.84 (6)

3. Wherever the term "board" appears in the following section of the statutes, the term "community human services board" is substituted: 46.23 (4) (c).

4. Wherever the term "executive budget" appears in the following section of the statutes, the term "executive's or administrator's budget" is substituted: 59.84 (6) and (7).

5. Wherever the term "community board" appears in the following sections of the statutes, the term "board" is substituted: 45.30 (1) (b), 48.981 (7) (a) 5, 51.05 (3), 51.10 (1) and (2), 51.20 (8) (a), (9) (b) and (13) (c) 3, 51.37 (4) and (5) (c), 55.01 (1), 55.02 and 880.01 (1).

6. Wherever the term "community developmental disabilities board" appears in the following section of the statutes, the term "board" is substituted: 51.437 (9m).

7. Wherever the term "community developmental disabilities services board" appears in the following sections of the statutes, the term "board" is substituted: 51.437 (9e), 55.01 (1) and 880.01 (1).

8. Wherever the term "community boards" appears in the following sections of the statutes, the term "boards" is substituted: 46.27 (4) (a) 5 and (5) (am), 51.06 (1) (b), 55.02 and 55.05 (1).

10. Wherever the term "community mental health boards" appears in the following section of the statutes, the term "boards" is substituted: 49.45 (6) (a).

11. Wherever the term "community human services board" appears in the following section of the statutes, the term "board" is substituted: 48.981 (1) (c).

12. Wherever the term "community human services boards" appears in the following section of the statutes, the term "boards" is substituted: 49.45 (6) (a).

13. Wherever the term "subsection" appears in the following section of the statutes, the term "paragraph" is substituted: 59.031 (1) (a), as renumbered.

14. Wherever the term "park commission", "county park commission" or "commission" appears in the following section of the statutes, the term "county park commission or county park manager" is substituted: 27.05 (4), (6), (7) and (8).

15. Wherever the term "board" appears in the following section of the statutes, the term "department or board" is substituted: 46.031 (2) (c) 5. (intro.).

**SECTION 3201. Program responsibility changes.** In the sections of the statutes listed in Column A, the program responsibilities references shown in Column B are deleted and the program responsibilities references shown in Column C are inserted:

(1) ADMINISTRATION.

(a) *Credit card payment to state.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (3)	none	20.905 (1)

(bg) *Shared revenue as a credit.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (intro.)	none	79.02 (4), 79.08 (1)

(c) *General relief.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (intro.)	46.106 (2) to (6)	none

(d) *Investment fund earnings distribution.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (intro.)	none	14.58 (4)
15.101 (3)	none	14.58 (19)

(e) *Property tax credits.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (intro.)	79.10 (1)	79.10 (7m)

(g) *Renewable energy resource system credit.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (intro.)	71.09 (12)	none

(gm) *Renewable energy resource systems sales notice.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (intro.)	none	134.75

(j) *State contingent funds.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (intro.)	20.370 (9)(ms)	none
15.101 (3)	none	20.920 (2)(c)

(k) *Wisconsin conservation corps.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (19), as renumbered	23.48	16.20

(L) *Vendors' liability.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (intro.)	none	73.12

(m) *State compensation supplements.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (intro.)	20.928 (1)	20.928

(n) *State document distribution.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.371 (intro.)	35.85 (6)	35.84
15.371 (3)	none	35.84

(3) **AGRICULTURE, TRADE AND CONSUMER PROTECTION.**

(a) *Laboratory of hygiene.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.131 (intro.)	none	36.25 (11)(c)

(14) **DEVELOPMENT.**

(a) *Private activity bond limits.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.151 (intro.)	none	66.522

(c) <i>Housing programs.</i>		
<b>A</b>	<b>B</b>	<b>C</b>
Statute Sections	References Deleted	References Inserted
15.151 (intro.)	66.92 (3)	none
(dm) <i>I 90 to Town Line Road interchange.</i>		
<b>A</b>	<b>B</b>	<b>C</b>
Statute Sections	References Deleted	References Inserted
15.151 (intro.)	none	84.013 (9)
(19) EMPLOYMENT RELATIONS DEPARTMENT.		
(a) <i>Academic staff job categories and pay ranges.</i>		
<b>A</b>	<b>B</b>	<b>C</b>
Statute Sections	References Deleted	References Inserted
15.171 (intro.)	none	36.09 (1)(k)
(b) <i>Day care facility space.</i>		
<b>A</b>	<b>B</b>	<b>C</b>
Statute Sections	References Deleted	References Inserted
15.171 (intro.)	none	13.48 (2)(j)
(d) <i>Milwaukee prison.</i>		
<b>A</b>	<b>B</b>	<b>C</b>
Statute Sections	References Deleted	References Inserted
15.171 (1)	46.05 (1n)	none
(22) GOVERNOR.		
(a) <i>Private activity bond limits.</i>		
<b>A</b>	<b>B</b>	<b>C</b>
Statute Sections	References Deleted	References Inserted
14.011 (intro.)	none	14.06
(b) <i>County authority.</i>		
<b>A</b>	<b>B</b>	<b>C</b>
Statute Sections	References Deleted	References Inserted
14.011 (intro.)	59.032 (7)	none
(c) <i>Employment security facilities.</i>		
<b>A</b>	<b>B</b>	<b>C</b>
Statute Sections	References Deleted	References Inserted
14.011 (intro.)	20.445 (1)(x) 5 and 6	108.162 (5) and (6)
(d) <i>Labor training review panel.</i>		
<b>A</b>	<b>B</b>	<b>C</b>
Statute Sections	References Deleted	References Inserted
14.011 (intro.)	none	560.095 (3)(c)
(e) <i>Participation in interstate bodies.</i>		
<b>A</b>	<b>B</b>	<b>C</b>
Statute Sections	References Deleted	References Inserted
14.011 (intro.)	none	16.40 (17)
(em) <i>Protection and advocacy agency.</i>		
<b>A</b>	<b>B</b>	<b>C</b>
Statute Sections	References Deleted	References Inserted
14.011 (intro.)	none	51.62 (2)
(f) <i>Uniform reciprocal enforcement of support act.</i>		
<b>A</b>	<b>B</b>	<b>C</b>
Statute Sections	References Deleted	References Inserted
14.011 (intro.)	52.10	767.65
(g) <i>Lake Michigan ferry service assistance loan approval.</i>		
<b>A</b>	<b>B</b>	<b>C</b>
Statute Sections	References Deleted	References Inserted
14.011 (intro.)	none	85.097 (3)(b)
(23) HEALTH AND SOCIAL SERVICES.		
(a) <i>Child support program.</i>		

	A	B	C
	Statute Sections 15.191 (intro.) (b) <i>Contingent fund.</i>	References Deleted 767.395	References Inserted none
	Statute Sections 15.191 (intro.) (c) <i>Deferred prosecution.</i>	References Deleted 20.920	References Inserted none
	Statute Sections 15.191 (intro.) (d) <i>Health facility project financing.</i>	References Deleted none	References Inserted 971.39
	Statute Sections 15.191 (intro.) (e) <i>Mandated coverage recommendations.</i>	References Deleted none	References Inserted 231.03 (6)(a) 1 and (b)
	Statute Sections 15.191 (intro.) (f) <i>Support of dependents.</i>	References Deleted 632.89 (2)(d)	References Inserted 632.89 (2g)
	Statute Sections 15.191 (intro.) (h) <i>Radioactive waste.</i>	References Deleted chs. 46 to 58	References Inserted chs. 46 to 51, 53 to 58
	Statute Sections 15.191 (intro.) (i) <i>Student parents.</i>	References Deleted none	References Inserted 166.03 (2)(b) 6
	Statute Sections 15.191 (intro.) (ja) <i>Suicide prevention program.</i>	References Deleted none	References Inserted 115.93 (1m)
	Statute Sections 15.191 (intro.) (jc) <i>Acquired immunodeficiency syndrome.</i>	References Deleted none	References Inserted 15.377 (7) and 115.365
<b>Vetoed in Part</b>	Statute Sections 15.191 (intro.)	References Deleted none	References Inserted 631.90 (2)
	(29) INDUSTRY, LABOR AND HUMAN RELATIONS.		
	Statute Sections 15.221 (intro.) (ca) <i>Economic stabilization assistance.</i>	References Deleted 71.09 (12)	References Inserted none
	Statute Sections 15.221 (intro.) (30) INSURANCE.	References Deleted none	References Inserted 14.20
	Statute Sections 15.731 (ba) <i>Dental joint practices.</i>	References Deleted 879.65	References Inserted none
<b>Vetoed in Part</b>	Statute Sections 15.731	References Deleted none	References Inserted ch. 670

(35) JUSTICE.

(a) *Crime laboratories.*

A	B	C
Statute Sections 15.251 (intro.)	References Deleted none	References Inserted ch. 161

(c) *Uniform reciprocal enforcement of support act.*

A	B	C
Statute Sections 15.251 (intro.)	References Deleted 52.10	References Inserted 767.65

(dm) *Wisconsin natural areas heritage program.*

A	B	C
Statute Sections 15.251 (intro.)	References Deleted none	References Inserted 23.29 (23) and (24)

(e) *County authority.*

A	B	C
Statute Sections 15.251 (intro.)	References Deleted 59.07 (44)	References Inserted 59.07 (44)(c)

(39) NATURAL RESOURCES.

(a) *Managed forest land.*

A	B	C
Statute Sections 15.341 (intro.)	References Deleted none	References Inserted subch. VI of ch. 77 77.13

(cm) *Medical reports.*

A	B	C
Statute Sections 15.341 (intro.)	References Deleted none	References Inserted 346.71

(43) PUBLIC INSTRUCTION.

(a) *Contingent fund.*

A	B	C
Statute Sections 15.371 (intro.)	References Deleted 20.920	References Inserted none

(b) *Property tax credits.*

A	B	C
Statute Sections 15.371 (intro.)	References Deleted 79.10 (2)(e)	References Inserted 79.10 (3)(d)

(c) *Student parents.*

A	B	C
Statute Sections 15.371 (intro.)	References Deleted none	References Inserted 46.99 (3)(f)

(46) REVENUE.

(a) *Municipal accounting services.*

A	B	C
Statute Sections 15.431 (intro.)	References Deleted 66.46 (6m)	References Inserted none

A	B	C	
<del>(bn) <i>Investment and local impact fund board.</i></del>			
<del>A</del>	<del>B</del>	<del>C</del>	<b>Vetoed in Part</b>
<del>Statute Sections 16.431 (1)</del>	<del>References Deleted 144.858 (4)</del>	<del>References Inserted none</del>	

(48) SECRETARY OF STATE.

(a) *UCC statewide lien system.*

A	B	C
Statute Sections 14.361	References Deleted none	References Inserted 409.410

(51) TRANSPORTATION.

(a) *Office of the commissioner of transportation.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.461 (1)	none	86.12 (2), 86.13 (3)
(bn) <i>All-terrain vehicles.</i>		

A	B	C
Statute Sections	References Deleted	References Inserted
15.461 (intro.)	none	23.33 (4)(b) and (e) 5 and (8)(e)

(52) TREASURER.

(a) *Payment of charges on deposits accepted by conservation wardens, state traffic patrol officers and motor vehicle inspectors.*

A	B	C
Statute Sections	References Deleted	References Inserted
14.561	none	23.49, 85.14

(53) UNIVERSITY OF WISCONSIN SYSTEM.

(a) *Contingent fund.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.911 (intro.)	20.920	none

(b) *Transfers to U.W. hospital and clinics.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.911 (intro.)	46.115	none

(c) *Management training.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.911 (intro.)	none	560.093

(55) VOCATIONAL, TECHNICAL AND ADULT EDUCATION.

(ab) *Management training.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.941 (intro.)	none	560.093

SECTION 3202. **Cross-reference changes.** In the sections of the statutes listed in Column A, the cross-references shown in Column B are changed to the cross-references shown in Column C:

(1) ADMINISTRATION.

(a) *Radioactive waste.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
140.56 (2)	144.83 (4)(i) and 144.833	144.83 (4)(i), 144.833 and 166.03 (2)(b) 6

(b) *Legislative and judicial purchasing.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
16.87 (1)(c)	16.70 (2)	16.70 (7)

(3) AGRICULTURE, TRADE AND CONSUMER PROTECTION.

(a) *Warehouse keepers and grain dealers.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
99.02 (2)(c)	127.01 (8)	127.01 (18)
348.27 (10)	127.01 (8)	127.01 (18)

(b) *Agent status for cities and counties.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
97.41 (5) and (9)(a)	sub. (4)	sub. (4)(a)

(c) *Farmers fund.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
92.15 (1), as affected by 1985 Wis. Act 8	20.115 (7)(fm)	20.115 (7)(f)

(8) CHILD ABUSE AND NEGLECT PREVENTION BOARD.

(a) *Federal grants.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
48.982 (4)(a)	20.433 (1)(h) and (q)	20.433 (1)(h), (m) and (q)

(9) CIRCUIT COURTS.

(a) *Family court commissioners.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
767.23 (1n)	767.13 (1m)	767.13 (6)

(14) DEVELOPMENT.

(a) *Appropriation changes.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
91.65 (1)	20.143 (3)(ea)	20.143 (1)(ea)
560.085 (2)(intro.), as renumbered	20.143 (1)(e)	20.143 (4)(c)
560.085 (3)(e)	20.143 (1)(e)	20.143 (4)(c)
560.095 (4)(a)	20.143 (1)(d)	20.143 (4)(b)

(c) *Housing programs.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
20.143 (3)(w)	560.04 (3)(b)	560.04 (3)
77.64 (5)	560.06	234.49
91.65 (1)	20.143 (3)(ea)	20.143 (1)(ea)
234.01 (5m)	560.065 (1)(f)	234.59 (1)(f)
234.034	560.115	560.115, 1983 stats
234.06 (1)	560.115	560.115, 1983 stats.
234.165 (2)(b) 2	560.115	560.115, 1983 stats
234.25 (1)(e)	560.115	560.115, 1983 stats.,
234.49 (1)(i), as renumbered	59.075, 66.395	59.075, 61.73, 66.395
234.53 (2)	560.06 (1)(b)	234.49 (1)(b)

(d) *Technology development grants.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
560.085 (2)(intro.), as renumbered	sub. (3)	subs. (3) to (5)

(15) EDUCATIONAL COMMUNICATIONS BOARD.

(a) *Renumbering.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
20.225 (1)(h)	39.11 (18)	39.115 (1)

(17) EMPLOYE TRUST FUNDS.

(a) *Final average earnings, judges.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
40.02 (23)(a)	para. (b), (c), (d) and (e)	para. (b) to (e)

Vetoed  
in Part

(22) GOVERNOR.

(a) *Governor's employment and training office.*



A	B	C
Statute Sections	Old Cross-References	New Cross-References
20.923 (8)	13.94 (3)(b), 14.28 (2)(b) 2	13.94 (3)(b)
20.923 (9)	14.28 (2)(b) 2, 15.05 (3)	15.05 (3)
101.26 (2)(a) 1. e, as renumbered	subd. 2. b	subd. 1. a or b
(23) HEALTH AND SOCIAL SERVICES.		
(a) <i>Central state hospital.</i>		
A	B	C
Statute Sections	Old Cross-References	New Cross-References
51.37 (5)(a)	sub. (2) or (3)	sub. (3) or s. 51.37 (2), 1983 stats.,
(b) <i>Independent living centers.</i>		
A	B	C
Statute Sections	Old Cross-References	New Cross-References
46.96 (2)	20.435 (4)(kc)	20.435 (4)(c) or (kc)
(c) <i>Self-amortizing equipment.</i>		
A	B	C
Statute Sections	Old Cross-References	New Cross-References
20.866 (1)(u)	20.435 (2)(ee), (3)(e) and (5)(e)	20.435 (2)(ee), (3)(e), (ec) and (ko) and (5)(e)
(d) <i>Support of dependents.</i>		
A	B	C
Statute Sections	Old Cross-References	New Cross-References
20.921 (2)	52.055 or 767.265	767.265
46.011 (intro.)	chs. 46 to 58	chs. 46 to 51 and 53 to 58
46.02	chs. 46 to 58	chs. 46 to 51 and 53 to 58
46.21 (5)(b)	49.08, 52.01 and 52.03	49.08, 49.90 and 767.42
48.36 (1)	ch. 52 or 767	s. 49.90 or ch. 767
48.62 (2)	52.01 (1)(a)	49.90 (1)(a)
48.988 (11)	ch. 52	s. 49.90, 767.42 or 767.65
48.989 (2)	ch. 52	s. 49.90, 767.42 or 767.65
49.485 (7)(a) 2	52.01	49.90
49.485 (7)(a) 5	52.01	49.90
49.49 (2)(c) 1	chs. 46 to 58	chs. 46 to 51 and 53 to 58
56.07 (2)	s. 52.05 or s. 939.62 (1)(a)	s. 939.62 (1)(a)
59.39 (9m)	52.05, 52.055, 52.10, 767.25 to 767.265, 767.29 (1) or 767.51	767.25 to 767.265, 767.29 (1), 767.51 and 767.65
59.456 (6)	52.10, 806.05 and 971.14	767.65, 806.05 and 971.14
149.08	52.01	49.90
757.52	ch. 52	s. 767.65
802.10 (1)	s. 66.12, chs. 48, 52, 102	ss. 49.90 and 66.12 and chs. 48, 102
802.11 (1)(intro.)	chs. 48, 52, 345	ss. 49.90, 767.42 and 767.65 and chs. 48, 345
(e) <i>General relief.</i>		

A	B	C
Statute Sections	Old Cross-References	New Cross-References
49.04 (1)	49.01 (3)	49.04 (1g)
51.01 (14)	49.10 (12)(d)	49.01 (8g)
55.06 (8)(intro.)	49.10 (12)(d)	49.01 (8g)

(f) *Child abuse and neglect records.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
48.78	48.433 and 48.93	48.433, 48.93 and 48.981 (7)

(g) *Centers for the developmentally disabled.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
46.275 (3r)(a)(intro.)	sub. (5)(a) 1	sub. (5)(a)
46.277 (5)(a)	46.275 (5)(a) 1	46.275 (5)(a)

(h) *Facility payment.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
49.175 (4)	49.45 (6m)(a) 1	49.45 (6m)(ag)

(i) *Reimbursement formula.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
49.175 (4), as affected by 1985 Wis. Act .... (this act)	49.45 (6m)(ag)	49.45 (6m)(a) 1

(j) *Alzheimer's family and caregiver support.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
46.031 (2)(c) 4	46.27, 51.42	46.27, 46.87, 51.42

(k) *Day care funding.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
46.98 (3)(b) and (c)	sub. (2)	sub. (2)(a) 1

(kt) *Family support program.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
46.031 (2)(c) 4	46.27, 51.42	46.27, 46.985, 51.42

(24) HEALTH FACILITIES AUTHORITY.

(a) *Health institution loans.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
231.03 (14)	sub. (6r)(b)	sub. (6)(b)

(26) HISTORICAL SOCIETY.

(a) *Appropriations revision.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
20.370 (7)(aa)	20.245 (2)(a) to (fm)	20.245 (2)(a) to (bi) and (5)(a)
20.866 (1)(u)	20.245 (1)(e)	20.245 (2)(e), (4)(e) and (5)(e)
20.924 (4)	20.245 (1)(g), (h), (m) and (n) and (2)(a) to (fm)	20.245 (1)(g), (h) and (m), (2)(a) to (bi), (g), (h) and (m), (3)(g), (h), (m) and (n), (4)(g), (h) and (m) and (5)(a), (g), (h) and (m)

(27) HOSPITAL RATE-SETTING COMMISSION.

(a) *Hospital definition.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
15.105 (15)	50.33 (1)	50.33 (2)

(b) *Rate review.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
49.45 (3)(e) 11	ch. 54 or s. 146.60	ch. 54
54.13 (1)(b)	54.21 (2)(a)	54.26
54.25 (1)(a)	146.60	146.60, 1983 stats
146.37 (1)	ch. 54 or s. 146.60	ch. 54
632.75 (5)	146.60	146.60, 1983 stats.

(28) HOUSING AND ECONOMIC DEVELOPMENT AUTHORITY.

(a) *Private activity bond limits.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
234.40 (4)	234.18	234.18 (1) and (2)
234.50 (4)	234.18	234.18 (1) and (2)
234.60 (2)	234.18	234.18 (1) and (2)
234.65 (1)(b)	234.18	234.18 (1) and (2)
234.80 (1)(b)	234.18	234.18 (1) and (2)

(29) INDUSTRY, LABOR AND HUMAN RELATIONS.

(a) *Employment security administration.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
101.23 (2)	20.445 (1)(ga) and (z)	20.445 (1)(ga) and (n)
108.14 (17)	20.445 (1)(z)	20.445 (1)(n)

(30) INSURANCE.

(a) *Health care plans.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
185.983 (1)(intro.)	601.45, 632.79 and 632.895 (5)	601.45, 611.67, 619.04, 632.79 and 632.895 (5), subch. II of ch. 619 and chs. 609, 630 and 645,

(b) *Mandated coverage of mental disorders and alcoholism.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
619.14 (3)(c) 1	632.89 (1)(b)	632.89 (1)(c)
619.14 (3)(c) 2. (intro.)	632.89 (1)(d)	632.89 (1)(e)

(c) *Maintain records.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
185.983 (1)(intro.)	632.79 and 632.895 (5)	632.79, 632.87 (3)(c) and 632.895 (5)

Vetoed  
in Part

(cn) *Records maintenance deleted.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
185.983 (1)(intro.), as affected by 1985 Wis. Act (this act)	632.79, 632.87 (3)(c) and 632.895 (5)	632.79 and 632.895 (5)

(d) *Optometric coverage.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
185.983 (1)(intro.)	632.79 and 632.895 (5)	632.79, 632.87 (2m) 632.895 (5)

(39) NATURAL RESOURCES.

(a) *Appropriation renumbering; environmental standards.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
20.370 (2)(dq), as renumbered	pars. (cs) and (ct)	pars. (ds) and (dt)
20.566 (7)(v)	20.370 (2)(cr) and (ds)	20.370 (2)(gr) and (gs)
66.365	20.370 (2)(bj)	20.370 (2)(fi)
144.44 (4)(f) 5	20.370 (2)(dr)	20.370 (2)(dv)
144.441 (6)(b)	20.370 (2)(cq)	20.370 (2)(dq)
144.441 (6)(b)	20.370 (2)(ct)	20.370 (2)(dt)
144.441 (6)(b)	20.370 (2)(cs)	20.370 (2)(ds)
144.441 (6)(f)	20.370 (2)(ct)	20.370 (2)(dt)
144.441 (6)(g)	20.370 (2)(cs)	20.370 (2)(ds)
144.442 (6m)	20.370 (2)(dr)	20.370 (2)(dv)
144.443 (11)(a) 2	20.370 (2)(cq)	20.370 (2)(dq)
144.76 (6)(a)	20.370 (2)(cm) and (du)	20.370 (2)(du), (dv) and (dx)
144.76 (6)(b)	20.370 (2)(cm) or (du)	20.370 (2)(du), (dv) or (dx)
144.76 (6)(c) 2	20.370 (2)(cm)	20.370 (2)(dx)
144.77 (6)(a) and (b)	20.370 (2)(dv)	20.370 (2)(du), (dv) and (dx)

(b) *Appropriation renumbering; local support.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
70.113 (1) and (2)(a)	20.370 (4)(fa) and (fq)	20.370 (4)(ea) and (eq)
87.31 (5)(a)	20.370 (4)(gc)	20.370 (4)(fc)
144.783 (1)(a)	20.370 (4)(eb)	20.370 (4)(db)
144.799 (5)(a)	20.370 (4)(de)	20.370 (4)(ce)
350.12 (4)(a) 4	20.370 (4)(gt)	20.370 (4)(ft)
350.12 (4)(c)	20.370 (1)(mq), (3)(aq), (4)(gt) or (is) or (8)(dq)	20.370 (1)(mq), (3)(aq), (4)(ft) or (is) or (8)(dq)

(c) *Managed forest land.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
20.370 (1)(mu)	27.01	27.01, subch. VI of ch. 77
25.29 (1)(a)	subch. I of ch. 77	subchs. I and VI of ch. 77
25.29 (7)(intro.)	ch. 77	subchs. I and VI of ch. 77
70.02	subch. I of ch. 77	subchs. I and VI of ch. 77
75.36 (1)(d)	s. 77.04	ss. 77.04 and 77.84

(dm) *Wisconsin natural areas heritage program.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
20.370 (1)(fb)	23.27	23.27 (3)
20.370 (1)(kb)	23.27	23.27 (4)
70.113 (2)(a)	23.09 (2)(d), 23.31 or 29.571 (1)	23.09 (2)(d), 23.27, 23.29, 23.31 or 29.571 (1)

(e) *Wisconsin conservation corps.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
16.20 (7)(a), as renumbered	20.370 (1)(jj), (jm) and (jq)	20.399 (1)(j), (m) and (q)

16.20 (8)(c), as renumbered	20.370 (8)(jj), (jm) or (jq)	20.399 (2)(j), (m) or (q)
16.20 (8)(c), as renumbered	20.370 (1)(jj), (jm) or (jq)	20.399 (1)(j), (m) or (q)
16.20 (8)(c), as renumbered	20.370 (8)(jj), (jm) or (jq)	20.399 (2)(j), (m) or (q)
16.20 (9)(a), as renumbered	20.370 (1)(jq) or (8) (jq)	20.399 (1)(q) or (2)(q)

(f) *Wildlife damage surcharge fee.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
29.09 (7m)(a) and (b)	29.092 (14)	29.092 (15)
29.092 (1)	subs. (2) to (14)	subs. (2) to (15)

(g) *Wildlife damage claim payments.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
29.598 (6)(c), (d) and (e)	sub. (7)(b) 4	sub. (7)(b) 5

(i) *Well compensation program.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
20.370 (2)(eb) and (ec)	s. 144.027	ss. 144.027 and 144.028
144.95 (1)(d) 4	144.027 or 144.265	144.027, 144.028 or 144.265

(j) *Environmental repair fund.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
144.442 (8)(b)	20.370 (2)(dw)	20.370 (2)(dv)

(k) *Point source; cash in place of bonding.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
144.24 (9m)(intro.)	s. 20.866 (2)(tn)	ss. 20.370 (4)(df) and 20.866 (2)(tn)

(Lb) *Exploration on county forest lands.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
28.11 (6)(a) and (9)(c)	sub. (3)(j)	sub. (3)(k)

(42) **PUBLIC DEFENDER BOARD.**

(b) *Assignment of cases.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
977.08 (1)	subs. (3) to (6)	subs. (3) and (4)

(43) **PUBLIC INSTRUCTION.**

(a) *High school graduation standards.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
119.04 (1)	118.32, 120.12 (15)	118.32, 118.33, 120.12 (15)

(b) *Merged attendance areas; special transfer aid.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
115.28 (14)	121.85	121.845 (2)
115.74 (1)(a) 2	121.85 (1)(a)	121.845 (1)

(c) *Plans for children at risk.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
119.04 (1)	118.15, 118.16	118.15, 118.153, 118.16

(d) *Programs for gifted and talented pupils.*

A	B	C
Statute Sections 119.04 (1)	Old Cross-References 118.32, 120.12 (15)	New Cross-References 118.32, 118.35, 120.12 (15)

(e) *Tuition computation.*

A	B	C
Statute Sections 67.03 (7) 115.87 (8) 119.26 121.54 (6) 121.78 (2)(c), as renumbered	Old Cross-References 121.84 (3) sub. (5) 121.82 121.84 (2) par. (a)	New Cross-References 121.78 (2)(b) and (c) s. 121.78 121.78 121.78 (2)(a) par. (b)

(f) *University of Wisconsin system tuition.*

A	B	C
Statute Sections 119.04 (1)	Old Cross-References 120.12 (15)	New Cross-References 120.12 (15) and (17)

(i) *Insurance for school district employes.*

A	B	C
Statute Sections 119.04 (1)	Old Cross-References 120.13 (1), (14)	New Cross-References 120.13 (1), (2)(b) to (f), (14)

(j) *Student parents.*

A	B	C
Statute Sections 115.93 (2)	Old Cross-References sub. (1)	New Cross-References subs. (1) and (1m)

(kp) *School crossing guards.*

A	B	C
Statute Sections 346.46 (2m)	Old Cross-References 349.215	New Cross-References 120.13 (8) or 349.215

(45) REGULATION AND LICENSING.

(a) *Limits on physicians' licenses.*

A	B	C
Statute Sections 448.065	Old Cross-References 448.02 (3)(a)	New Cross-References 448.02 (3)(e)

(46) REVENUE.

(a) *Alphabetizing definitions.*

A	B	C
Statute Sections 49.485 (1)(dm) 71.02 (1)(a), as renumbered 71.04 (2b)(intro.) and (2g)(a) 71.04 (12)(f) 71.05 (1)(intro.)  71.05 (1)(a) 15 71.05 (2)(a) 6, as renumbered 71.09 (7)(a) 6, as renumbered 71.09 (11)(a) 6. a and b 71.09 (11)(a) 6. c 71.10 (8)(a) 3 71.10 (8n) 71.10 (18)(am) 4 71.10 (18)(am) 5	Old Cross-References 71.09 (7)(a) 1 sub. (2)(p)  71.02 (1)(c)  71.19 (4)(b) 71.02 (2)(c), (e) and (m) 71.19 (4)(b) 71.02 (2)(k)  71.02 (2)(e)  sub. (7)(a) 1  71.02 (2)(e) 71.19 (1) 71.19 (1) 71.19 (4) 71.19 (4)(b)	New Cross-References 71.09 (7)(a) 6 sub. (2)(a)  71.02 (1)(e)  71.19 (3)(b) 71.02 (2)(mb), (i) and (j) 71.19 (3)(b) 71.02 (2)(h)  71.02 (2)(i)  sub. (7)(a) 6  71.02 (2)(i) 71.19 (5) 71.19 (5) 71.19 (3) 71.19 (3)(b)

71.135 (7)	71.19 (4)	71.19 (3)
71.19 (3)(a), as renumbered	sub. (1)	sub. (5)
71.21 (1) and (19)(a)	71.19 (1)	71.19 (5)
77.65 (5)	71.09 (7)(a) 3	71.09 (7)(a) 5

(b) *Income tax reduction and reform.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
19.42 (7s)	71.02 (1)(a) and (2)(b)	71.02 (2)(d)
71.05 (5)	sub. (1)(a) 2	sub. (1)(a) 2, 1983 stats.
71.08 (1)	71.09 (1c)	71.09 (1e) or (1f)
71.09 (11)(a) 6. b	71.02 (1)(a)	71.02 (1)(c)
71.09 (13)(cm)	sub. (7), (7m), (11), (12), (12c), (12m), (12r), (12rf) or (12t)	sub. (7), (7m), (11), (12), (12m), (12r) or (12rf)
71.65 (1)(a)	71.09 (1b)	71.09 (1b), (1e) or (1f)
72.12 (5)	71.02 (2)(b)	71.02 (2)(d)

(c) *Municipal accounting services.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
20.566 (3)(g)	sub. (2)(g) and (h)	sub. (2)(h)

(d) *Personal liability for motor fuel taxes.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
78.70 (6), as created by 1985 Wis. Act .... (this act)	77.51 (3)	77.51 (10)

(e) *Renewable energy resource system credit.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
16.957 (7m)	71.09 (12)	71.09 (12), 1983 stats.,
25.50 (3)(b)	79.08, 79.085, 79.10	79.08, 79.10
71.04 (16)(d)	71.09 (12)	71.09 (12), 1983 stats.,
71.09 (13)(b) and (d)	sub. (7), (7m), (11), (12) or (12m)	sub. (7), (7m), (11) or (12m)
71.09 (13)(cm)	sub. (7), (7m), (11), (12), (12c), (12m), (12r), (12rf) or (12t)	sub. (7), (7m), (11), (12), 1983 stats., (12c), (12m), (12r), (12rf) or (12t)

(f) *Shared revenue.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
79.02 (3)	79.04, 79.06 and 79.07	79.04 and 79.06

(g) *Telegraph companies.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
71.04 (15)(bm) 1	76.02 (4) and (5b) and 76.28 (1)(e) 1, 3 or 4	76.02 (4), 1983 stats., 76.02 (5b) and 76.28 (1)(e) 1, 3 or 4

(h) *Withholding.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
71.135 (4)	Subsections (1) to (3)	Subsections (1m) to (3)

(i) *Reassessment and review.*

A	B	C	
Statute Sections 20.566 (2)(h)	Old Cross-References 70.055 and 70.75	New Cross-References 70.055, 70.75 and 73.08	
<del>(j) Canceled taxes.</del>			
A	B	C	Vetoed in Part
Statute Sections 20.913 (1)(b)	Old Cross-References 74.73, 76.13 (3)	New Cross-References 74.73, 74.735, 76.13 (3)	
<del>(k) Investment and local impact fund.</del>			
A	B	C	Vetoed in Part
Statute Sections 20.566 (7)(e)	Old Cross-References 70.395, 144.838 (4) and 144.855 (5)(a)	New Cross-References 70.395 and 144.855 (5) (a)	
20.566 (7)(r)	70.395 (2)(d) to (g), 144.855 (6)(a) and 144.838 (4)	70.395 (2)(d) to (g) and 144.855 (5)(a)	

(48) SECRETARY OF STATE.

(a) *Close corporations.*

A	B	C
Statute Sections 180.995 (7)(a)	Old Cross-References sub. (9)[(11)]	New Cross-References sub. (11)

(49) SECURITIES.

(a) *Appropriation.*

A	B	C
Statute Sections 20.185 (1)(g)	Old Cross-References 551.33 (4)	New Cross-References 551.23 (19)(d), 551.33 (4)

(51) TRANSPORTATION.

(a) *Appropriation structure.*

A	B	C
Statute Sections 13.101 (6)(a)	Old Cross-References 20.395 (1), (3), (4) and (5)(aq) to (ax) and (6)(aq) and (ar)	New Cross-References 20.395 (1), (2)(cq), (eq) to (ex) and (gq) to (gx), (3), (4)(aq) to (ax) and (6)(aq) and (ar)
13.489 (1)	20.395 (5)(aq)	20.395 (4)(aq)
14.85 (4)	20.395 (5)(aq)	20.395 (4)(aq)
20.395 (3)(iq), (iv) and (ix)	subs. (1) to (4)	subs. (1) to (3)
20.395 (9)(qh)	subs. (2), (3) and (4)	subs. (2) and (3)
20.395 (9)(td)	subs. (2)(bq) and (dq), (3)(aq), (bq), (cq), (dq), (eq), (fq) and (hq) and (4)(aq)	subs. (2)(bq), (dq) and (eq) and (3) (aq), (bq), (cq), (dq), (eq), (fq), (gq) and (hq)
84.013 (2)(a)	20.395 (3)(aq), (bq) to (bx) and (gq) to (gx) and (5)(jq)	20.395 (3)(aq), (bq) to (bx) and (gq) to (gx) and (4)(jq)
86.32 (2)(a)	20.395 (1)(au)	20.395 (1)(ft)
86.32 (2)(b) 3 and 5	20.395 (1)(as)	20.395 (1)(fq)
86.34 (4)	20.395 (1)(at)	20.395 (1)(fr)
110.99 (1)	20.395 (5)(aq)	20.395 (4)(aq)
114.20 (11)	20.395 (5)(aq)	20.395 (4)(aq)
195.28 (2)	20.395 (4)(bq) and (bx)	20.395 (2)(gq) and (gx)
195.28 (3)	20.395 (1)(fq)	20.395 (2)(gr)

(b) *Local transportation aids.*



A	B	C
Statute Sections	Old Cross-References	New Cross-References
86.30 (1)(bs) (dn) <i>All-terrain vehicles.</i>	86.30 (4)(b) 1	86.30 (4)(b)

A	B	C
Statute Sections	Old Cross-References	New Cross-References
25.40 (2)	20.370 (1)(mr), (2) (dq) and (4) (bt)	20.370 (1)(mr), (2)(dq) and (4) (bt) and (bz)

(53) UNIVERSITY OF WISCONSIN SYSTEM.

(a) *Self-amortizing facilities.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
20.866 (1)(u)	20.285 (1)(d) and (gb)	20.285 (1)(d), (db) and (gb)

(55) VOCATIONAL, TECHNICAL AND ADULT EDUCATION.

(a) *Driver education and chauffeur training appropriations.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
20.292 (1)(u)	38.28 (2)(c)	38.28 (2)(c) and (g)

(56) OTHER.

(a) *County authority.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
5.58 (2)(a)	ss. 59.031 and 59.032	s. 59.031
5.60 (1)(intro.)	ss. 59.031 and 59.032	s. 59.031
50.03 (14)(b)	51.42 (5) or 51.437 (4)	51.42 or 51.437
51.20 (4)	51.42 (5)(h) 7 and 51.437 (9)(c)	51.42 (3)(am) 6 and 51.437 (5)(c)
51.45 (2)(c)	51.42 (5)(h) 8	51.42 (3)(am) 7
59.031 (1)(b), as renumbered	s. 59.031 (1)	par. (a)
59.031 (2)(bm) 1. c	59.07 (48)	59.035 (1)
59.83	45.14	45.14 (2)
63.01 (2)	ss. 59.031 (2)(c) and 59.032 (2)(c)	s. 59.031 (2)(c)
63.03 (2)(y)	59.07 (48)	59.035
83.18 (2)	83.015 (2)	83.015 (2)(a)
115.85 (4)	51.437 (1)	51.437 (1)(c)
115.85 (4)	51.42 (5)	51.42

(b) *Property tax credits.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
71.09 (11)(a) 7	79.10 (3)	79.10 (3) to (5)
79.10 (9)(b), as renumbered	sub. (1)	sub. (7m)
79.10 (9)(b), as renumbered	sub. (2)(a)	sub. (3)
79.175 (2)	79.10 (3)(b)	79.10 (9)(b)
79.18	79.10 (3)	79.10 (9)(a)
79.18	79.10 (3)(b)	79.10 (9)(b)

(c) *State financing costs.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
18.75 (4)	20.855 (4)(dj)	20.855 (1)(a)

(d) *Tax appeals commission's jurisdiction.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
73.01 (5)(a)	70.995 (8)(a)	70.995 (8)

(e) *Metropolitan sewerage district commercial paper.*

**A**  
Statute Sections  
66.91 (1)(a)  
(f) *Aids as credits.*

**B**  
Old Cross-References  
pars. (b) to (f)

**C**  
New Cross-References  
pars. (b) to (fa)

**A**  
Statute Sections  
79.175 (2)  
79.18  
79.18

**B**  
Old Cross-References  
79.10 (3)(b)  
79.10 (3)  
79.10 (3)(b)

**C**  
New Cross-References  
79.10 (9)(b)  
79.10 (9)(a)  
79.10 (9)(b)

**SECTION 3203. Initial applicability.**

(1) ADMINISTRATION.

(a) *State documents.* The treatment of section 35.50 (2) of the statutes by this act first applies to editions of the statutes and session laws containing the enactments of the 1985 legislature.

(b) *Renewable energy resource system refunds.* The treatment of section 16.957 (8) (a), (12) and (13) of the statutes by this act first applies to renewable energy resource systems installed after December 31, 1985.

(3) AGRICULTURE, TRADE AND CONSUMER PROTECTION.

(a) *Breach affecting a limited number of claimants.* The creation of section 127.14 (1) (e) of the statutes by this act first applies to claims filed under section 127.14 of the statutes, as renumbered by this act, on September 1, 1985.

(b) *Penalties; private remedy.* The creation of section 127.17 (4) (b) and (5) of the statutes by this act first applies to violations occurring on September 1, 1985.

(c) *State aids for conservation projects.* The treatment of section 92.14 of the statutes by this act first applies to payments made under section 92.14 of the statutes on July 1, 1985.

(9) CIRCUIT COURTS.

(a) *Stipulations for support.* The treatment of section 767.10 of the statutes by this act applies to any stipulation for child support or family support approved on or after the effective date of this paragraph.

(14) DEVELOPMENT.

(a) *Labor training program review.* The treatment of section 560.095 (3) (c) of the statutes by this act applies to any labor training program approval occurring on or after the effective date of this paragraph.

~~(17) EMPLOYEE TRUST FUNDS.  
(a) *Final average earnings for judges.* The treatment of section 49.02 (2) (am) and (3) (am) of the statutes by this act first applies to any supreme court justice or judge of the court of appeals or circuit court at the time any justice or judge of the same court takes the oath of office after the effective date of this paragraph.~~

(23) HEALTH AND SOCIAL SERVICES.

(a) *Medical assistance.*

1. The treatment of section 49.46 (1) (cg) of the statutes by this act first applies to the provision of medical assistance on August 16, 1984.

2. The treatment of section 49.46 (1) (cm) of the statutes by this act first applies to the provision of medical assistance on October 1, 1984.

3. The treatment of section 49.47 (4) (b) 3 of the statutes and the creation of section 49.47 (4) (b) 3g. a to e, 3m and 3r of the statutes by this act first apply to the provision of medical assistance on January 1, 1985.

(am) *Aid to families with dependent children.* The treatment of sections 46.25 (1), 49.19 (4) (bm), (br), (es) and (h) 1. b and (5) (a) 1m, 2. (intro.), 4. (intro.) and a and 4m and 49.53 (1) and (3) of the statutes by this act first applies to the provision of aid to families with dependent children and to child support payments on October 1, 1984.

(ar) *Prisoners in county jail.* The treatment of section 53.33 (2) (a) 1 and 3 of the statutes by this act applies to days of confinement on or after July 1, 1985, regardless of the beginning date of any such confinement.

(b) *Community options program.* The treatment of section 46.27 (5) (f) and (g) of the statutes by this act first applies to application of the long-term community support service fee schedule for services provided any person under section 46.27 (5) (b) of the statutes on July 1, 1986, or on the first day of the 4th month commencing after promulgation of the rules required under section 46.27 (2) (h) of the statutes, as created by this act, whichever is later.

(25) HIGHER EDUCATIONAL AIDS BOARD.

(a) *Contract for dental education.* The treatment of section 39.46 (2) (f) of the statutes by this act first applies to students enrolled in the school of dentistry in the 1986-87 academic year.

(26) HISTORICAL SOCIETY.

(a) *Museum liability insurance coverage.* The treatment of section 895.46 (1) (e) of the statutes by this act first applies to actions and proceedings under section 895.46 (1) (a) of the statutes commencing on the effective date of this paragraph.

(27) HOSPITAL RATE-SETTING COMMISSION.

(a) *Nurse appointment to hospital rate-setting council.* The treatment of section 15.107 (1m) (a) and (e) of the statutes by this act first applies to the nomination for appointment of a nurse to succeed the current term of appointment to the hospital rate-setting council for the nurse nominee of the Wisconsin hospital association.

(29) INDUSTRY, LABOR AND HUMAN RELATIONS.

Vetoed  
in Part

(a) *Wage claim referral.* The treatment of section 109.09 (1) of the statutes by this act applies to any claim under that subsection which the department of industry, labor and human relations receives on or after the effective date of this paragraph.

(30) INSURANCE.

(a) *Administering carrier of health insurance risk sharing plan.* The treatment of section 619.16 (1) (intro.), (2) (b) and (3) (f) 2 of the statutes by this act first applies to selections of administering carriers of the health insurance risk sharing plan on the effective date of this paragraph.

(b) *Disability insurance policies.* The treatment of sections 632.755, 632.77 (3) and 632.895 (3) and (4) of the statutes by this act first applies to disability insurance policies issued or renewed on the effective date of this paragraph.

(c) *Eligibility for health insurance risk sharing plan.* The treatment of section 619.12 (1) (intro.) of the statutes by this act first applies to certifications of eligibility on the effective date of this paragraph.

(d) *Health insurance risk sharing plan premium reduction.* The treatment of sections 20.145 (7) (a) and 619.165 of the statutes by this act first applies to premiums due on the effective date of this paragraph.

(e) *Mandated coverage of mental disorders and alcoholism.* The treatment of section 632.89 (1) and (2) of the statutes by this act first applies to group disability policies, joint contracts and other contracts issued or renewed by an insurer on the effective date of this paragraph.

(f) *Present value computation.* The treatment of sections 601.31 (1) (s), 786.18 (2), 842.11 (2) and 879.65 of the statutes by this act and SECTION 3201 (30) (a) of this act first apply to statements of facts transmitted by courts or judges to the commissioner of insurance for computation of present values on the effective date of this paragraph.

(g) *Rustproofing warranties insurance.* The treatment of sections 100.205 (6) (intro.) and (b), 618.41 (6m), 631.01 (1) (b) and (4m) and 632.18 of the statutes by this act first applies to policies of insurance to cover rustproofing warranties issued on the effective date of this paragraph.

(39) NATURAL RESOURCES.

(a) *Wildlife damage surcharge fee.* The renumbering and amendment of section 29.092 (14) of the statutes and the creation of section 29.092 (14) of the statutes by this act and SECTION 3202 (39) (f) of this act first apply to a license issued for an effective period beginning on July 1, 1985.

(c) *Private sewage systems.*

1. The treatment of section 144.245 (title), (1) (a), (am) and (c), (4) (a), (b), (c) and (d), (5) (a), (c) and (d) and (8) of the statutes and the creation of section 144.245 (4) (c), (4m), (5) (e), (8) (b) and (11m) of the statutes by this act apply to all applications for financial assistance received by the department of natural resources on and after July 1, 1985.

2. The treatment of section 144.245 (9) (g) and (11) (b) and (c) of the statutes applies to all private sewage system replacement and rehabilitation grants provided by the department of natural resources on or after July 1, 1985.

(dm) *Environmental repair fee; waste disposal.* The creation of section 144.442 (1m) of the statutes applies to solid and hazardous waste received by a waste facility on or after January 1, 1985.

(e) *Law enforcement.* The treatment of section 23.49 of the statutes by this act first applies to charges associated with the use of credit cards assessed to the department of natural resources for deposits accepted by conservation wardens for offenses occurring on the effective date of this paragraph.

(f) *Special deer hunting permits.* The treatment of sections 29.107 and 29.108 of the statutes by this act first applies to hunter's choice deer hunting permits, deer hunting party permits and other special deer hunting permits issued for an effective period beginning on or after July 1, 1986.

(g) *Wildlife damage claim payments.* The treatment of section 29.598 (7) (d) 2 of the statutes by this act first applies to approved wildlife damage claims filed by a county with the department of natural resources by March 1, 1986, for damage that occurred in calendar year 1985.

(42) PUBLIC DEFENDER BOARD.

(a) *Reimbursement for legal fees.* The treatment of sections 973.06 (1) (e) and 977.07 (2) of the statutes and the creation of section 977.07 (2) (b) of the statutes by this act apply to actions commenced on or after the effective date of this paragraph.

(b) *Private bar rates.* The treatment of section 977.08 (4m) of the statutes by this act applies to cases assigned to private local attorneys on or after September 1, 1985.

(43) PUBLIC INSTRUCTION.

(c) *Children at risk.* The treatment of section 118.153 (4) (b) of the statutes by this act first applies to aids paid and deducted under that paragraph in the 1987-88 school year based upon 1986-87 school year enrollment and school aid data.

(d) *Tuition computation.* The treatment of sections 115.28 (19), 115.87 (3) to (6m), 119.24 (1) and (2), 120.13 (4), 120.21 (2), 120.22, 121.05 (1) (a) 3, 4, 5 and 7, 121.08 (3), 121.77 (1), 121.78 (1) and (2), 121.79 (1) (intro.), (a), (b), (d) (intro.) and 1 and (2), 121.80, 121.82 (title), (1), (2) (a) and (b) and (3) and 121.84 (1) (c), (2) and (3) (a) and (b) of the statutes, the renumbering and amendment of section 121.77 (2) of the statutes, the creation of sections 121.75, 121.76, 121.77 (2) (a) and (b), 121.78 (1) (title), (2) (title) and (3), 121.82 and 121.83 (1) (a) 1 to 3 and (b) to (e) of the statutes and the repeal and recreation of section 121.78 (3) of the statutes by this act and SECTIONS 3043 (2) and 3202 (43) (e) of this act first apply to tuition claims filed in the 1985-86 school year for costs incurred and pupils served in the 1984-85 school year.

(e) *Handicapped education aid.* The treatment of section 115.88 (7) of the statutes by this act first applies to handicapped education aid computed on the basis of costs incurred, moneys received and pupils served in the 1984-85 school year.

(g) *Driver education aids.* The treatment of section 121.41 (1) of the statutes by this act first applies to aid payments made in the 1986-87 fiscal year.

(hm) *Special transfer aid.* The treatment of section 121.85 (6) (g) of the statutes by this act first applies to state aid paid in the 1986-87 school year.

(kn) *Redeterminations of assessment.*

1. The treatment of section 70.57 (2) of the statutes by this act first applies to redeterminations by the state board of assessors on January 1, 1982.

2. The treatment of sections 121.004 (2) (relating to value adjustments) and 121.09 (1) and (2) (relating to redeterminations by the state board of assessors) of the statutes by this act first applies to recertifications by the department of revenue on January 1, 1986.

(45) REGULATION AND LICENSING.

(a) *Variable fee schedule.*

1. The repeal and recreation of section 440.05 (1) of the statutes by this act first applies to examinations administered on January 1, 1986.

2. The treatment of section 440.05 (3) of the statutes by this act first applies to an application for renewal of any license, permit, certificate or registration received on November 1, 1985.

(46) REVENUE.

(a) *Alphabetizing definitions.* The treatment of sections 71.01 (4) (g) 9, 71.02 (1) (b) to (g) and (2) (a), (c), (e), (g), (gh), (gn), (gp), (gq), (h), (i), (j), (k), (L) and (p), 71.05 (2) (a) 1 to 7, 71.09 (7) (a) 1 (in respect only to the alphabetization) and 2 to 8 and 71.19 (1) to (5) of the statutes by this act and SECTION 3202 (46) (a) of this act first apply to taxable year 1986.

(b) *Campaign fund.* The treatment of section 71.095 (1) and (2) of the statutes by this act first applies to returns filed for taxable year 1985.

(dm) *Domestic credit accident and sickness insurers.* The treatment of section 71.01 (4) (h) of the statutes by this act first applies to taxable year 1985.

(e) *Filing fee; manufacturing property assessments.* The treatment of section 70.995 (8) (a), (b) (in respect only to the filing fee), (c) (in respect only to the filing fee), (d) (in respect only to the filing fee) and (dm) of the statutes by this act first applies to objections filed on June 1, 1986.

(fg) *Hospital service insurance corporations, service fees.* The treatment of section 613.81 of the statutes by this act first applies to services provided on January 1, 1986.

(g) *Income tax reduction and reform.*

1. The amendment of section 71.09 (12c) (a) and (b), (12r) (a) (by SECTION 1347), (b) and (c), (12rf) (a) (by SECTION 1354) and (12t) (a) and (b) of the statutes by this act first applies to taxable year 1985.

2. The treatment of sections 71.01 (3) (e), (f) and (g), 71.02 (2) (d) (only in respect to the taxable year), (f), (gq) 3, 4, 5 and 6, (km) 2m and (m), 71.03 (2) (g), 71.04 (1) and (2) (b) 10, 71.05 (1) (a) 2, 5, 6, 11, 12, 13, 16 and 23, (b) 2, 5, 6, 7, 9, 10 and 11, (j), (k) and (L) and (3) (a), (c), (e), (f), (g) and (h), 71.09 (1c), (1d), (1e), (1f), (2c), (6p) (a), (b), (c) and (d) (intro.), 1 and 2, (7m) (only in respect to the percentage), (12m) (a), (12r) (L), 71.10 (2) (a) 5. a, 71.20 (2m) and 71.65 (1) (b), (d), (e), (f), (i), (j) and (k) of the statutes, the repeal of sections 71.09 (12c), (12r) (c) and (12t) and 71.53 of the statutes, the renumbering and amendment of section 71.05 (1) (d) of the statutes, the repeal and recreation of section 71.09 (12c) (d) of the statutes and the amendment of section 71.09 (12r) (a) (by SECTION 1348) and (12rf) (a) (by SECTION 1355) of the statutes by this act first apply to taxable year 1986.

3. The 15-year loss carry-forward provision in section 71.05 (1) (d) 2 of the statutes, as created by this act, first applies to losses incurred in taxable years ending after June 30, 1980, and the remainder of the treatment of that subdivision first applies to taxable year 1986.

(i) *Motor fuel tax refunds.* The treatment of section 77.54 (11) of the statutes by this act first applies to claims for refunds filed on the first day of the 2nd month beginning after publication.

(j) *Motorboat gas tax refund.* The treatment of section 78.75 (1) (a) 2 and 3 (as it relates to motorboats) of the statutes by this act first applies to motor fuel used for motorboats which is purchased on January 1, 1986.

(L) *Personal liability for motor fuel taxes.* The treatment of section 78.70 (6) of the statutes by this act first applies to payments due on the effective date of this paragraph.

(m) *Premium tax penalties.* The treatment of sections 76.64 and 76.645 of the statutes by this act first applies to payments due, and returns required to be filed, on the effective date of this paragraph.

(n) *Reassessment and review.* The treatment of section 73.08 of the statutes by this act, the creation of section 73.08 (2) of the statutes by this act and SECTION 3202 (46) (i) of this act first apply to reviews of assessments in progress on July 1, 1985, including reviews that begin on that date.

~~(np) *Canceled taxes.* The treatment of section 74.735 of the statutes by this act first applies to taxes canceled and unlawful taxes refunded on the effective date of this paragraph.~~

(o) *Sales tax liability of dissolved corporations.* The treatment of sections 77.59 (3) (intro.) and 180.787 of the statutes by this act first applies to corporate dissolutions occurring on the date 2 years before the effective date of this paragraph.

(q) *Definition of "internal revenue code".*

1. The treatment of section 72.12 (4) (c) 1 of the statutes by this act first applies to transfers because of deaths occurring on January 1, 1985.

Vetoed  
in Part

2. The treatment of section 72.22 (4) (a) of the statutes by this act first applies to transfers because of deaths occurring on July 18, 1984.

3. The treatment of section 72.01 (17) of the statutes by this act first applies to transfers because of deaths occurring on the first day of the first month beginning after publication of this act.

(r) *Inheritance tax liens.* The treatment of section 72.25 (intro.) of the statutes by this act first applies to transfers because of deaths occurring on the effective date of this paragraph.

(su) *Carry-forwards.*

1. 'Loss and sales tax credit.' The treatment of sections 71.043 (3) and 71.06 (1) of the statutes by this act first applies to losses incurred, and credits accrued, in taxable years ending after June 30, 1980.

2. 'Research credit and community development credit.' The treatment of section 71.09 (12m) (b) and (12r) (g) of the statutes by this act first applies to credits available in taxable year 1984.

(tr) *Minimum tax.*

1. The amendment of section 71.60 (1) (c) of the statutes by this act first applies to taxable year 1985.

2. The treatment of section 71.60 (1) (by SECTION 1384o), (2), (4) and (5) of the statutes by this act first applies to taxable year 1986.

(um) *Retirement benefits.* The treatment of section 71.03 (2) (d) of the statutes by this act first applies to taxable year 1985.

(ux) *Dividends.* The treatment of section 71.04 (4) (c) of the statutes by this act first applies to taxable year 1985.

(v) *Small business stock, capital gains.* The treatment of sections 71.02 (2) (fr), 71.05 (1) (b) 12 and 71.60 (1) (d) (regarding the exception for small business stock) of the statutes by this act first applies to stock acquired on January 1, 1986.

(vb) *Late returns.* The treatment of section 71.11 (40) of the statutes by this act first applies to returns required to be filed on the effective date of this paragraph.

(vc) *Marital property implementation.*

1. The treatment of sections 71.01 (1g) and (1r), 71.02 (2) (d), (eg), (fg), (gq) 7 and (km) 8, 71.03 (7), 71.05 (1) (a) 25 and (b) 8, (2m) and (3) (f), (g) and (h), 71.08 (4), 71.09 (7) (a) 1, 6 (except the renumbering) and 8 (except the renumbering), (7m), (9), (10) (a) and (b) and (13) (a), 71.10 (5) (b), (10) (f) and (gm), (19), (20), (21) and (22), 71.11 (2), (2m), (21) (g) 1, (22), (42), (44) (c) 11 and (47), 71.12 (1), 71.13 (1) (c) and (d) and 71.21 (2) (intro.), (3), (8), (14) (a) and (b) and (20) of the statutes and the renumbering and amendment of section 71.09 (10) of the statutes by this act first apply to taxable year 1986.

2. The treatment of sections 71.05 (1) (g), 72.12 (6) (a) and (b) (intro.) and 72.86 (4) of the statutes by this act first applies to transfers because of deaths and gifts occurring on January 1, 1986.

(vv) *Deductions limits.* The treatment of sections 71.01 (4) (a) 6m, 71.04 (2) (b) 11 to 17 and 71.05 (1) (a) 27 of the statutes by this act first applies to taxable year 1986.

~~(vy) *School finance.* The treatment of section 73.03 (29) of the statutes by this act first applies to taxable year 1986.~~ **Vetoed in Part**

(w) *Farmland preservation credit.* The treatment of section 71.09 (11) (b) 3, d and (bm) of the statutes and the creation of section 71.09 (11) (bm) 2 of the statutes by this act first apply to claims filed under section 71.09 (11) of the statutes for taxable year 1985. **Vetoed in Part**

(wa) *Deductions credit.* The treatment of sections 71.09 (6r) and 71.65 (1) (cm) of the statutes by this act first applies to taxable year 1986.

(wb) *One-time property tax and rent credit.* The treatment of sections 71.54 and 71.65 (1) (dm) of the statutes by this act first applies to taxable year 1986.

(wd) *Iron ore tax.* The treatment of section 70.40 (1) and (6) of the statutes by this act first applies to iron ore concentrates handled on January 1, 1986.

(we) *Farm losses.* The treatment of section 71.05 (1) (a) 26 of the statutes by this act first applies to taxable year 1986.

~~(x) *Farmland preservation credit maximum credit.* The treatment of section 71.09 (11) (b) 2 of the statutes by this act first applies to taxable year 1985.~~ **Vetoed in Part**

(xa) *Inheritance and gift tax rates.* The treatment of section 72.18 (2) to (4) of the statutes by this act first applies to transfers because of deaths occurring on January 1, 1986, and to gifts occurring on January 1, 1986.

~~(xb) *Tax appeals commission.* The treatment of section 73.01 (4m) of the statutes by this act, in respect to appeals under section 70.995 of the statutes, first applies to petitions filed on January 1, 1987.~~ **Vetoed in Part**

~~(xc) *Partners.* The treatment of section 71.044 of the statutes by this act first applies to taxable year 1986.~~ **Vetoed in Part**

(48) SECRETARY OF STATE.

(a) *Filing fees.* The treatment of sections 180.793 (2) and (4), 180.87 (1) (j) and (p), 181.653 (4), 181.68 (1) (gm), 185.48 (4) and (6) and 185.83 (1) (e) of the statutes by this act first applies to annual reports delivered to the office of the secretary of state on January 1, 1986.

(b) *UCC statewide lien system.* The treatment of sections 20.575 (1) (g) (except with respect to the increase in the percentage of fees from 10.5% to 12.4%) and (i), 409.403 (5) (a) and (b) 1 and 2, 409.404 (3) (a) and (c), 409.405 (1) and (2), 409.406 and 409.410 of the statutes, the creation of section 409.403 (5) (a) 2 and 3 of the statutes by this act and SECTION 3201 (48) (a) of this act first apply on September 1, 1985, or on the first day of the 2nd month commencing after the effective date of this paragraph, whichever is later.

(c) *Annual report blanks mailings.* The treatment of sections 180.791 (3), 180.833 (3), 180.99 (11), 181.651 (3) and 185.48 (2) of the statutes by this act first applies to mailings of annual report blanks occurring on the effective date of this paragraph.

(51) TRANSPORTATION.

(a) *Local transportation aids.* The treatment of sections 86.30 (1) (a), (am) and (b), (4) (a), (b) 1 and 2, (c) and (d) (in respect to the renumbering), (6), (6m), (8) and (9) and 86.303 (4) and (5) (e) of the statutes and the creation of sections 86.30 (1) (a) and (4) (c) and 86.303 (5) (f) of the statutes by this act first apply to the local transportation aids payment occurring on January 6, 1986.

(am) *Local transportation aids as a credit.*

1. The treatment of section 86.30 (4) (d) of the statutes by this act in respect to the adjustment of payments first applies to the local transportation aid payments for calendar year 1988.

2. The treatment of section 84.01 (16) (a) of the statutes by this act in respect to the exclusion of information relating to the amount of local transportation aids first applies to the notice relating to county transportation aid payments for calendar year 1988.

2m. The treatment of section 84.01 (16) (b) of the statutes by this act in respect to determining the tax rate first applies to the notice relating to county transportation aid payments for calendar year 1988.

3. The treatment of sections 84.01 (16m) and 86.30 (1) (bb), (10) and (11) of the statutes by this act first applies to local transportation aid payments for calendar year 1988.

(b) *Law enforcement.* The treatment of section 85.14 of the statutes by this act first applies to charges associated with the use of credit cards assessed to the department of transportation for deposits accepted by state traffic patrol officers and state motor vehicle inspectors for offenses occurring on the effective date of this paragraph.

(c) *Mass transit aids.* The treatment of section 85.20 (1) (g) and (4m) (a), (em) 1 and (er) of the statutes and the creation of section 85.20 (1) (hm) of the statutes by this act first apply to urban mass transit operating assistance contracts for calendar year 1986 executed between the department of transportation and eligible applicants on the effective date of this paragraph.

**Vetoed in Part** (d) *Registration plate color.* The treatment of section 341.13 (1) (d) of the statutes by this act first applies to registration plates issued on January 1, 1986.

(em) *All-terrain vehicles; motor fuel tax aids.* The treatment of section 78.75 (1) (a) 1, 2m and 3 (as it relates to all-terrain vehicles) of the statutes by this act first applies with respect to motor fuel and special fuel purchased on July 1, 1986.

**Vetoed in Part** (53) UNIVERSITY OF WISCONSIN SYSTEM.

~~(as) *Start of fall semester.* The treatment of section 36.11 (16) of the statutes by this act first applies to the commencement of classes for the 1986 fall semester.~~

**Vetoed in Part**

(54) VETERANS AFFAIRS.

(a) *Economic assistance.* The treatment of sections 45.351 (2) (a) and (b), 45.71 (8) and 45.76 (1) (a) 2 of the statutes by this act first applies to applications for economic assistance loans received by the department of veterans affairs under section 45.351 (2) (a) of the statutes and applications for primary mortgage loans received by the department of veterans affairs under section 45.79 of the statutes on the effective date of this paragraph.

(b) *Correspondence courses and part-time classroom study.* The treatment of section 45.396 of the statutes by this act first applies to applications for reimbursement for the cost of all courses for which the veteran enrolls on or after the effective date of this paragraph and to applications for reimbursement for the cost of part-time classroom study courses for which the veteran is enrolled before the effective date of this paragraph only if such courses are not satisfactorily completed before September 1, 1985.

(55) VOCATIONAL, TECHNICAL AND ADULT EDUCATION.

(a) *Tuition fees.* The treatment of section 38.24 (1) (a) and (3) (a) 2 of the statutes by this act first applies to fees charged in the 1986-87 academic year.

(56) OTHER.

(a) *Noncontractual sewerage services.* The treatment of section 66.899 of the statutes by this act first applies to sewerage service provided on January 1, 1986.

(as) *Cable television regulation.* The treatment of section 66.082 of the statutes by this act first applies to the first award by any city, village or town of any franchise for operation of a cable television system, as defined in section 66.082 (2) (d) of the statutes, as created by this act, and to the first franchise fees, as defined under section 66.082 (2) (e) of the statutes, as created by this act, required under such a franchise occurring before the effective date of this paragraph.

~~(am) *Chiropractic coverage.* The amendment of sections 185.981 (1) to (4), 185.982 (title), (b) SECTION 2069(bw), (1) and (2), 609.05 (3) and 632.87 (1) (with regard to chiropractic coverage) of the statutes, the repeal of section 628.33 of the statutes and the creation of sections 49.51 (8), 185.981 (4m), 628.36 (2) (b) 5, 609.59 and 632.87 (3) (a) and (b) of the statutes by this act.~~

**Vetoed in Part**

1. Apply to all insurance policies, plans and contracts, including health care plans, delivered or issued for delivery in this state on or after the effective date specified in SECTION 3204 (36) (gm) of this act.

2. Apply to all insurance policies, plans and contracts, including health care plans, delivered or issued for delivery in this state before the effective date specified in SECTION 3204 (36) (gm) of this act when the issuer next has the right to refuse to renew the policy

Vetoed  
in Part

or to change the premium, or one year after the effective date specified in SECTION 3204 (56) (gm) of this act, whichever is earlier, but do not apply to insurance policies, plans or contracts, including health care plans, issued before the effective date specified in SECTION 3204 (56) (gm) of this act if the issuer does not have the right to refuse to renew the coverage or to increase its premiums to meet any actual additional cost of alternative coverage required under those sections.

(en) *Sunset chiropractic coverage.* The repeal of sections 40.51 (8), 185.981 (4m), 628.36 (2) (b) 5, 609.50 and 632.87 (3) of the statutes, the amendment of section 185.982 (title) (by SECTION 2000bs) of the statutes, the repeal and recreation of sections 185.981 (1) to (4), 185.982 (1) and (2), 609.05 (3) and 632.87 (1) (with regard to chiropractic coverage) and the creation of section 628.33 of the statutes apply to all insurance policies, plans and contracts, including health care plans, delivered or issued for delivery in this state on or after the effective date specified in SECTION 3204 (56) (gm) of this act.

Vetoed  
in Part

(cp) *Optometric coverage.* The treatment of sections 40.51 (9), 185.981 (4t), 609.60 and 632.87 (2m) of the statutes and the amendment of section 632.87 (1) (with regard to optometric coverage) of the statutes by this act and SECTION 3202 (30) (do) of this act first apply to the issuance or renewal of health care plans on the later of the effective date of this paragraph or the day after the expiration of any contract provision between a health care provider and any other person if the contract provision was in existence prior to the effective date of this paragraph and if compliance with these sections would impair the contract provision.

(da) *Registration of mineral rights.* The treatment of section 706.057 (3) (b), (5), (6) and (9) of the statutes by this act first applies to statements of claim recorded under section 706.057 of the statutes on July 1, 1984.

**SECTION 3204. Effective dates.** All sections of this act take effect on July 1, 1985, or the day following publication, whichever is later, unless another date is provided:

(3) **AGRICULTURE, TRADE AND CONSUMER PROTECTION.**

(a) *Warehouse keepers.* The treatment of sections 127.01 (1) to (11), 127.02 (title) and (3), 127.07, 127.09 (1), 127.10 (title), (1), (4) (a) and (b) and (5), 127.11, 127.12, 127.13, 127.14, 127.15, 127.16 and 127.17 and the creation of 127.01 (4), (9), (15), (16) and (27), 127.02 (3) (a) (title) and (b), 127.06 (1), (4) (title) and (b) and (7) (a) 2. d, 127.12, 127.14 (1) (e) and 127.17 (4) (b) and (5) of the statutes and SECTIONS 3200 (3) (a) and 3202 (3) (a) of this act take effect on September 1, 1985.

(9) **CIRCUIT COURTS.**

(a) *Child support percentage standard.* The treatment of sections 49.90 (10), 767.25 (1j), (1m) (intro.), (f) and (i) and (1p) and 767.51 (5) (intro.) and (b) and

(5m) of the statutes and the creation of sections 767.25 (1m) (bj), (bp), (bz), (ej), (em) and (hm) and (1n) and 767.51 (4m), (5) (am), (gm), (gp), (im) and (j) and (5d) of the statutes take effect on July 1, 1987.

(b) *Support assignment and withholding.* The repeal and recreation of section 767.265 (1) of the statutes, the treatment of section 767.265 (3m), (4) and (5) of the statutes and the creation of section 767.265 (2h), (2r), (3h), (4), (6) and (7) of the statutes take effect on the effective date of the 1987-89 biennial budget act.

(c) *Notification of support obligation.* SECTION 3009 (1) of this act takes effect on January 1, 1987.

(14) **DEVELOPMENT.**

(a) *Housing programs.* The treatment of sections 15.157 (3), 20.143 (3) (title), (a), (d), (e), (ea), (f), (fa), (g), (h), (j), (L), (Lm), (m), (n) and (o), 66.92 (3), 234.01 (3), 234.04 (2), 234.06 (3), 234.08 (5) and (6), 234.18 (2), 234.265, 234.50 (3), 234.51 (2) (am), 234.59 (3) (b), 234.60 (1), (6), (7) and (8), 560.04 (3) (title), (a), (b) and (c), 560.06 (title), (1) (intro.), (a), (b), (c), (d), (e), (f) (intro.) and 1 to 3 and (g) to (i), (2) (title), (a) (intro.), 1, 2, 3 to 8 and 9, (b) and (c) and (3), 560.065 (title), (1) (intro.), (a), (c) and (d) to (j), (2) (intro.), (a), (b), (c), (e) and (f), (3) and (4) and 560.115 of the statutes, the creation of section 234.265 (2) of the statutes and SECTIONS 3014 (2) and (3), 3200 (14) (b), (c) and (d) and (28) (a), 3201 (14) (c) and 3202 (14) (c) of this act take effect on October 1, 1985, or the day following publication, whichever is later.

(b) *Private activity bond limits.* The treatment of sections 14.06, 18.535, 18.55 (6), 39.37 (4m), 66.522, 231.03 (6w) and 234.18 (2m) of the statutes and SECTIONS 3201 (14) (a) and (22) (a) and 3202 (28) (a) of this act take effect on January 1, 1986.

(17) **EMPLOYEE TRUST FUNDS.**

(a) *Prior service liability.* The treatment of section 40.05 (2) (b) of the statutes takes effect on January 1, 1986.

(23) **HEALTH AND AND SOCIAL SERVICES.**

(a) *General relief.*

1. The treatment of sections 49.02 (10), 49.05 (2), (7), (8) and (9), 49.053 and 49.055 of the statutes takes effect on January 1, 1986.

2. The treatment of sections 46.22 (4) (j), (p) and (q) and (5) (b) and (f), 46.23 (2) (d), 49.01 (5r), 49.02 (4) and (5) (d), 49.04 (1) and (3), 49.12 (4), 49.50 (8) (c), 54.17 (1) (a), 54.29 (3) (c), 58.05 (6), 118.17, 632.72 and 767.29 (2) of the statutes, the repeal of sections 49.02 (3) and (5m), 49.03, 49.10, 49.105 and 49.11 of the statutes and SECTION 3200 (23) (a) of this act take effect on January 1, 1987.

(b) *Agent orange study.* The treatment of sections 20.435 (1) (kg) and 20.485 (2) (wc) of the statutes takes effect on January 1, 1986.

(c) *Medical assistance mental health expenditures.* The treatment of sections 20.435 (4) (b) (as it relates to the retention of funds for noninstitutional community programs), 49.45 (2) (a) 19 and (6) (b) and 49.46 (2) (a)

4. a, (b) 6. f and 7 and (e) of the statutes takes effect on January 1, 1986.

(d) *Workshop for the blind.* The treatment of section 47.03 (3) (b) of the statutes and the repeal of section 20.435 (5) (jj) of the statutes take effect October 1, 1985.

(e) *Low-income energy assistance program.* The repeal of section 49.80 (10) of the statutes takes effect on August 1, 1985.

(f) *Nursing home reimbursement.* The repeal and recreation of sections 20.435 (1) (d), 49.45 (6m) and 231.03 (6) (b) of the statutes and SECTIONS 3200 (23) (c) and 3202 (23) (i) of this act take effect July 1, 1987.

(h) *Alzheimer's family and caregiver support.* The treatment of sections 20.435 (4) (bf), 46.27 (1) (a), (ag), (3) (h), (4) (c) 7, (5) (h) and (6r) (d), 46.855, 46.87 and 227.01 (11) (zb) of the statutes, the creation of section 46.27 (1) (a) of the statutes and SECTION 3202 (23) (j) of this act take effect on January 1, 1986.

(im) *Public health administration.* The repeal of sections 141.01 (1r) and (9m), 141.015 (13m) and 141.02 (2m) of the statutes and the treatment of section 143.01 (1) (by SECTION 1931k) of the statutes take effect on July 1, 1987.

(is) *Capital expenditure review.* The treatment of sections 150.01 (21), 150.61 (1) to (4), 150.613, 150.615 and 150.69 (13) of the statutes takes effect on July 1, 1986.

(27) HOSPITAL RATE-SETTING COMMISSION.

(a) *Financing the commission's operations.* The treatment of section 54.31 of the statutes takes effect on January 1, 1986.

(36) LEGISLATURE.

(a) *Private sewage systems.* The treatment of section 1.11 (2) (intro.) (by SECTION 1g) of the statutes takes effect on July 1, 1987.

(39) NATURAL RESOURCES.

(a) *Managed forest land.* The treatment of sections 20.370 (4) (ar), 26.06 (1), 66.03 (5), 71.04 (11) and 77.03, chapter 77 (title) and subchapter VI of chapter 77 of the statutes and SECTIONS 3201 (39) (a) and 3202 (39) (c) of this act take effect on January 1, 1986.

(ap) *Fox river management.* The treatment of section 20.370 (1) (dq) of the statutes takes effect October 16, 1985.

(bm) *All-terrain vehicles.*

1. The treatment of sections 15.347 (11), 20.370 (1) (ms) and (4) (by), (bz), (fu) and (iq), 23.09 (25) (a) (as it relates to all-terrain vehicles and federal agencies) and (d) (as it relates to all-terrain vehicles), 23.33 (except 23.33 (5) (b)), 25.29 (1) (b), 48.343 (9), 78.75 (1) (a) 1, 2m and 3 (as it relates to all-terrain vehicles), 110.07 (1) (a) 1, 218.01 (7a) (a), 340.01 (intro.), (2g) and (32) (intro.), 341.057, 342.15 (1) (b), 342.16 (1m), 345.11 (1r), 346.02 (11), 346.66, 346.71, 347.24 (1) (a) and (c) and 895.52 (1) (g) of the statutes and SECTIONS 3039 (8m) (b) and (c), 3201 (39) (cm) and (51) (bn),

3202 (51) (dn) and 3203 (51) (em) of this act take effect July 1, 1986.

2. The creation of section 23.33 (5) (b) of the statutes takes effect on July 1, 1987.

(42) PUBLIC DEFENDER BOARD.

(a) *Private bar rates.* The treatment of section 977.08 (4m) of the statutes takes effect on September 1, 1985.

(43) PUBLIC INSTRUCTION.

(aa) *Repeal of teaching incentives program appropriation.* The repeal of sections 20.255 (2) (fo) and 115.40 of the statutes takes effect on July 1, 1987.

(d) *School district standards.* The treatment of section 121.02 (1) (b), (f) 2, (k), (L), (m), (o), (p), (q), (r), (s) and (t) of the statutes takes effect on September 1, 1988.

(ea) *Suicide prevention program.*

1. The treatment of section 118.01 (2) (d) 7 of the statutes takes effect July 1, 1988.

2. The repeal of sections 15.377 (7) and 20.255 (2) (fs) of the statutes takes effect July 1, 1989.

(em) *Payment amounts.* The treatment of sections 121.008, 121.07 (1) (d) and 121.15 (1) (d) of the statutes takes effect July 1, 1987.

(kn) *Redeterminations of assessment.* The treatment of section 70.57 (2) of the statutes takes effect January 1, 1986.

(46) REVENUE.

(a) *District offices.* The treatment of section 73.07 (1) and (3) of the statutes takes effect on July 1, 1986.

(c) *Income tax reduction and reform.* The treatment of sections 71.01 (3) (e), (f) and (g), 71.02 (2) (d), (f), (gq) 3, 4, 5 and 6, (km) 2m and (m), 71.03 (2) (g), 71.04 (1) and (2) (b) 10, 71.05 (1) (a) 2, 5, 6, 7, 11, 12, 13, 16 and 23, (b) 2, 5, 6, 9, 10 and 11, (j), (k) and (L) and (3) (a), (c), (e), (f), (g) and (h), 71.09 (1c), (1d), (1e), (1f), (2c), (6p) (a), (b), (c) and (d) (intro.), 1 and 2, (7m) (only in respect to the percentage), (12m) (a), (12r) (L), 71.10 (2) (a) 5. a, 71.20 (2m) and 71.65 (1) (b), (d), (e), (f), (i), (j) and (k) of the statutes, the repeal of sections 71.09 (12c), (12r) (c) and (12t) and 71.53 of the statutes, the repeal and recreation of section 71.09 (12c) (d) of the statutes, the renumbering and amendment of section 71.05 (1) (d) of the statutes, the amendment of section 71.09 (12r) (a) (by SECTION 1348) and (12rf) (a) (by SECTION 1355) of the statutes, the creation of section 71.05 (1) (d) 2 (except the 15-year loss carry-forward provision) of the statutes and SECTION 3202 (46) (b) of this act take effect on January 1, 1986.

(d) *Indian cigarettes.* The treatment of section 139.32 (2m) of the statutes takes effect on the first day of the 3rd month beginning after publication.

(f) *Personal liability for motor fuel taxes.* The treatment of SECTION 3202 (46) (d) of this act takes effect on January 1, 1987.

(g) *Property tax credits.* The treatment of sections 20.835 (2) (a) and (3) (title), (a), (b), (c) and (f), 60.34 (5) (b) and (c), 61.26 (12), 62.09 (9) (gm), 74.03 (5)



(am) and (d) 3, 74.031 (8) (am) and (d) 3, 79.10 (1), (1m), (2) (title), (a), (am), (b) and (e), (3) (b) (in respect to the renumbering), (4) (intro.), (a), (b), (c) and (d), (5), (6), (7) and (9) (title) and 79.105 (1) (a) 1 and 2, (2) (a) and (b), (3) and (4), 115.28 (11) and 121.082 of the statutes, the creation of sections 20.835 (3) (title) and (d), 79.10 (1) (a), (b), (c) and (e), (3) (b) and (d) 3, (3m), (4) and (6m) and 79.105 (2) (a) 1 of the statutes and SECTIONS 3201 (1) (e) and (43) (b) and 3202 (56) (b) of this act take effect on January 1, 1986.

(h) *Reassessment and review.* The treatment of section 73.08 of the statutes, the creation of section 73.08 (2) of the statutes and SECTION 3202 (46) (i) of this act take effect on July 1, 1985.

(i) *Sales tax permits, delinquencies.* The treatment of section 77.52 (10) (b) and (11) (a) of the statutes by this act takes effect on the first day of the 3rd month beginning after publication.

(j) *Sales tax security.* The treatment of section 77.61 (2) of the statutes takes effect on the first day of the 3rd month beginning after publication.

(k) *Shared revenue.* The treatment of sections 20.835 (1) (f), 79.015, 79.02 (3) (in respect to striking through "and 79.07"), 79.03 (3) (b) 1, b and 4. (intro.), g and h and (5), 79.04 (1) (b), 79.06 (1) (a) and (b) and (2) (a), 79.07 and 79.08 (2) of the statutes and SECTION 3202 (46) (f) of this act take effect on January 1, 1986.

(L) *Shared revenue; minimum utility payment.* The deletion of the reference to guaranteed payments under section 79.04 (1) (b) of the statutes in section 79.04 (1) (a) of the statutes takes effect on January 1, 1986.

(m) *Special 1981 adjustment.* The treatment of section 79.085 of the statutes and the cross-reference change to section 25.50 (3) (b) (by SECTION 3202 (46) (e)) of the statutes take effect on January 1, 1986.

(n) *Telegraph companies.*

1. The treatment of sections 76.01, 76.02 (4) and (9), 76.04 (1) and 76.07 (1) and (2) of the statutes and the treatment of section 76.13 (1) (relating to light, heat and power companies and telegraph companies) of the statutes take effect on January 1, 1985.

2. The treatment of section 76.38 (1) (intro.), (a), (ab), (ac) (by SECTION 1447m), (ad), (am), (b) (by SECTION 1450), (bf), (bg), (bk), (bkm) (by SECTION 1453m), (bL), (bm), (br), (c), (e), (f), (fm) (by SECTION 1459m) and (g), (2) (b) and (c), (3), (3a), (4) (intro.) and (e), (5) (intro.), (k) and (L), (7), (8) and (12) (a) of the statutes and SECTIONS 3046 (8) and 3202 (46) (g) of this act take effect on January 1, 1986.

3. The repeal of section 76.38 (1) (ac), (bkm) and (fm) of the statutes and the repeal and recreation of section 76.38 (1) (b) of the statutes take effect on January 1, 1988.

(o) *Camps for the disabled.* The treatment of section 70.11 (31) of the statutes takes effect on January 1, 1986.

(om) *Youth baseball.* The treatment of section 77.54 (35) of the statutes takes effect on the first day of the 2nd month commencing after publication.

(p) *Christmas trees.* The treatment of section 70.111 (4) of the statutes takes effect on January 1, 1986.

(q) *Ginseng structures.* The treatment of section 70.111 (21) of the statutes takes effect on January 1, 1986.

(rr) *Minimum tax.*

1. The treatment of section 71.60 (1) (by SECTION 1384o), (2), (4) and (5) of the statutes takes effect on January 1, 1986.

~~(s) *Retirement benefits.* The treatment of section 71.03 (2) (d) of the statutes in respect to individuals who retire on or after March 9, 1984, takes effect on January 1, 1986.~~

Vetoed  
in Part

(t) *Telephone companies; sales tax.* The renumbering of section 77.51 (4) (m) and (7) (p) of the statutes takes effect on January 1, 1987.

(tm) *Railroad historical societies.* The treatment of section 70.11 (31m) of the statutes takes effect on January 1, 1986.

(u) *Levy.* The treatment of section 71.133 of the statutes takes effect on December 1, 1985.

(ud) *Net commercial and manufacturing rate.* The treatment of sections 76.11 (1), 76.12 and 76.125 of the statutes and the treatment of section 76.13 (1) (relating to the net tax rate) of the statutes take effect on January 1, 1985.

(vb) *Mobile homes.* The treatment of sections 77.51 (11) (b) 6 and (12) (b) 5 and 77.54 (31) of the statutes takes effect on January 1, 1987.

(vg) *Marital property implementation.* The treatment of sections 71.01 (1g) and (1r), 71.02 (2) (d), (eg), (fg), (gg) 7 and (km) 8, 71.03 (7), 71.05 (1) (a) 25, (b) 8 and (g), (2m) and (3) (f), (g) and (h), 71.08 (4), 71.09 (7) (a) 1, 6 (except the renumbering) and 8 (except the renumbering), (7m), (9), (10) (a) and (b) and (13) (a), 71.10 (5) (b), (10) (f) and (gm), (19), (20), (21) and (22), 71.11 (2), (2m), (21) (g) 1, (22), (42), (44) (c) 11 and (47), 71.12 (1), 71.13 (1) (c) and (d), 71.21 (2) (intro.), (3), (8), (14) (a) and (b) and (20), 72.12 (6) (a) and (b) (intro.) and 72.86 (4) of the statutes and the renumbering and amendment of section 71.09 (10) of the statutes take effect on January 1, 1986.

(wa) *Animal medicine.* The treatment of section 77.54 (33) of the statutes takes effect on July 1, 1986.

(wc) *Animal bedding.* The treatment of section 77.54 (3m) of the statutes takes effect on July 1, 1986.

(we) *Stored boats.* The treatment of section 77.53 (17m) of the statutes takes effect on the first day of the 2nd month after publication of this act.

(wp) *Industrial fermented malt beverages.* The treatment of section 139.04 (7m) of the statutes takes effect on the first day of the 2nd month beginning after publication.

(xa) *Deductions credit.* The treatment of sections 71.09 (6r) and 71.65 (1) (cm) of the statutes takes effect on January 1, 1986.

(xg) *Hospital service insurance corporations.* The treatment of section 77.54 (9a) (f) of the statutes takes effect on the first day of the 2nd month beginning after publication.

(xs) *Milk house supplies.* The treatment of section 77.54 (34) of the statutes takes effect on July 1, 1986.

(ya) *Youth hockey.* The treatment of section 70.11 (32) of the statutes takes effect on the January 1 after publication.

(yb) *Deductions credit.* The treatment of sections 71.09 (6r) and 71.65 (1) (cm) of the statutes takes effect on January 1, 1986.

(yc) *One-time property tax and rent credit.* The treatment of sections 71.54 and 71.65 (1) (dm) of the statutes takes effect on January 1, 1986.

(yo) *Motorized wheelchairs.* The treatment of section 77.54 (22) (e) of the statutes takes effect on the first day of the 2nd month beginning after publication.

(zd) *Theaters.* The treatment of section 70.11 (29m) of the statutes takes effect on January 1, 1986.

(48) SECRETARY OF STATE.

(a) *Information and copying fees.* The treatment of sections 14.38 (9), 179.16 (4), 180.87 (1) (r), 181.68 (1) (i), 185.83 (1) (f) and 409.407 (2) of the statutes takes effect on September 1, 1985, or on the first day of the 2nd month commencing after publication of this act, whichever is later.

(b) *Lobbying fees and statements.* The treatment of sections 13.63 (1), 13.70 (5) and 13.75 of the statutes takes effect on July 1, 1985, if this act takes effect on July 1, 1985; otherwise, on January 1, 1986.

(51) TRANSPORTATION.

(b) *Driver improvement surcharge increase.* The treatment of section 346.655 (1) of the statutes takes effect on the first day of the 3rd month beginning after publication.

(c) *Accident reporting.* The treatment of section 346.70 (2) of the statutes takes effect on January 1, 1987.

(d) *Chauffeur's license renewal fee.* The treatment of section 343.21 (1) (c) of the statutes takes effect on September 1, 1985.

(e) *Instruction permits.* The treatment of section 343.21 (1) (a) of the statutes takes effect on July 1, 1986.

(fp) *State trunk highway system.* SECTION 2477e of this act takes effect on January 1, 1989, or upon the

date as certified by the department of transportation of the completion of the project authorized in section 84.013 (3) (o) of the statutes by this act, whichever is sooner.

(56) OTHER.

(a) *Badger state games assistance.* The repeal of sections 16.40 (15) and 20.505 (1) (f) of the statutes takes effect on July 1, 1986.

(b) *Spousal and parental support obligations.* The treatment of section 52.01 (1m) of the statutes takes effect on January 1, 1986.

(c)\* *Public purpose corporations.* The treatment of sections 19.32 (1), 19.82 (1) and 181.79 of the statutes and SECTION 3056 (7) (a) of this act take effect 30 days after the effective date of this paragraph.

Partial  
Veto  
Overruled

(d) *Aids as credits.*

1. The treatment of sections 70.65 (2), 74.03 (1g), (5) (d) 3 (in respect to the addition of "net" and "the offset"), (8) (f) and (9) (a), (f) and (g) and 74.031 (8) (d) 3 (in respect to the addition of "net" and "the offset") and (11) (f) and (g) of the statutes takes effect on January 1, 1988.

2. The treatment of sections 27.10 (3), 27.11 (8) (b), 45.055, 59.69 (1) (a), 61.46, 61.47, 62.12 (4), 62.18 (16) (a), 65.07 (1) (a) and (f), 70.62 (2), 79.015 (1) (in respect to consideration of receipt of entitlements) and (2), 79.10 (1) (c) (in respect to subtracting credits) and (1) (e) (in respect to subtracting credits) and (9) (a), (d), (e), (f), (g), (h) and (i), 81.11 (2), 81.12 (1) and 83.03 (2) of the statutes and the amendment of section 79.10 (9) (b), as renumbered (in respect to the credits allocated), of the statutes and SECTIONS 3201 (1) (bg) and 3202 (56) (f) of this act take effect on July 1, 1987.

3. The amendment of section 79.02 (1), (2) (a), (b) (in respect to redefining "estimated payments" as "entitlements") and (c) and (3) (in respect to redefining "estimated payments" as "entitlements") of the statutes, the creation of section 79.02 (4) of the statutes, the amendment of section 79.08 (title) of the statutes, the renumbering of section 79.08 (1) of the statutes and the creation of section 79.08 (1) of the statutes take effect on January 1, 1988.

(gm) *Chiropractic coverage.* The amendment of sections 185.981 (1) to (4), 185.982 (title), (1) and (2), 609.05 (3) and 632.87 (1) of the statutes, the repeal of section 628.33 of the statutes and the creation of sections 40.91 (8), 185.981 (4a), 628.36 (2) (b) 5, 609.50 and 632.87 (3) (a) and (b) of the statutes take effect on the first day of the 3rd month beginning after the effective date of this paragraph.

Vetoed  
in Part

\* The paragraph was created on October 16, 1985, when the required two-thirds of each house of the Legislature had voted to pass vetoed item 2-G notwithstanding the objections of the Governor.

**Vetoed in Part** (gn) *Sunset chiropractic coverage.* The repeal of sections 40.51 (8), 185.981 (4m), 628.36 (2) (b) 5, 609.50 and 632.87 (3) of the statutes, the amendment of section 185.982 (title) (by SECTION 2060bs) of the statutes, the repeal and recreation of sections 185.981

(1) to (4), 185.982 (1) and (2), 609.05 (3) and 632.87 (1) of the statutes, the creation of section 628.33 of the statutes and SECTION 3202 (30) (cn) of this act take effect on the first day of the 39th month beginning after the effective date of this paragraph. **Vetoed in Part**